Sub: Procedure and guidelines for engagement of Consultants/Senior Consultants in National Commission for Scheduled Tribes

The following guidelines and procedures are being prescribed for Consultants to be henceforth engaged in National Commission for Scheduled Tribes (NCST) these guidelines are amended or new guidelines issued. These guidelines will come into effect from the date of issue.

1. Objective

1.1 For the purpose of these Guidelines, the term Consultant (s) includes retired officers/ staff from the Government, PSUs and also experts from the Universities, having considerable experience and specialization in the following field:

- Scheduled Tribes
- Particularly Vulnerable Tribes
- Nomadic Tribes
- Semi-Nomadic Tribes
- De-notified Tribes
- Scheduled Caste & OBCs
- Reservation Policy & Issues
- Administration & Establishment
- Forest Right Issues
- SC/ST PoA Act, IPC, CrPC
- Land Alienation/Transfer Issues
- Sale & Purchase of ST Land
- R & R Issues
- Tribal Culture
- Anthropological Issues of Tribal
- Financial Inclusion of Tribals
- PESA

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

- The absence of required expertise in the Commission, or
- The need for economy and efficiency, or
- The need to have highly qualified experts for providing consultancy in specific services/ assignments.
1.3 The Consultant(s) will be responsible for drafting of concept notes, papers, memoranda, preparing reports on issues of Scheduled Tribes, making and preparing systematic plans for approval, providing assistance in preparing Annual Report on the basis of information & data gathered/collected, collecting and collating information, dealing with the representation/application received from Scheduled Tribe’s people, etc., Monitoring of schemes, writing of minutes/record notes of discussion, proceeding of hearing, providing assistance in preparing a report on the basis of data gathered, Scrutinizing Documents, Evaluation of Reports, Assist in monitoring and assessment of programmes etc. to render full support and assistance in the work, in all respect consistent with the Rules and regulations of the NCST and any other duties assigned from time to time.

2. General conditions for engaging Consultants

2.1 Consultants will be engaged for a fixed period for providing high quality services on specific projects.

2.2 Professionals with requisite qualification and experience as prescribed would be hired as Consultants. Retired Government employees with relevant experience would also be eligible for selection as Consultants.

2.3 The initial tenure of engagement for a person as Consultant would be for a period of upto 1 year, which can be extended up to 3 years. Extension beyond three years will be considered under exceptional circumstances with the approval of Chairperson, NCST.

2.4 Consultants may be appointed on part-time or full-time basis. Consultants appointed on full-time basis would not be permitted to take up any other assignment during the period of Consultancy with NCST.

2.5 The appointment of Consultants is of a temporary nature and the NCST can cancel the appointment at any time without providing any reason for it.

2.6 Part-time Consultants will be appointed subject to the condition that they face no conflict of interest with respect to the work they are handling in NCST.

3. Number of Consultants:

3.1 The total number of Consultants to be engaged by NCST shall depend on the actual requirement at a particular point of time.

4. Qualification and experience:

4.1 Consultants should be professionals having a Bachelor’s/Master’s/Ph.D Degree in the relevant subject. The work experience requirement may be relaxed in exceptional cases in respect of deserving candidates.

4.2 Retired Government employees with grade pay of Rs. 4800 (pre-revised) and above or Level 08 in the Pay Matrix, having experience in the required domain field would also be eligible for the position. The Consultant(s) will be appointed from one of the following four Grades for work:
a) **Grade I:** Persons with five years of experience in the post of Investigator / Senior Investigator / Research Officer/ Section Officer (with GP of Rs.4800/-) in the Government/ Research Organization or worked in Group B post of the Government of India for ten years with experience in the field of the target groups of the NCST. (Grade Pay below 5400/Level-9 and below.)

b) **Grade II:** Persons with five years of experience in the post of Assistant Director, Deputy Director/Under Secretary and Section Officer (with GP of Rs.5400/-) in the Government/ Research Organization or worked in Group A post of the Government of India for ten years with experience in the field of the target groups of the NCST. (Grade Pay 5400 & below 7600/ Level 10-11)

c) **Grade III:** Persons with three years of experience in the post of Additional Director / Director / Deputy Sectary in the Government/Research Organization or worked in Group A post of the Government of India for ten years with experience in the field of the target groups of the NCST. (Grade Pay 7600 up to 10000/Level 12 – 13)

d) **Grade IV** Persons with three years of experience in the post of Joint Secretary, Secretary or worked in Class I post of the Government of India or other Public Sector Undertakings for minimum of fifteen years. (Grade Pay above 10000/Level 14 and above).

4.3 Hiring criteria may be further defined on the specific requirements and circumstances.

5. **Procedure for selection:**

(i) The selection of Consultants shall be made in accordance with the provisions contained in GFR 2005 Rule 163, 165, 166, 170 & 177 and Chapter 7- Selection of Individual Consultants (para 1.2.1, para 7.1 and para 7.2) of Manual of Policies and Procedure of Employment of Consultants.

(ii) The requirements of NCST will be advertised from time to time on the website as well in at least one newspaper.

(iii) The applications received shall be placed before a screening committee headed by officer of the level of Joint Secretary, NCST.

(iv) Shortlisted applications shall be placed before a Consultancy Evaluation Committee headed by Secretary, NCST. (See para 9)

(v) The Committee shall prepare a panel of 3 names per vacancy which will include 2 persons in the waiting list. The panel would be valid for a period of one year.

(vi) In certain exceptional cases, with the approval of the Chairperson selection from a single source as per GFR may also be considered. However, full justification for this must be given by the Consultancy Evaluation Committee.
(vii) NCST may also hire Consultants on secondment basis under Rule 176 of GFR, 2005 from established Research Organisations e.g. NIPFP, IEG, NCAER, Universities, Educational Institutions, including but not limited to IITs, IIMs, AIIMS and other Research Institutions like ICAR, PSUs and Government Organizations. In exceptional cases, individuals can also be hired on secondment basis from Private Institutions/Organizations/Think Tanks like ICRIER, FICCI, CII, Centre for Policy Research with the approval of Chairperson, NCST.

(viii) This engagement will be based on payment of such monthly sum to the parent employer as would cover the cost of salary and other allowances due to the selected individual and additional expenditure in terms of Department of Expenditure approval conveyed vide ID No. 26/1/2016-PPD dated 25.10.2016.

6. Entitlements of Consultants:

(i) The full-time candidates will be paid a monthly consolidated remuneration as per Table 1.

<table>
<thead>
<tr>
<th>Post Qualification Experience in Years</th>
<th>Remuneration in Rs. Per month including conveyance allowance</th>
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</thead>
<tbody>
<tr>
<td>Grade – I (Grade Pay below 5400/Level-9 or below)</td>
<td>Rs. 30,000/-</td>
</tr>
<tr>
<td>Grade – II (Grade Pay 5400 up to 7600/Level10&amp;11)</td>
<td>Rs. 40,000/-</td>
</tr>
<tr>
<td>Grade – III (Grade Pay 7600 up to 10000/Level 12&amp;13)</td>
<td>Rs. 50,000/-</td>
</tr>
<tr>
<td>Grade – IV (Grade Pay above 10000/Level-14 and above)</td>
<td>Rs. 75000/-</td>
</tr>
</tbody>
</table>

(ii) The Consultants will not be eligible for Government Accommodation or House Rent Allowance, CGHS facility etc.

(iii) The full-time Consultant will however be eligible for official email id, government identification card, internet connection, telephone, office with standard equipment, Library facility, etc.

(iv) Emoluments of high expertise Consultants or Consultants not covered under para 6 (i) above will be decided on a case-by-case basis based on the broad parameters as per Table-2

<table>
<thead>
<tr>
<th>Post Qualification Experience in Years</th>
<th>Remuneration in Rs. Lakhs Per Mont</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 - 5</td>
<td>0.1 – 1.0</td>
</tr>
<tr>
<td>5 - 10</td>
<td>0.5 – 1.5</td>
</tr>
<tr>
<td>10+</td>
<td>1.5 – 3.0</td>
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(v) Based on the above, CEC shall recommend the initial remuneration and to re-look at their remuneration annually and this package may not be revised to the disadvantage of the Consultant.

7. **TA/DA**

The Commission shall be allowed to undertake domestic/foreign tours as required by their duties for which TA DA and Hotel Accommodation shall be paid as admissible to the Central Government employees. Tours will be subject to approval of the competent authority.

8. **Leave**

The Consultants shall be entitled to leave of 8 days in a year on pro-rata basis. Additional leave without pay would be permitted upon approval by the reporting officer.

9. **Screening Committee & Consultancy Evaluation Committee (CEC)**

The composition of the Screening Committee for shortlisting of applications [ref. Para 5(iii)] and composition of the Consultancy Evaluation Committee [ref. Para 5(iv)] and the final approving authority are as under:

<table>
<thead>
<tr>
<th>Screening Committee for shortlisting the applications</th>
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<tbody>
<tr>
<td>Joint Secretary- Chairman</td>
</tr>
<tr>
<td>Deputy Secretary/Director/Deputy Director- Member</td>
</tr>
<tr>
<td>Under Secretary/Assistant Director (Adminn)- Member</td>
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Consultancy Evaluation Committee* for selecting the candidates

<table>
<thead>
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</thead>
<tbody>
<tr>
<td>Secretary, NCST</td>
</tr>
<tr>
<td>Joint Secretary (Admn.)</td>
</tr>
<tr>
<td>Deputy Secretary/Director (Admn.)</td>
</tr>
</tbody>
</table>

10. **Conflict of Interest**

The Consultant shall be expected to follow all the rules and regulations of the Government of India as applicable to Group ‘A’ officers which are in force. He/she will be expected to display utmost honesty, secrecy of office and sincerity while discharging his/her duties. In case the services of the Consultant are not found satisfactory or found in conflict with the interests of the Government, his/her services will be liable for discontinuation without assigning any reason.

11. **Termination Notice**

The NCST can cancel the appointment at any time without providing any reason for it. However, in the normal course it will provide one month’s notice to the Consultant. The
Consultant can also seek for termination of the Contract upon giving one month’s notice to the NCST.

12. Relaxation

Under exceptional circumstances and in the case of meritorious candidates the above guidelines may be relaxed with the approval of Chairperson, NCST.

13. Verification

The Police verification of the Consultants shall be done as per the latest instructions issued by MHA.

14. The Consultant shall not, except with the previous sanction of NCST or in the bona fide discharge of his or her duties, publish a book or a compilation of articles or participate in radio broadcast or contribute an article or write a letter in any newspapers or periodical either in his own name or anonymously or pseudonymously in the name of any other person, if such book, article, broadcast or letter relates to subject matter assigned to him by NCST.

15. Consultants already engaged by NCST, shall continue to be governed by the terms and conditions of the guidelines hence forth.

16. This issues as per direction of Secretary (Expenditure), Ministry of Finance, vide D.O. No.23(1)E.Cord/2017 dated 4th December, 2017.

(P.T. Jameskutty)
Deputy Secretary to Government of India
National Commission for Scheduled Tribes