

सं० / No. A.41011/2/2017-Estt.(E-21833)

भारत सरकार / Government of India

रसायन एवं उर्वरक मंत्रालय / Ministry of Chemicals and Fertilizers

औषध विभाग / Department of Pharmaceuticals

शास्त्री भवन, नई दिल्ली

Shastri Bhawan, New Delhi

Dated the 20th February, 2023

Subject:- Guidelines for Hiring of Technical Consultants/Young Professionals (Tech.) on contract basis in the Department of Pharmaceuticals-regarding.

In supersession of 'Guidelines for Hiring of Consultants on contract basis in the Department of Pharmaceuticals, Ministry of Chemicals & Fertilizers dated 22nd June, 2020, the following guidelines and procedures are being prescribed for engagement of Consultants/Sr. Consultants/ Young Professionals in Department of Pharmaceuticals until such time as these guidelines are amended or new guidelines issued. These guidelines will come into effect from the date of issue.

1. Rationale

1.1 Department of Pharmaceuticals is committed to propel the Pharmaceutical Industry to a new height and position as a global leader. For achieving that necessary measures are required to be taken based on industry feedback and global experiences. Some of the measures include policy measures and incentivization; investment and trades; nurturing skilled manpower and researchers; and industry facilitation. The promotion and coordination of basic, applied and other research in the areas related to Pharmaceutical sector including international cooperation on pharmaceutical research are key area to enhance competitiveness of the sector. Besides, Department of Pharmaceuticals, as a technical department, is entrusted to perform a lot of technical works. However, as the Department does not have in-house technical expertise and needs to hire personnel –Young professionals (Tech.), Technical Consultants and Senior Technical Consultants who possess the requisite skill set- with more flexibility to deliver. Young professionals (Tech.), Technical Consultants and Senior Technical Consultants to be hired are expected to work in areas where in-house expertise is not available. More



specifically, this Department requires high quality professionals capable of lending their expertise in pharmaceutical and Medical Devices R&D, examination of drug and drug formulation, examination of critical & restricted active pharmaceutical ingredients (APIs) /key starting materials (KSMs), examination of Medical Devices regulation, Standards etc., examination of proposals in International Corporation, Project Management, Legal, Foreign Direct Investment, fixation of input-output norms and so on.

1.2 Professionals with requisite qualification and experience as prescribed for different positions will be hired as Individual **Technical Consultant / Young Professional (Tech.)**. The total number of Individual **Technical Consultants / Young Professionals (Tech.)** to be engaged by the Department shall depend on the actual requirement at a particular time and available budgetary provision.

2. Contractual Terms and conditions

2.1 **Legal Status:** - The Individual **Technical Consultant / Young Professional (Tech.)** shall have the legal status of an independent **Technical Consultant / Young Professional (Tech.)**. vis-à-vis the Department of Pharmaceuticals and shall not be regarded, for any purpose, as being staff member or an official of the Department. As such nothing within or relating to the contract shall establish the relationship of employer and employee between the Department of Pharmaceuticals and the Individual **Technical Consultant / Young Professional (Tech.)**.

2.2 **Standards of conduct:** - Generally, the Individual **Technical Consultant / Young Professional (Tech.)** shall neither seek nor accept instructions from any authority external to the Department in connection with the performance of its obligations under the contract. The Individual **Technical Consultant / Young Professional (Tech.)** shall not take any action in respect of its performance or otherwise related to its obligations under the contract that may adversely affect the interest of the Department and the Individual **Technical Consultant / Young Professional (Tech.)** shall perform its obligations with the fullest regard to the interest of the Department. The Individual **Technical Consultant / Young Professional (Tech.)** shall comply with all laws, ordinances, rules, and regulations bearing upon the performance of its obligations under the Contract. In the performance of the contract the Individual **Technical Consultant / Young Professional (Tech.)** shall comply with the standards of conduct. Failure to comply with the same is grounds for



termination of the **Individual Technical Consultant / Young Professional (Tech.)**.

2.3 Assignment of Duties: - The **Individual Technical Consultant / Young Professional (Tech.)** shall perform the duties assigned to him. The Competent Authority reserves the right to assign any duty as and when required. No extra/additional allowance will be admissible in case of such additional assignment.

2.4 Prohibition of Sexual Exploitation and abuse: - In the performance of the contract, the **Individual Technical Consultant / Young Professional (Tech.)** shall comply with the **Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013**. The **Individual Technical Consultant / Young Professional (Tech.)** acknowledges and agrees that any breach of the provisions thereof shall constitute a breach of an essential term of the contract and in addition to any other legal right or remedies available to any person, shall give rise to a ground for termination of the contract. If required, further appropriate legal action may also be recommended.

2.5 Medical Clearance and Service Incurred Death or Grievous Injury:-The Department of Pharmaceuticals may require the **Individual Technical Consultant/ Young Professional (Tech.)** to submit a **Good Health Certificate** from a registered Physician at the time of joining duties. In the event of death or grievous injury to the **Individual Technical Consultant / Young Professional (Tech.)**, during the course of his/her duties, compensation shall not be payable to the **Individual Technical Consultant / Young Professional (Tech.)** or his/her dependents. It is desired that the **Individual Technical Consultant / Young Professional (Tech.)** take out and maintain adequate insurance required to meet their obligations from own responsibility.

2.6 Basic Support Facility: - Basic support like office space, furniture, stationery, computer, laptop, calculator, access to internet etc. may be provided to the **Individual Technical Consultant / Young Professional (Tech.)** where needed by the Department so that assigned duties may be handled smoothly. Any equipment and supplies provided to the **Individual Technical Consultant / Young Professional (Tech.)** and any damage or degradation occurred to the equipment at the time of return beyond normal wear and tear, shall be administered as per extant rules.

2.7 Confidentiality of Documents & Information: - The **Individual Technical Consultant / Young Professional (Tech.)** would be subject



to the provisions of the Indian Official Secrets Act, 1923. They shall not use the name, emblem, or official seal of the Department for any commercial purpose other than discharging assigned duties.

2.8 Settlement of Disputes: -The Department and the Individual **Technical Consultant / Young Professional (Tech.)** shall use their best efforts to amicably settle any dispute, controversy or claim arising out of the Contract or the breach, termination or invalidity thereof. Any dispute, controversy or claim between the parties arising out of the Contract or the breach, termination, or invalidity thereof unless settled amicably, as provided above, shall be referred by either of the parties to the Secretary for arbitration. The Secretary may appoint an arbitrator for the settlement of the controversy.

2.9 Conflict of interest: - The Individual **Technical Consultant / Young Professional (Tech.)** are expected to follow all the rules and regulations of the Government of India which are in force. He/she is also expected to display utmost honesty, secrecy of office and sincerity while discharging he/her duties. In case the services of the Individual **Technical Consultant / Young Professional (Tech.)** are not found satisfactory or found in conflict with the interests of the Department of Pharmaceuticals, Government of India his/her services will be liable for discontinuation without assigning any reason.

2.10 Termination: -The Department of Pharmaceuticals can terminate the contract at any time without prior notice and without providing any reason thereto. However, in the normal course it will provide one month's notice to the Individual **Technical Consultant / Young Professional (Tech.)**. The Individual **Technical Consultant / Young Professional (Tech.)** can also seek for termination of the contract upon giving one month's notice to the Department.

3. Term of Reference: - Heads of Divisions shall be responsible for ensuring that detailed terms of reference describing the work to be performed are prepared well in advance of the engagement of the Individual **Technical Consultant / Young Professional (Tech.)** and submit it as Annexure in a timely manner to the Administration Division for processing. The terms of reference are mandatory and shall form part of the individual contract. The terms of reference shall include the outputs to be delivered and the functions to be performed.



4. General Terms & Conditions

4.1 Tenure: - Individual Technical Consultant / Young Professional (Tech.) may be hired for a fixed period, initially for one year and not exceeding (5) Five years for providing high quality services on specific piece of work as per requirement of the Divisions. The continuation of the service beyond Five Years will be contingent upon satisfactory performance to be assessed by respective Divisional Head based on Key Performance Indicators (KPIs) and subject to the approval of the Secretary (Pharma).

4.2 Technical Consultants / Young Professionals (Tech.) shall be hired through an open advertisement, which will give all the necessary details viz. qualifications and the job requirement followed by selection through a selection committee set up by the Department.

4.3 Selected candidates will be offered appointment letters to get the assignment. They would be required to join within prescribed period as indicated in the appointment letter.

4.4 Technical Consultants / Young Professionals (Tech.) shall perform the duties as assigned to them. The competent authority reserves the right to assign any duty as and when required. No extra/additional allowance will be admissible in case of such assignment.

4.5 Technical Consultants / Young Professionals (Tech.) shall not be entitled to any benefit like Provident Fund, Pension, Insurance, Gratuity, Medical Attendance Treatment, Seniority, Promotion etc. or any other benefits available to a Government of Servant appointed on regular basis.

4.6 Technical Consultants / Young Professionals (Tech.) will not be granted any claim or right or preference for regular appointment to any post in the Government.

4.7 If any declaration given or information furnished by any **Technical Consultants / Young Professionals (Tech.)** proves to be false or if he/she is found to have wilfully suppressed any material information, he/she will be liable for removal from such a contract and also such other action as the Government may deem necessary.

4.8 Working hours shall normally be from 09.00 AM to 5:30 PM during working days including half an hour lunch break in between. However, in



exigencies of work, he/she may be required to sit late and he may be called on Saturday, Sunday and other Gazetted Holidays without any extra remuneration.

4.9 Technical Consultants / Young Professionals (Tech.) shall be compulsorily required to enroll themselves in the Aadhar based Biometric Attendance System (BAS). Attendance registered by the staff in BAS only shall be taken as proof of their attendance in the office and on the basis of which fees/remuneration will be paid.

4.10 The Department has right to cancel advertisement, and not to proceed in the matter for engagement of **Technical Consultants / Young Professionals (Tech.)**, at any stage, accept or reject any or all applications, without giving any explanation, whatsoever.

5. The Department shall hire **Technical Consultants / Young Professionals (Tech.)** similar to the scheme adopted in NITI Aayog and Ministry of Health and Family Welfare at Four levels viz. **Technical Young Professional, Technical Consultant Grade-I, Technical Consultant Grade-II and Senior Technical Consultant.** The general conditions of contracts for the services will be incorporated into their Individual contracts.

5.1. Educational Qualification: Generally, the following qualification is required. However, specific educational qualification may be prescribed as per actual requirement of particular positions: -

(i) **Essential Educational Qualification: Master Degree** in relevant subject or equivalent degree/diploma.

(ii) **Desirable qualification:** M Phil, PhD, research experience, working experience with Government set-up or **Private Sector** etc. in the relevant field would be preferable.

5.2. Age and Experience

Name of the Position	Post Qualification experience in Years	Upper age limit* (year)	Remuneration (In Rs.)
Young Professional (Tech.)	2 years	32	65,000 (Fixed)

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Technical Consultant Grade-I	3-8 years	40	80,000-1,45,000
Technical Consultant Grade-II	8-15 years	50	1,45,000-2,65,000
Senior Technical Consultant	15 years and above	62	2,65,000-3,30,000

***Note1:** In general, **Technical Consultants / Young Professionals (Tech.)** may not be allowed to serve beyond the maximum age of 65.

***Note2:** A good Knowledge of Computer applications, MS-Office including Excel along with strong communication, analytical and presentations skills.

5.3. Selection Process: The selection of professionals shall be made in accordance with the provisions included in GFR, 2017 under rules 177-196 and as per relevant paras of the Manual for Procurement of Consultancy and Other Services 2017. The requirement of professionals for the Department of Pharmaceuticals will be advertised by Pharma Bureau as and when needed on Department's **Website** and in at least one **National Newspaper** (both in Hindi and English). The application forms as shortlisted by Pharma Bureau shall be placed before the Selection Committee for selection of **Technical Consultants/Young Professionals (Tech.)** to be constituted with the approval of the Secretary as follows: -

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|-------|---|----------|
| (i) | Joint Secretary (Policy), DoP- | Co-chair |
| (ii) | Joint Secretary (NIPER), DoP- | Co-chair |
| (iii) | Economic Advisor, DoP- | Co-chair |
| (iv) | Deputy Secretary/Director (Policy), DoP- | Member |
| (v) | Deputy Secretary/Director (Pricing), DoP- | Member |

5.3.1. The Selection Committee may devise its own method for selection of suitable candidates as per requirement. The Selection Committee may also recommend names for keeping in wait list with valid time period.

5.3.2. The Department may also adhere to rule 194 of GFR for hiring **Technical Consultants / Young Professionals (Tech.)** from established Research Organizations. In exceptional cases, individuals may be hired on secondment basis from Private Intuitions/Organizations with the approval of the Secretary.

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6. Payment of Remuneration

6.1 The maximum Remuneration Payable Monthly to the **Technical Consultants / Young Professionals (Tech.)** shall be as under: -

S. No.	Name of the Position	Remuneration (In Rs.)
1.	Young Professional (Tech.)	65,000 (Fixed)
2.	Technical Consultant Grade-I	80,000-1,45,000
3.	Technical Consultant Grade-II	1,45,000-2,65,000
4.	Senior Technical Consultant	2,65,000-3,30,000

6.2 The Selection Committee may suggest consolidated remuneration based on number of years of experience, desirable qualification or existing remuneration being drawn by the applicant professionals or all of them. However, final decision will be taken by the Department of Pharmaceuticals with the approval of Competent Authority.

6.3 Annual increment @5% on consolidated remuneration may be awarded to Technical Consultants / Young Professionals (Tech.) on completion of one year of service and who have been considered for continuation of services based on satisfactory performance for subsequent year(s). In exceptional cases, where the individual Consultant demonstrated exemplary Performance in his/her domain and have made significant contribution in policy/scheme makings, an annual increment @10% on consolidated remuneration may be awarded.

6.4 The payment of consolidated pay will be released by the Department within one week after completion of the month based on the **Biometric Attendance/ Physical Attendance** to be verified by the concerned Divisional Heads.

7. Allowances:

7.1 **House Rent Allowances:** No HRA shall be admissible.

7.2 **Transport Allowance:** No Transport Allowance for the purpose of commuting between the residence and the place of work shall be allowed.

7.3 **TA/DA:** The Individual **Technical Consultants / Young Professionals (Tech.)** may be required to undertake domestic tours



subject to approval of the Competent Authority and they will be allowed TA/DA reimbursement as follows: -

S. No.	Position	Entitlement
1	Young Professional (Tech.)	As admissible to Section Officer to the Government of India
2	Technical Consultant Grade - I	As admissible to Under Secretary to the Government of India
3	Technical Consultant Grade - II	As admissible to Deputy Secretary to the Government of India
4	Senior Technical Consultant	As admissible to Joint Secretary to the Government of India

7.4 Leave- Technical Consultants / Young Professionals (Tech.) shall be eligible for 18 days leave during the period of one year on pro-rata basis besides the gazette holidays. Accumulation of leave beyond a calendar year may not be allowed. "No work no pay" will be applicable during the period of contract, if more than prescribed leave is taken. However, in Exceptional cases for professional development, training etc. this condition may be relaxed by Secretary (Pharma).

Apart from this the women Consultant may be eligible for maternity leave as per the Maternity Benefit (Amendment) Act, 2017 issued by Ministry of Labour and Employment vide no S-36012/03/2015-SS- I dated 12th April, 2017.

7.5 Tax Deduction at Source: - The income tax or any other tax liable to be deducted as per prevailing rules will be deducted at Source before releasing the payment and the Department will issue TDS certificate/GST as the case may be. The Department takes no liability for taxes or other contribution payable by the Individual **Technical Consultant / Young Professional (Tech.)** on payment made under the contract.

7.6 Authenticity & Police Verification: - Police verification of the Individual **Technical Consultant / Young Professional (Tech.)** may be



done as per the latest instructions issued by **Ministry of Home Affairs** (MHA). In case the police verification is received as negative, the contract of the Individual **Technical Consultant / Young Professional (Tech.)** shall cease to exist with immediate effect without any notice. Further, if any declaration given or information furnished by **Technical Consultant / Young Professional (Tech.)** proves to be false or if he/she is found to have wilfully suppressed any material information, he/she will be liable for removal from such contract and also such other action as the Government may deem necessary.

7.7 Relaxation: - Where Secretary (Pharma) is of the opinion that it is necessary or expedient to do so, he/she may by order and for reasons to be recorded in writing, relax any of the provisions of the guidelines.

These guidelines shall stand modified as per the amendments and orders issued from time to time by Nodal departments such as Department of Personal and Training (DoPT) and Department of Expenditure (DEA).

The Guidelines for Hiring of **Technical Consultants/Young Professionals (Tech.)** on contract basis in the Department of Pharmaceuticals have been issued with the approval of Hon'ble Minister (C&F) vide note dated 17.02.2023.


20.02.23

(Sandeep Kumar)

Under Secretary to the Govt. of India