No.AB.14017/11/2004-Estt.(RR)
Government of India
Ministry of Personnel, Public Grievances and Pensions,
Department of Personnel and Training
New Delhi

Dated the 30th July, 2007

OFFICE MEMORANDUM

Subject: Setting up of Search Committees/Search-cum-Selection Committees

As the various administrative Ministries/Departments are aware, the circumstances under which Search Committees can be constituted and their composition etc. are presently regulated by the instructions issued under this Department's OM NO. AB-14017/36/74-Estt,(RR) dated 25.10.1994, reiterated under a subsequent OM No. AB.14017/56/2003-Estt.(RR) dated 4.12.2003. These instructions are primarily applicable to posts in the Government but also apply *mutatis mutandis* in the case of posts in autonomous/statutory organizations. Separately, instructions have been issued by the EO's Division of this Department, on policy and procedure for appointments in autonomous institutions through the ACC which contain, inter alia, guidelines on constitution of Search-cum-Selection Committees for posts in such bodies, their constitution etc., the latest guidelines, in this regard, being those issued under OM No. 28/13/2006- EO (SM.II) dated 3.7.06.

2. It has come to the notice of this Department that the principles brought out in the instructions of this Department, as referred to above, have not been kept in view fully, while setting up Search Committees/Search-cum-Selection Committees, in some cases. There exist also some shortcomings on the composition of the Search-cum-Selection Committees for posts in autonomous organizations/institutions.

3. The matter has, therefore, been reviewed in its entirety and it has been decided that, henceforth, the principles, as set forth in the ensuing paragraphs, shall be kept in view by all concerned while setting up Search Committees and Search-cum-Selection Committees (for posts in autonomous organizations).

4. **Search Committees for posts in Government**

In accordance with the guidelines of this Department, immediately after a post is created, the Recruitment Rules for the same should be

framed, if the post is likely to continue for one year or more. Action to fill up the post, as per the provisions in the Recruitment Rules, has to be initiated as the procedure of Search Committee cannot be a substitute for the normal recruitment process.

4.1 **Situations in which Search Committees may be constituted, their composition etc.**

(i) The post involved should not fall under the purview of the UPSC;

(ii) Since, as a rule, appointments in Government are to be made on the basis of open advertisement, this requirement has to be followed without fail, and it is only in situations where advertisement may not result in adequate response, that a Search Committee should normally be appointed;

(iii) Constitution of Search Committees cannot be a substitute for advertisement of posts and their role is only to supplement the recruitment effort through advertisements;

(iv) A minimum period of atleast four weeks may be given to the candidates to respond to the circular/advertisement for appointment under this mechanism;

(v) Search Committees should be constituted only for sufficiently senior posts at the level of Director (in the scale of Rs. 14300-18300) or above, which require specialized scientific/technical knowledge and experience;

(vi) The composition of the Search Committee needs to be approved by the Department of Personnel and Training in each case, if the post proposed to be filled by this procedure is in the scale of Rs. 18400-22400 or above.

(vii) The Committee should be chaired by the Secretary of the Ministry/Department concerned. Where it is constituted for a Secretary-level post, a senior and distinguished academician may be invited to chair the Committee. The Committee should normally consist of not more than 5 members including the Chairman;

(viii) Where officers of Government, Autonomous Bodies, PSUs etc. are nominated as Members, they should be atleast one level above the post to which recruitment is being made;

(ix) No person who is a recipient of grants/funding from the Ministry concerned or who is closely related to a recipient should be invited to join the Search Committee;

(x) The composition of the Committee should be well-balanced. It should invariably include persons of appropriate standing having acknowledged expertise in the relevant field of specialization. At least half the number of such experts should be from outside the Department;

(xi) The tendency, repeatedly to rely on the same experts for several recruitments over long periods of time, is to be avoided. It is necessary to infuse fresh blood in such Committees in order to ensure that they identify the right personnel engaged in research in frontiers of the relevant field;

(xii) The panel recommended by the Committee will remain valid for one year. If no selection is made from the panel within a period of one year, a fresh Committee shall be constituted to prepare a fresh panel. Such a Committee may also consider the names of persons recommended in the earlier panel;

(xiii) In some cases, the Rules themselves prescribe Search Committee/Search-cum Selection Committee and in such cases, it should be ensured that the composition is strictly as per the Rules. Wherever it is necessary, amendments to the Rules may be carried out to ensure that the composition of the Committee is in conformity with these instructions.

5. Search-cum-Selection Committees for posts in autonomous/statutory bodies etc.

Though the principles applicable for posts in Government as in para 4 *ibid* would generally apply, the following principles would specifically apply to Search-cum-Selection Committees for posts in autonomous/statutory bodies, entities registered under the Societies Registration Act, etc:-

(i) Each Ministry/Department shall constitute a Search-cum-selection committee, with the concurrence of the DOPT, for (a) all appointments to the post of Chief Executives and (b) for all

appointments carrying a pay scale of Rs. 18400-22400 and above.

(ii) Ministries/Departments will have the discretion to choose the Chairman of the Committee. They may, however, ensure that the person, so chosen, is distinguished and of sufficiently high standing commensurate with the level of the post for which selection is to be recommended by the Committee;

(iii) The Committee should normally consist of not more than 5 members including the Chairman and at least one outside expert of eminence. The Committee should also include the Chief Executive of the autonomous institution even if the scale of pay of the post of Chief Executive is same as of the post for which selection is being made unless the selection is for the post of the Chief Executive;

(iv) The panel recommended by the Committee will be valid for one year. If no selection is made from the panel within a period of one year, a fresh Committee shall be constituted to prepare a fresh panel. Such a Committee may also consider the names of persons recommended in the earlier panel;

(v) The panel recommended by the Committee will have to be accepted *in toto* by the Ministry/Department. Any deviation in the matter will require the prior approval of the ACC;

(vi) Extension in tenure of persons other than the Chief Executives shall also be considered by the Search-cum-Selection committee and its recommendations shall be accepted by the Ministry/Department. Any proposal to reject the recommendations will require the approval of the ACC. Authority for approval of extension in tenure of Chief Executives will rest with the ACC;

(vii) All appointments, which are covered by specific statutes, are to be carried out on the basis of the statutory provisions. Wherever the statutes provide for appointment to a post with the approval of the Central Government, the appointment to the post of Chief Executives of the pay scale of Rs. 18400-22400 and above, will be within the purview of ACC and the Search-cum-Selection Committee mechanism envisaged in these instructions will apply;

(viii) Appropriate Recruitment Rules/Regulations for the post involved shall be formulated by the administrative Ministry, wherever the relevant statutes do not incorporate the eligibility conditions. The norms and criteria for selection, shall, in any case, be finalized by the autonomous institution, with the concurrence of the Ministry concerned and the same shall be made widely known well in advance of the selection;

(ix) The vacancy shall be given wide publicity through open advertisement/circulation among various Ministries/Departments/State Governments/ Autonomous bodies/Research institutes etc., as also made available on the website of the Ministry/Department;.

(x) A minimum period of atleast four weeks may be given to the candidates to respond to the circular/advertisement for appointment under this mechanism;

6. All autonomous institutions, which are not set up under their own statutes, shall modify their Memoranda and Articles of Association, Bye–laws, etc. in order to incorporate fully these guidelines. The institutions shall report compliance to the DOPT through their administrative Ministry/Department alongwith copies of their revised Memoranda/Articles of Association, Bye-laws etc. These institutions, thereafter, shall not be required to take approval of DOPT each time for the Search-cum-Selection Committee constituted by them. The institutions shall, however, send a copy of the Search-cum-Selection Committees constituted by them to the DOPT.

7. The above exercise may be completed by all institutions within a period of three months.

8. Hindi version will follow.

(Smita Kumar)
Director
Tel. 2309 2479

To

All Ministries/Departments of Government of India

Copy to:

1. The President's Secretariat, New Delhi.

2. The Prime Minister's Office, New Delhi.
3. The Cabinet Secretariat, New Delhi.
4. The Rajya Sabha Secretariat, New Delhi.
5. The Lok Sabha Secretariat, New Delhi.
6. The Comptroller and Auditor General of India, New Delhi.
7. The Union Public Service Commission, New Delhi.
8. The Staff Selection Commission, New Delhi.

9. All Attached Offices under the Ministry of Personnel, Public Grievances and Pensions.
10. Establishment Officer and Secretary, ACC (10 copies).
11. All Officers and Sections in the Department of Personnel necessary action
12. Secretary, Staff Side, National Council (JCM), 13-C, Ferozeshah Road, New Delhi
13. All Staff Members of National Council (JCM)
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