

No.A.28011/1/2017-P&AR(GSW)
GOVERNMENT OF MIZORAM
DEPARTMENT OF PERSONNEL AND ADMINISTRATIVE REFORMS
(GENERAL SERVICE WING)

OFFICE MEMORANDUM

Dated Aizawl, the 30th March, 2017

Subject : Comprehensive instructions on procedure for maintenance of Annual Confidential Reports of Officers and Staff.

The undersigned is directed to refer to Office Memoranda No.A.28011/1/89-POL dated 20.12.1990, No.A.28011/1/89-POL dated 04.04.1991, No.A.28011/1/89-POL/pt dated 21.07.1992, No.A.29011/1/89-POL dated 05.04.1994, No.A.28011/1/96-POL dated 10.01.1997, No.A.32012/1/2003-P&AR(GSW) dated 22.05.2006, No.A.28011/1/2002-P&AR(GSW) dated 08.07.2011, No.A.28011/1/2014-P&AR (GSW) dated 21.01.2014, No.A.28019/1/2010-P&AR (GSW) dated 05.03.2015 which outlined various instructions regarding maintenance of Annual Confidential Report (ACR) of Officers and Staff. The Government decided to consolidate all these instructions and bring out a self contained OM with certain additions and modifications, wherever necessary, in supersession of the above OM's which shall come into force with effect from the year ending 31.03.2017 as follows:

2. Importance of Annual Confidential Report: The Annual Confidential Report (ACR) forms the basic material for an objective and impartial assessment of the character, conduct, capabilities and performance of an Official throughout the year. It serves as the basis for ascertaining the fitness or otherwise of an Official for his career advancement in the form of promotion, assured career progression or placement to higher grades including determination of the suitability of an Officer for deputation to various ex-cadre posts. The ACR is of utmost importance for ensuring the efficiency and effectiveness of an Officer. A credible Confidential Report is, thus, important not only for the employee but also for the Government as well.

3. Confidential Reports:

- a) A Confidential Report (CR) shall be written for every financial year.
- b) A Confidential Report should give full particulars of the Official reported upon. The name and designation of the Reporting, Reviewing and Accepting Authorities should be clearly written either in capital letters or rubber stamp affixed below the portion where signatures are appended. Confidential Reports should be maintained in book form, the reports being placed one after the other in chronological order and pages being serially numbered.
- c) Confidential Reports should, as a general rule, give general appreciation of the character, conduct and qualities of an Official reported upon and a reference to a specific incident should be made, if at all, only by way of an illustration to support adverse comments of a general nature such as inefficiency, delay, lack of judgement, etc. Specific incidents on the basis of which penalties have been awarded in the course of departmental proceedings must, however, be indicated.
- d) The Annual Confidential Report (ACR) should be objective, frank and honest. The ACRs in order to be useful must give a critical analysis of the qualities as well as the faults of the Government servants. It should be possible on the basis of ACRs to

judge the calibre of an official as to whether he is good or average or poor in his performance. Moreover, the manner of writing ACRs would reveal the ability of the Reporting Authority in assessing the character, qualities and faults of his subordinates.

4. Format of Confidential Reports and Performance Reports:

- a) The format for writing the Confidential Report/Performance Reports shall be as prescribed by the Government in DP&AR from time to time.
- b) The format of Confidential Report at **Annexure-I** shall be applicable for all Group 'A' Officers in the Mizoram Engineering Service
- c) The format of Confidential Report at **Annexure-II** shall be applicable for all Officers and Staff holding Group 'B' posts under the Government of Mizoram excluding technical personnel
- d) The format of Confidential Report at **Annexure-III** shall be applicable for all Technical Officers and Staff holding Group 'B' and 'C' posts under the Government of Mizoram
- e) The format of Confidential Report at **Annexure-IV** shall be applicable for all Group 'C' posts under the Government of Mizoram excluding technical personnel. The format for writing the Performance Report of Drivers issued vide No. A.28019/1/2010-P&AR(GSW) dated 29.05.2013 stands modified accordingly.
- f) The Performance Report format at **Annexure-V** shall be applicable for Officials who had gone on study leave/training
- g) The Performance Report format at **Annexure-VI** shall be applicable for all Group 'D' posts under the Government of Mizoram.
- h) The Performance Report format at **Annexure-VII** shall be applicable for all Muster Roll employees irrespective of the posts under the Government of Mizoram

5. General Guidelines for writing of Confidential Reports:

- a) The assessment of an Official's work and his merit should be objective and all Officers who are entrusted with the responsibilities of Reporting, Reviewing or Accepting of the Annual Confidential Reports should lay proper emphasis on the correct appraisal of the conduct, work and merit of the Officials concerned.
- b) The Reporting Authorities must be fully conversant with the quality of work of the Officials working under them so that the assessment made in the Annual Confidential Reports is clear and useful.
- c) Impressions should be recorded not on the basis of a particular incident or personal likes and dislikes. There should be no hesitation for the Reporting Authority in recording their honest opinion based on information at their disposal. It is not the intention of the government that the defect of the Officials reported upon, whether remediable or irremediable, are shielded. If the Official has acquired a general bad reputation as also the good or high reputation, this should be stated in the Annual Confidential Report.
- d) The Reporting Authorities should take pains in writing the Annual Confidential Reports and that they should make a genuine attempt to convey their appraisal of the works of the Official during the period under report. Laconic and vague remarks

such as 'good', 'satisfactory', 'ditto', 'no comment', etc. do not give an indication of the calibre of an Official and should be avoided.

6. Authorities for writing Annual Confidential Report: In order to minimize the operation of the subjective element and of conscious or unconscious bias, the Annual Confidential Report on every employee should contain the assessments of more than one Officer. The authorities prescribed at various levels are briefly classified as follows:-

- a) **"Reporting Authority"** means the authority supervising the performance of the Official reported upon during the period for which the Annual Confidential Report is written or such other authority as may be specifically empowered in this behalf by the Government
- b) **"Reviewing Authority"** means the authority supervising the performance of the Reporting Authority during the period for which the Annual Confidential Report is written or such other authority as may be specifically empowered in this behalf by the Government
- c) **"Accepting Authority"** means the authority supervising the performance of the Reviewing Authority during the period for which the Annual Confidential Report is written or such other authority as may be specifically empowered in this behalf by the Government.
- d) Notwithstanding the above instructions, in case of certain posts (eg. Personal Assistant to Deputy Secretary, etc.) wherein there cannot be authorities higher than the Reporting Authority to review and accept the ACR, the Confidential Report need not be reviewed nor accepted. The Confidential Report with the assessment of the Reporting Authority shall be considered as a complete ACR.

7. Time limit for completion of Annual Confidential Report: The time limit for completion of Annual Confidential Reports is prescribed as follows for all Officials under the Government of Mizoram with the exception of Officers whose Performance Appraisal Reports are governed by the Mizoram State Government Employees (Performance Appraisal Report) Rules, 2010:

- a) **Distribution of ACR Forms:** Distribution of blank ACR forms to the concerned Official shall be completed before the date at which the ACR is due i.e 1st April of the relevant year.
- b) **Self Appraisal:** All Officials reported upon should submit their ACRs after filling up Section-I (Personal Data) and Section-II (Self Appraisal) with a forwarding letter to the Reporting Authority within one month (i.e. 30th April of the relevant year) from the date on which the ACR is due with intimation to the Administrative Department/Cadre Controlling Authority. If the Official concerned fails to submit his self appraisal within the time limit, the Reporting Authority shall initiate the ACR without waiting for the self appraisal from the Official concerned. However, in such cases, an entry in the ACR should also be made that the Official reported upon has failed to comply with the Government's instructions in this regard.
- c) **Reporting of ACR:** The Reporting Authority should submit the ACR to the Reviewing Authority latest by the 31st of May of the relevant year with intimation to the Administrative Department/Cadre Controlling Authority. In case the Reporting Authority fails to complete the ACRs in respect of his subordinates within the prescribed time limit, the lapse on his part is to be viewed seriously and an entry should be made in his ACR that he fails to complete the ACRs of his subordinates well in time.

- d) **Reviewing of ACR:** The Reviewing Authority should submit the ACR to the Accepting Authority latest by the 30th of June of the relevant year with intimation to the Administrative Department/Cadre Controlling Authority. If the Reviewing Authority fails to complete the ACR within the prescribed time limit, the lapse on his part is to be viewed seriously and an entry should be made in his ACR that he fails to complete the ACRs of his subordinates well in time.
- e) **Accepting of ACR:** The Accepting Authority, after recording his acceptance, should submit the ACR to the Custodian of the ACR latest by the 31st of July of the relevant year. If the Accepting Authority fails to complete the ACR within the prescribed time limit, the lapse on his part will be viewed seriously by the Government.

8. Reporting of Annual Confidential Report:

- a) The primary responsibility of initiating the Confidential Report assessing the performance, character, conduct and qualities of every Official rests with the Reporting Authority.
- b) No Confidential Report shall be written on an Official unless the Reporting Authority has seen the performance of the Official at least 3 months during the period for which the Confidential Report is to be written.
- c) Where more than one Confidential Report are written on an Official during the year, each such report shall indicate the period to which it pertains.
- d) Confidential Reports shall also be written when either the Reporting Authority or the Official reported upon relinquishes charge of the post/transferred to another post and in such a case, it shall be written at the time of the relinquishment of his charge of the post, or immediately thereafter.
- e) Where the Reporting Authority has not seen and the Reviewing Authority has seen the performance of an Official for at least 3 months during the period for which the Confidential Report is to be written, the Confidential Report for any such period shall be written by the Reviewing Authority, and where both the Reporting Authority and the Reviewing Authority have not seen the performance of any such Official during any such period, the Confidential Report shall be written by the Accepting Authority.
- f) Where the Reporting Authority, the Reviewing Authority and the Accepting Authority have not seen the performance of an Official for at least 3 month during the period for which the report is to be written, an entry to that effect shall be made in the ACR.

9. Reviewing of Annual Confidential Report:

- a) The Confidential Report shall be reviewed by the Reviewing Authority.
- b) It shall not be competent for the Reviewing Authority or Accepting Authority, as the case may be, to review any such Confidential Report unless he has seen the performance of the Official for at least 3 months during the period for which the report is written.
- c) Where the report is written by the Reviewing Authority under 8 (e) above, or where the Reviewing Authority has not seen and the Accepting Authority has seen the performance of an Official for at least 3 months during the period for which the Confidential Report is written, the ACR shall be reviewed by the Accepting Authority.

- d) The Reporting Authority, by virtue of his ex-officio appointment cannot function as Reviewing Authority in respect of the same official for a particular period. In such a case, the report shall be reviewed by the next higher authority.
- e) The Reviewing Authority is required to give his comments not only in the assessment made by the Reporting Authority but also his own original comments on the Official reported upon covering points such as special characteristics of the Official, etc.
- f) The Reviewing Authority should ensure that incomplete and unsatisfactory reports are sent back to the Reporting Authority and in reviewing the remarks made by the Reporting Authority, takes steps regarding subjective entries by his own impression of the Official reported upon. He should exercise positive and independent check on the remarks of the Reporting Authority and express clearly his agreement and disagreement with these remarks. This is particularly necessary in regard to any adverse remarks.
- g) Inability or the failure to report properly and objectively and undue delay in submission of the reports in accordance with these instructions will be construed as an adverse trait in Reporting/Reviewing Authorities themselves and commented upon by their superior Officer.

10. Acceptance of Annual Confidential Report:

- a) The Confidential Report, after review, shall be accepted, with such modifications, as may be considered necessary and countersigned, by the Accepting Authority.
- b) Where the Accepting Authority has not seen the performance of an Official for at least 3 months during the period for which the Confidential Report is written, it will not be necessary for the Accepting Authority to accept any such report. An entry to this effect shall be made in the Confidential Report by the Reviewing Authority.
- c) As per para 8 and 9, where the Accepting Authority writes or reviews the Confidential Report of any official, it shall not be further necessary to review or accept any such report.

11. Filling up of column relating to grading:

- a) The Annual Confidential Report invariably contains a column for grading the overall performance of the Official reported upon in terms of "Outstanding", "Very Good", "Good", "Average" or "Below Average".
- b) The grading given to an Official should be commensurate with the assessment of his performance in the Confidential Report.
- c) A Government servant should not be graded "Outstanding" unless exceptional qualities and performance have been noticed. Grounds for awarding such a grading should also be clearly brought out.

12. Frequency of reporting and eligibility to write a report:

- a) While normally there should be only one Annual Confidential Report covering one financial year, there can be situations where it becomes necessary to write more than one Confidential Report during a year perhaps due to a change in the Reporting Authority during the course of a year.

- b) One or more Confidential Reports can, thus, be written for the same year by different Reporting Authorities, provided that no report should be written unless the Reporting Authorities have seen the performance of the concerned Official for at least 3 months.
- c) Where an Official has taken Earned Leave for a period of more than 15 days, the total period spent on leave can be deducted from the total period spent on any post for the purpose of calculating the period of 3 months which is crucial for writing entries in the Confidential Report. Leave taken for short duration need not be treated as relevant for the purpose.
- d) When more than one Confidential Report is written for the same year, each report should indicate precisely the period to which it relates and the reports for the earlier part or parts of the year should be written at the time of transfer or immediately thereafter.

13. Maintenance and custody of Confidential Report:

- a) A Confidential Report shall be maintained in respect of every official by the concerned Department which controls the service of the official. The responsibility for ensuring that the annual entries in the Confidential Report are made and necessary consequent action taken rests with the concerned Department under whose control the official is working.
- b) The Confidential Report of an Official shall be written, reviewed and accepted by the Reporting, Reviewing and Accepting Authorities designated for the respective posts by the Government from time to time. Confidential Reports either written or reviewed or accepted by any authority other than the authority prescribed by the Government shall be returned by the Custodian for rectification.
- c) The Confidential Report of all Gazetted Officers shall be in the custody of the Secretary of the Department concerned/Cadre Controlling Authority whereas the Confidential Report of all non-Gazetted Officers shall be the Head of Department concerned.
- d) Register of the Annual Confidential Reports shall be maintained by the Custodian year wise.

14. Mention of warning/displeasure/reprimands in Annual Confidential Reports:

- a) An entry relating to a penalty should be recorded in the Confidential Report for the year in which punishment is issued.
- b) If the Official reported upon has been issued "warning or displeasure or reprimand" for certain acts of omission or commission and if the Reporting Authority comes to the conclusion that despite issue of such warning or displeasure or reprimand, as the case may be, the Official reported upon has not improved, he may make appropriate mention of such warning/displeasure/reprimand, as the case may be, in the relevant column of the Confidential Report. A copy of the warning/displeasure/reprimand referred to in the Confidential Report shall be placed in the ACR dossier. The adverse remark should also be conveyed to the Official reported upon for making representation as per the procedure laid down in para 15 of this Office Memorandum.

15. Communication of adverse remarks:

- a) Every Reporting Authority shall not only make an objective assessment of his subordinate's work and qualities but shall also give him at all times necessary advice, guidance and assistance to correct his faults and deficiencies. If the Reporting Authority performs his duty properly, there should be no difficulty about recording adverse entries which would only refer to defects which had persisted despite the Reporting Authority's efforts to have them corrected.
- b) All adverse entries in the Confidential Report of a Government servant should be communicated together with the substance of the entire Confidential Report by the Accepting Authority within 15 days of completion of the Confidential Report or within 15th July of the year, whichever is earlier. The communication should be in writing and a certificate to that effect should be recorded in the Confidential Report.
- c) The authority in whose custody the Confidential Report of Officials are maintained shall :-
 - i) ensure that the Annual Confidential Reports of the Officials in service/post are received without undue delay.
 - ii) scrutinise the reports as soon as received to see whether the adverse remarks, if any, have been communicated to the Officials concerned. If it is found that the adverse remarks have not been communicated in any case, he should return the incomplete report bringing it to the notice of the Head of the Department/Office where the Official was last working during the period under report, requesting for the early return of the report after due compliance.
 - iii) Communicate to the Official concerned through the Department in which the Official is serving, the fall in standards, if any, in relation to his past performance as revealed through his Annual Confidential Reports.
- d) The question whether or not a particular remark recorded in the Confidential Report of a Government Servant is an adverse remark shall be decided by the Accepting Authority.
- e) While mentioning any faults/defects, the Reporting Authority should also give an indication to the efforts at reform made by him, by way of guidance, admonition, etc. and the result of such efforts.
- f) In communicating remarks to the Official reported upon, the following procedure should be followed :-
 - i) Where no adverse entry is made in a Confidential Report, nothing should be communicated except in cases dealt with in (iii) below:
 - ii) Where an adverse entry is made, whether it relates to a remediable or to an irreparable defect (including a reference to the communication of a "Warning" or "Displeasure of Government" or a "Reprimand") it should be communicated under orders of, and wherever possible, by an Officer superior to the one to whom the remarks are communicated. In all these cases, the substance of the entire report, including what may have been said in praise of the Officer, should also be communicated; and
 - iii) Where the report of an Officer shows that he had made efforts to remedy or overcome the defects mentioned in the preceding report, the fact should be

communicated to the Officer in a suitable form and a copy of such communication added to the Confidential Report.

The object of para (ii) and (iii) above is to let the Official know that his good qualities as well as his defects have been recognized and that notice has been taken of the improvement, if any, made by him.

- iv) While communicating the adverse remarks to the Government servant concerned, the identity of the superior Officer making such remarks should not normally be disclosed. If, however, in a particular case it is considered necessary to disclose the identity of the superior Officer, the authority dealing with the representation may at his discretion allow the identity to be communicated.

16. Representation against adverse remarks:

- a) A Government servant should be given an opportunity to represent against the adverse remarks communicated to him to the Accepting Authority within 30 days from the date of communication of such remarks.
- b) The Accepting Authority may entertain a representation made beyond the time limit specified above if there is a satisfactory explanation for the delay.

17. Consideration of representation against adverse remarks: All representations against adverse entries should be decided expeditiously by the Accepting Authority and in any case not later than 30 days from the date of submission of the representation. The following procedure may be followed in dealing with representation against adverse remarks:

- a) All the representations against adverse remarks should be examined by the Accepting Authority in consultation with the Reviewing Authority and Reporting Authority, if they are still in service, and pass orders;
 - i) Rejecting the representations, or
 - ii) Toning down the remarks, or
 - iii) Expunging the remarks.
- b) If the Accepting Authority finds that –
 - i) The remarks were justified and the representation is frivolous, a note will be made in the Confidential Report of the Government servant that he did not take correction in good spirit;
 - ii) There is no sufficient ground for interference, the representation should be rejected and the Officer informed accordingly.
 - iii) The remarks should be toned down, he will make necessary entry separately, with proper attestation, at the appropriate place of the report (on no account will corrections be made in the earlier entries themselves); and
 - iv) The adverse remarks was inspired by malice or is entirely incorrect or unfounded and therefore, deserve expunction, he can order accordingly and also make a dated entry, under his signature stating that he has done so, under intimation to the concerned Head of Department or Office if he himself does not occupy that position.

suitable manner so that the column(s) in question does/do not remain blank.

- c) Representations against "warning" or communication of the "displeasure of the Government" or "reprimand" recorded in the Confidential Report of the Government servant should be dealt with in accordance with the above procedure unless :-

- i) An opportunity had already been given to the Official concerned to make a representation in the matter relating to the relevant incident or faults and such representation had been duly considered and a decision taken before the "warning" or "reprimand" was administered or the "displeasure" of the Government communicated to him, or
- ii) Where the "warning" or "reprimand" etc. has been administered as a result of disciplinary proceedings.

18. Disclosure of gradings below benchmark:

- a) Gradings in Annual Confidential Report below the prescribed benchmark for promotion to the next higher grade/post shall be treated as an "Adverse Remark" and communicated by the Custodian to the Official reported upon along with the photocopy of the ACR within 15 days of receipt of the completed ACR with intimation to the Accepting Authority.
- b) The Official reported upon shall be given an opportunity to make any representation against the below benchmark grading in writing to the Accepting Authority within 30 days from the date of receipt of the ACR
- c) The representation shall be restricted to the specific factual observations contained in the ACR leading to the grading of an Official below the prescribed benchmark.
- d) When no representations are received by the Accepting Authority within the 30 days period, it shall be deemed that the Official concerned does not have any representation to make and the ACR shall be treated as final
- e) The Accepting Authority may consider such representations in consultation with the Reporting Authority and the Reviewing Authority, if they are still in service, and shall decide the matter objectively in a quasi-judicial manner on the basis of the materials placed before it within a period of 30 days from the date of receipt of representation.
- f) The Accepting Authority after due consideration may reject the representation or may accept and modify the grading in the ACR accordingly. While deciding such representations, specific reasons must necessarily be given in the order of the Accepting Authority.
- g) The decision of the Accepting Authority and the final grading shall be communicated by the Custodian to the Official reported upon within 15 days of receipt of the decision and no further representation of any kind shall thereafter be entertained
- h) Proper disposal of representation in a quasi-judicial manner as laid down in this OM is essential before placing the ACR's for consideration of the Departmental Promotion Committee.

20. **Assessment of Integrity:** While filling up the column relating to assessment of "Integrity" in the Annual Confidential Report and taking further action in cases of doubt in integrity, the following instructions should be duly followed by Reporting Authorities:

- a) Supervisory Officers should maintain a confidential diary in which instances which creates suspicion about the integrity of a subordinate should be noted from time to time, and action to verify the truth of such suspicion should be taken expeditiously by making confidential enquiries. At the time of recording the Confidential Report, this diary should be consulted and the material in it utilized for filling the column about integrity. If the column is not filled up on account of the unconfirmed nature of the suspicions, further action should be taken in accordance with the following sub-paragraphs.
- b) The column relating to integrity in the Confidential Report should be left blank and a separate secret note about the doubts and suspicions regarding the official's integrity should be recorded simultaneously and followed up.
- c) A copy of the secret note should be sent together with the Confidential Report to the next superior Officer who should ensure that the follow up action is taken expeditiously.
- d) If, as a result of the follow-up action, an Official is exonerated, his integrity should be certified and an entry made in the Confidential Report. If suspicions regarding his integrity are confirmed, this fact can also be recorded and duly communicated to the concerned Official
- e) There are occasions when a Reporting Authority cannot in fairness to himself and the official 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 official is serving in a remote station and the Reporting Authority has not had occasion to watch closely or when an Official has worked under the Reporting Authority only for a brief period or has been on long leave, etc. In all such cases, the Reporting Authority should make an entry in the integrity column to the effect that he has not watched the official's work for sufficient time to be able to make any definite remark or that he has heard nothing against the official's integrity, as the case may be. This would be a factual statement to which there can be no objection. 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.
- f) There may be cases in which after a secret note has been recorded expressing suspicion about an Official's integrity, the enquiries that follow do not disclose sufficient material to remove the suspicion or confirm it. In such a case, the further period, and in the meantime, he

- i) Beyond doubt
- ii) Since the integrity of the Official is doubtful, a secret note is attached
- iii) Not watched the Official's work for sufficient time to form a definite judgement but nothing adverse has been reported to me about the Official.

21. Maintenance of Annual Confidential Reports of Officials on deputation: In case of Officials deputed to other Departments/Agencies or on deputation to foreign service, their Confidential Reports should be maintained by their parent Department financial year wise. It is the responsibility of the parent Department to obtain the Confidential Reports of Officials on deputation and maintain such reports.

22. Confidential Report of Officials/employees appointed on contract/work-charged/Muster Roll:

- a) Confidential Reports should also be written in respect of Officials/employees appointed on contract/work-charged basis as per the form prescribed by this Department for Officials holding similar post on regular basis.
- b) The Confidential Report of Officials/employees appointed on contract/work-charged basis should also be written, reviewed and accepted by the Authorities designated as Reporting, Reviewing and Accepting Authorities in respect of Officers holding similar posts on regular basis, wherever applicable
- c) Confidential Report need not be written for employees appointed on Muster Roll capacity. However, an assessment report on the performance of such employees should be recorded by the appropriate Officer as per the format at **Annexure-VII** duly counter-signed by the Controlling Officer.

23. Performance Report of Group 'D' Staff: No Confidential Report for Group 'D' employees need be written. However, an assessment report on the performance of such employees should be recorded by the appropriate Officer as per the format at **Annexure-VI** and placed in his personal file along with his service Book duly counter-signed by the Controlling Officer.

24. Confidential Reports on retired and deceased Officers and their disposal:

- a) Confidential Reports or copies thereof of a retired Officer or anybody who has otherwise relinquished Government service shall be retained for a period of 5 years from the date of retirement or relinquishment of Government service provided that Annual Confidential Reports of Officials who have retired but whose cases are pending in Courts will be retained in safe custody, over and above the period of 5 years, till the time for filing of an appeal has lapsed or till a final decision in the appeal, filed by an Official in the court, has been taken or the promotion case of the Official is pending with the Mizoram Public Service Commission or with the relevant Departmental Promotion Committee.
- b) If any disciplinary proceedings are pending finalization in respect of the Official at the time of his retirement, the retention period shall count from the date of issue of final orders in the disciplinary proceedings.

a) Confidential Reports or copies thereof should not be given to the concerned retired Officer at the date of retirement or relinquishment of

period as specified in Para 24(a) above provided that the Custodian shall certify that no specific written request has been received for handing over of the Confidential Reports from the concerned retired Official.

- e) Confidential Reports relating to a deceased Official may be destroyed after a period of 2 years from the date of his death.

25. Confidential Report on honorary or part time Officer: No Confidential Report need be written for honorary or part time Officials.

26. Performance Report in respect Officials on Study Leave/Training: Performance Reports should be written in respect of Officials who undergo an approved course of study or training as per the form prescribed by this Department at **Annexure-V**.

27. Forwarding of Confidential Report to Private/Autonomous bodies, etc:

- a) Copies of Confidential Reports or even the substances of such reports should not normally be sent to private bodies in connection with any purpose whatsoever.
- b) However, if a request is received from a public undertaking or autonomous body controlled by the Government for a copy of the Confidential Report, only a gist of the relevant Confidential Reports may be supplied unless the Government's own interest requires that the management of a public undertaking or autonomous body should see the Confidential Reports in full, in such cases, the Confidential Reports may be shown under the order of the Head of Department/Secretaries concerned.
- c) Whenever it becomes necessary to send the Confidential Reports to any outside authority other than the Mizoram Public Service Commission or the duly constituted Departmental Promotion Committee or Screening Committee for the purpose of selection, promotion, appointment, etc., it is advisable to keep the original Confidential Reports with the custodian and send out only photocopy of the Confidential Reports

28. Writing of Confidential Reports when there is no Reporting Authority having the requisite experience: When there is no Reporting Authority having the requisite experience of three months or more during the period of report to initiate the Confidential Report, the Reviewing Authority shall initiate the Confidential Report as a Reporting Authority provided the Reviewing Authority has been the same for the entire period of report and he is in a position to fill in the columns to be filled by the Reporting Authority. Where a report is, thus, initiated by the Reviewing Authority, the Confidential Report will have to be reviewed by an authority higher than the Reviewing Authority.

29. Writing of Confidential Reports by Officers under suspension: No Reporting/Reviewing Officer under suspension should be allowed to write/review the Confidential Report of his subordinates, if during major part of writing/reviewing he is under suspension as he might not have full opportunity to supervise the work of his subordinates.

recommendation of the relevant Departmental Promotion Committee can write the Annual Confidential Report of Officials in the feeder grade who are in the same substantive post

- b) Officials holding additional charge of higher grade/post without being promoted cannot write the Annual Confidential Report of Officials who are holding the same substantive post. In such cases, the Annual Confidential Report shall be written by the next higher authority.

31. Writing/Reviewing of Annual Confidential Report by a relative:

- a) When the Reporting Authority and the Official reported upon happens to be close relatives, the former should abstain from writing the Annual Confidential Report of the latter and instead, the Reviewing Authority should take on the role of the Reporting Authority.
- b) Similarly, if the Reviewing Authority and the Official reported upon happens to be close relatives, the former should abstain from reviewing the Annual Confidential Report of the latter and instead, the Accepting Authority should take on the role of the Reviewing Authority.

32. Writing of Annual Confidential Report by retired Official: The Reporting, Reviewing and Accepting Authority shall not be competent to report, review and accept a Confidential Report after one month of retirement from service or demission of office.

33. Propriety of issue of letters of appreciation or notes of commendation: Documents to be included in the Confidential Report:

- a) The practice of granting letters of appreciation or notes of communications to Government servants and placing them in the Confidential Reports should normally be discouraged. Any outstanding work done by any official should more appropriately be recorded in the Confidential Reports rather than in such letters of appreciation which do not give a complete perspective of the employee's good and bad qualities. Moreover, the mere fact that a letter of appreciation goes into the Confidential Report does not give any Official undue advantage in matters of promotion which goes more by overall and consistently good performance than by occasional flashes of good work.
- b) The following documents may, however, be included in the Confidential Report:
 - i) Letters of appreciation/resolution issued by the Government to an official, record about any medals, awards etc. awarded to him in recognition of his outstanding service
 - ii) Copy of order imposing on an Official any penalties specified in Central Civil Service (Classification, Control and Appeals) Rules, 1965.
 - iii) Copy of communication addressed to an Officer warning him or conveying displeasure or reprimand of the Government to which a reference is made in the Confidential Report for the relevant period.

- v) Record about any books, articles and other publications as permissible under Central Civil Service (Conduct) Rules, 1964 brought out by the Official or for the publication of which he may be responsible.

Scrutiny of Confidential Reports: The Secretaries and Heads of Department should scrutinize the Confidential Reports relating to the Officials under their control, to see whatever they have been written in accordance with these instructions and whether adverse remarks, if any, have been communicated to the Officials concerned. If there is any defect in the Confidential Report, it should be returned to the Reviewing Authority concerned for rectification.

5. Interpretation: In case of any doubt regarding interpretation of any of the provisions of this O.M, the matter shall be referred to Government in DP&AR whose decision shall be final.

6. All Administrative Heads/Heads of Departments are requested to bring the instructions to the notice of all Officials working under their control for strict compliance.

Sd/- V. LALREMTHANGA

Secretary to the Govt. of Mizoram

Department of Personnel & Administrative Reforms

Memo. No.A.28011/1/2017-P&AR(GSW)

Dated Aizawl, the 30th March, 2017

Copy to :-

- 1) Secretary to the Governor
- 2) Principal Secretary to Chief Minister
- 3) P.S to Speaker/Ministers/Vice-Chairman, State Planning Board/Deputy Speaker/Ministers of State
- 4) P.S to all Parliamentary Secretaries
- 5) Sr. P.P.S. to Chief Secretary
- 6) All Administrative Heads of Department
- 7) Secretary, MPSC/MIC/SEC/AMC
- 8) All Heads of Department
- 9) All Deputy Commissioners
- 10) Website Manager, DP&AR for uploading in the website
- 11) Guard File

(Signature)
30/3/17
(LALROHLUA)

(Signature) Under Secretary to the Govt. of Mizoram
Department of Personnel & Administrative Reforms

Ph : 0389-2333526