MOSTIMMEDIATE

No.29 (10) EO/2011(ACC)
Government of India
Ministry of Personnel, Public Grievances & Pensions
Department of Personnel & Training
(Office of the Establishment Officer)

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North Block, New Delhi
Dated: 24.10.2011

OFFICE MEMORANDUM

Subject:- Timely submission of ACC proposals.

The undersigned is directed to state that the ACC has expressed concern that many Ministries/Departments are not sending the proposals requiring ACC approval two months in advance of the date of occurrence of vacancy, as per the extant instructions issued vide DOPT OM No.26(3)EO/2004(ACC) dated 17th August, 2005 (copy enclosed). This is leading to many of the top level posts in various Organisations lying vacant for a long time adversely affecting administrative governance.

2. This delay on the part of the Ministries/Departments in submitting the ACC proposals has been viewed seriously by the ACC. It is advised that all the Ministries/Departments may kindly scrupulously adhere to the instructions referred above in submitting the proposals requiring ACC approval to this Department at least two months in advance of the occurrence of vacancy.

3. It is further stated that in case a proposal gets delayed due to some unforeseen circumstances, the same may be accompanied along with a delay statement giving full justification for not submitting the proposal for approval of ACC within the stipulated time.

(Chetan Prakash Jain)
Director (ACC)
Tele:23092272

To

All the Secretaries of the Ministries/Departments of the Govt. of India.

Immediate/Confidential

No.26(3)EO/2004(ACC)
Government of India
Department of Personnel & Training
(Office of the Establishment Officer)
(ACC Section)
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North Block, New Delhi
Dated : 17th August, 2005

MEMORANDUM

The undersigned is directed to state that the ACC, after carefully reviewing the entire ACC approval process, has approved the following guidelines, for strict compliance by all concerned:-

I Whenever personnel related schemes or policies are under review, proposals under that scheme or policies should continue to be processed under the existing rules and regulations till such time amendments are actually approved by the ACC. However such amendments should be carried out within 6 months of the directions of the ACC. In case the process of amendment of the Policies/Schemes/ Rules goes beyond this time period the concerned Ministry/Department would have to explain date wise steps taken for finalization of the Rules.

II. In so far as initiating action for filling up vacancies is concerned, instructions with defined time frames have been prescribed in respect of Board level PSU appointments and DPC based proposals as indicated below:

(a) In respect of Board level appointments in PSUs, defined time-frame was circulated to all Ministries/Departments vide O.M No.27(12)EO/94(ACC) dated 30th July, 1999. These instructions were subsequently modified vide O.M. No.27(12)EO/94(ACC) dated 22.12.1999 to increase the time period from 6 months to 12 months, for initiating action for filling up of Board level vacancies. Despite these instructions in force, some Board level appointments continue to get delayed either on account of delays in obtaining vigilance clearance/court cases/ineligibility, etc. Hence, it may be desirable to initiate action at least 2 years in advance of the date of occurrence of the vacancy with a stipulation that the PESB recommendations in respect of such Board level vacancies should be made at least 6 months in advance of the date of vacancy and, therefore, the same should be sent to the Ministry concerned, for completing other formalities.

(b) As regards the departmental promotions, a model calendar for DPCs has already been issued vide O.M.No.22011/9/98-Estt.(D) dated 8th September, 1998 and further to O.M. dated 8th September, 1998, revised instructions were also issued vide O.M.No.28/16/2004-EO(SM.II) dated 15.12.2004. The ACC has directed that Ministries/Departments need to adhere scrupulously to these instructions, for timely action. A copy each of these instructions is again circulated for ready reference.

(c) In so far as appointments in autonomous bodies are concerned, presently, there is no laid down time-frame including a model calendar. Similarly, for extension of tenure of Board level appointees, extant instructions as contained in Cabinet Secretary's D.O. No.27(18)/EO/86-ACC dated 17.12.1986 provide that extension proposals should be initiated four months in advance of the date of vacancy. Therefore, in all cases of appointment proposals, other than Board level appointments in PSUs and DPC based proposals, irrespective of the mode of appointment, i.e., extension of Board level appointments, filling up of vacancies in autonomous bodies, act[illegible] be initiated one year in advance of the date of occurrence of the vacancy so as to ensure that proposals are submitted 2 months in advance, for consideration of the ACC.

III. The ACC has delegated its power for entrusting additional charge arrangement in all scheduled PSUs, to the respective Ministries upto three months from the date of vacancy with the approval of Minister-in-charge and proposals for additional charge beyond three months upto a maximum of six months should be submitted to the Establishment Officer for obtaining approval of the competent authority. The delegation to the Ministries / Departments, as above is subject to the following:

a) additional charge of the post of CMD is assigned only to the senior-most functional Director in the PSU;

b) the officer is clear from vigilance angle;

c) timely action has been taken to fill up the vacancy and the position is brought out in the proposal seeking additional charge;

d) any deviation from the above would require ACC approval;

e) the above delegation shall not apply to companies referred to BIFR. The proposals in this regard, for entrusting additional charge may continue to be sent to the Establishment Officer for obtaining approval of the competent authority.

f) the proposals other than those delegated in the preceding sub-paras may be submitted to the EO who would arrange to get the formal orders issued with the approval of the competent authority.

IV The ACC has directed that the current charge arrangements beyond three months be totally dispensed with and full additional charge be considered in such cases. The current charge arrangements has been allowed to the Ministries upto three months with the approval of the Minister-in-Charge. In so far as PSUs are concerned, there should not be any occasion to give current charge of a post of functional Director; the same should automatically vest in the CMD and, in case of a post of CMD, the same should be entrusted to the senior most functional Director, as per the extant orders. However, this may exclude BIFR referred Companies, as in para III (e) above.

Kindly acknowledge receipt of these instructions.

(Badal K. Das)
Secretary
Appointments Committee of the Cabinet

All Secretaries to the Government of India