



F. No. A-41020/4/2020-E-II
Government of India
Ministry of Ayush

Ayush Bhawan, 'B' Block
GPO Complex, INA
New Delhi - 110023.
Dated, the 01.04.2023.

To,

All Research Councils/ National Institutes/ Subordinate Offices/ PSU's of the
Ministry of Ayush (As per Standard List).

Subject : Guidelines for engagement of consultants in the Ministry of Ayush – reg.

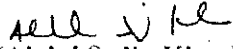
Madam/ Sir,

The guidelines for engagement of consultants in the Ministry is hereby revised as per
enclosure with immediate effect.

2. This issues with the concurrence of IFD vide CD No. 645 dated 31.03.2023.

[Encl. As Above]

Yours faithfully,


(Abdul Sadiq Khan)

Under Secretary to the Government of India

Copy to;

1. CP & RTI section.
2. Dr. Nirma Bansal, Research Officer for uploading on the official website of the
Ministry.
3. Sh. Tanuj, NIC for uploading on e-office.

GUIDELINES FOR ENGAGEMENT OF CONSULTANTS IN THE MINISTRY OF AYUSH

The Ministry of Ayush engages professionals at various levels (as indicated at clause-1.5 below) for providing inputs on different aspects of work in the Ministry. This engagement is of the nature of fee-based consultancy, and does not in any way tantamount to an appointment for employment or job. The engagement of Consultant on contract basis in the Ministry of Ayush shall henceforth be regulated as per the following guidelines:

1. Eligibility:

- 1.1 Persons retired from the post of Section Officer /Under Secretary /Deputy Secretary /Doctor's /Director / Joint Secretary /Additional Secretary or equivalent in the Government of India, State Governments, Attached & Subordinate offices, PSU's, Autonomous Bodies of the Government of India are eligible for the position of Consultant in their respective spheres of specialization.
- 1.2 Graduates in Law, IT and other disciplines are eligible to be considered for selection for specific assignments as Consultants. However, the Domain Expert shall be PG degree holder in Ayush systems/ related discipline. Such candidates must have at least 05-10 years' experience in handling related matters (preferably with Government, Autonomous bodies) and should be well versed in dealing with the subject matter.
- 1.3 Candidates should have excellent communication and interpersonal skills. Knowledge of computer applications such as MS Word, MS Excel and Power Point, etc. is essential.
- 1.4 Candidates should be well conversant with Central Secretariat functions like drafting, noting, budget, accounts, office procedure, etc.
- 1.5 The different levels of Consultants and their entry-level requirements are as follows:

S. No.	Entry-Level requirement	Designation
Retired Employees		
1	Retired Section Officers/Under Secretary/Deputy Secretary/Doctors/Director/Joint Secretary/Additional Secretary	Consultant
Open Market		
2.	05 years post qualification experience	Legal Consultant
3.	05 years post qualification experience	Media Consultant
4.	05 years post qualification experience	IT Consultant
5.	05 years post qualification experience	Project Consultant
6.	10 years post qualification experience	Sr. Legal Consultant
7.	10 years post qualification experience	Sr. Media Consultant
8.	10 years post qualification experience	Sr. IT Consultant
9.	10 years post qualification experience	Sr. Project Consultant
10.	05 years post qualification experience	Domain Expert

2. Age Limit:

- 2.1 Should not be more than 64 years of age on the last date for receipt of application.
- 2.2 The contract shall not be extended beyond 05 years after superannuation.

3. Remuneration:

- 3.1 For the retired government employees who are engaged as consultants; 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 contract. There will be no annual increment/ percentage increases during the contract period.
- 3.2 No Dearness Allowance shall be allowed during the term of contract for retired govt. employees and employees from open market.
- 3.3 A fixed amount as Transport allowance shall be paid to the consultants who are retired government employees. The entitlement of transport allowance will be as per DOE's OM No. 21/5/2017 – E.II(B) dated 07.07.2017. However, No Dearness Allowance shall be allowed. The amount of transport allowance for the appointee shall be as follows :
- (i) Appointee drawing pay in level -8 at the time of retirement will draw a transport allowance of Rs. 3,600/-.
- (ii) Appointee drawing pay in level -9 and above at the time of retirement will draw a transport allowance of Rs. 7,200/-.
- 3.4 For the consultants engaged through open market; a consolidated monthly remuneration (no separate transport allowance shall be payable) will be fixed as follows -

S. No.	Designation	Monthly Remuneration (Rs.)
1.	Legal Consultant	50,000/-
2.	IT Consultant	50,000/-
3.	Media Consultant	50,000/-
4.	Project Consultant	50,000/-
5.	Sr. Legal Consultant	75,000/-
6.	Sr. IT Consultant	75,000/-
7.	Sr. Media Consultant	75,000/-
8.	Sr. Project Consultant	75,000/-
9.	Domain Expert	75,000/-

- 3.5 Consultants who are engaged from open market or retired government employees shall not be entitled to any allowance such as HRA, residential accommodation, CGHS, Medical reimbursement etc.
- 3.6 The level of entitlement for Travelling Allowance (TA) to the consultants engaged from open market will be based on their monthly remuneration. The consultants will be entitled to TA only when on official tour as follows :

S.No.	Monthly remuneration of Consultant	Level of Entitlement
1.	Rs. 50,000/-	Pay Level – 7 of the revised Pay Matrix i.e at par with the entitlement of Assistant Section Officer.
2.	Rs. 75,000/-	Pay Level – 10 of the revised Pay Matrix i.e at par with the entitlement of Section Officer.

- 3.7. For consultants engaged through open market, there would be a provision of 03% annual increment in remuneration as a ceiling on satisfactory completion of minimum of one year subject to performance review on case by case basis. However, the increment would be provided during a financial year only from 01st April to 31st March of any given financial year on completion of minimum of one year tenure during the term of contract and will not be given in between the financial year.

4. **Engagement :**

- 4.1 The engagement of Consultant on contract basis will be made only in case of vacancies are not filled up on regular basis or to meet the requirement due to additional activities of defined time frame.
- 4.2 The term of engagement shall ordinarily be for an initial period not exceeding one year which is extendable by 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 five years after superannuation. The term of all the consultants will be from 01st April till 31st March of any given financial year. For consultants engaged midway through any financial year, their initial period of engagement will be till 31st March of that financial year.
- 4.3 The engagement of Consultant will be purely on contract basis and will not confer any right for regular appointment in the Ministry/organization.
- 4.4 The fresh engagement of Consultants in the Ministry would be at the initial rates only as mentioned in point 3 of remuneration and not at the rates at which any person was earlier engaged as a consultant in Ministry of Ayush/any other govt. organization/open market.

5. **Engagement Procedure:**

- 5.1 The Consultant would be engaged after following due procedure, including calling for applications through advertisement.
- 5.2 The engagement can also be made on nomination basis in rare circumstances with due justification and approval of Secretary (Ayush) and concurrence of IFD.
- 5.3 The scrutiny of applications and selection of Consultant will be carried out by a Committee in the Ministry/Organizations.
- 5.4 The Selection Committees shall comprise as under:

For Consultants & Legal Consultant	Other	Domain expert
Director/DS (Admin) Chairperson	JS (Admin) Chairperson	Joint Secretary(A) - Chairperson
Under Secretary (Admin) - Member	Director/ DS(Admin) - Member	Adviser (Ayurveda Or Unani or Homoeo) - Member
Under Secretary - Member	Director/DS - Member	Jt. Adviser (Ayurveda Or Unani or Homoeo) - Member

- 5.5 The Ministry has the right to cancel advertisement issued for engagement of Consultants and not to proceed in the matter for engagement of Consultant, at any stage to accept or reject any or all applications without giving any explanation, whatsoever.

6. **Scope of Consultancy/ Responsibility:**

- i. Matters relating to Establishment, Administration, Finance and Accounts.
- ii. Policy matters/Legislation.
- iii. Parliamentary/ Hindi matters.
- iv. Legal/IT/Media matters.
- v. New projects and specialized subject-areas.
- vi. Any other item of work as per requirement.

7. **Retired Government Servants:**

- 7.1 The retired Govt. servant engaged as Consultant shall continue to draw pension and Dearness Relief on pension during the period of his engagement as Consultant.
- 7.2 The engagement as Consultant shall not be considered as a case of re-employment.

8. **Leave :**

- 8.1 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 will not be allowed.

9. **Working Hours:**

- 9.1 The Consultant shall be required to observe the normal office timing and may also be called upon to attend the office on Saturday, Sunday or any holiday in case of urgency.
- 9.2 They shall mark their attendance in AEBAS mandatorily, failing which it may result in deduction of remuneration.

10. **Tax Deduction at Source:**

- 10.1 The Income Tax or any other tax will be deducted at source as per Government instructions. Necessary TDS Certificate will be issued to them.

11. **Confidentiality of data and documents:**

- 11.1 The Consultant will maintain absolute confidentiality and secrecy of the information handled by him. The secrecy and confidentiality are to be maintained even after the termination of the engagement.
- 11.2 The intellectual Property Rights (IPR) of the data collected as well as deliverables by the Consultant produced for the Department/organization shall remain with the Department/organization.
- 11.3 No Consultant 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 assignment for the Department/organization, without the express written consent of the Department/organization.
- 11.4 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.
- 11.5 The Consultant would be required to sign a non-disclosure undertaking as per annex.

12. **Conflict of interest:**

- 12.1 The Consultant appointed by the Department, 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 employment/contractual assignment.
- 12.2 The Consultant shall not claim any benefit/compensation/absorption/regularization of service with this Ministry under the provision of Industrial Disputes Act, 1947 or Contract Labour (Regulation and Abolition) Act, 1970.
- 12.3 The Consultant engaged from open market shall give a Bond at the time of initial engagement/renewal to the effect that their engagement shall not confer any right/claim for regularization of his/her service in the Ministry of Ayush.

13. **Termination of Agreement:**

The Ministry retains the right to terminate the contract at any time without giving any notice and also without assigning any reason. Some of the situations under which the Ministry may terminate the contract are:

- (i) The Consultant is unable to address the assigned work.
- (ii) Quality of the assigned work is not to the satisfaction of the Officer/ Department.
- (iii) The Consultant is found lacking in honesty and integrity.

14. **Relaxation :**

- 14.1 Any relaxation for regulating the engagement of retired central government employees will be required to be referred to Department of Expenditure.

14.2 For Consultants engaged through open-market, criteria may be relaxed in exceptional cases based on justification in the interest of the government with the approval of Secretary (Ayush).

15. **Police Verification :**

15.1 The Consultant from Open Market shall be engaged after verification of antecedent by the Police.

15(A) **Vigilance Clearance** - The retired government servants will be considered for post-retirement engagement only on receipt of vigilance clearance/vigilance inputs, subject to the conditions laid out by Central Vigilance Commission's (CVC) Circular No. 07/05/21 dated 03.06.2021.

16. **Interpretation Clause :**

16.1 The power to interpret any of the guidelines or power to settle any dispute arising out of these guidelines shall lie with Secretary (Ayush) whose decision shall be final and binding on the consultant. Further, any condition not explicitly covered under these guidelines shall be put up to Secretary (Ayush) for decision which shall be final and binding on the consultant.

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