

No. 29018/04/2020-AIS-II
Government of India
Department of Personnel & Training
(AIS-II Division)

North Block, New Delhi,
Dated: 9th February, 2021

Subject: **Engagement of Legal Consultant and Legal Assistant in AIS-II Division (Service Division) of Department of Personnel & Training (DoPT), New Delhi.**

Applications in the prescribed proforma (as per **Annexure-II**) are invited from eligible candidates for filling up 01 post of Legal Consultant and 01 post of Legal Assistant in AIS-II Division (Service Division) in the Department of Personnel & Training, North Block, New Delhi.

2. A statement of Terms of Reference (ToR) for the said posts is enclosed as **Annexure-I**. Applicants are advised to carefully go through the same with regards to eligibility criteria, experience required and other terms & conditions of engagement before submitting their applications.

3. Interested and eligible applicants may forward the duly filled in application in the prescribed proforma, along with all relevant enclosures, to this Department latest by 01st March, 2021, 5 P.M. The envelope containing the application form should be clearly labelled "**Application for the post of Legal Consultant/ Legal Assistant in AIS-II Division (Service Division) in Department of Personnel & Training**" and addressed to:

Shri Sandeep Kumar Sinha
Under Secretary to the Government of India,
AIS-II,
Room No 209A,
North Block,
New Delhi- 110011.

4. **Applications can also be sent by e-mail to the following email address: chintan.puri@gov.in** (Please indicate in the Subject line the post being applied for).

5. Incomplete applications will be summarily rejected. Only the applicants shortlisted on the basis of their applications will be intimated and called for the interview. The Department reserves the right to reject any application without assigning any reason.

Sandeep
(Sandeep Kumar Sinha)
Under Secretary to the Government of India
Tel: 23092983

To,

NIC, DoPT for uploading the circular on the DoPT's website.

Terms of Reference for engaging Legal Consultant and Legal Assistant

1.	Name of the Post	:	a) Legal Consultant (01 post) b) Legal Assistant (01 post)
2.	Period of engagement	:	Initially for 01 (one) year The contract could be extended further depending on assessment of performance, mutual willingness and depending on the requirement.
3.	Nature of engagement	:	The engagement will be purely on contractual basis and the Department reserves the right to terminate the same at any time without prior notice and without assigning any reason whatsoever with immediate effect without remuneration or notice period on grounds of proven misconduct. However, in the normal course the contractual employee shall be served one month's notice before termination of the contract or one month's pay in lieu of the notice period.
3.	Scope of Duties	:	<p style="text-align: center;"><u>Legal Consultant</u></p> <ol style="list-style-type: none"> 1. Carry out continuous review, monitoring, applicability, interpretation of all relevant Rules/ Legislations pertaining to Service Division in this Department such as but not limited to: - <ol style="list-style-type: none"> a) IAS/IPS/IFS (Cadre) Rules b) IAS/IPS/IFS (Fixation of Cadre Strength) Regulation. c) Amendment/Framing of All India Services (Joint) Cadre Rules, d) All India Services (Death-cum-Retirement Benefits) Rules, 1958 e) The All India Services (Commutation of Pension) Regulations, 1959 f) Deputation of AIS officers under Rule 6(2)(ii) of the respective Cadre Rules g) All India Services (House Building Advance) Rules, 1978. h) All India Services (Group Insurance) Rules, 1981 i) Policy matters relating to pay rules of IAS / IPS / IFS j) Right to Information Act, 2005 2. Provide technical inputs on references made to the Department by other ministries/ Departments with respect to rules, policies and legislation pertaining to this Division; 3. Assist the Division so that court cases as well as matters which require examination from a legal point

of view (OAs/ WPs/ SLPs/ CIC matters) can be done in a professional manner;

4. Tender opinion in issues coming before the Division;
5. Prepare draft affidavits and provide other inputs in consultation with sections, Divisions concerned in cases where the Department has been made a respondent;
6. Vetting the draft affidavit prepared by the Section concerned before filing it in various judicial/ quasi-judicial forums in cases where the Department has been made a respondent;
7. Vetting the replies prepared on various Parliamentary questions;
8. To work closely with different Ministries/ Departments and Divisions of the DoPT in order to provide a holistic opinion on legal matters;
9. Scrutinize legal papers, documents and affidavits received in the Division and offer comments;
10. Maintain contact with all empaneled Central Govt Legal Counsels to keep abreast of ongoing and current court cases;
11. Liaison with the Government Counsel;
12. Perform such other work of legal nature as may be entrusted from time to time.

Legal Assistant

1. Assist in carrying out continuous review, monitoring, applicability interpretation of all relevant Rules/ Legislations pertaining to Service Division in this Department such as but not limited to: -
 - a) IAS/IPS/IFS (Cadre) Rules
 - b) IAS/IPS/IFS (Fixation of Cadre Strength) Regulation.
 - c) Amendment/Framing of All India Services (Joint) Cadre Rules,
 - d) All India Services (Death-cum-Retirement Benefits) Rules, 1958
 - e) The All India Services (Commutation of Pension) Regulations, 1959
 - f) Deputation of AIS officers under Rule 6(2)(ii) of the respective Cadre Rules
 - g) All India Services (House Building Advance) Rules, 1978.
 - h) All India Services (Group Insurance) Rules, 1981
 - i) Policy matters relating to pay rules of IAS / IPS / IFS
 - j) Right to Information Act, 2005
2. Assist the Division so that court cases as well as matters which require examination from a legal point

		<p>of view (OAs/ WPs/ SLPs/ CIC matters) can be done in a professional manner;</p> <ol style="list-style-type: none"> 3. Scrutinize legal papers, documents and affidavits received in the Division and offer comments; 4. Assist in preparing draft affidavits and offer inputs in consultation with sections, Divisions concerned; 5. Assist in processing of applications received under the RTI Act, 2005 and CIC matters; 6. Undertake research and assist in drafting replies to various Parliamentary Questions; 7. Maintain status report of all ongoing Court Cases and track the dates of next hearing etc to suitably alert the officers concerned; 8. Process the matter related to payment of professional fees to Central govt Counsels as admissible; 9. Assist in preparing inputs of the Division on Annual Report/ Progress report of the Division; 10. Maintain a list of pending court cases in Service Division and monitor them; 11. Perform such other work of legal nature as may be entrusted from time to time.
4.	Job Location	: Department of Personnel & Training, North Block, New Delhi.
5.	Eligibility, Educational Qualifications, and age limit	<p style="text-align: center;"><u>Legal Consultant</u> Retired Government Employees <u>Or</u> Legal Professionals from open market</p> <ol style="list-style-type: none"> a) Having Master's Degree/ Bachelor's Degree of Law from a recognized University or Institute in India, recognized by the Bar Council of India; b) Should be registered as an advocate in the Bar Council in terms of Advocate's Act, 1961; c) Must have excellent written and oral communication and Interpersonal skills. <p><u>Age limit:</u> Not more than 65 years.</p> <p style="text-align: center;"><u>Legal Assistant</u> Retired Government employees <u>Or</u> Legal Professionals from open market.</p> <ol style="list-style-type: none"> a) Having Bachelor's Degree of Law from a recognized University or Institute in India, recognized by the Bar Council of India; b) Should be registered as an advocate in the Bar Council in terms of Advocate's Act, 1961; c) Must have excellent written and oral communication

			<p>and Interpersonal skills. Knowledge of Computer applications such as MS Word, MS Excel, MS PowerPoint etc will be essential.</p> <p>Age limit: Not more than 65 years in case of Retired Government employees and not more than 40 years in case of Legal Professionals from open market.</p>
6.	Experience	:	<p style="text-align: center;"><u>Legal Consultant</u></p> <p><u>For Retired Government employees:</u> Minimum 10 years' experience of handling court cases related to service matters in any Central or State Government Ministry/ Department/ PSU.</p> <p><u>For Legal Professionals from open market:</u> Minimum 10 years' of post qualification experience of working with Government Department/ PSUs and/ or Supreme Court of India/ High Courts/ District Courts. (Desirable: Experience in handling court cases related to matters service matters in any Central or State Government Ministry/ Department/ PSU)</p> <p style="text-align: center;"><u>Legal Assistant</u></p> <p><u>For Retired Government employees:</u> Minimum 5 years' experience of handling court cases in any Central or State Government Ministry/ Department/ PSU.</p> <p><u>For Legal Professionals from open market:</u> Minimum 5 years' of relevant post qualification experience.</p>
7.	Remuneration & Entitlements	:	<p><u>In case of retired government employees:</u> Remuneration as per guidelines laid down in Department of Expenditure's O.M. no 3-25/2020-E.IIIA dated 09th December, 2020 i.e. Fixed monthly amount arrived at by Deducting basic pension from the pay drawn at the time of retirement.</p> <p><u>In case of Legal Professionals from open market:</u> Legal Consultants: Rs 60,000/- (consolidated) Legal Assistant: Rs 40,000/- (consolidated)</p>
8.	Allowances	:	The contractual employee will not be entitled to any other allowances including, but not limited to, Dearness Allowance, House Rent Allowance, CGHS, Medical Reimbursement, Pension, Gratuity etc.
9.	Leave	:	The contractual employees shall be entitled to avail 12 days of leave in a calendar year on pro rata basis. The un-availed leave in a calendar year neither be carried forward to next calendar year or nor can be encashed.
10.	Termination of contract	:	The Department reserves the right to terminate the contract at any time in case: a) The contractual employee is unable to satisfactorily

		<p>complete the assigned tasks;</p> <p>b) The contractual employee is found lacking in honesty and integrity or violates the confidentiality clause;</p> <p>c) The contractual employee is absent from duty without authorization;</p> <p>d) The Department chooses not to renew the contract at the end of the initial period of engagement;</p> <p>e) Any other reason.</p>
11.	Requirement of prior notice	: In case the contractual employee seeks termination of the contract before the expiry of period of engagement, he/she can do so upon giving 30 days' notice to the Department or one month's salary in lieu of the notice period.
12.	Confidentiality clause	: <p>a) During the period of engagement with the Department, the contractual employee would be subject to the provisions of the Official Secret Act, 1923 and shall not divulge any information that he/she may have come across during the period of his/her engagement in the Department to anyone who is not authorized to have the same.</p> <p>b) The contractual employee shall maintain absolute integrity, devotion to duty, confidentiality and secrecy of information handled by him/ her. The secrecy and confidentiality shall be maintained even after the termination of the contract.</p> <p>c) The contractual employee shall, in no case, work for or represent in court or before any other legal authority, tribunal etc. or give opinion/ advice to any person other the Department on any matter during the period of his/ her engagement with the Department.</p>
13.	Conflict of interest	: The contractual employee shall be expected to follow the general conduct rules and regulations laid down by the Government for the employees. In case the services of the contractual employee are not found satisfactory or found in conflict with the interest of the Government functioning, his/ her duties are liable to be terminated/ discontinued without assigning any reason thereof.
14.	Working hours	: The contractual employee shall endeavor to observe normal office timings and may also be called upon to attend the office on Saturday, Sunday or any other holiday in case of requirement/ exigencies. In case of leave or any exigency, the contractual employee shall notify the Department promptly.

ANNEXURE-II

**Application Proforma For the Post of Legal Consultant/ Legal Assistant in the
Department of Personnel & Training, New Delhi**

Application for the post of (*please tick*)

Legal Consultant

Legal Assistant

**Paste your latest
passport size
photograph
here**

1. Name :
2. Date of Birth :
3. Gender :
4. Details of Educational Qualifications
(*Please enclose self-attested photocopies of educational qualifications*)

Examination passed	Board/ University/ institution	Subject/ Discipline	Year of passing	Percentage of marks

5. Mobile No. :
6. Email ID :
7. Details of employment in chronological order, if applicable.
(*Please enclose self-attested photocopies of experience certificate*)

Department/ Institution/ Organization	Post held	From	To	Emoluments	Nature of duties performed

8. Additional information (if any) in support of work experience/ employment:
9. Details of courses/ training programmes attended, if any:
10. Languages known:
11. Details of previous Consultancy, if any :
12. Additional information, if any, which you would like to mention in support of your suitability for the post. Enclose a separate sheet, if need be.
13. Remarks, if any:

(Signature)

Address:

Date: