

Item No.6.AMINISTRATIVE MATTERS.

6:2:Apptt/Confirmation/Termination etc.

(ii)Appointment of Shri. H. Syiem
as 'Consultant' C.D.D., NEHU

Back ground of the case

1.1. In response of the advertisement made by the University for appointment to the post of University Engineer vide Adv.No.F.1-4/Estt.II(B)/96-1197 dated 12.5.98. Shri. H. Syiem, Addl. Chief Engineer, P.W.D(Roads), Govt. of Meghalaya applied for the post who was selected by the Selection Committee and the selection was approved by the Ececutive Council vide Resolution NO:EC:99:98:6:1:(ii). Accordingly offer of appointment was made to Shri. H. Syiem by the University vide 2-56/Estt.II/98-92 dt. 19.12.98.

1.2. In response to the offer Shri. H. Syiem informed in his letter dated 22.12.98 declined to accept the offer of appointment on the ground that he would have accepted the offer had he been retired on superannuation on 1.3.99 after attaining the age of 58 years as anticipated by him but for enhancement of age of superannuation to 60 years by the Govt. of Meghalaya. He,however, informed that he would accept the offer after his retirement and suggested that the University might approach the State P.W.D. to depute any Engineer for the post.

1.3. The University in its letter No.F.2-56/Estt.II/98-1418 dated 22.3.99 (read with letter No.F.2-56/Estt.II/98-1420 dated 23.3.99) (Annexure 'A' & 'B') requested the Govt. of Meghalaya to depute Shri. H. Syiem either on full time basis on deputation terms or on part time basis till a regular University Engineer was appointed. It may be pointed out that the sentence term of the present incumbent will expire on 31.3.99 of the letter ibid refers to the term of Shri. B. Kharmalki who was holding the position of Advisor (Construction and Maintenance) and not the post of University Engineer.

Contd/...2.....

.... 2

1.4. In response to the request of the University the Govt. of Meghalaya placed the service of Shri. H. Syiem at the disposal of the University to work on part time basis as University Engineer (vide Notification No. PW/Admn.374/78/219 dated 31.3.99 (Annexure 'C')) On receipt of the Notification, the Vice-Chancellor appointed Shri. H. Syiem, Addl. Chief Engineer, P.W.D.(Roads) Govt. of Meghalaya as University Engineer, on part time assignment (vide F.2-56/Estt.II/98-651 dated 6.4.99 (Annexure 'D')) Shri. H. Syiem joined the assignment on 31.3.99(AN). The Vice-Chancellor sanctioned Rs.4000/- p.m as honorarium to Shri. H. Syiem for his part time assignment and Rs.1500/- p.m towards the cost of P.O.L for use of the vehicle of the Govt. of Meghalaya by Shri. H. Syiem.(Ref. order No.F.2-46/Estt.II/98-771 dated 12.5.99 & F.2-56/Estt.II/98-772 dated 12.5.99-(Annexure 'E' & 'F')). This action of the Vice-Chancellor was ratified by the Executive Council vide EC:103:99:3:(ii) (Annexure 'G')

1.5. Shri. H. Syiem in his letter dated 21.2.2000 (Annexure 'H') informed the University that he would be retiring from the service under the Govt. of Meghalaya w.e.f. 31.3.2000 and desired that he might be appointed as University Engineer on full time basis w.e.f. 31.3.2000.

1.6. As requested by Shri. H. Syiem, proposal was submitted for his appointment as University Engineer on full time basis on a consolidated monthly salary of Rs.12000/- However, the Finance Department felt that to avoid administrative problems he should be appointed as 'Consultant' but the work of University Engineer should be entrusted to him. Finance also felt that the consolidated salary should be Rs.10000/- p.m. and term of appointment should be for a period of one year with the provision for extension upto 3 years. The proposal was approved by the Vice-Chancellor. Accordingly, Shri. H. Syiem was offered the post of Consultant (vide letter No.F.14-190/Estt.II/90-1997 dated 27.3.2000 (Annexure 'I'))

Contd/... 3

1.7 On receipt of the offer, Shri Syiem informed his acceptance of the assignment of Consultant (to function as University Engineer) with the request to enhance the remuneration to Rs.12,000/- p.m. He also requested for certain other benefits (ref. his letter dated 29.8.99-Annexure 'J'). His request was examined in the office and the same was approved by the Vice-Chancellor. Meanwhile Shri Syiem submitted the Charge Report of the post of 'University Engineer' with effect from 1.4.2000 F.N. The action taken by the Vice-Chancellor was placed before the E.C. in its 106 th meeting which ratified the appointment of Shri Syiem as 'Consultant' for a period of one year on a consolidated pay of Rs. 12,000/- p.m. The E.C. also approved eight points of other fringe benefits to Shri Syiem (vide E.C. 106:2000:3(vii) Annexure 'K').

1.8 As the appointment was of a superannuated officer on contract basis, an agreement between Shri Syiem and the University was necessary. Accordingly a draft Deed of Agreement was prepared (which was approved by the Registrar) and was forwarded to Shri Syiem for his acceptance.

Shri Syiem in his letter No.CD/Estt/P/154/99-268 dated 6.5.2000 placed at Annexure 'L' suggested certain modifications in the Deed of Agreement the most important of which was his designation. Shri Syiem requested that he should be designated as 'University Engineer' as he was entrusted with the duties of University Engineer because with his designation as 'Consultant' he cannot perform any duty of 'University Engineer' either administrative or financial as there is no delegation of power to the 'Consultant'.

1.9 The request of Shri Syiem was examined by the office and was found that as the E.C. considered his appointment as 'Consultant' and not as 'University Engineer', only the E.C. has the authority to re-designate him. It was also found by the office that with the designation 'Consultant'

it would be irregular to allow him to function as University Engineer. He should be either 'University Engineer' or 'Consultant' but as Consultant he cannot function as University Engineer simultaneously.

2) POINTS TO BE CONSIDERED

2.1 While Shri H. Syiem was appointed as Consultant, however, the GOI Scheme of engagement of Consultant vis-a-vis the Delegation of Powers were perhaps not perused by the E.C. for which the obvious contradiction after the appointment of Shri H. Syiem as Consultant with his position as University Engineer cropped up.

2.2 The entire issue is, therefore, required to^{be} reviewed by the E.C. and to be decided whether Shri Syiem as retired Engineer should be appointed as 'University Engineer' as per the terms and conditions already approved by the E.C. or he shall be appointed as 'Consultant'. If appointed as Consultant, the area of his consultancy needs to be specified keeping in view the guidelines of the Govt. of India on engagement of 'Consultants' (Annexure - 'M')

2.3. It may also be pointed out that the designation of Consultant is not acceptable to the UGC in the Utilisation Certificates and other Reports. (This has been our experience in the case of Shri B. Kharmalki's tenure).

The matter is placed before the E.C. for decision.

No.F.14-190/Estt.II/99-181.

6:2:2(5)

ANNEXURE - A

No.F.2-56/Estt.II/98-1418

Dated 22.3.99

Sub:-

Request for placement of the services of
Shri H. Syiem, Additional Chief Engineer
of your Department.

Deer,

For quite sometime, the University has been endeavouring to fill the post of University Engineer in the University, which in the new pay scale carries the pay of Rs.16,400-22,400/-. It has however, not been able to fill the post. As the term of the present incumbent will expire on 31.3.99, the University will be required to have the services of someone to look after the Engineering Wing. To fill the gap, we would request you to lend the services of Shri H. Syiem either on deputation for initial period of one year or on full-time basis to look after the said office, as a part-time assignment till the appointment of a regular University Engineer. We shall be happy to pay some remuneration as per the Rules.

Due to exigency of time, it will be appreciated if approval to one of the requests above can be conveyed to the University at the earliest but not later than 30th March, 99.

With regards,

Sd/-
REGISTRAR

Sri R.Sharma
Secretary, P.W.D. (Roads and Buildings),
Government of Meghalaya, Shillong.

6:2:2(6)

(COPY)

ANNEXURE-B

NORTH-EASTERN HILL UNIVERSITY
SHILLONG

No.F.2-56/Estt-II/98-1420

The 23rd March, 1999.

Subject: Request for placement of the services of Shri
H.Syiem, Additional Chief Engineer of your
Department.

Dear

In continuation to my D.O. letter No.F.2-56/Estt-II/
98-1418 dated 22nd March, 1999, I am to request you that the
deputation of Shri H.Syiem may be read as deputation for an
initial period of one year on full-time basis or as a part-
time assignment, till the appointment of a regular University
Engineer. It will be highly appreciated, if Sri H.Syiem will
be released so as to be able to join the University on 31st
March, 1999(AN).

With regards,

Yours sincerely,

Sd/-
(Dr.A.Patton)

Sri R.Sharma
Secretary, P.W.D.(Roads and Buildings),
Government of Meghalaya, Shillong.

ANNEXURE -C

GOVERNMENT OF MEGHALAYA

PUBLIC WORKS (ROADS & BUILDINGS) DEPARTMENT : ADMINISTRATION
BRANCHNOTIFICATIONDated Shillong, the 31st March, 1999.

No.PW/Admn-374/78/219,- The services of Shri H. Syiem, Additional Chief Engineer, PWD(Roads), Eastern Zone, Meghalaya Shillong are in the interest of public service partially placed at the disposal of North-Eastern Hills University, Shillong for appointment as a part-time assignment as University Engineer, in addition to his own duties and without detrimental to his normal function and also no financial implication from the Government with effect from the date of his taking over charge of the post and until further orders.

Sd/- R. Sharma,
Secretary to the Govt. of Meghalaya,
Public Works (R&B) Deptt., Shillong.

Memo.No.PW/Admn-374/78/219-A, Dt. Shillong, The 31st March 1999

Copy forwarded to:-

1. The Publisher, Meghalaya Gazette, Meghalaya, Shillong for Publication of the Notification in the next issue of the Meghalaya Gazette.
2. The Accountant General (A&E) (MG.2), Meghalaya, 2nd Floor, Main Building, Shillong-793001 for information.
3. P.S. to Minister, P.W.D. (R&B), Meghalaya, Shillong for favour of information of the Minister.
4. P.S. to Minister of State, P.W.D. (R&B), Meghalaya, Shillong for favour of information of the Minister of State.
5. P.S. to Chief Secretary to the Govt. of Meghalaya, Shillong for favour of information of the Chief Secretary.
6. The Registrar, North-Eastern Hills University, Shillong for necessary action with reference to his letter No. F.2-56/Estt.II/98-1418, dated 22.3.99. Necessary appointment orders in respect of Shri H. Syiem, Addl. Chief Engineer, P.W.D. (Roads), Eastern Zone, Shillong may kindly be issued from your end accordingly.
7. Chief Engineer, P.W.D. (Roads)/(Buildings), Meghalaya, Shillong for information.
8. Shri H. Syiem, Addl. Chief Engineer, P.W.D. (Roads), Eastern Zone, Shillong for information and necessary action.
9. The Addl. Chief Engineer, P.W.D. (Roads), Central Zone, Shillong for information.
10. The Joint Secretary to the Govt. of Meghalaya, P.W.D. (R&B), Shillong for information.
11. Personnel & Adm. Reforms (A) Department, Meghalaya, Shillong for information.

By order etc.,

Sd/-

Under Secretary to the Govt. of Meghalaya,
Public Works Department, (ADMN), Shillong.

ANNEXURE-D

(COPY)

NORTH-EASTERN HILL UNIVERSITY
SHILLONG

No.F.2-56/Estt-II/98-651

Dated 6th April, 1999.

ORDER

Subject to ratification by the Executive Council the Vice-Chancellor, NEHU is pleased to appoint Shri H.Syiem, Additional Chief Engineer, P.W.D.(Roads), Government of Meghalaya as University Engineer on part-time assignment w.e.f. 31.3.99(AN) and until further orders on a consolidated honorarium to be fixed by the University.

Sd/-
REGISTRAR

Copy to :

1. The Secretary, University Grants Commission, New Delhi.
2. The Secretary to the Govt. of Meghalaya, PWD(Roads/Buildings), Shillong.
3. The Under Secretary to the Govt. of Meghalaya, PWD(Admn), Shillong.
4. The Chief Engineer, P.W.D.(Roads/Building), Shillong.
5. P.S. to the Vice-Chancellor, NEHU, Shillong.
6. P.S. to the Pro-Vice-Chancellor, NEHU, Shillong.
7. Pro-Vice-Chancellor, NEHU, Mizoram Campus, Aizawl.
8. Pro-Vice-Chancellor, Tura Campus, Tura.
9. Registrar, NEHU, Shillong.
10. Finance Officer, NEHU, Shillong.
11. Sri H.Syiem, University Engineer, NEHU, Shillong.
12. Controller of Examinations, NEHU, Shillong.
13. Principal, Pachhunga University College, Aizawl.
14. Executive Engineer, NEHU, Shillong.
15. All Deans of Schools, NEHU, Shillong.
16. All Heads of the Department, NEHU, Shillong.
17. All Officers, NEHU, Shillong.
18. Sr.P.A. to the Registrar, NEHU, Shillong.

Sd/-
Registrar

(COPY)

NORTH-EASTERN HILL UNIVERSITY
SHILLONG

No.F.2-56/Estt-II/98/771

Dated 12.5.99

ORDER

In continuation to this office order No.F.2-56/Estt-II/98-651 dated 6.4.99 and subject to ratification by the Executive Council, the Vice-Chancellor, NEHU is pleased to grant of Rs.4000/- (Rupees four thousand) only per month as remuneration to Shri H.Syiem, University Engineer on his assignment part-time University Engineer in addition to his own duties as additional Chief Engineer (R & B) Govt. of Meghalaya w.e.f. 31.3.99(AN).

The expenditure is debitable to the Head of Account "5 Campus Development (a) salaries University Engineer".

Sd/-

Deputy Registrar
Establishment-II

Copy to :

1. Finance Officer, NEHU, Shillong.
2. Secretary, Govt. of Meghalaya, PWD(R & B), Shillong.
3. Chief Engineer, PWD(R & B) Meghalaya, Shillong.
4. The Under Secretary, to the Govt. of Meghalaya PWD(Admn) Shillong.
5. P.S. to Vice-Chancellor, NEHU, Shillong.
6. Shri H.Syiem, University Engineer NEHU Shillong.
7. Account Section, NEHU, Shillong.

Sd/-

Deputy Registrar
Establishment-II

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ANNEXURE - F

ANNEXURE - F

No. F.2-56/Estt.II/98-772

Dated 12.5.99

Sanction of the Vice-Chancellor, NEHU, Shillong is hereby accorded for the cost of petrol and lubricants of Rs. 15.00/- (Rupees fifteen hundred) only per month to Shri. H.-Syiem, University Engineer w.e.f.31.3.99 (AN) for utilizing his allotted Govt. of Meghalaya Vehicle for official NEHU work.

The expenditure is debitable to the Head of Account "12 common service and general charges (g) Maintenance of University vehicle including POL".

sd/-

Deputy Registrar
Establishment-II

Copy to:-

1. Finance Officer, NEHU, Shillong.
2. Asstt. Registrar, (transport) NEHU, Shillong.
3. Shri H. Syiem, University Engineer, NEHU, Shillong.
4. P.S. to Vice-Chancellor, NEHU, Shillong.
5. P.A. to Registrar, NEHU, Shillong.

Deputy Registrar
Establishment-II

(COPY)

EXTRACT ON THE 103TH EXECUTIVE COUNCIL MEETING HELD
ON 25TH JUNE 1999.

(ii) Appointment of University Engineer

EC:103:99:3:(ii): The Council considered the action taken in appointing Shri H.Syiem as University Engineer on a part time basis on a consolidated Honorarium of Rs.4000/-(Rupees four thousand) only + 1500/- as POL expenses and RESOLVED to ratify the same.

ANNEXURE-H

(Copy)

CE/Estt/24/86/30

Dt.Shillong, the 21st Feb.2000

To

The Vice-Chancellor,
NEHU.

Sub: Appointment of Shri H.Syiem, Addl. Chief Engineer PWD(R),
Govt. of Meghalaya as University Engineer on full time
basis.

Sir,

I have the honour to inform you that the undersigned is retiring from State Govt. on the 31st March, 2000. The undersigned joined as University Engineer in North-Eastern Hill University on part time assignment w.e.f. 31st March, 1999(AN) till date.

Under the above circumstances, you are requested kindly to issue necessary order to the undersigned to continue as University Engineer in NEHU on full time basis wef 31st Marh, 2000. The matter was also discussed with you in your office Chamber on the 19th of Feb., 2000.

Your early action is requested.

Yours faithfully

Sd/-

(H.Syiem)

Addl. Chief Engineer, PWD(Roads)
Eastern Zone, Meghalaya, Shillong.

Memo No. PW/CE Estt/24/86/30-A Dt.Shillong, the 21st Feb.2000

Copy to

1. Secretary to the Govt. of Meghalaya } for favour of
P.W.D.(R&B), Meghalaya, Shillong. } information.
2. Chief Engineer, PWD(R), Meghalaya

Sd/-

Addl. Chief Engineer, P.W.D.(Rds)
Eastern Zone, Meghalaya, Shillong.

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No.F.14-190/Estt.II/90-1997 Dated 27.3.2000

To

Shri H. Syiem
Addl. Chief Engineer,
P.W.D. (Roads)
Eastern Zone, Meghalaya
Shillong.

Sub:- Offer of appointment to the post of Consultant.

Sir,

With reference to your letter No.PW/CE/Estt/24/86/-30 dated 21.2.2000 on the subject cited above, I have the pleasure to convey you the offer of an appointment to the post of Consultant in Campus Development Department for a period of 1 (one) year with the provision for extension upto 3 (three) years at a consolidated pay of Rs.10,000/- per month. You will function as a University Engineer.

If the above condition is acceptable to you, you may kindly join duties immediately by 1st April 2000.

The terms and condition agreement will be framed on received of your acceptance.

sd/-

(Registrar)

Dated Jaiaw Shyiap
the 29th March, 2000

To

The Registrar
North-Eastern Hill University
NEHU Campus
Mawkynroh, Umshing
Shillong - 793 022.

Ref:- Your Letter No.F.14-190/Estt.II/90-1997
dated 27th March, 2000.

Sir,

In inviting a reference to the above quoted letter on the subject indicated, I have the pleasure to inform you that I hereby accept your offer of an appointment to the post of Consultant Campus Development Department (to function as University Engineer) for a period of 1 (one) year with the provision for extension upto 3 (three) years with the following conditions:-

- (1) The consolidated pay of Rs.10,000/- per month offered by NEHU may please be enhanced to Rs. 12,000/- per month for the present with an enhancement to any mutually agreed consolidated pay per month in the second year and also in the third year if applicable.
- (2) The other facilities like Residential, Telephone and Vehicle to be provided.
- (3) The Casual Leave and Earned Leave as applicable to the regular employees of the NEHU to be allowed to the undersigned.
- (4) Facilities for C.P.F. may please be allowed.
- (5) Medical facilities may also be allowed.
- (6) T.A. of D.A. to be paid by NEHU for official duty outside Shillong.

Your early action is requested.

Sd/-

H . Shyiem

EXTRACT 106TH E.C. RESOLUTION

- (vii) Appointment of Shri H.Syiem as Consultant to function as University Engineer, in the Campus Development.

ED:106:2000:3:(vii): The Council ratified the action taken in appointing Shri H.Syiem as Consultant, Campus Development Deptt. for a period of one year w.e.f. 1.4.2000, on a consolidated salary of Rs.12,000/- on the following conditions:

- (i) He will be allowed a vehicle as in the case of other Statutory Officers in the University. Since the University is governed by the Central Government Rules and Regulations, no P.O.L./Mobil oil will be provided separately as allotted to the University Engineer and to be used for official purposes only.
- (ii) The period of contract shall be initially for a period of one year with a provision of extension up to three years.
- (iii) His Controlling Officer will be the Vice-Chancellor, from whom, he will take orders directly.
- (iv) He shall be provided with a telephone, which will be used by him for official purposes and the expenditure to be borne by the University.
- (v) He shall be entitled to Casual Leave and Earned Leave as applicable under the Govt. of India Rules to superannuated Government employee.
- (vi) He shall be allowed to subscribe to the Contributory Provident Fund, after his completion of one year subject that his services are extended up to the third year.
- (vii) He shall be eligible for any concession in relation to medical attendance and treatment, as may be prescribed by the University.
- (viii) He shall be entitled to travelling allowance and daily allowance on the scale provided in the scales of the University for the time being in force and applicable in his case.

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(COPY)

NORTH-EASTERN HILL UNIVERSITY
SHILLONG

No.CD/Estt/P/154/99-268/-

Dated 6th May, 2000.

To

The Registrar,
North-Eastern Hill University,
Shillong.Sub: Deed of Agreement to be executed by the University
and Shri H.Syiem, University Engineer.

Ref: Your letter No.F.14-190/Estt-II/99-2071 dt.19.4.2000.

Sir,

In inviting a reference to the above quoted letter on the subject indicated, I am to inform you that your letter referred to above was received by the undersigned on 24th April, 2000. The Deed of Agreement sent by you needs some modifications as detailed below:-

1. The undersigned has agreed to serve the University as University Engineer and not as Consultant. Hence, the Agreement may please be changed as University Engineer in lieu of Consultant. All along from the time the undersigned worked on part time Assignment in the University, the designation has been given as University Engineer which conform to the delegation of financial power and also most probably accepted by the UGC, since all the estimates, papers, etc. were signed by the undersigned as University Engineer. There is no provision in the Delegation of financial power to the Consultant and this may affect the functioning of the undersigned if the ~~University Engineer~~ designation is given as Consultant. Hence, the undersigned cannot accept the designation as Consultant and the same may be replaced as University Engineer in the Agreement. This matter was also discussed with you in your office chamber today (5.5.2000).
2. As per para 7 of page 2 of the Agreement, it was mentioned " the party of the first part shall be provided with a telephone . This line should be specific, that is the word residential should be mentioned like this " the party of the first part shall be provided with a residential telephone".
3. As per para 12 of page 3, the Agreement states " the article of the Agreement is subject.....of both parties". This clause should read as "This Agreement is subject to both parties".

Two copies of the Agreement sent with your letter referred to above is returned herewith for incorporating the above modifications in the Agreement.

Yours faithfully

Sd/-
(H.Syiem)University Engineer
CDD, NEHU

6:2:2(15)

(COPY)

ANNEXURE - M.

UNIVERSITY GRANTS COMMISSION
BAHADURSHAH ZAFAR MARG
NEW DELHI-110002

No. 16-1/95(CU)

11th June, 1997.

The Registrar,
North Eastern Hill University
Shillong.

Subject: Scheme of engagement of Consultant.

Sir,

I am directed to enclose the copy of the letter No.16011/6/93-Estt.(Allon.) received from the Ministry of Personal Public Grievances and Pensions, Department of Personnel and Training dated 21.2.93(Copy enclosed) and inform you that the University should follow the rules of the Government of India for the appointment of Consultant.

Yours faithfully,

Sd/-

(C.K.Kapahi)

Under Secretary

Encl: As above.

6:2:2(17)

No.16011/6/93-Estt.(Allon)
Government of India

Ministry of Personnel, Public Grievances and Pensions
Department of Personnel

New Delhi, 21st Dec., 1993

OFFICE MEMORANDUM

Sub: Scheme of engagement of consultants

The undersigned is directed to refer to the Deptt. of Personnel & Training's O.M. No.16014/6/84-Estt(Allon) dated 29.8.84, O.M. No.16014/12/86-Estt.(Allow) dt.29.10.87 modified vide O.M. No.16012/3/88-Estt.(Allow) dt. 18.4.88, O.M. No.16014/12/86-Estt.(Allow) dt.6.8.88 & 15.12.88, O.M. No.21011/18/89-Estt.(Allow)dt.26.10.93 on the subject noted above and to say that the need for consolidating these instructions has been felt for long and it has now been decided that the different aspects of the scheme of engagement of consultants will hereafter be regulated as under.

(a) Criteria and Number of Consultants

Consultants are engaged to undertake specific jobs of a specialized nature and should not be appointed for the regular work of the Ministry/Department. They can be engaged on full-time or part-time basis. Full-time Consultants are not allowed to take up any other assignments during the period of consultancy, whereas there is no objection to the part-time Consultants taking up other assignments.

The strength of Consultants should be restricted to 10% of the total number of posts at the level of Joint Secretaries and above within the Ministry/Department including attached/subordinate offices except in the case of Planning Commission where the maximum number of Consultants can be upto 25. When retiring/retired employees of the Ministry/Department are engaged as Consultants, the number of such employees shall not exceed two at any time. In exceptional cases, where a

CONTD.....2/-

Consultant is engaged for performing regular work, the post earmarked for such work should be kept vacant till he completes the work of Consultant.

In respect of Department having special problems where appointment of retired/retiring employees in large numbers is unavoidable proposals may be made separately for such appointment beyond permissible limits to the Department of Personnel & Training, and the Ministry of Finance.

(b) Period of engagements

Consultants may be engaged for the minimum period required. The maximum period should not exceed two years in the case of engagement of outside experts. (An outside expert is one who has not been in Govt. service). However, in the case of retiring/retired employees of the Ministry/Department being appointed as Consultants, the maximum period should not exceed six months.

(c) Age limit

Having regard to the age of retirement at 58 years, it has been decided that no retired/retiring Govt. servant should be engaged or continue to be engaged as Consultant beyond the age of 62 years. The period of ~~engagement~~ engagement will continue to be regulated as at (b) above.

(d) Fee

The consolidated fee payable may be decided in each case by Ministries/Departments in consultation with their Financial Adviser after taking into account all the relevant factors, including the level of the post which the individual held on the date of his retirement.

In the case of non-officials(outside experts), the fee will be subject to a ceiling of Rs.8000/- p.m. (with no DA,HRA,CCA or any other relief) if the appointment as Consultant is on a whole-time basis and

Rs.4000/- p.m. (with no DA, HRA, CCA or any other relief) if the appointment is on a part-time basis. In the case of retiring/retired Govt. servants engaged as full-time consultants, the fee will be fixed subject to ceiling of Rs.4000/- per month. They will also draw their pension and relief thereon in addition. If the retiring/retired Govt. servant is appointed as part-time Consultant, the fee will be subject to a ceiling of Rs.2000/-p.m. (without any adjustment of the pension drawn by him). In case any Ministry/Department wish to appoint retired Govt. servants as Consultants on a fee higher than the limits prescribed, they should obtain the approval of the Appointments Committee of the Cabinet by following the procedure prescribed in this regard.

(e) TA/DA

TA/DA may be allowed to Consultants as per normal rules applicable to any serving officer of an equivalent rank in the Ministries/Departments.

(f) Telephone:-

Consultants will not be entitled to telephone facilities.

(g) Transport :

Consultants will not be entitled to transport facilities. However, they will be allowed the reimbursement of conveyance charges on the same terms and conditions as admissible to serving officers of equivalent rank under the Delegation of Financial power Rules. They will also not be allowed use of staff car for private purposes and also for journeys between residence and office as is admissible to officers of the rank of Joint Secretary and above.

Any relaxation of the conditions at (f) & (g) above will be with the concurrence of Ministry of Finance.

(h) Accommodation

Consultants will not be allowed residential accommodation from Central Govt. pool. However, there is no objection if a Department has its own pool and desires to allot accommodation

from that pool to Consultants. Power to allot such accommodation will vest within the Administrative Ministry/Department.

2. In order to facilitate central monitoring of the scheme of engagement of Consultants, Ministries/Departments should send the information about the Consultants employed in the Ministry/Department including the subordinate offices as on 1st January and 1st July every year. This information in the prescribed proforma (annexure) should reach the Department of personnel & Training by 10th January/10th July every year.

3. The Financial Advisers of the Ministries/Departments concerned should ensure that these guidelines are properly adhered to by them while engaging consultants. Proposals involving relaxation of any of the above conditions should be submitted for consideration of Department of Personnel & Training with the approval of the Financial Adviser of the concerned Ministry/Department and also the Minister concerned in the case of relaxation in the prescribed age limit.

4. These orders take effect from the date of issue.

5. Hindi version of the O.M. will follow.

Sd/-

(B. GANGAR)

Under Secretary to the Govt of India

To

All Ministries/Departments of the Govt. of India as per standard List.

- (ii) Change of effective date in respect of Teachers placed in the Senior Scale / Selection Grade / Reader under Career Advancement Scheme after 1.1.96.

EC:107:2000:6:1:(ii): The Council considered the change of effective date in respect of Teachers placed in the Senior Scale / Selection Grade / Reader under the Career Advancement Scheme after 1.1.96 and RESOLVED that the Council's decision as per Resolution No. EC:106:2000:6:1: (ii) stands, and a teacher shall have to go through the entire process of selection to be considered under the revised scheme. The effective date of seniority of such placements / promotions shall be the date on which the Council approves the placement / promotion.

6:2- Appointment / Creation – Up-gradation of posts/ Confirmation/ Extension / Option / Transfer / Release / Termination etc.

- (i) Confirmation of service in respect of Dr. SK Barik, Lecturer, Centre of Environmental Studies, NEHU, Shillong.

EC:107:2000:6:2:(i): The Council considered the confirmation of service of Dr. SK Barik, Lecturer, Centre of Environmental Studies and RESOLVED to approve the same w.e.f. 22.4.1997.

- (ii) Appointment of Shri H. Syiem as 'Consultant', CDD, NEHU.

EC:107:2000:6:2:(ii): The Council considered the designation of Shri H. Syiem and RESOLVED that he may be designated as 'Officer on Special Duty' and accommodated against the post of University Engineer. The Council, further RESOLVED that Shri H. Syiem shall be delegated all the powers and functions of the University Engineer and his salary shall be finalised by the Vice-Chancellor. Other conditions of his appointment shall be as laid down vide Resolution No:EC:106:2000:3: (vii).

6:3: Leave / Deputation.

- (i) Expiry of lien period granted to Dr. PN Ram, Reader, Physics Department.

EC:107:2000:6:3:(i): The Council considered the expiry of the lien granted to Dr. PN Ram, Reader in Physics and RESOLVED that he may be asked by Registered A/D letter to resume duties immediately failing which the post held by him shall be deemed to have been vacated. The Council, further RESOLVED that Establishment – II should place all such similar cases before the Council.