

OFFICE MEMORANDUM

Sub: Common Guidelines for Engagement of Consultants in the Ministry of Tribal Affairs- regarding.

In supersession of all earlier guidelines in this regard, common guidelines for engagement of consultants in this Ministry are hereby issued for providing professional expertise.

2. Consultants can be engaged for undertaking specialized work in the Ministry of Tribal Affairs. They may be categorized as Young Professional, Junior Consultants, Senior Consultants, Retired Government Officers/Employees or Short-term consultants (Period less than two months).

3. Eligibility:

3.1 Age limit at the time of initial engagement:

Young Professional: Up to 28 years

Junior Consultants: Up to 35 years

Senior Consultants: Up to 55 years

Retired Government Employees: Up to 65 years. However, engagement beyond 65 years may be permitted with the approval of Secretary.

3.2 Academic Qualifications:

Young Professional: Bachelor's degree in relevant field/subject.

Junior Consultants: Masters Degree in relevant subject or technical/ professional qualifications like B.Tech., MCA, LLB, Degree or PG Diploma in web designing, Media, Mass Communication of at least graduate level in relevant field/ subject or Bachelor degree with 4 years of experience

Senior Consultants: Masters Degree in relevant subject or technical/ professional qualifications like B.Tech., MCA, LLB, Degree or PG Diploma in web designing, Media, Mass Communication of at least graduate level in relevant field/subject.

3.3 Work Experience:

Young Professional: 1 year

Junior Consultant: 3 years / 4 years for graduates other than having Masters Degree in relevant subject or technical/ professional qualifications like B.Tech., MCA, LLB, Degree or PG Diploma in web designing, Media, Mass Communication of at least graduate level in relevant field/subject.

Senior Consultant: 7 years

Short Term Consultants: As per requirement of Programme Division

3.4 The work experience should be based on the functional areas of the consultancy.

4. **Other Attributes:** As per functional need of Programme Division.

5. (i) **Remuneration:**

Young Professional: A consolidated amount of Rs. 33,000 per month

Junior Consultants: A consolidated amount of Rs. 65,000 per month

Senior Consultants: A consolidated amount of Rs. 87,000 per month

(ii) The existing consultants drawing remuneration more than above-mentioned remuneration may continue to draw their current remuneration. The difference between current remuneration and remuneration as per para 5(i) above will be paid as personal allowance which will be adjusted against future increase in their remuneration, if any

(iii) **Retired Government Employees:** The remuneration of such Consultant may be fixed in manner so as to ensure that the pension being drawn by such officers/employees and the remuneration payable, taken together, shall not exceed the quantum of last pay drawn by him calculated at the current rate of Dearness allowance.

(iv) **Short Term Consultant:-** As per bid/ negotiated amount.

[Note: The remuneration of the candidate who have greater experience in the field of their education and expertise, may be fixed at a level giving them benefit of experience as decided in consultation with IFD]

6. **Period of engagement:** The engagement of consultant other than short term consultant shall be for a period not exceeding one year. A further fresh contract for re-engaging the same person for a further period of not more than one year would be subject to the performance of the Consultants being certified to be satisfactory by the Bureau Head, in consultation with IFD and with the prior approval of Secretary (TA). Year to year fresh contract with increase in remuneration shall be restricted to the validity period of the Scheme or 5 years, whichever is less. **The review of contract of consultant will be done on year to year basis.**

At the time of re-engagement, increase of 5 percent in remuneration will be admissible on completion of one year of contract in the current remuneration.

The period of engagement of Short term consultants shall be for period not exceeding two months.

7. Allowances: The Consultants shall not be entitled to any allowance/benefits such as Dearness Allowance, Transport Facility, Residential Accommodation, Personal Staff, CGHS, and Medical Reimbursement etc.

8. Leave: All four categories of Consultants other than short term consultants may be permitted to avail 12 days of absence in a year with remuneration.

9. TA/DA: No TA/DA shall be admissible for joining the assignment or on its completion. Consultant will not be eligible for foreign visits. However, Consultants shall be allowed for conveyance charges and boarding & lodging for their travel inside the country in connection with the official work after approval of competent authority. The reimbursement of conveyance charges in performing duties and boarding & lodging on tour shall be permitted to consultant other than retired Government servant as per entitlement of officers at Pay Level-7 for Young/ Junior Consultants and entitlement of officers at Pay-Level-8 for Senior Consultants. Retired Government servant, appointed as Consultant, would be entitled as per his / her last entitlement drawn at the time of retirement.

10. INTELLECTUAL PROPERTY RIGHTS:

The Intellectual Property Rights (IPR) of the data collected as well as the deliverables produced for the office shall remain with this office. No one shall utilize or publish or disclose or part with, to a third party, any part of the data or statistics or proceedings or information collected for the purpose of this assignment or during the course of the assignment for the office, without the express written consent of the office. The Consultant shall be bound to hand over the entire set of records of assignment to the office before the expiry of the contract, and before the final payment is released by the office. The consultant should also enter into a non-disclosure agreement with the Department.

11. Data Security: The consultant during the course of their work be privy to certain qualified documents and information which they keep confidential and are not supposed to divulge to third parties.

12. Procedure for Selection: Procedure to be followed for selecting candidates for engagement as Consultants will be as per General Financial Rules, 2017 and instructions issued by Ministry of Finance from time to time. TORs will be finalised by concerned Division. The concerned Division should ensure that the specialized work for which consultants is to be engaged, is commensurate with their education qualification & work experience.

13. Screening Committee:

13.1 All the applications/ bids in case of Short Term Consultants received in response to the advertisement will be scrutinized and shortlisted by the concerned Division in accordance with eligibility and other conditions prescribed.

13.2 A Screening Committee will recommend selected candidates and may include a suitable wait list. The constitution of the committee shall be as under:

- Bureau Head of the concerned Division- Chairperson
- Director/Deputy Secretary level officer of concerned Division- Member
- Director/Deputy Secretary level officer of another Division- Member

13.3 Thereafter, the recommendation of the committee would be submitted to Secretary (TA) for approval.

13.4 The panel would be valid for a period of one year.

13.5 Final engagement will be made with approval Secretary (TA) in consultation of IFD.

13.6 The Ministry may terminate a contract to which these Terms apply if:

- I. The Consultant is unable to address the assigned works.
- II. The Consultant refuses to follow directions/orders of the reporting/controlling officer or the Competent Authority.
- III. Quality of output on assigned works is not to the satisfaction of the Ministry.
- IV. The Consultant fails in achievement of the milestones within the timelines set by the Department.
- V. The Consultant is found lacking in honesty and integrity;

13.7 Any decision of the Ministry in regard to engagement and termination will be final.

14. Any relaxation of any of the above provisions may be made with the approval of Secretary in consultation with IFD.

15. The Income Tax or any other tax liable to be deducted, as per the prevailing rules will be deducted at source before effecting the payment, for which the Ministry will issue TDS Certificate/s. Service Tax, as applicable shall be payable extra, at the prevalent rates.

16. All Bureaus/Divisions are advised to strictly adhere to the above guidelines while engaging Consultants in the Ministry.


(Reema Sharma)

Under Secretary to the Government of India

1. All Bureau/Divisional heads of the Ministry.
2. PPS to Secretary (TA).
3. PS to JS&FA/Dir (Finance)
4. Guard File