

सं. / No27(4)/2014(ACC)
भारत सरकार
Government of India
मंत्रिमंडलीय नियुक्ति समिति का सचिवालय
Secretariat of the Appointments Committee of the Cabinet
कार्मिक एवं प्रशिक्षण विभाग
Department of Personnel & Training
स्थापना अधिकारी का कार्यालय
Office of the Establishment Officer

नॉर्थ ब्लॉक, नई दिल्ली
North, Block, New Delhi
दिनांकित / Dated : 22.10.2014

कार्यालय ज्ञापन
OFFICE MEMORANDUM

Subject: Guidelines for processing proposals for appointment to Board level posts in Central Public Sector Enterprises(CPSEs).

Attention of all Ministries/Departments is invited to Secretary, PESB's D.O. letter No. 13/07/2010-PESB dated 13.05.2011 vide which detailed guidelines for appointment/extension/confirmation to the Board level posts were circulated. Consolidated guidelines to be followed in this regard are also available on this Department's website www.persmin.nic.in (O.M. & Orders →Establishment Officer→ S.No.10 - Guidelines for processing cases of Board level appointments in Central Public Sector Enterprises).

2. It has been observed that the timelines prescribed for processing the proposals for appointments to Board level posts in CPSEs are not being adhered to. The resultant delay in filling up the Board level vacancies has been a matter of serious concern for the Government. In order to address this issue effectively, the following timelines are hereby issued for information and strict compliance:-

PESB will initiate the process for filling up of Board level vacancies at least one year prior to the date on which the vacancy arises. (The Ministry concerned shall be responsible to intimate all anticipated vacancies to the PESB well in time for this process to commence.)	6 months prior to scheduled expiry of tenure	PESB ↓	Initiate selection process 1 year prior to date of vacancy; send recommendations to Ministry 6 months before date of vacancy
PESB will complete the selection process and send its recommendations to the Ministry at least 6 months prior to the date of vacancy.			
Ministry concerned will forward the PESB recommendation with vigilance profile of the selected individual to CVC within 10 days from the receipt of PESB recommendation.	10 days	MINISTRY ↓	Forward vigilance profile to CVC

CVC will complete the Vigilance clearance process within two months from the date of receipt of the vigilance profile of the selected candidate from the Ministry and send it to the Ministry. This period of two months will include consultation with CBI/CBI clearance, reference to the CVO of the Ministry for any report, clarifications, etc.	60 days	CVC ↓	Vigilance clearance or denial including consultation with CBI
The Ministry concerned will, with the approval of the Minister, forward the proposal to ACC Secretariat (E.O.) within the next 10 days.	10 days	MINISTRY ↓	Will forward with Minister's approval
The ACC will thereafter take a decision on the proposal within six weeks of its receipt by the ACC Secretariat.	6 Weeks	ACC	Decision

3. The Establishment Officer will monitor compliance of the above time-line and bring any abnormal and unexpected delay to the notice of the Cabinet Secretariat. To facilitate monitoring of proposals at every stage, all Ministries/Departments shall upload and update the data filled in AVMS on real time basis so that effective monitoring can be done.


4. It is further noted that appointments are getting considerably delayed in cases where vigilance clearance is neither denied nor given but is awaited. In order to avoid delays on account of non-receipt of vigilance clearance, the following guidelines are hereby issued:-

- (a) The instructions contained in DoPT's O.M. No. 104/76/2011-AVD.I dated 18.10.2013 regarding handling of pseudonymous/ anonymous complaints should be strictly adhered to at all levels. Further as per CVC's instructions issued vide Office Order No.57/8/04 dated 31.08.2004, no cognizance should be taken of any complaint received within six months prior to the initiation of the selection process. *For this purpose, the date of interview held by the PESB would be the crucial date, six months prior to which no cognizance would be taken of complaints received against the selected candidates.* Such complaints therefore should not have any bearing on the ACC process and would not prejudice the same. Such complaints should however be dealt separately and necessary action be taken in the event of any adverse conclusion even after the appointment is made.
- (b) (i) In case vigilance clearance is not denied by CVC within the two months period stipulated above (which would include consultation with CBI/CBI clearance, reference to the CVO of the Ministry for any report, clarification etc), the Ministries shall proceed with the appointment process, without waiting any further.

(ii) While submitting such proposals for the consideration of ACC, the Ministry shall provide the complete details of cases/complaints, if any, pending against the selected candidate and their specific views regarding the gravity of the allegations and the culpability of the concerned candidate. While the Ministry may not have much difficulty in processing the proposal when selected candidate is from an organisation under the control of the same Department, some advance action would be required when the candidate is coming from outside. For this purpose, the Ministry shall obtain the complete vigilance profile of the candidate from the concerned Ministry/Department to which the selected candidate belongs as soon as the PESB recommendation is received by them. The Ministry shall also obtain complete details of the cases/complaints, if any, which are pending for enquiry and the concerned Department's views thereon.

5. The timelines currently prescribed for processing ACC proposals and the existing instructions regarding vigilance clearance shall accordingly stand modified to the extent stipulated above.

6. This issues with the approval of the Competent Authority.



(B. P. Sharma)
Establishment Officer & Additional Secretary
☎: 23092370

To

All the Secretaries in Ministries/Departments of the Government of India

Copy to:-

1. The Prime Minister's Office(Shri V. Sheshadri, Director) New Delhi.
2. Cabinet Secretariat(Ms. Nivedita Shukla Verma), New Delhi.
3. The Secretary, Central Vigilance Commission, New Delhi.
4. The Secretary, PESB, New Delhi.
5. NIC (DoP&T)-with request to upload the O.M. on the website of DoPT.
6. EO(ACC)- (30) copies.


22.10.2014
(Virender Singh)
Under Secretary to the Government of India
☎: 23093671