ANNEXURE IV

Modified Guidelines for Public Sector Enterprise Board Level Appointments

(i) The PESB shall keep an accurate record regarding the dates on which the vacancies are likely to arise and their latest job descriptions so that action for filling up the posts can be initiated six months before each of the vacancies arise. In case an administrative ministry fails to respond within ten days to a request made by the PESB to notify a vacancy and furnish updated job description, etc., action shall be taken suo motu by the PESB to circulate the vacancy.

(ii) There is often a delay at the level of the administrative ministry in advertising the vacancy. The PESB is therefore authorised to bring out the advertisement through the DAVP with the bill being sent to the administrative ministry or the PSE for payment in order to obviate such delay.

(iii) An extensive and up-to-date data bank shall be maintained by the PESB regarding the particulars of the officers working in the various PSEs who may fall within the zone of consideration for various posts.

(iv) The entire selection procedure of the PESB shall be completed within a maximum period of 60 days.

(v) Participation by the administrative ministries and departments in the selection committee constituted by the PESB shall be at the level of additional secretary and above only.

(vi) The PESB, while sending its recommendations to the administrative ministry shall endorse a copy of the Central Vigilance Commission (CVC), so that the latter can initiate advance action for obtaining...
vigilance clearance. The CVC shall obtain necessary information from the administrative ministry and shall convey its views to the administrative ministry in regard to the vigilance position ordinarily within a fortnight, and in any case, within one month from the receipt of the panel from the PESB. The CVC may separately review the procedure with the Central Vigilance Officers to ensure that the requisite clearances are sent in time.

(vii) If the CVC does not get the desired information from the concerned administrative ministry in obtaining information, it shall bring the same to the notice of the cabinet secretary. The Cabinet Secretary shall suitably take up the issue with the secretary of the administrative ministry. If the administrative ministry fails to provide necessary information to the CVC, it shall be deemed that the former has nothing to say in this regard and if anything is brought to the notice about the officer on a subsequent date, the responsibility for not bringing it before the ACC shall squarely be on the administrative ministry.

(viii) The CVC, while examining the antecedents of an officer already working for the Government/PSE, need not necessarily review/enquire into the officer’s card from the very beginning. If a person is functioning in a particular post, the appointment to which was done after vigilance clearance, the CVC shall then limit its enquiry to the period spent in that particular post without going into the officer’s entire past career.

(ix) There are sometimes a spate of complaints against individuals whose names are being considered/finalised by the PESB. The CVC should normally not take cognisance of anonymous or pseudonymous complaints received up to six months prior to the
initiation of the selection/promotion process. Further petty complaints, if any, against such officers should be disposed of quickly.

(x) A total time of 30 days is fixed for approval/processing by the administrative ministry/department. On expiry of ten days after this 30 days limit, the establishment officer in the Ministry of Personnel will remind the administrative ministry or the department. If even 20 days after it the administrative ministry if unable to finalise its recommendations, the establishment officer shall automatically circulate the recommendations of the PESB for obtaining approval of the ACC. Since the ACC includes the minister of the concerned administrative ministry, the view of that ministry would therefore be available while deciding the appointment.

(xi) In cases where proposals are referred to the ACC, a time limit of 15 days is fixed for processing by the Department of Personnel and another 30 days for obtaining the approval of the ACC where needed.