

CIRCULAR FOR ENGAGEMENT OF LEGAL CONSULTANT

Ministry of Coal is desirous of hiring Legal Consultants on contract basis for a period of two years to begin with. This period could be extended further based on the requirement of the Ministry. However, the performance of the consultants will be reviewed after every six months and their contract shall be extended or discontinued (as the case may be) depending on their performance.

S.No.	Name of position	No. of position	Consolidated remuneration (Rs. per month)	Terms of Reference
1	Legal Consultant	As per requirement	75,000/-	As per Annexure-I

2. Applications from eligible candidates for the aforesaid position are invited in the enclosed pro-forma (Annexure-II) along with the copies of certificates of essential qualifications and experience. The applications may be addressed to Shri Sanjib Bhattacharya, Under Secretary, Room No. 113-F, 1st Floor, Shastri Bhawan, New Delhi – 110001.
3. Applications received incomplete or after due date will not be considered. Only shortlisted candidates will be intimated and called for interview.
4. Ministry of Coal reserves the right to reject any application without assigning any reason.
5. Dully filled in application forms along with relevant documents may be submitted by **31.10.2020**.



(Sanjib Bhattacharya)

Under Secretary to the Government of India

Annexure – I
Terms of Reference for engaging Legal consultant

1.	Name of post	Legal Consultant
2.	Number of post	As per Requirement
3.	Essential Qualifications	(1) Applicant should be professional having Degree of Law (03 years or 05 years course) from an University and/or Institute in India recognized by the Bar Council of India. (2) Applicant should be registered as an advocate in the Bar Council of India in terms of the Advocates Act, 1961. (3) Retired Government servant of the level of SO/US/DS fulfilling the above criteria may also apply for the post.
4.	Experience in relevant field	Applicant must have 5 years minimum experience in Court of Law with appearance before High Courts /Supreme Court of India or expert in legal matters with at least 5 years experience of working in Government Departments/PSUs having handled Court cases.
5.	Scope of work	Legal Consultant shall perform the following duties/functions: a. Prepare para-wise comments/ counter affidavits/ petitions/ applications, etc. across the courts, tribunals and other statutory authorities filed against or by the Ministry of Coal. b. Monitor the pending court cases, to assist and be present in the court at the time of hearing. c. Perform such other work of legal nature, as may be entrusted from time to time by Ministry of Coal.
6.	Method of Engagement	Short term on contract basis.
7.	Period of contract	The appointment on the above post will be purely on contract basis initially for a period of two years, further extendable subject to satisfactory performance. The performance of the consultants will be reviewed after every six months and their contract shall be extended or discontinued (as the case may be) depending on their performance. The decision of Ministry of Coal shall be final in this regard. No right will be accrued in favour of the consultant regarding renewal of contract, absorption in service, etc.
8.	Age Limit	Not more than 40 years as on 31.10.2020. Not more than 62 in case of Retired Government servants.
9.	Remuneration (per month)	Consolidated remuneration of Rs. 75,000/- (Rupees Seventy Five Thousand Only) on monthly basis.
10.	Other terms of engagement	(i) The Consultants will not be entitled for any separate monthly allowances including but not limited to conveyance allowance, HRA etc. However, in case, the consultant is r

required to travel outside Delhi in the context of the work/assignment, the Ministry shall reimburse the actual cost of travel and daily allowance as per the Rules/regulation of the Central Government applicable to Group B Non-Gazetted Officer.

(ii) The Consultants will not be eligible for any other facilities such as residential telephone, residential accommodation, CGHS and Medical reimbursement, personal support staff, transport facilities etc.

(iii) The Consultants shall be eligible for 08 days leave in a calendar year on pro-rata basis. Therefore, the Consultant shall not draw any remuneration for the absence in case of absence beyond 08 days in a year (calculated on a pro-rata basis). Also un-availed leave in a year cannot be carried forward to next calendar year.

(iv) The Consultant will be required to discharge the duties as assigned to him/her by the Ministry of Coal.

(v) The Income Tax or any other tax liable to be deducted, as per the prevailing rules will be deducted at source before effecting the payment for which the Ministry of Coal will issue TDS Certificate (s).

(vi) The consultant shall, in no case, work for or represent in court or before any other authority, tribunal etc. or give opinion/ advice to any person other than Ministry of Coal in any matter during the period of his/ her engagement with Ministry of Coal. Further, in no case, the consultant shall act, or conduct anything with regard to any person or render any advice to Ministry of Coal which is adverse to the interest of the Ministry of Coal.

(vii) The contract of consultant may be terminated, after giving one month notice, in following situations:

- If the Consultant is unable to do the assigned work.
- Quality of the assigned works is not to the satisfaction of the Ministry of Coal.
- If the consultant is absent from duty without due authorization.
- If the Ministry elects not to renew the contract of the consultant at the end of period.

(viii) Ministry of Coal reserves the rights to terminate the contract without giving any explanation or whatsoever with immediate effect without any remuneration or notice period on the ground of proven misconducts.

(ix) Termination shall be effected by written notice of 30 days served to the consultant. The termination will be without prejudice to either party's rights accrued before termination.

		<p>(x) The Consultant is required to give 30 days' notice to the Ministry of Coal in case he/she opts to quit the assignment.</p> <p>(xi) Jurisdiction for legal disputes, if any arising during the period of the contract, will be in Delhi Courts only.</p> <p>(xii) The person who has worked as consultant shall not disclose the information received by him/ her during the period of such engagement to any person other than Ministry of Coal at any time whether during continuance of such engagement or after its severance. Further, the consultant shall not represent, advice or work for any person against the interest of Ministry of Coal / Central Government for 02 years from the date of termination in the matters related to coal mines/blocks.</p>
11.	Selection process	Selection of the Consultant will be done on the basis of personal interview by a Selection Committee. Only the short-listed candidates shall be called for the interview. No TA or DA will be paid for attending the interview. At the time of interview, the shortlisted candidates shall have to produce their bio-data and certificates, in original for verification.
12.	Attendance and working days	a) The working hours of the consultants shall be same as regular Govt. employees working in the Ministry. No extra remuneration shall be allowed for working beyond office hours or on Saturdays/Sundays/Gazetted Holidays. Compensatory leave in such cases shall be at the discretion of the competent authority.
13.	Confidentiality and secrecy	During the period of assignment with ministry of Coal, the consultants would be subject to the provisions of India Official Secret Act, 1923 and will not divulge any information gathered during the period of his/her assignment to anyone who is not authorized to know the same. Selected candidates shall provide integrity certificates from 2 references known to them. A self-undertaking shall be provided by the candidate to the effect that no criminal record or criminal case in any court is pending against him/her.



(Sanjib Bhattacharya)

Under Secretary to the Government of India

Annexure – II

APPLICATION FOR THE POST OF LEGAL CONSULATANT FOR MINISTRY OF COAL

BIO-DATA

Passport-size Photo
of applicant with
cross signature

S.No.	Detail	Description
1	Name	
2	Date of Birth	
3	Correspondence Address	
4	Contact number/ Mobile number	
5	Email ID	
6*	Educational Qualification •	
7*	Professional qualification and experience in relevant field	
8	Current work profile	
9	Additional information	

* : Separate sheet may be attached if required. Self-attested copies of certificates should be enclosed.

Place:

Date:

(Signature of applicant)