

No.A.28019/1/2010-P&AR(GSW)
GOVERNMENT OF MIZORAM
DEPARTMENT OF PERSONNEL & ADMINISTRATIVE REFORMS
(GENERAL SERVICE WING)

Dated Aizawl, the 19th May, 2014

OFFICE MEMORANDUM

Subject: Proper disposal of representation in a quasi-judicial manner by the competent authority against remarks in PARs or for upgradation/downgradation of the final grading

Attention is hereby invited to the provisions contained in Rule 8 of the Mizoram State Government Employees (Performance Appraisal Report) Rules, 2010 which laid down the broad guidelines for disclosure of Performance Appraisal Report (PAR) to the Officer reported upon and the quasi-judicial procedure for disposal of representations against adverse remarks and for upgradation of grading.

2. As per the existing Rules, representations against adverse remarks or for upgradation of the final grading in the PAR should be examined by the competent authority in consultation with the Reporting and Reviewing Officers. While considering such representations, the competent authority decides the matter objectively in a quasi-judicial manner based on the material placed before it, thus, implying that the competent authority shall take into consideration the contentions of the Officer who has represented against the particular remarks/grading in the PAR and the views of the Reporting and Reviewing Officers, if they are still in service, on the points raised in the representation vis-à-vis the remarks/grading given by them in the PAR.

3. In this connection, it is reiterated that the competent authority to consider the representation shall decide the matter objectively in a quasi-judicial manner based on the material placed before him after taking into consideration the views of the Reporting and Reviewing Officers, if they are still in service, and may either reject or accept the representation and modify the gradings in the PAR accordingly. In case of upgradation of the final grading in the PAR, specific reasons must necessarily be given in the order of the competent authority.

4. Orders of the competent authority for upgradation of the final grading without specific reasons for such upgradation cannot be termed as being disposed off in a quasi-judicial manner. Grading of an Officer below the bench mark by the DPC in such cases on the ground of upgradation being without giving specific reasons is prone to avoidable representations.

5. It is further stated that proper disposal of representation in a quasi-judicial manner as laid down in this OM is mandatory before placing the PARs under consideration before the concerned Departmental Promotion Committee (DPC).

6. All Administrative Departments/Heads of Departments are informed to ensure compliance of the OM before sending proposals for consideration of the DPC.

Sd/- L. TOCHHONG

Chief Secretary to the Govt. of Mizoram

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(LALROHLUA)

Under Secretary to the Govt. of Mizoram

