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Government of India

(Bharat Sarkar)

Ministry of Agriculture & Farmers Welfare

(Krishi Evam Kisan Kalyan Mantralaya)

Department of Agriculture, Cooperation & Farmers Welfare

(Krishi, Sahkarita Evam Kisan Kalyan Vibhag)

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Krishi Bhawan, New Delhi

Dated the 30 December, 2016

**Office Memorandum**

**Subject: Comprehensive guidelines for engagement of retired Government officers/officials as Consultant – reg.**

The undersigned is directed to say that comprehensive guidelines have been formulated with the approval of Secretary (AC&FW) regarding engagement of retired Government officers/officials as Consultant in DAC&FW [Headquarters] and its attached/subordinate/filed offices with the purpose to bring uniformity and transparency in such engagements.

2. A set of these guidelines is enclosed for compliance.

*lyo!*  
*29/12/16*

(Brajesh Godra)

Under Secretary to the Govt. of India

☎:011-2338453

Encl.: As above.

To

1. PPS to Secretary (AC&FW)
2. Sr.PPS/PPS/PS to AS (RJ)/AS(JS)/AS(AKD)/AS&FA/AS(UKS)/Agriculture Commissioner/Pr. Adviser
3. PPS/PS to all Joint Secretaries/ Divisional Heads/Hort. Commissioner/ESA – with request to bring the guidelines to the notice of offices under their administrative control.
4. All Directors/Deputy Secretaries
5. US(GA)/US(P.II)/US(Cash & Welfare)/US(GC)/US(PC)/all Under Secretaries in Integrated Finance Division.
6. Cash-I/Cash-II/E.II/E.III/GA/GC/Policy/DM/IT Sections.
7. Dte. of PPQ&S, Faridabad, N.H. IV, Haryana.
8. DMI, Faridabad, N.H. IV, Haryana.
9. DMI, Branch Head Office, New Secretariat, Nagpur, Maharashtra.
10. Dte. of E&S, DAC&FW, Shastri Bhawan, New Delhi.
11. NIC, DAC&FW – with request to upload these guidelines on this Department's website under **Circular/Notification → General Administration.**
12. Guard file.

## **Guidelines for engagement of retired Govt. Officers/officials as Consultant in Department of Agriculture, Cooperation & Farmers Welfare [Headquarters] and attached/subordinate/field offices under its administrative control**

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With the objective to bring order, transparency and uniformity in the engagement of Consultants, the following guidelines are laid down in exercise of the powers conferred by Rule 164 of General Financial Rules, 2005, for engagement of retired government Officers/employees as Consultants.

### **1. PURPOSE, SCOPE AND SUBORDINATION**

1.1 **Purpose:-** The purpose of these guidelines is to define the broad policies and procedures for selection, contracting and monitoring of consultants engaged and financed from Department of Agriculture, Cooperation & Farmers Welfare.

1.2 **Scope:-** These instructions shall apply to DAC&FW [Headquarters] and all its attached, subordinate and field offices located across the country. In Government, Consultants engaged may be classified into the following three categories:-

(a) **Institutional Consultants:-** Where an organization/agency/firm/institution /joint venture of persons are hired for doing a specific job/project.

(b) **Individual Consultants:-** Where individuals having academic or professional degree and/or working experience in the particular subject are hired from open market or through consultancy firms/agencies for a specific job/project.

(c) **Retired Govt. employees as Consultants:-** Retired Govt. officers/officials are engaged as Consultant either for general secretariat/administrative work or under a scheme.

Basic rules and procedures for hiring Consultants under the first two categories are prescribed in GFR, 2005 and detailed guidelines are given in Manual of Policies and Procedure for Employment of Consultants issued by Ministry of Finance. Therefore, guidelines prescribed herein shall apply to engagement of Consultants under third category only.

1.3 **Superiority:-** These instructions flow from and are subordinate to GFR, and in the event of any variance between the two, the latter shall prevail.

### **2. DEFINITIONS AND EXPRESSIONS**

- 2.1 Department means Department of Agriculture, Cooperation & Farmers Welfare [DAC&FW (Headquarters)] and all its attached/subordinate offices.
- 2.2 Competent Authority [CA] in respect of DAC&FW [Headquarters] means Secretary (AC&FW) and Head of Institution/organisation in case of attached/subordinate offices.
- 2.3 Competent Financial Authority [CFA] in respect of DAC&FW [Headquarters] means Financial Advisor i.e. AS & FA and in respect of other attached/subordinate offices, the officer who is authorized to exercise the financial powers delegated under DFPR Rules. However, engagement of Consultants in attached/subordinate/field formations may only be processed after obtaining 'in-principle' concurrence of AS & FA.

### 3. REMUNERATION AND ALLOWANCES

- 3.1 **Remuneration:-** Monthly remuneration payable to a Consultant shall be fixed equal to the level he/she is being engaged at and in case no identifiable level, then equal to the level of the post he/she retired from. The amount of consolidated monthly remuneration shall be as under:-

Level	Remuneration
Level 5 to Level 7 of the Pay Matrix (Equivalent to Pre-revised Pay Scale with GP of ₹ 2400/- to ₹ 4600/-)	₹ 30,000/-
Level 8 to 10 (GP of ₹ 4800 to ₹ 5400)	₹ 35,000/-
Level 11 (GP of ₹ 6600)	₹ 40,000/-
Level 12 and 13 (GP of ₹ 7600 and ₹ 8700)	₹ 45,000/-

**Note 1 - In case of retired PSU employees, where 7<sup>th</sup> CPC pay levels are not applicable, suitable amount of monthly remuneration shall be decided by the concerned office on its own.**

**Note 2- In respect of retired officers/officials, who possess technical skills like Ph.D. in the subject pertaining to this Department and are to be engaged against technical posts, the remuneration shall be decided on merit to merit basis with the approval of Secretary (AC&FW) and IFD.**

- 3.2 **Allowances:-** Consultants shall not be entitled to any kind of allowance or accommodation facility. However, should they require to travel inside the country in connection with the official work of the Department, TA/DA as



admissible to a regular employee of the same grade he/she retired from will be paid to him/her after obtaining approval of the competent authority.

- 3.3 **Leave:-** Consultants shall be eligible for 8 days' leave in a calendar year on pro-rata basis. No remuneration for the period of absence in excess of the admissible leave will be paid to Consultants. Un-availed leave shall neither be carried forward to next year nor encashed.
- 3.4 **Tax Deduction at Source (TDS):-** TDS as admissible shall be deducted from the monthly remuneration of Consultants. A TDS certificate shall be issued by the concerned DDO on demand.
- 3.5 The retired government employee engaged as Consultant shall continue to draw pension and Dearness Relief thereon during the period of his engagement as Consultant.
- 3.6 The engagement as Consultant shall not be considered as a case of re-employment.

#### **4. QUALIFICATION AND EXPERIENCE OF CONSULTANTS**

- 4.1 **Experience:-** Officers/employees of Central and State Governments/PSUs/Autonomous bodies 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.
- 4.2 **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/her good health appropriate for the work and level of expertise and in rare cases.

#### **5. LIMIT ON ENGAGEMENT OF CONSULTANTS**

- 5.1 Engagement of Consultants should be called upon only in case of rare urgency or where expert/professional services are required and should not be used as a common practice. Following main considerations should be kept in mind while going for hiring consultants:-
- a) the absence of requisite expertise in house, or
  - b) the need for economy and efficiency

- c) the need to have highly qualified experts for providing the specific services.
- 5.2 Every proposal for engaging a Consultant shall invariably mention the following:-
  - (a) Whether the proposed engagement is against a vacant post or for a specific work/project
  - (b) The estimated time period required for such work/project to complete
  - (c) What expertise/skills and knowledge in the relevant field are possessed by the person being recommended for engagement as Consultant
- 5.3 Where proposed engagement is against a vacant post, the proposal shall be invariably referred to concerned Personnel/Establishment Division, which shall record its comments on the following points:-
  - (a) Since when the said post is lying vacant
  - (b) Likely date by which it would be filled
  - (c) Actions taken by the Personnel Division for filling up the said vacant post
- 5.4 With above comments, the proposal shall thereafter be submitted first to CFA and then to CA for final approval.
- 5.5 Under no circumstances, whatsoever, the number of Consultants engaged against vacant posts shall exceed the number of such vacant posts.
- 5.6 Before engaging Consultants or extending their tenure it must be ensured that funds for payment of their remuneration are available.

## **6. PROCEDURE FOR SELECTION OF CONSULTANTS**

- 6.1 Where engagement of Consultant is by nomination i.e. a specific person is recommended by the Division for engagement as Consultant, the concerned Division will record all justifications and points mentioned in 5.1 to 5.3 above and forward the proposal with the approval of Divisional Head for approval of CFA and CA.
- 6.2 However, when two or more Consultants are required to be engaged whether against the vacant post or for specific work/project, such engagement shall be done through inviting applications only, in the manner as follows:-

- (a) A circular shall be issued inviting applications from willing/eligible persons for engagement as Consultants. The closing date for submission of applications should be at least 21 (twenty one) days from the date of issue of the circular. An advertisement in this regard shall be published in the newspaper whenever applicable.
  - (b) A Screening-cum-Selection Committee shall be constituted by the Department/office for selection of Consultants. The Committee should consist of at least three members, one each from Finance Division, Personnel Division and the Division where the proposed Consultant will be deployed.
  - (c) The Committee shall first shortlist the applications on the basis of the criteria decided by it. Thereafter, the Committee will hold a personal interaction with the shortlisted candidates. All the members of the Committee will separately assign the marks (out of 10) to interviewed Consultants. Those securing highest marks out of total 30, shall be recommended by the Committee for engagement. In case of stalemate, the decision of the Committee shall be final.
- 6.3 After selection of suitable candidate (s) for appointment as Consultant and obtaining necessary approvals of CFA and CA, an offer letter shall be issued to successful candidates clearly indicating the terms and conditions of engagement.
- 6.4 No Consultant shall be allowed to join without first submitting an undertaking towards acceptance of the terms and conditions as mentioned in the offer letter.

## **7. PERIOD OF ENGAGEMENT**

- 7.1 The initial engagement of a person as Consultant will be for the period as given in the Terms of Reference (ToR) or one year, whichever is less. After expiry of initial term, engagement may be extended, based on requirement of Department and performance of Consultant (s) concerned, with the approval of CA and CFA, for a maximum period of one year at a time.

- 7.2 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 in the Department of AC&FW.
- 7.3 The appointment of Consultants is of a temporary (non-official) nature against the specific jobs or against identified vacancies.
- 7.4 The engagement of Consultants can be terminated by the Department/office at any time without assigning any reason thereof. However, Consultant will have to give 15 days' advance notice or remuneration in lieu thereof before resigning from the engagement. This should be clearly indicated in the circular/advertisement for engagement of Consultants as well as in the offer letter.

## **8. CONFIDENTIALITY OF DATA AND DOCUMENTS**

- 8.1 The intellectual Property Rights (IPR) of the data collected as well as deliverables produced for the Ministry/organization shall remain with the Department/organization
- 8.2 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 his assignment or during the course of assignment for the Department/organization, without the express written consent of the Department/organization.
- 8.3 The consultant shall be bound to hand-over the entire set of records of assignment to the Department before the expiry of the contract, and before the final payment is released by the Department/organization.

## **9. CONFLICT OF INTEREST**

- 9.1 The Consultant appointment by the Department/organization, shall in no case represent or give opinion or advice to others in any matter which is adverse to the interest of the Department/organization nor will he indulge in any activity outside the terms of the contractual assignment.
- 9.2 The Consultant will not be entitled for any benefit/ compensation absorption/regularization of service with this Department.

## **10. MODEL FORMATS AND APPLICATIONS**



10.1 A circular calling for applications for Consultants shall invariably include the following points:-

- (i) Terms of Reference (ToR)
- (ii) Period of engagement and the events under which engagement may be terminated prematurely
- (iii) Eligibly criteria for engagement
- (iv) Terms and conditions of engagement
- (v) Format of application – A model format of application is given in the Annexure-I.

10.2 Above points are only indicative and not exhaustive. Division/office issuing the circular may include any other clause as per their requirements.

10.3 Terms and conditions of engagement to be mentioned in the circular, offer letter as well as in appointment order will include the clauses as follows:-

- (i) Period of engagement and the events under which such engagement may be terminated prematurely
- (ii) Nature of engagement
- (iii) Remuneration, leave and allowance
- (iv) Clause regarding confidentiality of data and documents and conflict of interest
- (v) Any other clause/point peculiar to such engagement

## **11. REVIEW OF GUIDELINES**

These instructions may be reviewed as and when the circumstances so warrant with the approval of the competent authority.

## **12. RELAXATION**

The power to relax any or all of the conditions enumerated above shall vest with the Secretary (AC&FW), which should be exercised in exceptional cases of highly specialized requirements. The higher amount of monthly consolidated remuneration payable to Consultants of different level can also be sanctioned with the approval of Secretary (AC&FW) in consultation with IFD.



**ANNEXURE-I**

Application for the post of Consultant on contract basis in the Department of Agriculture,  
Cooperation & Farmers Welfare, Ministry of Agriculture & Farmers Welfare, New Delhi

Recent  
passport  
size  
photograph

1.	Full Name (in Block Letters)		
2.	Father's/Husband's Name		
3.	Date of Birth		
4.	Contact details	Mobile/Tele email	
5.	Address for communication		
6.	Date of Joining of Government Service		
7.	Age as on date		
8.	Whether SC/ST/OBC		
9.	Whether Physically handicapped		
10.	Date of retirement and the post from which retired (enclose copy of retirement order)		
11.	Name of the Ministry/Department from which retired		
12.	Last Pay Drawn (Please enclose copy)		
13.	Education/technical Qualification (Please enclose copy of certificate/mark sheet)		
14.	P.P.O.No. (Please enclose copy)		
15.	Details of Computer Knowledge		
16.	Brief particulars of Experience [A separate sheet may be annexed]		

I hereby declare that the particulars furnished above are true and correct to the best of my knowledge and belief. I understand and agree that in the event of any information being found false OR incorrect/incomplete or ineligibility being detected at any time before OR after selection/interview, my candidature is liable to be rejected and I shall be bound by the decision of the Department of Agriculture, Cooperation & Farmers Welfare. I have read this circular and ready to accept all the terms and conditions for engagement of Consultants.

Signature  
(Full name of the applicant)

Place:  
Date