

No.F.27(12)EO/97(ACC)
Government of India
Ministry of Personnel, Public Grievances & Pensions
(Department of Personnel and Training)
North Block, New Delhi.

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April 3, 2001.

OFFICE MEMORANDUM

Subject: The Appointments Committee of the Cabinet (ACC) – Delegation of its powers to the Administrative Ministries/Departments, with regard to Schedule 'C' and 'D' PSUs – Guidelines regarding.

The Cabinet Secretariat, vide its Notification No.1/20/1/97-Cab. Dated 26.6.1997, had issued certain amendments to Annexure I & II to the First Schedule to the Government of India (Transaction of Business) Rules, 1961. Those amendments referred to delegation of some of the powers of the Appointments Committee of the Cabinet (ACC) to the administrative Ministries/Departments. On the directions of the ACC, detailed guidelines were issued, vide DOP&T's Office Memorandum of even number dated the 15th October, 1997, explaining the salient features of the amendments as well as the conditions under which the delegated powers were to be exercised.

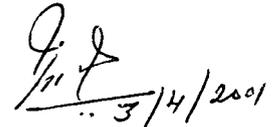
2. In regard to Schedule 'C' and 'D' Public Sector Undertakings, the delegation of the powers of the ACC to the administrative Ministries/Departments was subject to the conditions as laid down in paragraphs 10.2, 10.3 and 10.4 of the guidelines referred to in para 1 above. However, as per paras 2 and 17 of the guidelines, notwithstanding the delegation of powers to the administrative Ministries, the proposals were required to be submitted to the Establishment Officer in the Department of Personnel and Training to issue the orders centrally.

3. The matter has since been further reviewed and it has been decided that the administrative Ministries/Departments may exercise the delegated powers in regard to Schedule 'C' and 'D' PSUs, subject to the following conditions as already stipulated in the guidelines, without making any reference to the Establishment Officer for issuing orders centrally:

- (i) If the administrative Ministry/Department decides to deviate from the PESB's recommendation whether in regard to the order in which the names of the persons are placed in the panel or the salary or tenure or any other matter, such cases would have to be submitted to the ACC for approval;
- (ii) In regard to extension of tenure of Board level appointees in Schedule 'C' and 'D' PSUs, after consultation with the PESB, proposals need to be submitted to DOP&T for obtaining the approval of the competent authority/ACC only if the recommendation of the PESB is not proposed to be accepted in its entirety;

- (iii) Regarding PSUs, which are exempted from PESB procedure and/or rule of immediate absorption, irrespective of its Schedule, the powers of appointment would continue to be with the ACC;
- (iv) The powers to make appointments of non-official Directors on the Boards of PSUs irrespective of Schedule, would continue to be with the ACC; and
- (v) Proposals for *ad hoc* extension in tenure of Board level appointees and additional charge arrangements may continue to be referred to DOP&T.

4. Therefore, hereafter the administrative Ministries/Departments need not send the proposals for appointments in Schedule 'C' and 'D' PSUs to this Department (except in respect of those categories of cases mentioned in para 3 above) for issuing orders centrally any longer. However, copy of the orders issued in such cases may invariably be endorsed to this Department for information and record.



(K. RAJENDRAN NAIR)

Establishment Officer and

Additional Secretary to the Government of India

All Secretaries to the Government of India
(As per list)

Secretary, PESB