

ANNUAL CONFIDENTIAL REPORTS

- 8.1 The Annual Confidential Reports of the government servants are written with a view to adjudge their performance every year in the areas of their work, conduct, character and capabilities.
- 8.2 The system of writing confidential reports has two main objectives. First and foremost is to improve performance of the subordinates in their present job. The second is to assess their potentialities and to prepare them for the jobs suitable to their personality. The columns of ACRs are, therefore, to be filled up by the Reporting, Reviewing and Accepting authorities in an objective and impartial manner.
- 8.3 **Timely Completion of Confidential Reports.**
- 8.3.1 The delay in writing of the confidential reports delays holding of DPCs for promotion & confirmation, awards of PPM/PM, forwarding of applications for higher posts etc. which cause undue hardship to the employees whose cases are due for consideration. The confidential reports should, therefore, be written strictly in accordance with the following prescribed time schedule.

Initiation of ACRs

| Nature of Action | Date by which action is to be completed in respect of CRs to be written on the basis of | |
|--|---|-----------------------|
| | Calendar year | Financial Year |
| Distribution of Blank ACR forms to all concerned | 31st Dec. | 31st March |
| Submission of self-appraisal to Reporting Officer | 15th Jan. | 15th April |
| Submission of report by Reporting Officer to Reviewing Officer | | |
| Where self-appraisal by reported officer is prescribed | 6th Feb. | 7th May |
| Where self-appraisal by reported officer is not prescribed. | 21st Jan. | 21st April |
| Where officer reported upon is himself a reporting officer for subordinates under him | 21st Feb. | 22nd May |
| Report to be completed by the Reviewing Officer and send to the CR Sec./Cell Accepting Authority. | | |
| Where due date for Reporting | 22nd Feb. | 23rd May |

| | | |
|---|-----------|----------|
| Officer is 6th Feb. (Calendar year CRs) and 7th May (Financial year CRs) | | |
| Where due date for Reporting Officer is 21 st Jan (Calendar year CRs) and 21st April (Financial year CRs) | 6th Feb. | 7th May |
| Where due date for Reporting Officer is 21st Feb. (Calendar year CRs) and 22nd May (Financial year CRs) | 8th March | 5th June |

8.3.2 Reporting officer should not wait till the expiry of the time-limit as per the time schedule for submission of self-appraisal of the officer to be reported upon and should remind the officer to be reported upon in writing, asking him to submit the self-appraisal by the stipulated date. If the officer to be reported upon fails to submit the self-appraisal by the stipulated date, the reporting officer should obtain another blank CR form and proceed to write the report on the basis of his experience of the work and conduct of the officer reported upon. While doing so, he should also point out the failure of the officer reported upon to submit his self-appraisal within the stipulated time which should be viewed adversely.

8.4 **Eligibility to write a Confidential Report**

(i) The reporting/reviewing authority can write/review the confidential report of an officer if it has at least an experience of three months of work and conduct of the officer reported upon. The officer reported upon need not submit his self-appraisal if the period of observation of his work and conduct by the reporting officer/reviewing authority is less than three months.

(ii) The period during which the officer reported upon remains on Earned Leave/Commutated Leave, should be deducted for calculating the required period of 3 months for writing of CR, because the work and conduct of the officer is actually not supervised during the leave period.^{1[1]}

(iii) If the period of observation happens to be less than three months, this fact only need to be indicated in the report or a non-initiation certificate in this regard may be prepared and placed in the CR dossier.

8.5 **Mention of warning/reprimands**

^{1[1]}DOPT ID No. 245/58/2001-AVD.II dated 21.8.2001

There may be an occasion when a superior officer may find it necessary to criticize adversely the work of an officer working under him or he may call for an explanation for some act of omission or commission and taking all the circumstances into consideration, it may be felt that while the matter is not serious enough to justify the imposition of the formal punishment of censure, it calls for some formal action such as communication of a written warning/displeasure/reprimand. Where such a warning/displeasure/reprimand is issued, it should be placed in the personal file of the officer concerned. At the end of the period of report, the reporting officer, while writing the confidential report of the officer, may decide not to make a reference in the confidential report to the warning/ displeasure/reprimand, if, in the opinion of that authority, the performance of the officer reported on after the issue of the warning/displeasure/reprimand has improved and has been found satisfactory. If, however, the reporting authority comes to the conclusion that despite such warning/displeasure/reprimand, the performance of the officer reported upon has not improved, in that case, copy/copies of the warning/displeasure/reprimand should be placed in the CR dossier as an annexure to the confidential report for the relevant period. The adverse remark should also be conveyed to the officer and his representation, if any against the same, be disposed of, in accordance with the instructions issued by the government from time to time.

8.6 **Filling up column relating to integrity**

Supervisory officers should maintain a confidential diary in which instances which create suspicion about the integrity of a subordinate should be noted from time to time and action to verify the truth of such suspicions should be taken expeditiously by making confidential enquiries departmentally. At the time of recording the annual confidential report, action should be taken in accordance with the following:

(i) The column pertaining to integrity in the ACR should be left blank and a separate secret note about the doubts and suspicions regarding the officer's integrity should be recorded simultaneously and followed up.

(ii) A copy of the secret note should be sent together with the ACR to the next superior officer who would ensure that the follow-up action is expedited.

(iii) If, as a result of the follow-up action, an officer is exonerated, his integrity should be certified and an entry made in the ACR. If suspicions regarding his integrity are confirmed, this fact can also be recorded and duly communicated to the officer concerned.

(iv) There are occasions when a reporting officer cannot in fairness to himself and to the officer reported upon, either certify integrity or make an adverse entry, or even be in possession of any information which would enable

him to make a secret report to the head of the department. Such instances can occur when an officer is serving in a remote station and the reporting officer has not had occasion to watch his work closely or when an officer has worked under the reporting officer only for a brief period or has been on long leave, etc. In all such cases, the reporting officer should make an entry in the integrity column to the effect that he has not watched the officer's work for sufficient time to be able to make any definite remark or that he has heard nothing against the officer's integrity, as the case may be. But, it is necessary that a superior officer should make every effort to form a definite judgement about the integrity of those working under him, as early as possible, so that he may be able to make a positive statement.

(v) There may be cases in which after a secret report / note has been recorded expressing suspicion about an officer's integrity, the enquiries that follow do not disclose sufficient material to remove the suspicion or to confirm it. In such a case, the officer's conduct should be watched for a further period, and in the meantime, he should, as far as practicable, be kept away from positions in which there are opportunities for indulging in corrupt practices.

8.6.1 Specific mention should be made in the confidential reports of officers working in or holding charge of Top Secret / Secret Sections about their trustworthiness especially in matters affecting departmental security.

8.7 **Recording of Adverse Remarks in the Confidential Report**

No employee should be adversely affected by prejudicial reports recorded without fullest consideration. At the same time, none should be rewarded by excessively flattering reports which are not based on facts. With a view to enabling the Reporting Officers to make correct overall assessment of the work and conduct of their subordinates, the reporting officers are required to maintain memorandum of services in respect of each officer employed under them. All instances of good and bad work coming to the notice of the reporting officers should be promptly noted in the memo of services. The entries in the memo of services should be based on facts and documentary evidence. With a view to checking up possibilities of prejudicial reports or excessively flattering reports, the following procedure is prescribed:

- a) The memo of services should invariably be consulted at the time of writing the annual report though the report itself should necessarily be based on the employee's performance during the year as a whole.
- b) Where an adverse remark is recorded in respect of an official having consistently good record, some details regarding the same should invariably be given.

- c) The report should give a clear opinion on the main points like character, integrity, industry etc.
- d) There should be no hesitation on the part of the reporting officers to record adverse remarks in justified cases.
- e) Reporting Officers should not be in a hurry to write all the reports on one day.

8.8 **Communication of Adverse Remarks in the Confidential Report**

(i) All adverse entries in the confidential report, both on performance as well as on basic qualities and potential should be communicated along with a mention of good points within a month of their being recorded. This communication should be in writing and a record to that effect should be kept in the CR Dossier of the officer reported upon. Only such of the adverse entries as are accepted by the countersigning authority, if any, need be communicated.

(ii) “Average” may not be taken as adverse remark in respect of an officer, at the same time, it cannot be regarded as complimentary to the officer, as “Average” performance should be regarded as routine and undistinguished.

(iii) Adverse remarks should be communicated by the reviewing officer or by the reporting officer in case there is no reviewing officer.

(iv) Remarks about physical defects noted in the CR need not be communicated.

(v) The grading of officers on the basis of the general remarks in the report should not be communicated, even if it is adverse.

(vi) Care should be taken to ensure that the remarks are communicated in such a form that the identity of the officer making particular remarks is not disclosed.

8.9 **Representation against adverse remarks**

(i) Only one representation against adverse remarks (including reference to ‘warning’ or communication of displeasure of the government or ‘reprimand’ which are recorded in the confidential report of the government servant) should be allowed within one month of their communication. While communicating the adverse remarks, the time limit should be brought to the notice of the officer reported upon. However, the competent authority may, in its discretion, entertain a representation made beyond this time if there is satisfactory explanation for the delay.

(ii) Authority deciding the representation against the adverse remarks should be the authority superior to Accepting / Countersigning authority.

(iii) All representations against adverse remarks should be decided expeditiously by the competent authority and in any case within three months from the date of submission of the representation. But this does not mean that if it is not done within this period, the adverse remarks get expunged automatically. The only provision is that when a representation has been submitted within the prescribed time-limit, no note will be taken on the adverse remarks during the period of pendency of the representation. The aggrieved employee may, however, approach the higher authorities for redressal of his grievance in this regard, if any.

8.10 **Expunging of adverse remarks**

In the circumstances, where on consideration of a representation against adverse remarks, the competent authority comes to the conclusion that the remarks deserve to be expunged, it should see whether totally expunging of the remarks will leave the relevant column(s) blank, and if it finds the position to be so, it should order modification of the relevant remarks in a suitable manner so that column(s) in question does/do not remain blank.

8.11 **Reporting / Reviewing of ACRs after retirement**

DOP & T OM No.21011/1/77-Estt dated 30.1.78 provides that where a reporting officer retires or otherwise demits office, he may be allowed to give the report on his subordinates within one month of his retirement or demission of office. This provision has been further extended vide DOP&T OM No. 21011/1/93-Estt.(A) dated 14.1.1993 to the reviewing officer also to enable him to review ACRs of his subordinates within one month after his retirement or demission of office.

8.12 **Writing of reports by officers under suspension**

No officer under suspension should be allowed to write / review the ACRs of his subordinates if during the major part of writing / reviewing he is under suspension as he might not have full opportunity to supervise the work of his subordinates.

8.13 **Writing of ACRs of officers on deputation**

Central Government officers who are deputed to other Department / State Government or are on foreign service, the confidential rolls should be maintained by their parent department and periodicity of such confidential reports should be the same as in the parent department. It will be the

responsibility of the parent department to obtain the reports of their officers on deputation and maintain them.

8.14 **Writing of ACRs of officers on deputation in CBI**

8.14.1 Confidential Report in respect of deputationist officers in CBI should invariably be prepared in duplicate so that one copy of the ACR may be sent to the parent department of the officer reported upon. In such ACR, complete address of State/Department from which the officer has come on deputation should also be given invariably in the relevant column of the confidential report so that one copy of the report could be sent to his parent department.

8.14.2 DOP&T vide UO NO. 245/24/96-AVD.II dated 4.4.96 has clarified that Confidential Reports of officers on deputation to CBI from State Police Forces/CPOs/Other departments other than AIS officers, should be recorded in the ACR format prescribed for posts in CBI. Confidential Reports of AIS officers will continue to be recorded in the ACR proforma prescribed in their service.

8.15 **Retention/Custody of CR Dossiers of retired government servant whose cases are pending in Courts and UPSC**

The ACRs of the officers who have retired will be preserved / kept in safe custody till the time for filing of an appeal, has lapsed or till a final decision in the appeal, filed by an officer in the Court, has been taken or the promotion case of the officer is pending with UPSC^{2[2]}.

8.16 **Initiation of Confidential Reports by D.Is.G (Incharge) in CBI**

8.16.1 Policy Division in its circular No. 2/CRs/JD(P)/CBI/94/2135 dated 14.11.1994 has pointed out that in some of the regions, where the charge of DIG has been entrusted to the senior most SsP, the Confidential Reports of Superintendent of Police of that Region are being initiated by the DISG incharge and as per Rules for initiation of Confidential Rules, it is improper. In such cases where CR is to be initiated by the DIG and where there is no regular DIG, the CRs should be initiated by the next superior authority i.e. Reviewing Authority.

8.16.2 Similar analogy may also be applied in respect of initiation of Confidential Reports by Superintendent of Police (Incharge).

8.16.3 For detailed instructions on the subject, the reporting/ reviewing/accepting authorities may refer to instructions issued by the Government and CBI from time to time.

^{2[2]}OM No.21011/6/2001-Estt(A) dated 14.5.2001

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