

Constitution of Public Enterprises Selection Board

GOVERNMENT OF ASSAM

DEPARTMENT OF PUBLIC ENTERPRISES

No.PE.(D) 11/2002/15 Dated Dispur the 13th November,2002

OFFICE MEMORANDUM

The Rules of Executive Business 1968 provides vide 54. C(b) that all appointments to the Board of Directors and appointment of Chief Executives of Public Sector Undertakings should be done in consultation with Public Enterprises Deptt. . The Govt. of Assam reconstituted the Public Enterprises Selection Board vide Notification No. PE.42/88/51 dated 6th September 1989 and made the Board responsible for selection of suitable persons for appointment in the top level posts of the State Level Public Enterprises, viz. Executive Chairman, Managing Director, Functional Director of the Board and General Managers. In consideration of the fact that incompetence in management is one of the reasons of overall dismal performance of the State Level Public Sector Enterprises, the Deptt. of Public Enterprises reiterated vide PE89/99/1 dated 7th August 1999 that the selection for appointment to these posts be made invariably through the Public Enterprises Selection Board. Detailed guidelines for submission of proposals in this regard was issued vide this letter dated 7th August 1999

It has been found that barring a few top-level posts in the State Level Public Enterprises, in most of the Enterprises; top-level posts have been filled-up without consulting the Deptt. of Public Enterprises and without the approval of the Public Enterprises Selection Board. It has also been found that some of the Chief Executives are functioning as part-time Chief executives, holding additional charges in these posts and in some cases, junior officers from the enterprises are allowed to hold charges of Chief Executives, without the approval of the Public Enterprises selection Board

The Principal Secretaries/Commissioner & Secretaries/Secretaries of the administrative departments of the State Level Public Enterprises are therefore required to ascertain the position and ensure that proposals for selection of appropriate personnel to head the Enterprises under their administrative control be submitted to the department of Public Enterprises as per guidelines issued, for placement of the same before the Public Enterprises Selection Board. In addition, it may be noted that as per instructions already issued vide AAP.102/86/1 dated 13th May 1986 of the Personnel deptt. and PE.69/79/Pt.1/128 dated 19th June, 1986 of the Department of Public Enterprises, all appointments to the posts of Chairpersons, Chief Executive, Directors/Members in the Board of Directors/Members of the State Level Public Enterprises should be made only with the approval of the Chief Minister

It has also been observed that in some of the Enterprises, the Board of Directors/Members have not been constituted, which is not only illegal as per Acts, but also has hindered functioning of the Enterprises in respect of carrying-out business activities, finalization of accounts etc. The Principal Secretaries/Commissioner & Secretaries of the administrative departments of the State Level Public Enterprises are therefore required to ascertain the position and ensure that the Board of Directors/members in such Enterprises are constituted without any delay.

Sd/- P.K. CHOWDHARY

Commissioner & Secretary. P.E. Department

Memo No.PE (D) 11/2002/15-A Dated Dispur the 15th November 2002

Copy to (with copies of Notifications & Letters referred to above)

1. The Principal Secretaries/Commissioner & Secretaries to the Govt. of Assam _____Department (all administrative Deptt.) Dispur, Guwahati-781006/Chandmari Guwahati-781003
2. The Commissioner & Secretary to the Govt. of Assam Personnel/Finance deptt. Dispur.

By order etc.

Sd/- N.M. Mahanta

Deputy Secretary to the Govt. of Assam,

Deptt. of Public Enterprises.

GOVERNMENT OF ASSAM

DEPARTMENT OF PUBLIC ENTERPRISES

ASSAM SECRETARIAT (CIVIL)

No.PE.42/88/51 Dated Dispur the 6th September, 1989

The Public Enterprises of the State government are expected to play a significant role in the development of this relatively backward State. Therefore, their financial and Managerial

expertise, their growth & expansion and attainment of objectives for which they have been set up are matters of serious concern. In order to ensure fulfillment of the abovementioned objectives, the procedure for manning of the senior posts in the State Public Enterprises must be re-oriented in a way, which helps in removing the managerial weakness at the top management level of the State Level Public Enterprises

1. It was in this context that a Public Enterprises Selection Board was created with 4 members in 1980 for selection of the Chief Executives of State Public Enterprises vide Government Notification No.PE.69/79/46, dated 26th September, 1980. On the basis of experience gained since then, the Governor of Assam is pleased to reconstitute the PESB in supersession of the said Notification with following:

- i. Chief Secretary Chairman
- ii. The Special. Commissioner & Speciall. Secretary P&D Department Member
- iii. The Commissioner & Secretary, Finance Deptt Member
- iv. The Special Secretary / Secretary of concerned Administrative Department Member
- v. The Commissioner & Secretary, Personnel Department. Member
- vi. An expert on management of Public Enterprise to be nominated by the Chairman Member
- vii. The Secretary , Deptt. of Public Enterprises Member -Secretary

2. The Department of Public Enterprises will function as the Secretariat of the Board.
3. Top level appointments, viz. Executive Chairman, Managing Directors, Functional Directors of the Board and General Managers.

- a. The Board will be responsible for selection of persons for appointment to the above posts for all State Public Enterprises. For appointment of Government officials as part-time Directors other than the M.D., however, the concerned department will choose them.
- b. The normal tenure of CEOs would be for a period of 3 years and would not normally be transferred before expiry of their tenure without prior consultation with PESB. Likewise, recommendations for extending the terms of existing incumbents would also be decided by the Board. No such appointment / transfer / extension will be made save on the Board's recommendation.
- c. The Board will recommend to the concerned administrative Department where possible, a panel of names for consideration. Appointment of Chief Executives and Functional Directors / General Managers will be made with the approval of the Chief Minister.

4. The Board will give its view and advice on organizational structure of the State Public Enterprises as well as on creation and categorization of posts in the State Public Enterprises.
5. The Board shall arrange, through its Secretariat to compile a data bank covering suitable personnel from organized State Services and both Public & Private sector enterprises to facilitate the work of the Board. The PESB shall prepare panels of Functional Managers from which the PEs may appoint personnel as and when required

6. Post of the Chief Executive and functional heads of State Public Enterprises shall not be treated as "reserved" for the personnel of particular Government cadres or for insiders of the enterprises. Where however, personnel from particular cadres are usually selected for posts of the CEOs of particular PE, the PESB shall prepare panels of names among eligible personnel of these cadres and the CEO shall be selected by the concerned department from these panels.

In selecting CEOs, the PESB will first take into consideration the available expertise in the Government services and PSUs. However, the ultimate choice of the best candidate would be left to the PESB if no suitable Government candidates are available

7. The Board will be closely associated with formulation, selection, appraisal, training and development programmes and practices concerning managerial personnel of the State Public Enterprises and shall offer views and advice on such matters

Sd/-

Chief Secretary to the Government of Assam

Memo No.PE.42/88/51-A Dated Dispur the 6th September/1989

Copy forwarded to:-

1. Private Secretary to the Chief Minister / Other Ministers
2. All Special Commissioners / Commissioners /Special Secretary/Secretaries
3. All Directorates
4. All Chairman and CEOs of the Pes
5. The Secretary to the Committee on Public Undertakings, Assam Legislative Assembly.
6. The Superintendent, Government Press for publication in the Gazette
7. Guard file

By order etc

Sd/-

Secretary to the Government of Assam

Department of Public Enterprises.

GOVERNMENT OF ASSAM

DEPARTMENT OF PUBLIC ENTERPRISES

**HOUSEFED COMPLEX : DISPUR
GUWAHATI - 6**

No. PE 89/99/1 Dated Dispur the 7th August 1999

From : Shri Alok Perti IAS

Commissioner & Secretary to the Govt. of Assam

To : The Principal Secretary / Commissioner & Secretary / Secretary to the Govt. of Assam
_____ Department

Dispur / Chandmari : Guwahati

Sub : Selection for appointment to the posts of Executive Chairman, Managing Director,
Functional Director, General Manager in State level Public Enterprises

Ref : Notification No. PE 42/88/51 Dated 6.9.89

Sir,

I am directed to request you to refer to the above referred notification, copy of which is enclosed for your ready reference. One of the prime reasons of dismal performance of the State Level Public Enterprises in general being incompetence in management, it is imperative that the selection for appointment to the posts of Executive Chairman, Managing Director, Functional Director, General manager in State Level Public Enterprises be made through the State Level Public Enterprises Selection Board, headed by the Chief Secretary, Assam

It has been observed by the Public Enterprises Department that in certain proposals of the administrative departments, where recruitment from the market is contemplated, the advertisements do not ask for the essential parameters like, minimum qualification, age limit,

period of experience in specific rank and disciplines, salary and perks offered, tenure and terms of service, maximum period required to join, reservation if any, bearing costs of TA/DA for appearing before the selection Board, due date etc., resulting in difficulties in scrutiny of the application and subsequent selection

As such, it is requested that the administrative departments, before releasing the advertisement in the newspaper and /or any other media, send the draft advertisement for approval of the P.E. Department henceforth. After receipt of the applications, the administrative Departments will prepare a statement covering all relevant details and send the same for placement before the Public Enterprises Selection Board

If the selection is contemplated from amongst the officers in Govt. departments / Public Enterprises, the Public Enterprises departments will similarly be required to be furnished with details of the candidates proposed for consideration of selection by the Board. This refer to para 6 of the circular attached

Yours faithfully,

Sd/- (Alok Perti)

Commissioner & Secretary to the Govt. of Assam

Department of Public Enterprises

NO.AAP.102/86/1

GOVERNMENT OF ASSAM

DEPARTMENT OF PERSONNEL (PERSONNEL-A)

ASSAM SECRETARIAT (CIVIL) DISPUR

GUWAHATI-781006

The 13th May, 1986

To : All Commissioners & Secretaries/Secretaries to the Government of Assam.

Sub : Appointment/ nomination of Chairman/ Director/ Member under Board/ Body and Cooperative Organisation

Sir,

I am directed to say that any appointment to the post/office of the Chairman/Managing Director or Member in any Public Sector undertaking like Boards, Corporations etc. and in co-operative societies or any other statutory body under the Administrative control of your Deptt. shall be made only with the prior approval of the Chief Minister

This may kindly be brought to the notice of all concerned.

Yours faithfully,

Sd/- B.C. THAKURIAH

Secretary to the Govt. of Assam

GOVERNMENT OF ASSAM

PUBLIC ENTERPRISES DEPARTMENT, DISPUR

No. PE 69/79/Pt I/128 Dated Dispur the 19th June 1986

From : Shri K. K. Baruah IAS

Secretary to the Govt. of Assam

To : The Commissioner & Secretary

_____.

The Managing Director/ Chief Executive

Sub : Nomination of Chairman / Director / Member for Board / Body and Co-operative

Organisation

Sir,

Persuant to the decision of the State Govt. vide letter no. AAP.102/86/1 dated 13th May, 1986 from the Department of Personnel (A), I am directed to request you to ensure that the appointment, if any, to the post/ office of the Chairman/Managing Director/Director/Member in any public undertakings like Boards, corporation etc. and any co-operative societies or any other Statutory body under the administrative control of the department concerned be made only with the approval of the Chief Minister.

The departments are requested to obtain C.M's approval and observe all formalities before notifications are issued by the administrative department. In this connection, attention is also drawn to Rule 54C(b) of the Rules of Executive Business.

Yours faithfully,

Sd/- Secretary to the Govt. of Assam

Memo No. PE 69/79/Pt I/128-A Dated Dispur the 19th June 1986

Copy to:

1. The Joint Secretary to the Govt. of Assam, C.M.Sectt. for favour of information of the Chief Minister, Assam
2. The P.S. to the Minister-in-charge, Public Enterprises Department for favour of information

By order etc

Sd/- Deputy Secretary to the Govt. of Assam

Public Enterprises Department

GOVT. OF ASSAM

DEPARTMENT OF PUBLIC ENTERPRISES

HOUSEFED COMPLEX : BLOCK I : 1ST FLOOR

BELTOLA ROAD : DISPUR:

GUWAHATI 781 006

No. PE (D) 11/2003/57 Dated Dispur the December 2003

From: Sri J.S.L.Vasava IAS

Commissioner & Secretary

To : The Principal Secretary to the Govt. of Assam

Industries / Transport Department, DISPUR

The Commissioner & Secretary to the Govt. of Assam

Agriculture/ AH & Veterinary / Co-operation/ Cultural Affairs/ Education/
Finance/ Fisheries/ Hill Areas/ Home/ HT & S / Mines & Minerals/
Power/ Tourism/ Urban Development / WPT & BC Department,
DISPUR

The Commissioner & Special Secretary to the Govt. of Assam

PWD, DISPUR

The Secretary to the Govt. of Assam

Soil Conservation / Minority Welfare Development Department, DISPUR

The Secretary to the Govt. of Assam

Irrigation Department, Chandmari, GUWAHATI 781 003

Sub : APPOINTMENT OF CHAIRPERSON-CUM-MANAGING DIRECTOR IN STATE
LEVEL PUBLIC ENTERPRISES OF ASSAM

Sir,

I am directed to inform you that the Cabinet, in its meeting held on 24-09-2003 decided that Chairperson-cum-Managing Directors may be appointed in some identified State Level Public Enterprises to start with, by selection through the Public Enterprises Selection Board.

You are requested to identify the Enterprises under your administrative control in which the concept of appointing Chairperson-cum-Managing Director can be applied and necessary proposals for selection by the Public Enterprises Selection Board may be moved.

In order to facilitate you to process the proposal(s) for consideration of the Public Enterprises Selection Board, the copies of following guidelines issued earlier are enclosed.

1. No. PE (D) 11/2002/15 dated 13-11-2002
2. No. PE.42/88/51 dated 06-09-1989
3. No. PE.89/99/1 dated 07-08-1999
4. No. AAP.102/86/1 dated 13-05-1986
5. No. PE.69/79/Pt-I/128 dated 19-06-1986.

Yours faithfully

Enclo : As stated

(J.S.L.Vasava)

Commissioner & Secretary to the Govt. of Assam

Department of Public Enterprises