

DBT's Circular No.A-42/27/2020-ESTT-DBT Dated 30th January, 2023

GUIDELINES AND PROCEDURE FOR ENGAGEMENT OF CONSULTANTS (SECRETARIAT) IN THE DEPARTMENT OF BIOTECHNOLOGY- REG.

The Scheme of engagement of Consultants in the Department of Biotechnology for Secretariat work shall henceforth be regulated as per the following guidelines:-

1. PURPOSE:

1.1 The purpose of these guidelines is to define the broad policies and procedures for selection, contracting and monitoring of consultants financed from the resources of Department of Biotechnology.

1.2 For the purpose these Guidelines, the term Consultant (s) includes retired officers/staff from the Government, PSUs and having considerable experience and expertise in the Secretariat/Technical field.

The experience and expertise should be related with formulation and implementation of policies, plans, Acts, regulations etc. It also includes implementation and monitoring of the schemes/programmes of the Department.

1.3 The specific purpose, rules and procedure will be followed for employing consultants depending on circumstances of the particular case. However, following main consideration would guide the need and selection process:-

The absence of required expertise in house, or

The need for economy and efficiency, or

The need to have highly qualified experts for providing the specific services.

1.4 The consultant would be appointed to undertake mainly following Secretariat work:

The work would include Secretarial work related to Establishment matters, Parliament related issues, Coordination, Grievances, RTI, Finance related matters and any other Departmental work assigned by the competent authority.

The Consultant would be providing senior level secretarial services, office support in order to ensure very high level of efficiency and effectiveness of office administration.

2. RULE POSITION FOR APPOINTMENT OF CONSULTANTS:

The Guidelines for engagement of Consultant in the Department of Biotechnology will be as laid down in (a) the GFR, 2017 (Rule 178,180,181,185,195), (b) Manual of Policies and Procedure of Employment of Consultants (Chapter 7: para 7.1 and para 7.2 — Selection of Individual Consultants).

3. TERM OF APPOINTMENT:

3.1 The term of appointment shall ordinarily be for an initial period not exceeding one year which is extendable to another one year. Beyond two years after the age of superannuation where adequate justification exists, the term may be extended based on a review of the task and the performance of the contract appointee, provided it shall not be extended beyond 05 years after superannuation.

3.2 The consultant shall sign an agreement of confidentiality with the Government of India containing a clause of Ethics and Integrity.

3.3 The appointment of Consultants would be on full-time basis and they would not be permitted to take up any other assignment during the period of Consultancy with the Department of Biotechnology.

3.4 The appointment of Consultants is of a temporary (non-permanent) nature against the specific jobs. The appointment can be cancelled at any time by the Department without assigning any reasons.

4. QUALIFICATION AND EXPERIENCE OF CONSULTANTS:

The Consultants shall be appointed for undertaking Secretarial work. The qualification and experience required would be as follows:-

Secretarial Work:

This would consist of retired officers/officials from of Central and State Governments, and PSUs having considerable experience of functioning of Central Government Ministries/Departments. The consultant should have excellent communication and interpersonal skills with a strong flair for in depth handling work relating to Internal Finance as well.

Following four Grade of officer will appointed on Secretarial Posts:

Grade-I: Persons with five years of experience on the post of Assistant in the Government or PSUs.

Grade-II: Persons with three years of experience on the post of Section Officer in the Government or PSUs.

Grade-III: Persons with three years of experience on the post of Under Secretary in the Government or PSUs.

Grade-IV: Persons with three years of experience on the post of Deputy Secretary/Director or PSUs.

5. AGE- LIMIT:

Normally, the maximum age limit for all categories of Consultants will be 65 years. However, engagement beyond 65 years and upto 70 years could be with the approval of Secretary keeping in view his good health appropriate for the work and level of expertise.

6. PROCEDURE:

Following procedure is to be followed for selecting candidate for engagement as Consultant(s):-

For selection of consultants, a Committee of three Joint Secretary level officers may be constituted for the purpose and the appointment should be done on their recommendation and with the approval of Secretary (Biotechnology)

7. REMUNERATION:

7.1 A fixed monthly amount shall be admissible, arrived at by deducting the basic pension from the pay drawn at the time of retirement. The amount of remuneration so fixed shall remain unchanged for the term of the contract. There will be no annual increment/percentage increase during the contract period

7.2 The basic pension to be deducted from the last pay drawn shall be the pension fixed at the time of retirement and as such, if the employee has availed of the commuted value of pension, the commuted portion of pension shall also be included in the portion of pension to be deducted.

7.3 No Increment and Dearness Allowance shall be allowed during the term of the Contract.

8. ALLOWANCES:

8.1 House Rent Allowances:

No HRA shall be admissible

8.2 Transport Allowances:

An appropriate and fixed amount as Transport Allowance for the purpose of commuting between the residence and the place of work shall be allowed not exceeding the rate applicable to the appointee at the time of retirement. The amount so fixed shall remain unchanged during the term of appointment. However, retired employees engaged as consultants may be allowed TA/DA on official tour, if any, as per the entitlement at the time of retirement.

9. LEAVE OF ABSENCE:

Paid leave of absence may be allowed at the rate of 1.5 days for each completed month of service. Accumulation of leave beyond a calendar year may not be allowed

10. WORKING HOURS:

Consultants may follow the normal working hours as prescribed (i.e. from 9.00 AM to 5.30 PM). However as per the exigency one has to sit late to complete the time bound work.

11. TAX DEDUCTION AT SOURCE:

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 Department will issue TDS Certificates. Service Tax, as applicable shall be payable extra, at the prevalent rates.

12. REVIEW OF GUIDELINES:

These Guidelines may be reviewed as and when required to revise monthly consolidated fee and Local Conveyance payable to different categories of Consultants.

13. RIGHTS OF THE DEPARTMENT:

The Department has the right to cancel advertisement, and not to proceed in the matter for engagement of consultant, at any stage accept or reject any or all applications, without giving any explanation, whatsoever.

14. TERMINATION OF AGREEMENT:

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

- The Consultant is unable to address the assigned works.
- Quality of the assigned works is not to the satisfaction of the Department.
- The Consultant fails in timely achievement of the milestones as finally decided by the Department.
- The Consultant is found lacking in honesty and integrity;

The Department reserves the right to terminate the contract, by giving fifteen days' notice to the Consultant. Termination shall be effected by written notice served on the Consultant and shall take effect in 15 days of delivery of such notice. The termination will be without prejudice to either party's rights accrued before - termination.

“in case, a consultant desires to leave the assignment, he/she is to give one month's notice which can be curtailed depending upon the workload or recommendation of the concerned Divisional Head OR one month's emoluments in lieu of notice.”

15. RELAXATION:

In exceptional cases of highly specialized requirements, Secretary (Biotechnology) may relax any or all the conditioned enumerated above. The higher amount of monthly consolidated fee and Local Conveyance payable to different categories of Consultants can also be sanctioned with the approval of Secretary (Biotechnology) with the limits concurred by Integrated Finance Division of this Department.
