

Engagement of Consultants

(1.6.1) Sub: Scheme for engagement of Consultants - Fixation of fee of retired employees of the Central Govt etc appointed as full time Consultants.

Reference this Office Endorsement No.31(78)81-Gen dt. 28.12.88 circulating the Office Memorandum No.16014/12/86.Estt. (Allowances) dated 15-12-88 from the Govt. of India, Ministry of Personnel, Public Grievances and Pensions (Department of Personnel and Training). The doubt has been raised by some Labs. whether the fee of the consultant can be fixed upto the ceiling of Rs.4000/- per month over & above the pension & relief irrespective of the last pay drawn.

It is hereby clarified that the fee of the Consultants may be so fixed subject to a ceiling of Rs.4000/- per month as to ensure that the fee together with pension would not exceed the last pay drawn.

(No.33(97)/83-EI, dated 20th February, 1989)

(1. 6.2) Sub: Scheme for engagement of Consultant

Reference OM No.21011/18-Estt. (Allow) dated 8th October, 1990 on the subject cited above which inter-alia makes the following modifications as a part of streamlining the existing scheme:

- i. The strength of Consultants should, as before, be restricted to 10% of the total number of posts at the level of Joint Secretaries and above within the Ministry/ Department.
- ii. The period of appointment may be upto two years in case the consultant is an outside expert.
- iii. If a retiring employee of the Ministry department is to be appointed, 'the maximum period should be limited to six months and the number of such retirees appointed should not exceed two in number at any time. Also the post held by the retiring employee should be kept vacant until he completes the work as Consultant.

In order to ascertain whether the strength of Consultants engaged by various Labs . /Instts . exceeds the restriction of 10% of the total number of posts at the level of Jt. Secretary and above in the CSIR, we shall feel grateful if you could kindly send us the information as per the enclosed format at a very early date so as to enable us to obtain relaxation, if any. Similarly, in future, all such proposals for engagement of Consultants may kindly be referred to this office for necessary action at (i) above.

(DS(CO)5A/91, dated 10th June, 1991)

SL.NO.

Name of Consultant

Purpose of Engagement

Period upto which engaged

No. of Officers in your Lab. at Jt.Secy. level and above.

(1.6.3) Sub: Appointment of Consultant for sponsored projects.

The matter has been examined in consultation with Financial Adviser, CSIR. For sponsored projects, if required, suitable retired persons may be deployed on contract basis in time bound projects for appropriate periods which should not exceed two years. The expenditure in such cases would be debitable to the project directly and the contractual fee may be worked out on the same pattern as for appointment of consultant.

(No.DS(CO)5A/91, dated 29th July, 1991)

(1.6.4) Sub: Engagement Of Consultants For Business Development

The Governing Body recognising the emerging specialised markets and global competition and consequently the need for CSIR to enlarge its marketing network to supplement the in-house efforts has in its 131st Meeting held on 29th July -

1993, approved the engagement of consultants for business development and marketing on following terms & conditions:

1.Eligible Consultant(s)

The consultant(s) could be any legal entity, individual(s)/group of specialists/experts. corporate entities

Such as firms/companies/societies/trusts etc. Individuals who are regular employees of Government/Semi-Government/Public Sector organisations to be engaged as consultants, could be taken on deputation/foreign service basis, as applicable.

2. Scope

Scope of consultants' services could interalia cover assistance to the laboratory in:

- i. Envolving of business plans and strategies;**
- ii. Forecasting of technology;**
- iii. Carrying out market/demand surveys;**
- iv. Evaluation and upscaling of technology;**
- v. Tying up with design engg. consultants/companies, financial institutions and other agencies for packaging the laboratory knowledge base;**
- vi. Identifying and developing market(s)/client(s) for the knowledgebase;**
- vii. Negotiations and contracting of the knowledgebase;**
- viii. International marketing of knowledgebase;**
- ix. Designing and developing publicity material/campaigns for knowledge base;**
- x. Any other function to be assigned by Director/DG.CSIR as the case may be.**

NOTE : Consultant(s) cannot be engaged for seeking and securing Contracts/sponsored R&D and funds from Govt. Departments/Agencies, UN and other International Aid Agencies, Public Sector Undertakings/Enterprises.

3. Selection of Consultant(s)

The selection of consultants is to be done by a Committee comprising Director, Chairman of Research Council of the laboratory and an expert in the area to be nominated by the Director. In case of urgency, the decision of the members of the Committee can be obtained by circulation of the proposal by the Director.

4. Terms of Consultancy

i. General Terms

- a. The consultants shall be engaged for a specific job assignment.**
- b. The roles, rights and responsibilities of consultants will be well defined;**
- c. The maximum age limit for an individual consultant, including those retiring/retired S&T personnel from Govt. Departments/Ministries shall be 65 years; and**
- d. The period of engagement of consultant could be upto one year only; any extension shall be reviewed and approved by the Committee at (3) above upto a maximum of another one year.**

ii. Payment terms

The Payments/fees and details thereof shall be decided by the Committee at (3) above; however any payment above Rs. 20 lakh per year would need the approval of DG, CSIR. DG would refer such cases for advice to a Committee comprising DG, CSIR, Chairman of relevant TAB and one expert nominated by DG.

5. Agreement

i. Terms and conditions of the agreement.

The agreement with consultant(s) should interalia specify:

- a. Details of job assignment to be undertaken by the Consultant(s);**
- b. Details of facilities, assistance data etc. if any, to be provided by the laboratory;**

c.Details of expenditure to be reimbursed, fees to be paid and mode of payment indicating the value, Periodicity, linkages to stages of performance etc.;

d.Duration of the Assignment;

e.Secretcy/confidentiality to be maintained by consultant(s) and their staff of the information disclosed by the laboratory and acquired during the course of consultancy by the consultant(s);

f. Disclaimer by consultant(s) on claims/rights in:

- any intellectual property/information/data/prototype resulting or acquired during consultancy
- and
- any money receipts accruing or received during or consequent to utilisation/commercialisation of the said intellectual property, information, data, prototype etc.;

g. Mechanism for resolution of disputes between the consultant(s) and CSIR/Laboratory.

ii. Approval of agreement

Director of the laboratory shall be the competent authority for approval of the agreement(s) with Indian consultant(s). For agreement(s) with foreign consultant(s), prior approval of DG, CSIR will be necessary.

6. Validity of the Scheme

The scheme for engaging consultant(s) shall become effective from 1st April 1994 and is only upto 31st July 1995 in the first instance. Thereafter it shall be reviewed by the GB for its further continuance or otherwise.

7.Feedback

The information on consultant(s) engaged and the agreement entered into covering interalia the specific activity, duration and fee to be paid shall be sent

to Head, Technology Utilisation Division at CSIR Hqrs. within one month of engaging the consultants, for reporting to the GB.

(CSIR Letter No9/203/94-TU & 13/47/93-TU March 11, 1994.)

(1.6.5)Sub: Engagement of retired employees on contract.

It has been observed that the retired employees of CSIR are being engaged on contract basis for the work of a seasonal or occasional nature. In this connection your kind attention is again invited to this office circular letter of even number dated 19.4.84 which is self- explanatory.

In view of the above, it is requested that retired employees should not be engaged for the work of a seasonal or occasional nature such as driving or similar other routine purposes.

(CSIR Letter No. 17(133/1)/83-E.II(U-3), dated 27 Dec., 1988)