Circular No. 01/01/17

Subject: Systemic Improvement Guidelines - Engagement of Consultants regarding.

Attention is invited to Commission's Circular No.08/06/11 dated 24th June, 2011 (copy enclosed) regarding selection and employment of consultants. The Commission, taking into account the practices and procedures being followed by various organisations, would advise following measures while finalising the contracts for engaging consultants.

(a) Framework of Instructions of GOI / Guidelines of CVC / others: Departments / Organisations (employer / client), engaging a consultant, should draw attention of the consultant to the relevant and extant instructions of Government of India GFR issued by Ministry of Finance, guidelines of CVC and provisions of the Procurement Manual / relevant instructions of the respective organisation, as applicable to the subject matter of the advice / service to be rendered by the consultant and required to be complied with.

(b) Accountability of the employer / client and the consultant: A consultant engaged by the employer has to have a certain degree of accountability, on its part, for any advice and / or for any service rendered to the employer, keeping in view norms of ethical business, professionalism and the fact that such advice / service is being rendered for a consideration, as per the terms of the contract. At the same time, the employer also has to have its share of accountability, for accepting the advice and services, provided by the consultant.

To ensure adequate accountability, suitable tender terms and conditions for apportioning accountability between the employer and the consultant need to be incorporated. Also, there should be suitable provisions to enforce such accountability in case of improper discharge of contractual obligations / deviant conduct by / of any of the parties to the contract.