

**File No. 8-13/2015-Estt.
Government of India
National Commission for Minorities**

Subject: - Guidelines and Procedure for engagement of Consultants in the NCM.

The scheme of engagement of Consultant in the NCM for technical and Secretariat work shall henceforth be regulated as per the following guidelines:-

1. PURPOSE-

1.1.1 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 NCM.

1.1.2 For the purpose these Guidelines the term Consultant (s) includes retired officers/staff from the Government, PSUs and also experts from the Non-Governmental Organizations Universities and Research Organizations having considerable experience and expertise in the field of the minorities. The experiences and expertise should be related with formulation and implementation of policies, plans, Acts, regulations etc. It also includes implementation and monitoring of the programmes of the NCM.

1.1.3 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:-

- (a) the absence of required expertise in house, or
- (b) the need for economy and efficiency, or
- (c) the need to have highly qualified experts for providing the specific service.

1.1.4 The Consultant would be appointed to undertake mainly following work:

(i) TECHNICAL WORK

- (a) The work would include Research, Evaluation, Planning, Legal & Court Cases, Skill Development, and Monitoring of the Complaints in the field of minorities.
- (b) The Specific job related with the welfare of minorities and protection of their rights may also be assigned to the Consultant.

(ii) SECRETARIAT WORK

- (a) The work would be including Secretarial work related with implementation of the Various Programmes, Results Frames Work Document, notes on various programmes of Commission.
- (b) 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. PROCEDURE

- (a) Procedure to be followed for selecting candidates for engagement as Consultants shall be within the framework of provisions contained in :-

- (i) Chapter VI, Procurement of Services Rule 177, 178, 181, 185, 194 and 195 of GFR 2017.
 - (ii) Chapter 1 and 7 Para 1.10.1, 7.1 & 7.2 of Manual for procurement of Consultancy and other services, 2017.
- (b) Based on their requirement, the Commission will prepare an advertisement for inviting applications for engagement of Consultants and place the same on website of the Commission and also at least in one national newspaper.
- (c) All the application received in response to the advertisement will be scrutinized / shortlisted by the suitable committee constituted for the purpose. Thereafter a Selection Committee will recommend a panel of candidates for selection. The Screening & Selection Committee will be constituted by the Secretary NCM.
- (d) The Selected candidates will be required to execute an Agreement with the Institute.

3. PERIOD OF ENGAGEMENT

- 3.1 The initial engagement for a person as Consultant would be for a period of 6 (six) months or for the period of consultancy. Thereafter, the engagement would be reviewed and it would not exceed one year at a time. The review of contract of the consultant (s) will be done on one year to year basis.
- 3.2 The initial term of appointment if any, shall be decided on case to case basis depending upon the specific job in the timeframe for completion.
- 3.3 The appointment of Consultant 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 NCM.
- 3.4 The appointment of Consultant is of a temporary (non-official) nature against the specific jobs. The appointment can be cancelled at any time by the NCM without assignment any reasons.

4. QUALIFICATIONS AND EXPERIENCE OF CONSULTANT:

The Consultant shall be appointed for undertaking technical and Secretariat work. The qualifications and experience required would be as follows:-

A. TECHNICAL WORK

This would consist of Officers of Central and State Governments, PSUs/Research Organization having considerable experience of functioning of Central Government Ministries/ Departments. The eligible applicant for the post of Consultant should have the following qualifications and experience:

- (i) Bachelor's Degree in relevant subject like Economics, Statistics, Anthropology and Sociology etc.
- (ii) Experience in the field related with target groups of the Ministry.
- (iii) Person with research experience, published papers and post qualification experience in the field would be preferred.

Following four Grades of officers will be appointed for Technical Work:

- (a) Grade I: Persons with five years of experience on the post of Research Investigator/Research Assistant in the Government/Research Organization.
- (b) Grade II: Persons with five years of experience on the post of Research Officer /Assistant Director in the Government/Research Organization.
- (c) Grade III: Persons with three years of experience on the post of Senior Research Officer/Deputy Director in the Government/Research Organization or worked in Class I post of the India for ten years with experience in the target groups of the NCM.
- (d) Grade IV: Persons with three years of experience on the post of Joint Director, Director or worked in class I Post of the Government of India or other Public Sector Undertakings for minimum of fifteen years with experience in the field of the groups of the NCM.

B. SECRETARIAL WORK

This would consist of Officers of Central and State Government and PSUs having considerable experience of functioning of Central Government Ministries / Departments. The Consultant should have excellent communication and interpersonal skill with a strong flair for in depth handling work relating to Internal Finance as well.

Following four Grade of officers will appointed on Secretarial Posts:

- (a) Grade I: Persons with five years of experience on the post of Assistant or equivalent grade in the Government or PSUs.
- (b) Grade II: Persons with five years of experience on the post of Section Officer in the Government or PSUs.
- (c) Grade III: Persons with five years of experience on the post of Under Secretary in the Government or PSUs.
- (d) Grade IV: Persons with five years of experience on the post of Deputy Secretary/Director or PSUs.

- 5. **AGE LIMIT:**Normally, the maximum age limit for all categories of Consultant will be 65 years. However, engagement beyond 65 years and up to 70 years could be with the approval of Chairman, NCM keeping in view his good health appropriate for the work and level of expertise.
- 6. **PROCEDURE:** Following procedure is to be followed for selection of candidates for engagement as Consultant (s):-

For selection of consultant, a Committee of three Officers may be constituted for the purpose and the appointment should be done on their recommendations and with the approval of Secretary, NCM.

7. ENTITLEMENTS OF ALL FOUR CATEGORIES OF CONSULTANTS

- (a) **FEE AND LOCAL CONVEYANCE:** - The maximum amount of monthly consolidated fee and Local Conveyance payable to different categories of Consultants shall be as under:

Grade of officer for Technical Posts and Secretarial Posts:**

- | | |
|-------------|----------------|
| (a) Gr.I : | ...Rs.27,000/- |
| (b) Gr.II: | ...Rs.35,000/- |
| (c) Gr.III: | ...Rs.42,000/- |
| (d) Gr.IV: | ...Rs.48,000/- |

** The total monthly consolidated fee and the Pension drawn by the Consultant shall not be more than the Last Pay Drawn by him calculated at the current rates of Dearness Allowance at the time of engagement.

(b) DRAWAL OF PENSION

A retired Government official appointed as Consultant in any of the three categories shall continue to draw pension and the dearness relief on pension during the period of his engagement as Consultant. His/her engagement as Consultant shall not be considered as a case of re-employment.

(c) ALLOWANCES:

The Consultants shall not be entitled to any allowance/benefits such as Dearness Allowance, Transport Facility and Residential Accommodation, Personal Staff, CGHS, and Medical Reimbursement etc. Conveyance allowance shall be paid at the following rates per:

Consultants who retired at the level of

- | | |
|-------------|---------------|
| (a) Gr.I : | ...Rs.1,000/- |
| (b) Gr.II: | ...Rs.2,000/- |
| (c) Gr.III: | ...Rs.3,000/- |
| (d) Gr.IV: | ...Rs.4,000/- |

(e) WORKING FACILITY TO BE PROVIDED

No facility for using internet/telephone at residence to Consultants will be provided by the Ministry.

(f) LEAVE

Consultant shall be eligible for 8 days leave in a calendar year on pro-rata basis. Therefore, a Consultant shall not draw any remuneration in case of his/her absence beyond 8 days in a year (calculated on a pro-rata basis). Also un-availed leave in a calendar year cannot be carried forward to next calendar year. The Commission would be free to terminate the services in case of absence of a Consultant by more than 15 days beyond the entitled leave in a calendar year.

(g) TA/DA

No TA/DA shall be admissible for joining the assignment or on its completion. Foreign travel of Consultants permitted only, in exceptional cases. However, Consultant shall be allowed TA/DA for their travel inside the country in connection with the official work after approval of competent authority. Retired Government servant, appointed as consultant, would be entitled as per his/her last entitlement drawn at the time of retirement.

8. WORKING HOURS

Consultants may follow the normal working hours as prescribed (i.e. From 9:30AM to 6:00PM). However, as per the exigency one has to sit late to complete the time bound work.

9. 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 Certificate/s. Service Tax, as applicable shall be payable extra, at the prevalent rates.

10. 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.

11. RIGHT OF THE COMMISSION:

The Commission 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 explanations, whatsoever.

12. TERMINATION OF AGREEMENT:

The Commission 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 NCM.
- The Consultant fails in timely achievement of the milestones as finally decided by the NCM.
- The Consultant is found lacking in honesty and integrity.

The Commission 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.

13. RELAXATION

In exceptional cases of highly specialized requirements, Chairman, NCM may relax any or all the conditions 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 Chairman, NCM in consultation with IFD.