

No.7264/RCS/ESTT/E6/2022-23
GOVERNMENT OF PUDUCHERRY
CO-OPERATIVE DEPARTMENT

**

Puducherry, dt.29.12.2022.

NOTIFICATION

Sub: Co-op. Estt. - Engagement of one Consultant on contract basis for dealing Legal matters for the Co-operative Department – Applications – Called for. ✓

**

The Co-operative Department, Puducherry has proposed to engage one Consultant on contract basis, a Group 'B' retired Officer, **who holds a degree in Law, also being well-versed in Government Rules and Regulations, especially in Puducherry Co-operative Rules and Acts, Co-operative Laws, Bye-laws of the Co-operative Societies**, tendering legal advice and knowledge in Right to Information Act, **for a period of six months (extendable to 2 - 5 years)**. Applications are invited from the retired Government Officers satisfying the above qualification.

2. The selection procedure and other terms and conditions of the engagement will be as per the guidelines laid down in the I.D.Note/Memorandum No.46324/FD/F3/2014 dated 11.09.2014 of the Finance Department, Puducherry (copy enclosed for ready reference).

3. Ten years service in the Co-operative Department, especially in handling Legal matters as mentioned above is expected from the Consultant. The Consultant should look after other duties assigned to him by the Registrar of Co-operative Societies from time to time.

4. The engagement of Consultant will be on full time basis and his consultant fees shall be the last pay drawn minus pension and D.A.

---2/-

5. The willing and eligible retired officers may submit their applications in the prescribed format (Annexure - I), duly filled in, to the Registrar of Co-operative Societies, V.V.P. Nagar, Thattanchavady, Puducherry-605 009, superscribing on the cover "APPLICATION FOR THE POST OF CONSULTANT" so as to reach the Registrar **on or before 10.01.2023.**



(S. YESVANTHAIYAH)
REGISTRAR OF CO-OPERATIVE SOCIETIES

Encl: As stated.

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To:

The Web Editor,
Co-operative Department,
Puducherry.

--- with instructions to upload the Notification
in the Co-op. Dept. website, immediately. \

Copy to:

1. P.S to the Secretary to Govt. (Co-op.),
Chief Secretariat, Puducherry.
2. P.S. to the RCS, Co-op. Dept., Pdy.

No.46324/FD/F3/2014
GOVERNMENT OF PUDUCHERRY
FINANCE DEPARTMENT

Puducherry, dt.11.09.2014

I.D.NOTE/MEMORANDUM

Sub: Finance Department - Formulation of uniform procedure and Guidelines for the engagement of retired Govt. officials as Consultants in Govt. Departments - Issued.

The H.E. the Lt. Governor, Puducherry in one of the proposals of Finance Department for extension of period of engagement of a retired Government official as Consultant, had directed to evolve a scheme for engagement of Consultant in Government Departments in this Administration in consonance with the pattern followed by Departments/Ministries of Govt. of India. This was examined in detail taking into account all relevant aspects and the Scheme of engagement of retired Govt. officials as Consultants/Employees on contract basis in Government Departments of this Union Territory of Puducherry shall henceforth be regulated as per the following guidelines:

(i) GENERAL CONDITIONS:

As per the provisions of GFR (Rule 163-177) and Department of Personnel and Training, New Delhi guidelines, the consultancy assignment to be awarded for a specific job shall be resorted to only in a situation requiring higher quality services for which the concerned Department does not have requisite expertise. While engaging Consultants, due economy shall be observed while determining their fees and such fees may not be disproportionate to the work to be carried out by Consultants. So also, engagement of Consultants should not be allowed for routine day to day work for which the Department has regular staff support. However, retired Govt. officials with expertise in establishment/accounts etc. may with the approval of Competent Authority, be engaged in Government Departments where regular arrangement could not be made immediately due to circumstances beyond their control.

(ii). PERIOD OF ENGAGEMENT:

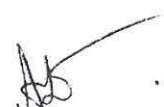
Consultants (Retired Govt. officials) shall be engaged for a minimum period required. The maximum period of engagement shall be for a period of 2 to 5 years. The initial engagement for a retired Govt. official as Consultant shall be for a period of six months and shall be extended in six monthly periods not exceeding a maximum of 2 to 5 years. The initial term of appointment and subsequent extension(s) if any, shall be decided on case to case basis depending upon the specific job of a specialized nature with the recommendation of Consultancy Evaluation Committee of the Department concerned constituted for this purpose and its review report with the approval of competent authority viz., Lt. Governor, Puducherry.

The appointment of Consultant may either on full-time or part time basis and in the case of full time Consultant, they shall not be permitted to take up any other assignment during the period of Consultancy.

The appointment of Consultants shall be of a temporary (non-official) nature against the specific jobs and the appointment can be cancelled at any time by the Department without assigning any reason.

(iii) QUALIFICATION AND EXPERIENCE:

This shall depend upon the exact requirement of the concerned Govt. Departments for engagement of consultant.

 ..2/-

(iv) AGE LIMIT:

The maximum age limit for the Consultants will be 65 years. No retired Govt. Servant should be engaged as a Consultant beyond the age of 65 years.

(v) PROCEDURE:

The Government Department desirous of engaging retired Govt. officials as Consultants shall prepare terms and conditions for the work to be done by engaging Consultant in terms of the provisions given in GFR and invite applications in the proforma given in Annexure-I and place the same on Official Website of Government of Puducherry.

All the applications received in response to the Notification shall be scrutinized and shortlisted by the concerned Departments as per their requirement and in the light of consultancy guidelines. Thereafter the concerned Department would submit a proposal before the CONSULTANCY EVALUATION COMMITTEE of the concerned administrative Department.

The composition of Consultancy Evaluation Committee concerned Department shall be as under:-

- (i) Secretary of the concerned Department :: Chairman
- (ii) Joint Secretary/Dy. Secretary/ Under Secretary of the concerned Department :: Member
- (iii) Head of Department :: Member

After approval of the Consultancy Evaluation Committee, the concerned administrative department will thereafter obtain the approval of the Competent authority viz., the Lt. Governor with the concurrence of Finance Department before issuing offer of appointment to the candidate as Consultant on the recommendation of Consultancy Evaluation Committee.

(vi). FEE:

The Consultancy Fee fixed by the Department concerned shall be proportionate to the work to be carried out. The amount of Consultancy fee for the retired Govt. officials shall not exceed the ceiling of **Last Pay Drawn minus Pension and DA.**

The retired Government officials appointed as Consultants shall however continue to draw pension and dearness relief on pension during the period of his/her engagement as Consultant.

(vii) ALLOWANCES:

The Consultants shall not be entitled to any allowance such as Dearness Allowance, Residential Telephone, Transport Facility, Residential Accommodation, Personal Staff, Medical Reimbursement, Insurance etc. However they will be entitled for Travelling Allowance on official tour at the rates applicable to a Govt. Officer holding equivalent post on regular basis. His/her engagement as Consultant shall not be considered as a case of re-employment.

(viii). LEAVE:

Consultants shall be eligible for 12 days leave in a calendar year on pro-rata basis. Therefore, a Consultant shall not draw any remuneration in case of his/her absence beyond 12 days in a year (calculated on a pro-rata basis). His/her unavailed leave in a calendar year cannot be carried forward to next year as well as not entitled for encashment of unavailed leave. The Govt. Department would be free to terminate the services in case of absence of a consultant by more than 15 days beyond the entitled leave in a calendar year.

(ix). AGREEMENT:

An agreement shall be executed with the Consultant so engaged in the proforma given in Annexure II.

(x) EXISTING CONSULTANTS:

The existing Consultants (retired Govt. officials) in Govt. Departments will continue as per their existing entitlements/remuneration till they complete their sanctioned tenures.

In case the Consultants want to be considered for selection under the new guidelines, then on expiry of their consultancy tenure or before, they will have to apply afresh for appointment of Consultants and consequently compete with other applicants to be considered for selection for appointment as Consultants after following the due procedure as per the new guidelines. However, for determining the maximum period of engagement i.e. five years, the services earlier rendered by these Consultants will be counted.

(xi). RELAXATION:

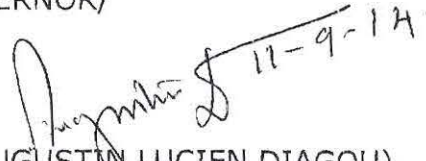
In exceptional cases, the Competent authority, Lt. Governor shall relax any of the conditions of the above guidelines of the scheme of engagement of Consultant(s) especially in cases of highly specialized requirement in the interest of Public service.

2. The above guidelines shall take effect from the date of issue of this I.D.Note / Memorandum.

3. The above guidelines shall not apply to the External professionals, Consultancy firms, Individual Consultants being engaged for specific assignments such as preparation of DPRs etc. under various schemes/projects. For such cases the provisions given under Procurement of Services (Rule 163 to 177) of GFR, 2005 shall be followed scrupulously.

4. The Secretariat Departments, Heads of Department and Heads of Public Sector Undertakings, Boards, Societies etc. funded by the Government are requested to follow the above instructions strictly.

/ BY ORDER OF LT. GOVERNOR/


(P. AUGUSTIN LUCIEN DIAGOU)
UNDER SECRETARY TO GOVT.(FINANCE)

Encl.: As above.

To

All Secretariat Departments

All Heads of Departments/offices

All Heads of Autonomous Bodies/Boards/Corporations/Societies funded by the Govt. of Puducherry.

ANNEXURE-I

PROFORMA

APPLICATION FOR ENGAGEMENT OF RETIRED GOVT. OFFICIALS AS CONSULTANTS IN GOVT. DEPARTMENTS/AUTONOMOUS BODIES

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1. Name :
2. Date of Birth :
3. Address for communication :
4. Contact Number :
5. E-mail id :
6. Particulars of Government Service
 - 6.1 Date of Joining in Govt. Service. :
 - 6.2 Date of retirement and the post in which retired :
 - 6.3 Name of the Department/Organization from which retired :
 - 6.4 Last Pay drawn (Copy of PPO to be enclosed) :
7. Educational Qualification :
8. Details of knowledge in Computer :
9. Brief Particulars of Experience with nature of duties performed (starting from last appointment) :

Sl. No.	Name of the Ministry/Dept.	Period		Post held	Nature of work
		From	To		

10. Additional information if any, in support of the suitability of the post. :

Declaration

I hereby declare that the particulars furnished above are true and correct to the best of my knowledge and belief. I further declare that I was clear from vigilance angle at the time of retirement.

Place:
Date:

Signature of Applicant

ANNEXURE-II

PROFORMA FOR AGREEMENT TO BE EXECUTED WITH THE CONSULTANT ENGAGED ON CONTRACT BASIS

This AGREEMENT on this day _____ BETWEEN the PRESIDENT OF INDIA through the Secretary/Head of Department concerned (hereinafter called the Employer which expression shall unless excluded by or repugnant to the context, be deemed to include his Successors in office and assigns) of the one part and Mr./Ms. _____ (Name and address) (hereinafter called the Appointee) of the other part.

WHEREAS, the Employer is desirous to have the services of the Appointee to engage him/her as full time/part time Consultant on contract basis in the _____ Department, Government of Puducherry (hereinafter called the said Department) and he shall attend the works pertaining to _____ (Nature of works) and also any other assigned by the employer.

AND WHEREAS the Appointee having agreed to take up the assignment as full-time/part-time Consultant on contract basis and having reported for duty on _____ and the Employer willing to engage the Appointee in the aforesaid capacity for a period of six months or till the necessity therefore ceases, whichever is earlier on the terms and conditions hereafter appearing.

NOW, THEREFORE, THIS AGREEMENT as under:

- (i) The consultancy service will be on full time/part time basis.
- (ii) The engagement will be for a period of six months from the date of engagement.
- (iii) The Appointee will be paid a total fee of Rs. _____ (Rupees in words) per month.
- (iv) T.A./D.A on official tour will be paid as per the entitlement to his/her counterpart in Government.
- (v) The Appointee is entitled for leave of 12 days in a Calendar year on pro-rata basis.
- (vi) All expenses towards stamp duty, etc. on this agreement shall be borne by the Employer.
- (vii) He will report to the _____ (Officer concerned).

IN WITNESS WHEREOF the parties hereto have signed the Agreement the day and year first above written.

Witness:

Head of Department concerned.
For and behalf of President of India
(Employer)

1.

2.

Consultant (Appointee)