

भारत सरकार / Government of India
परमाणु ऊर्जा विभाग / Department of Atomic Energy
सचिवालय समन्वय अनुभाग / Secretariat Coordination Section

अणुशक्ति भवन / Anushakti Bhavan,
छत्रपति शिवाजी महाराज मार्ग / C.S.M. Marg,
मुंबई / Mumbai - 400 001
इ-मेल / Email: sectcord@dae.gov.in

No.GF/42-SCS/5381

Dated:- 28 - 04 - 2021


पृष्ठांकन / ENDORSEMENT

विषय /: Guidelines issued by Department of Economic Affairs on
Subject: engagement of Consultants by Ministries/Departments of
Government of India from bilateral partners and
multilateral agencies-Regarding

उपरोक्त विषय पर आर्थिक कार्य विभाग, वित्त मंत्रालय, नई दिल्ली से प्राप्त दिनांक 22/03/2021 के अ. शा. पत्र सं. 7/17/2018-BPC&T की प्रति के साथ इसके संलग्नकों को आवश्यक कार्रवाई एवं अनुपालन हेतु अग्रेषित किया जाता है।

A copy of D.O. Letter No.7/17/2018-BPC&T dated 22/03/2021 received from Department of Economic Affairs, M/o Finance, New Delhi along with its enclosures on the above mentioned subject is forwarded for necessary action and compliance.

संलग्न / Encl.: 14 pages.


(न. ज. खानविलकर / N. J. Khanvilkar)
अनुभाग अधिकारी / Section Officer
(022 - 22862661)

पऊवि के सभी संघटक इकाईयों / सार्वजनिक क्षेत्र के उपक्रमों / सहायता प्राप्त संस्थानों के प्रशासनिक प्रधान ।
All Administrative Heads of Constituent Units/PSUs/Aided Institutions of DAE.

प्रतिलिपि / Copy to:

1. पऊवि के सभी अधिकारी एवं अनुभाग / All Officers & Sections in DAE Secretariat.-DARPAN
2. Head, CISD(DAE)- With a request to upload the same in DAE Website under SCS Corner.
3. Guard File No. GF-42/SCS

डॉ. सी. एस. महापात्रा, भा.आ.से.
अपर सचिव
DR. C. S. MOHAPATRA, IES
Additional Secretary

Telefax : +91-11-23092882
E-mail : cs.mohapatra@nic.in



भारत सरकार
वित्त मंत्रालय
आर्थिक कार्य विभाग
नॉर्थ ब्लॉक, नई दिल्ली-110001
Government of India
Ministry of Finance
Department of Economic Affairs
North Block, New Delhi - 110001

D.O. No. 7/17/2018-BPC&T

Dated the 22nd March, 2021

Dear Sir,

I would like to invite reference to guidelines issued by this Department on engagement of Consultants by Ministries/ Departments through bilateral and multilateral agencies (copies enclosed).

2. These guidelines prescribe that proposals for engagement of consultants, financed by bilateral and multilateral agencies, required to be screened and approved by a Screening Committee comprising of Cabinet Secretary, Secretary (Economic Affairs) and Secretary of the Ministry/Department concerned.

3. It is noted that, of late, often the proposals from Ministries/Departments are received late or seek ex-post facto approval of the Screening Committee. The Cabinet Secretariat has instructed that proposals for consideration of ex-post facto approval will not be considered (copy enclosed).

4. I would like to request you to bring the guidelines to the notice of organisations/entities/officers under your administrative control for strict compliance and advise them to ensure that the proposals are sent well in time for consideration of the Screening Committee in accordance with the guidelines.

With Warm regards,

Yours sincerely,

Enclosure:- as above.


(Dr. C.S. Mohapatra)

Shri Kamlesh Nilkanth Vyas
Secretary & Chairman,
Department of Atomic Energy,
Anushakti Bhawan,
Chhatrapati Shivaji Maharaj Marg, Mumbai - 400001.

No. 1/12/2015-PMU
Ministry of Finance
Department of Economic Affairs
Bilateral Cooperation Division

North Block, New Delhi
January 7, 2016

OFFICE MEMORANDUM


Sub: **Clarification regarding guidelines issued by the Department of Economic Affairs on engagement of Consultants by Ministries/Departments of Government of India from bilateral partners and multilateral organisations.**

Attention is invited to Office Memorandum of even number dated the 29th December, 2015 (copy attached) prescribing guidelines for engagement of Consultants by the Ministries/Departments of Government of India from bilateral partners/multilateral organisations.

2. This Department has received queries from some Ministries/Departments seeking clarification whether they are required to follow these guidelines in respect of those Consultants also who have been engaged by them through open advertisement in accordance with the guidelines prescribed by the Department of Expenditure or the instructions are meant only for Consultants engaged through/from bilateral partners/multilateral organisations.

3. To make the position more comprehensible and free from any ambiguity, it is hereby clarified that the instructions contained in the OM dated 29th December 2015 are meant only for Consultants engaged by the Ministries/Departments funded through bilateral partners/multilateral organisations and not through open advertisement under the guidelines prescribed by the Department of Expenditure, and engagement of retired Government officers as Consultants.

4. It is further clarified that it would be the responsibility of the Ministry/Department concerned proposing to move any proposal for granting extension to any existing Consultant or engaging any new Consultant from a bilateral/multilateral partner to seek the convenience of Cabinet Secretary and circulate the proposal for holding the meeting of the Screening Committee. A draft format in which such a proposal may be moved is attached for reference.


(S. Selvakumar)

Joint Secretary to the Govt. of India
Tele : 2309 3881

To

Secretaries of all Ministries/Departments of Govt. of India.

Encls : as above.

Format to be used by Ministries/Departments for placing the proposal before the Screening Committee for granting extension/engaging new Consultant through a bilateral partner/multilateral organisation

Name of the Ministry/Department	
Whether the proposal is for extension of existing consultant or engagement of new Consultant from a bilateral partner/ multilateral organisation	Extension / Engagement of new Consultant
Whether proposal to extend the tenure of an existing Consultant/engage a new Consultant from a bilateral partner/ multilateral organisation has been approved by the Minister-in-charge.	Yes / No
Specific purpose for which the Consultant is proposed to be engaged or tenure is proposed to be extended	Specific Project / Implementation of Scheme/MIS development etc.
Specify whether under technical assistance/MoU etc.	
Name/Names of the person(s) to be engaged	
Bilateral/multilateral partner from which proposed to be engaged	
Consultancy fee / salary/ allowance proposed to be paid	
Period for which proposed to be engaged (Initial appointment is for a period of one year only.)	
Terms of Reference of engagement (in detail)	Attach copy.
Candidate's two references from referees of repute	Names to be mentioned. Letters to be attached.
In case of foreign nationals, whether security clearance from MHA has been obtained?	
In case the Consultants has already worked in GoI for any assignment, whether a break/cooling off period of one year is there?	
Copy of the proposed Confidentiality agreement and Ethics and Integrity Agreement which the Consultant will sign with the Ministry/Department.	Draft to be attached for perusal of the Screening Committee.
Any other information of relevance	

North Block, New Delhi
December 29, 2015

OFFICE MEMORANDUM

Sub: Engagement of Consultants by Ministries/Departments from bilateral partners and multilateral organisations – Guidelines.

An Inter-Ministerial Committee was set up under the chairmanship of Cabinet Secretary to revisit the matter of engagement of Consultants/Advisors from bilateral partners/multilateral organisations by various Ministries/Departments of the Government of India (GoI). Foreign Secretary and Secretary, Department of Economic Affairs were the other members of this Committee. The Committee obtained information about engagement of Consultants from all Ministries/Departments of GoI and reviewed the present method of engagement of Consultants, including the level of decision making, time frame for engagement and need/justification for external support.

2. After analysis of the information received, it has been decided to constitute a **Screening Committee** comprising Cabinet Secretary, Secretary–Department of Economic Affairs and Secretary of the Ministry/Department concerned to screen and approve all future proposals of engagement of Consultants by the Ministries/Departments directly or through bilateral/multilateral agencies.

3. All contracts of existing Consultants whose tenure is coming to an end by or before 31.12.2015 may be terminated at the end of their consultancy tenure. **No renewal beyond 31.12.2015 shall be granted to the exiting Consultants by the Ministry/Department unless approved by the Screening Committee.**

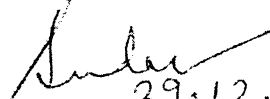
4. As regards Consultants whose contract tenure is beyond 31.12.2015, their continuation has to be brought before the Screening Committee within a month's time with justifiable reasons for taking a decision on their continuance or otherwise.

5. Any proposal to engage new Consultants has to be placed before the Screening Committee mentioned above.

6. **The following guidelines are prescribed for all Ministries/Departments for processing any proposal for extension/engagement of Consultants before bringing the matter to the Screening Committee:**

- i) Consultants should not be engaged for policy formulation. If assistance from Consultants is considered necessary, their role should be limited to presentation and analysis of possible options with supporting data and best practices etc.
- ii) **The decision to engage Consultants from bilateral partners/multilateral agencies has to be approved by the Minister In-charge of the concerned Ministry/Department before the proposal is referred to the Screening Committee.**

- iii) Terms of Reference and procedure for the recruitment process should be transparent, robust and devoid of any ambiguity.
 - iv) Candidates applying for the post will have to submit at least two references from referees of repute.
 - v) In case of foreign nationals being engaged as Consultants, necessary security clearance from MHA has to be obtained.
 - vi) Consultancy fee, salary, allowances etc. proposed to be paid to the Consultant have to be indicated upfront when the proposal is being placed before the Screening Committee. Any further enhancement has to be with the approval of the Screening Committee. In no case, the Ministry should be unaware of the consultancy fee/ salary and emoluments etc. being paid to the Consultant by the bilateral/multilateral agency.
 - vii) Consultants will report only to the Ministry.
 - viii) Consultants can be engaged for a tenure of one year at a time. Any extension beyond one year has to be approved by the Screening Committee afresh. An evaluation of the Consultant's performance has to be placed before the Screening Committee by the Ministry.
 - ix) Maximum tenure of any Consultant in Gol for a particular assignment cannot exceed three years in any case.
 - x) There will be a break (cooling off period) of one year for a Consultant joining another Ministry/ Department after having worked in any Gol Ministry/ Department/State Government as a Consultant for a tenure.
 - xi) The Consultant has to sign a confidentiality clause with the Gol. Ethics and Integrity clause is also to be put in place in the contract.
 - xii) Consultants shall not share data/information with the bilateral agency/multilateral agency or any person/institution outside the Government without the specific approval of the Secretary of the Ministry/Department concerned. Prior approval of the Ministry may also be taken before publishing any article based on the data, inputs and information obtained as part of the Consultant's work. The Ministries will process such requests within a period of 30 days.
 - xiii) The arrangement to engage Consultants should not become permanent. They should be engaged for limited period and for specific purpose only.
7. The above may be noted for strict compliance by all concerned with immediate effect.


29.12.15
(Shaktikanta Das)

Secretary to the Government of India
Tele : 2309 2611

To

Secretaries of all Ministries/Departments of Government of India including Niti Aayog.


CABINET SECRETARIAT
RASHTRAPATI BHAWAN

1298630
13/11/19

Subject: List of cases where ex-post approval of the Screening Committee is required for engagement/extension of consultants-reg.

Reference is invited to O/o Economic Affairs (DEA)'s OM no. 7/17/2018-BPC&T dated 1st October, 2019 on the subject mentioned above.

The undersigned is directed to request DEA to advise the Ministries/Departments, where ex-post facto approval of Screening Committee for engagement/extension of tenure of Consultants is required, to submit the proposal with justification for not obtaining approval of Screening Committee with the approval of Hon'ble Minister Incharge, as per the format prescribed by DEA's OM No. 1/42/2015-PMU dated 7th January, 2016. DEA may also advise the Ministries/Departments that henceforth no ex-post facto approval will be granted for engaging consultants from bilateral partners/multilateral organisations.


(Sibi Chakkravarthy M)
Deputy Secretary to the Government of India
Tel. No. 2379 2018

O/o Economic Affairs (Shri Atanu Chakraborty, Secretary)
Cabinet Secretariat's I.D. No. 212/2/1/2016-CA. IV dated 30th October, 2019

M. Venkatesh 14/11
Secy (EA)
AS (BC)
JS (BC)
Div (BC-MB) - OT
13/11/19
So (BPC&T)
13/11

No 7/17/2018 BPC&T
Government of India
Ministry of Finance
Department of Economic Affairs
Bilateral Cooperation Division

North Block, New Delhi
Dated the 17 December, 2019

OFFICE MEMORANDUM

Subject: Guidelines issued by the Department of Economic Affairs on engagement of Consultants by Ministries/Departments of Government of India from bilateral partners and multilateral organisations -reg.

Attention is invited to DEA's O.M. of even number dated 14.05.2019 and its reminder dated 16.07.2019 (copies enclosed), requesting to furnish a list of cases, if any, where ex-post facto approval of the Screening Committee is required for engagement of consultants by Ministries/Departments of Government of India funded through bilateral partners and multilateral organisations.

2. As per communication from Cabinet Secretariat, following may be **noted for compliance**:-


(i) Ministries/Departments which had submitted the list are requested to submit the proposal where ex-post facto approval of the Screening Committee for engagement/extension of tenure of consultants is required with justification for not obtaining approval of the Screening Committee with the approval of Hon'ble Minister Incharge.

(ii) The Ministries/Departments are requested that henceforth no ex-post facto approval will be granted for engaging consultants from bilateral partners/multilateral organisations.

P.T.O.

3. It is reiterated that Ministries/Departments should seek prior approval of the Screening Committee for engagement/extension of the Consultant(s) from bilateral partners and multilateral organisations.

4. This issues with the approval of the Competent Authority.


(Sanjay Kumar)
Under Secretary to the Government of India
Tel.No. 23093173
E-mail: kumar.sanjay76@nic.in

Encls.: As above.

To

1. Secretaries of all Ministries/Departments of Govt. of India.
2. Additional Secretaries/Joint Secretaries of all Divisions in DEA.

Copy for information to:-

Cabinet Secretariat,
[Shri Sibi Chakkravarthy M, Deputy Secretary],
Rashtrapati Bhawan, New Delhi.

Ministry of Economic Affairs
Government of India
New Delhi

North Block, New Delhi
Dated: 18 July 2019

OFFICE MEMORANDUM

Subject: Guidelines issued by the Department of Economic Affairs on engagement of Consultants by Ministries/Departments of Government of India from bilateral partners and multilateral organisations. reg

Attention is invited to DEA's O.M. of even number dated 14.05.2019 (copy enclosed) requesting to furnish a list of cases, if any, where ex-post facto approval of the Screening Committee is required for engagement of consultants by Ministries/Departments of Government of India funded through bilateral partners and multilateral organisations. It was also advised to seek prior approval of the Screening Committee well in advance for engagement of the consultants.

2. In this regard, it is requested again to furnish requisite information within 20 days from the date of issue of this communication. The details of all cases should also be provided in following format:-

S. No.	Name of Ministry/Department/Division	Name of Consultant (s)	Details of period of appointment	Bilateral/ multilateral partner	Under technical Assistance/ MoU etc.	Under whose approval consultants working in the Ministry /Dept.	Justification for not referring it earlier for approval of the Screening Committee

3. The consolidated information need to be submitted to Cabinet Secretariat, therefore, the matter may be accorded priority and the

P.T.O.

Handwritten notes:
18/07
OS (B.P.C.T.)
18/7
SO (B.P.C.T.)
19/7/19
for present
P.S.O.

information as per para.2 above, may be expedited within 20 days from the date of this communication. Otherwise, it will be presumed that the Ministry / Department has no information to offer on the subject. It is further stated that no proposal seeking ex-post-facto approval of the Screening Committee would be entertained and it will be the responsibility of the Ministry/Department concerned proposing to move such proposals.



(Hanish Chhabra)
Deputy Secretary(BC)
Tel.No. 23092883
E-mail: hanish.ias@ias.nic.in

Encls.: As above.

To

1. Secretaries of all Ministries/Departments of Govt. of India.
2. Additional Secretaries/Joint Secretaries of all Divisions in DEA.

Copy for information to:-

Cabinet Secretariat,
[Shri Amitesh Kumar Sinha, Director],
Rashtrapati Bhawan, New Delhi.

No. 7/17/2018-BPC&T
Government of India
Ministry of Finance
Department of Economic Affairs
Bilateral Cooperation Division

North Block, New Delhi
Dated the 14th May, 2019

OFFICE MEMORANDUM

Subject: Guidelines issued by the Department of Economic Affairs on engagement of Consultants by Ministries/Departments of Government of India from bilateral partners and multilateral organisations -reg.

Attention is invited to Office Memorandum No. 1/42/2015-PMU dated 29.12.2015 and 07.01.2016 prescribing guidelines on engagement of Consultants by Ministries/Departments of Government of India funded through bilateral partners and multilateral organizations.

2. The Department has issued an O.M. No. 7/5/2017-PMU dated 26.03.2019 (copy enclosed), requesting to submit proposals for engagement/extension of consultants by Ministries/Departments of Government of India funded through bilateral partners and multilateral organizations, well in advance and that no proposal seeking ex-post facto approval would be accepted for consideration of the Screening Committee.

3. The matter was further taken up with the Cabinet Secretariat. Cabinet Secretariat has sought list of all cases, where ex-post facto approval of Screening Committee is required and has requested this Department to advise Ministries/Departments to take prior approval for the engagement of the Consultant. It has been reiterated that requests for ex-post facto approval would not be entertained.


4. Accordingly, you are requested to furnish a list of cases, if any, where ex-post facto approval of the Screening Committee is required for the engagement of consultants. You are also requested to provide all requisite information/documents related to the aforesaid list of proposals with the approval of concerned Hon'ble Minister along with proper

P.T.O.

justification/reasons for not seeking approval of the Screening Committee in time

5. You are therefore once again advised to seek prior approval of the Screening Committee for the engagement of the consultants and not to request for ex-post approval in future

6. This issues with the approval of the Competent Authority


(Rajat Kumar Mishra)
Joint Secretary(BC)
Tel.No. 23092734
E-mail: rk.mishra62@nic.in

o/c

Encls. As above

To

1. Secretaries of all Ministries/Departments of Govt. of India.
2. Additional Secretaries/Joint Secretaries of all Divisions in DEA.

Copy for information to:- Cabinet Secretariat.
[Shri Amitesh Kumar Sinha, Director].
Rashtrapati Bhawan, New Delhi.

ISSUED WITH
P. NO. 8311
15/5/2019

No. 7/5/2017-PMU
Government of India
Ministry of Finance
Department of Economic Affairs
Bilateral Cooperation Division

North Block, New Delhi
Dated the 26th March, 2019

OFFICE MEMORANDUM

Subject: Guidelines issued by the Department of Economic Affairs on engagement of Consultants by Ministries/Departments of Government of India from bilateral partners and multilateral organisations -reg.

Attention is invited to Office Memorandum No. 1/42/2015-PMU dated 29.12.2015 and 07.01.2016 (copies attached) prescribing guidelines for all Ministries/Departments for processing proposals for engagement of consultants or extension of their tenure, under specific arrangements funded by bilateral partners and multilateral organisations.

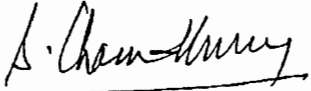
2. It has come to the notice of this Department that some Ministries/Departments of the Government of India are not submitting such proposals in advance. Also, few Ministries/Departments have sent proposals seeking ex-post facto approval of the Screening Committee.

3. This is to inform that Cabinet Secretariat has taken a note of it and has returned one such proposal indicating that no purpose is served by seeking ex-post facto approval.

4. All Ministries/Departments of Government of India are, therefore, once again requested to submit proposals for engagement of consultants or for extension of their tenure, funded through bilateral partners and multilateral organisations, well in advance and after completion of due diligence. It would be the responsibility of the Ministry/ Department concerned to strictly follow the aforesaid guidelines issued by this Department before submitting the same for consideration of the Screening Committee, and no proposal seeking ex-post facto approval will be accepted for consideration of the Screening Committee.

P.T.O.

5. This issues with the approval of the Competent Authority.


(Sumitra Chowdhury)
Director
Tel.No. 23092966
E-mail: sumitra.chowdhury@nic.in

O/c

Issued with
End. Sm
28/3/2019

Encls.: As above.

To

Secretaries of all Ministries/Departments of Govt. of India.