

A-12013/02/2015- Adm.I(B)

Government of India

NITI Aayog

Dated: 07th December, 2021

Subject: Procedure and Guidelines for engagement of Consultants/ Senior Consultants/ /Young Professionals in NITI Aayog.

In supersession of "Procedure and Guidelines for engagement of Consultants/ Senior Consultants in NITI Aayog" dated 29th July, 2020, the following guidelines and procedures are being prescribed for engagement of Consultants/Sr. Consultants/Young Professionals in NITI Aayog until such time as these guidelines are amended or new guidelines issued. These guidelines will come into effect from the date of issue.

1. Purpose and Scope of Application

1.1 The NITI Aayog is committed to cooperative federalism, promotion of citizen engagement, access to opportunity, participatory and adoptive governance and increasing use of technology to provide critical directional and strategic inputs into the development process. NITI Aayog is also mandated to function as a think tank, which requires greater flexibility in hiring of personnel than was the case under the erstwhile Planning Commission. It is essential to have the Young Professionals/Consultants/Sr. Consultants who possess the requisite skill set. These Young Professionals/Consultants/Sr. Consultants will be expected to deliver in such areas where in-house expertise is not readily available within the framework of NITI Aayog. They should be high quality professionals, capable of lending their expertise in the fields such as Economics, Finance, Education, Public Health, Social Sciences, Engineering, Urban Planning, Infrastructure etc. as per the requirements of NITI Aayog.

1.2 The General conditions of Contracts for the services of Young Professionals/Consultants/Sr. Consultants will be incorporated into their individual contracts.

2. Definitions: The following definitions apply for the purpose of the present instructions:

2.1 "Individual consultant or service provider" means Young Professional or Consultant Grade- 1 or Consultant Grade- 2 or Senior Consultant depending upon their experience. Individual Consultants or service providers are recruited for similar activities as Consultancy/Service providing firms when a full team is not considered necessary. They may be independent experts not permanently associated with any particular firm, or they may be employees of a firm recruited on an individual basis. They may also be employees of an agency, institution, or university. They are



normally recruited for project implementation supervision, provision of specific expert advice on a highly technical subject, policy guidance, special studies, compliance supervision, training, or implementation monitoring. Individual consultants/service providers are not normally recruited for project preparation unless the proposed project is simple and, generally, a repeat of an already established and successful project.

2.2 “**Consultancy Services**” covers a range of services that are of an advisory or professional nature and are provided by consultants. These services typically involve providing expert or strategic advice e.g. management consultants, policy consultants or communications consultants. Advisory and project related Consultancy services which include, for example feasibility studies, project management, Engineering services, Architectural services, finance accounting and taxation services, training and development.

3. Contractual terms and conditions

3.1 **Legal Status:** The Individual Consultant shall have the legal status of an independent Consultant vis-à-vis, NITI Aayog and shall not be regarded, for any purposes, as being either a “staff member” of NITI Aayog, or an “official” of NITI Aayog. Accordingly, nothing within or relating to the Contract shall establish the relationship of employer and employee, or of principal and agent, between NITI Aayog and the Individual Consultant.

3.2 Standards of Conduct:

3.2.1 In General the Individual Consultant shall neither seek nor accept instructions from any authority external to NITI Aayog in connection with the performance of its obligations under the Contract. The Individual Consultant shall not take any action in respect of its performance of the Contract or otherwise related to its obligations under the Contract that may adversely affect the interests of NITI Aayog, and the Individual Consultant shall perform its obligations under the Contract with the fullest regard to the interests of NITI Aayog. The Individual Consultant warrants that it has not and shall not offer any direct or indirect benefit arising from or related to the performance of the Contract or the award thereof to any representative, official, employee or other agent of NITI Aayog. The Individual Consultant 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 Consultant shall comply with the standards of Conduct. Failure to comply with the same is grounds for termination of the Individual Consultant for cause.

3.2.2 **Prohibition of Sexual Exploitation and Abuse:** In the performance of the Contract, the Individual Consultant shall comply with the “Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013”. The Individual Consultant acknowledges and agrees that any breach of any of the provisions hereof shall constitute a breach of an essential term of the Contract, and, in addition to any other legal rights or remedies available to any person, shall give rise to grounds for termination of the Contract. In addition, nothing herein shall limit the right of NITI Aayog to refer any alleged breach of the foregoing standards of conduct to the relevant national authorities for appropriate legal action.

