



भारतीय अन्तर्देशीय जलमार्ग प्राधिकरण

(पोत परिवहन मंत्रालय, भारत सरकार)

मुख्यालय : ए-13, सेक्टर-1, नोएडा-201 301, (उ.प्र.)

INLAND WATERWAYS AUTHORITY OF INDIA

(Ministry of Shipping, Govt. of India)

Head Office : A-13, Sector-1, Noida-201 301 (U.P.)

Website : www.iwai.gov.in | www.iwai.nic.in

Tel. : +91-120-2544036, 2543972, 2527667, 2448101 Fax : +91-120-2544009, 2544041, 2543973, 2521764

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OFFICE MEMORANDUM

Sub: Guidelines for engagement of Consultants in IWAI

Consequent upon the declaration of 106, new National Waterways in 2016 by the Central Government, the work of the Authority at all levels has increased substantially. In order to cope up with the work load, the Authority has been engaging Advisor/Sr. Consultants/ Specialist/ Consultant and Executive at Head Office as well as in Regional Offices on the basis of functional requirement. So far Authority has not formulated any guidelines for the engagement of Consultants in IWAI. Accordingly, a decision has been taken to prepare a comprehensive policy for engagement of Consultants comprising of standard remuneration and other terms and conditions of such engagement in order to streamline the engagement process and to ensure uniformity.

After due consideration of the policies and guidelines adopted by the various Central Government Departments/ Ministries a broad policy for engagement of Consultants has been framed along with terms and conditions for their engagement in IWAI.

The Competent Authority has approved the guidelines for engagement of Sr. Consultants/ Specialist/ Consultant and Executive in IWAI. A copy of the guidelines is enclosed for compliance.

(Ajay Kumar Gupta)
Secretary

To.

- Chief Engineer (Technical)/ Chief Engineer & Project Manager (JMVP)/ Hy. Chief/ Director (F&A)/ Director (IT)/ Director (NWs)/ Director (NER)/ Director (Traffic)/ Director (Hy.)/ Director (Marine) IWAI, Noida
- Chief Engineer IWAI, Patna/ Chief Engineer, Kochi / Director, Kolkata/ Director, Guwahati.
- Office in charge, IWAI sub offices:- Varanasi, Allahabad, Sahibganj, Bhubaneswar, Vijaywada
- Asstt. Secretary (E&A)/ Asstt. Secy. (R&T)/ Asstt. Secy (Rajbhasha) (for Hindi Translation)

Copy for Information to:-

PPS/PS/Sr. PA/PA to Chairman/ Member (Finance)/ Member (Technical)/ Member (Traffic)/ Secretary



Guidelines

Engagement of Consultants

Inland Waterways Authority of India

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1. Introduction

- 1.1 Inland Waterways Authority of India (IWAI) was constituted on 27th October 1986 vide Inland Waterways Authority of India Act, 1985 for regulation and development of Inland Waterways for the purpose of shipping and navigation. As per Section 14 of IWAI Act, 1985 IWAI is mandated with the development and regulation of those waterways declared as National Waterways. A total of 111 waterways have been declared as National Waterways as per National Waterways Act, 2016.
- 1.2 Besides, IWAI is also developing and maintaining the Indian side of the designated waterway routes under the Indo-Bangladesh Protocol for transit and trade, and is assisting MEA in development & maintenance of Kaladan Multi Modal Project in Myanmar.
- 1.3 The role of IWAI in the overall augmentation of IWT sector is pivotal. IWT sector has huge potential to be developed as an eco-friendly, cost effective and viable mode of transportation to boost the economy of the country and also help enhance employment generation, tourism and trade.

2. Purpose & Rationale

- 2.1 Due to increase in workload with the declaration of 106 new National Waterways in 2016, IWAI is looking forward to augmentation of the desired skill sets to facilitate on time Project delivery.
- 2.2 The proposal for the restructuring of the Organization, is already being considered for creation of necessary posts to meet future requirements. However, in order to bridge the existing resource gap, the Authority is engaging Consultants/Sr. Consultants, Specialists and Executives.
- 2.3 This document intends to put in place guidelines and procedures to bring in standardization and consistency in the methodology of engaging Consultants/Sr. Consultants, Specialists and Executives in IWAI and regulating their services.
- 2.4 The purpose of this document is to explain the procedures for selecting, contracting, and monitoring consultants required for delivery of Projects.
- 2.5 Only the particulars of appointing consultants are dealt with herein, as the services to which these procedures apply are of an intellectual and advisory nature in the field of *Civil Engineering*, Project Design, Procurement, Project Management & Monitoring, Naval Architecture, Hydrography, Establishment & Administration, Training, Legal, Public Relations, Business Development, Finance & Accounts and IT applications etc.

3. Categories of Consultants & Executive

- 3.1 The engagement of the Consultants may be made in any one of the following three levels based on qualification & experience:

(i) Senior Consultant

- (a) Individuals having Bachelor/Master Degree (B.Tech, MBA, LLB, M.Com, etc.) in relevant subject or desirable specific qualifications in relevant field/subject. Person with minimum of 20 years post qualification experience in the relevant field would be essential.
- (b) Should be retired Central/ State Government employees/ Retired PSU employees/ Retired IIT employees at the *Level 13 or above*.

Or

Individuals from Non-Government/Private/Consultancy Firms/Multinational organizations with minimum of 20 years of relevant post qualification experience would be considered.

(c) Minimum age criteria for the role of a Senior Consultant is 45 years and maximum age limit is capped at 65 years. However, in exceptional cases of highly specialized requirements, age beyond 65 years can be relaxed not more than one year at a time limited to maximum of 70 years, with approval from Chairman, IWAI.

(ii) Specialist

(a) Professionals having Bachelor/Master Degree (B.Tech, MBA, LLB, M.Com, etc.) in relevant subject or desirable specific qualifications in relevant field/subject. Person with 15 years post qualification experience in the relevant field would be essential

(b) Should be retired Central/ State Government employees/ Retired PSU employees/ Retired IIT employees/ at the *Level 12 or above equivalent to Deputy Secretary/Director or above.*

Or

Individuals from Non-Government/Private/Consultancy Firms/Multinational organizations with minimum of 15 years of relevant post qualification experience would be considered.

(c) Minimum age criteria for the role of a Specialist is 40 years and maximum age limit is capped at 65 years. However, in exceptional cases of highly specialized requirements, age beyond 65 years can be relaxed not more than one year at a time limited to maximum of 70 years, with approval from Chairman, IWAI.

(iii) Consultant

(a) Individuals having Bachelor /Master Degree (B. Tech, MBA, LLB, B.Com, etc.) in relevant subject or desirable specific qualifications in relevant field/subject. Person with 10 years post qualification experience in the relevant field would be essential. Naval Sailor with Hydrographic qualification of SR I/II course will be considered as consultant as they are specialist in Hydrographic processing software.

(b) Should be retired Central/ State Government employees/ Retired PSU employees/ Retired IIT employees/ at the *Level 11 or above equivalent to Under Secretary/Deputy Secretary or above.*

OR

Individuals from Non-Government/Private/Consultancy Firms/Multinational organizations with minimum of 10 years of relevant post qualification experience would be considered.

(d) Minimum age criteria for the role of a Consultant is 35 years and maximum age limit is capped at 65 years. However, in exceptional cases of highly specialized requirements, age beyond 65 years can be relaxed not more than one year at a time limited to maximum of 70 years, with approval from Chairman, IWAI.

(iv) Executive

a) Individuals having Bachelors' Degree (B.Tech, BBA, LLB, B.Com, etc.) in relevant subject or desirable specific qualifications in relevant field/subject.

b) Individuals from Government/Non-Government/Private/Consultancy Firms/Multinational organizations with minimum of 5 years of post-qualification relevant

- c) Minimum age criteria for the role of an Executive is 30 years and maximum age limit is capped at 65 years. However, in exceptional cases of highly specialized requirements, age beyond 65 years can be relaxed not more than one year at a time limited to maximum of 70 years, with approval from Chairman, IWAI.

4. Background Verification

- 4.1 IWAI is committed to maintaining the highest levels of honesty and integrity and to preventing corrupt, dishonest, unethical or unprofessional behaviour. Thus IWAI shall confirm and check the identity and testimonials of the selected candidates, before they are given access to the Office premises.
- 4.2 For this purpose, IWAI reserves the right to get a background check conducted for the selected candidates, which each will explicitly agree to. This may be effected either directly by IWAI or any appointed third party agencies.
- 4.3 If the background check reveals any discrepancy, the candidate's services are liable to be terminated forthwith without any notice or salary in lieu of notice.
- 4.4 The background verification guideline lays out the standards for a fair and effective verification process in relation to the recruitment of Consultants or Executives working with IWAI.
- 4.5 In all cases where adverse information is discovered during the verification process, the candidate shall be informed of such information and, where appropriate, will be given the opportunity to explain or account for the adverse finding, prior to any decision being taken.
- 4.6 Background verification checks shall include :
- a. Identity check: Verification of an individual's identity
 - b. Address verification: Verification of place of residence
 - c. Criminal record check: Verification of criminal history or background, including police verification
 - d. Education check: Verification of an individual's qualifications and/or professional registration
 - e. Employment check: Verification of an individual's employment history

5. Procedure for Selection

- 5.1 The selection of consultants shall be made in accordance with the provisions contained in GFR 2017 Rule 177 to 196 .
- 5.2 The requirement of IWAI will be advertised from time to time on the website as well in at least one newspaper.
- 5.3 The applications received shall be placed before a Screening Committee headed by officer of the level of Secretary.
- 5.4 Shortlisted applications shall be placed before a Selection Committee headed by Member (Finance) or as approved by Competent Authority.
- 5.5 The committee shall prepare a panel of 3 names per vacancy which will include 2 persons in the waiting list. The panel would be valid for a period of one year.
- 5.6 In certain exceptional cases, with the approval of the Chairman selection from a single source as per GFR may also be considered. However, full justification for this must be given by the Selection Committee.
- 5.7 The final approval in all case of appointment of professional shall be accorded by the Chairman, IWAI.

6. Entitlement of Consultants & Executive

6.1 Remuneration:- The Full-time Consultants shall be paid a monthly remuneration as per below classifications :-

Designation	Fixed Salary (For Non-Government/Private/Consultancy Firms/Multinational Organizations)
Senior Consultant	INR 12, 00,000 p.a.
Specialist	INR 10,20,000 p.a.
Consultant	INR 7,20,000 p.a.
Executives	INR 3,60,000 p.a. (depending on Qualification & Experience)

Emoluments of Part-time Consultants will be decided on a case-to-case basis, taking into consideration the number of days for which they render services to IWAI.

- 6.2 Allowance: - The Consultants shall not be entitled to any allowance such as Dearness Allowance, Residential Telephone, Transport Facility, Residential Accommodation, Personal Staff, CGHS and Medical Reimbursement etc.
- 6.3 Leave: - Individual shall be eligible for 12 days leave in a calendar year on pro-rata basis. Therefore a Consultant shall not draw any remuneration in case of his/her absence beyond 12 days in a Year calculated on a pro-rata basis. Also un-availed leave in a calendar year cannot be carried forward to next calendar year.
- 6.4 TA/DA: - No TA/DA shall be admissible for joining the assignment or on its completion. Consultants will not be allowed foreign travel at Government expenses. However, Consultants shall be allowed TA/DA and Hotel Accommodation as per the normal imperatives as applicable to any serving officer of an equivalent rank in IWAI for their travel inside the country in connection with the official work.

7. Existing Consultants

- 7.1 The existing Consultants/Sr. Consultants/Specialist/Executives or equivalent shall continue as per existing entitlements/remuneration till the end of their existing Contract with IWAI including any extension considered by the Authority.
- 7.2 These guideline will be applicable to the consultants engaged after the issue of guidelines.

8. General Terms & Condition

The scheme of engagement of Senior Consultants/Specialists/Consultants in IWAI shall be regulated as per the following guidelines

- 8.1 Individuals (Non-Government/Private/Multinational/Consultancy Firms) or Retired Employees from Govt. / Autonomous Bodies with requisite qualifications and experience as prescribed would be eligible for being engaged as Consultants. However the engagement as "Consultant/Sr. Consultant" shall not be considered as a case of re-employment.
- 8.2 Consultants/Sr. Consultants/Specialists/Executive would be engaged for a fixed period for providing high quality services to IWAI as per Agreement/Letter of Appointment.
- 8.3 The appointment of Consultants/Sr. Consultants/Specialists/Executive would be on full-time basis, unless specified, and they would not be permitted to take up any other assignment during the period of engagement with IWAI.
- 8.4 Working hours would be from 9:30am to 6:00pm IST during the working days including half hour lunch break in between.

- 8.6 The Consultants engaged on full-time basis will be required to attend office on all working days and also on holidays, if required, on account of exigencies of work.

9. Tax Deduction at Source

- 9.1 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 office will issue TDS Certificate.

10. Conflict of Interest

- 10.1 Consultant/s are expected to display utmost honesty, secrecy of office and sincerity while discharging their duties.
- 10.2 In case of breach of Contract or integrity issue/s, the service of the appointed Consultant will be discontinued with immediate effect without assigning any reason.
- 10.3 The Consultants are not allowed to participate directly or indirectly in any other business transaction/engagement with IWAI during the Contract period.

11. Commitment to Confidentiality

- 11.1 Maintaining confidentiality is an utmost condition of the association with IWAI as Consultants/Executives.
- 11.2 Consultants/Executives shall not, either during his/her employment with IWAI or after termination of such associations, divulge to any outside member/party any information, accounts or dealings relating to IWAI, its affairs or its clients, service providers, sub-contractors or vendors etc.
- 11.3 On discontinuation of the association, the consultant/executive shall return to IWAI all papers and documents and all other property pertaining to IWAI or affairs of IWAI or its client or any of its associates or branches, which may be in his/her possession, from which he/she will not retain any copy or extract.
- 11.4 In case of any breach of confidentiality covenant, either during or after the termination of the association with IWAI, consultant/executive shall agree to be personally held liable to IWAI clients or third parties.

12. Workplace Conduct

- 12.1 IWAI is committed to creating a workplace where all individuals are treated fairly with dignity, courtesy, and respect.
- 12.2 Part of this commitment is making sure that the workplace is free from any form of discrimination, harassment or bullying. No individual should engage in behaviour which is considered as discriminating or causing harassment.
- 12.3 Such behaviour will not be tolerated, and could result in termination of the engagement without assigning any reason.
- 12.4 Sexual harassment is a misconduct as per the terms of employment/agreement and under the law. [Refer to: Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013]
- 12.5 Any such misconduct under the policy of Sexual Harassment and/or the law shall result in both disciplinary as well as penal consequences, including but not limited to monetary penalties through deduction from salary, termination from association/engagement and/or other such punishment prescribed under the law.

13. Performance Management

- 13.1 The purpose of this guideline is to outline an approach towards building a high-performance culture and promoting meritocracy, transparency, and fairness. Periodical Performance Appraisal of the Consultants would be undertaken through a Performance Evaluation Report (PER). Performance Evaluation Report is the most important record for the assessment. At the same time the quality of PER is a measure of the competence of the Reporting Officer and Countersigning Officer. It is, therefore, essential that utmost care is exercised by all Reporting and Countersigning Officers. The performance Appraisal would be conducted by the respective reporting officers and countersigned by the reviewing officers. The format for evaluation would be evolved and circulated in this regard.

14. Period of Engagement

- 14.1 The initial period of engagement of Consultant/Sr. Consultant/Specialist/ Executive will be for fixed duration of time up to a maximum of 1 (one) year. Thereafter, the engagement would be reviewed and extension would be given based on evaluation of Project requirement, Performance, availability of resource within IWAI.

15. Notice Period

- 15.1 The contract can be terminated by either parties by giving a 30 days written notice or payment in lieu of the notice

16. Termination of Agreement

- 16.1 IWAI may terminate a contract under the following circumstances:
 - a) The Consultant/Executive is unable to address the assigned works,
 - b) Quality of the assigned works is not to the satisfaction of the department
 - c) The Consultant/Executive fails in timely achievement of the milestones as finally decided by the department

- d) The requirement of consultant as per volume of work.
- e) The Consultant/Executive is found lacking in honesty and integrity
- f) The Department reserves the right to terminate the contract by giving 30 days' notice to the Consultant/Executive.

17. Repeal

- 17.1 Any guidelines corresponding to these guidelines in force immediately before the commencement of these guidelines are hereby repealed.
- 17.2 Provided that any order made or action taken under repealed shall be deemed to have been made or taken under the corresponding provisions of these guidelines.

18. Enforcement of Guidelines

- 18.1 Wherever there is any doubt about the meaning of context or application of these guidelines the decision of the Chairman of the Authority shall be final and binding.

19. Governing Law

- 19.1 Any legal proceedings in respect of any matter of claim or dispute shall be subject to exclusive jurisdictions of Courts in Noida, U.P. In case of any ambiguity / dispute arising on account of interpretation in Hindi version, the English version shall prevail.