

File No. W-11037/22/2023-RD
Government of India
Ministry of Health & Family Welfare
Department of Health & Family Welfare
(Rare Disease Cell)

Room No. 501-D Wing
Nirman Bhawan, New Delhi
Dated:12.05.2023

ADVERTISEMENT FOR LEGAL CONSULTANT

Applications in the prescribed format through email (in pdf format) at rare.disease-mohfw@gov.in and swarnendu.singha@nic.in (as per Annexure) are invited from willing and eligible general public with legal background for engagement of Legal Consultant to be posted in Rare Disease Cell of Ministry of Health & Family Welfare, New Delhi on contract basis; as per details given below:-

1.	Name of the Post and Number of Vacancy	Legal Consultant, Vacancy - 01 (One)
2.	Period of Consultancy	Initially for a period of 1 year, extendable as per extant rules of GoI/MoHFW.
3.	Job assigned	<ol style="list-style-type: none"> 1. To draft affidavits/para wise replies to be filed in different Court cases as filed against the Department across the country in various courts as the case may be. 2. To pro-actively monitor all legal issues and judicial cases in the Court Cases of Rare Diseases and assist in briefing the Ld. ASG, Senior Counsels about the cases and coordinate with the Govt. Counsels in different Court Cases in different States; 3. To maintain follow ups of all cases, cases files and tracking court hearings to ensure timely and effective action; 4. Subject to the need and importance, the Legal Consultant shall appear in the High Courts/Supreme Court across the country on behalf of MoHFW to assist the Govt. Advocate in effectively protecting the interest of the Department on the terms

		<p>as agreed and decided;</p> <ol style="list-style-type: none"> 5. To assist Rare Diseases Cell to give infrastructural support for handling issues related to law and policy to ensure effective implementation of the National Policy for Rare Diseases, 2021; 6. To assist Legal Cell of the Ministry of Health and Family Welfare in different legal matters. 7. To undertake any other tasks and responsibilities assigned by the supervisor.
4.	Job Location	Ministry of Health & Family Welfare, Nirman Bhawan, New Delhi. However, the job may require visiting states and districts.
5.	Eligibility Criteria	<p>Minimum qualification of a degree in Law from a recognized University; at least 2 years' experience in legal matters and having exposure to the following areas:</p> <ol style="list-style-type: none"> 1. Handling of Court cases including those related to Public Interest Litigations(PILs)/Writs at High Court and Supreme Court level. 2. Experience of examination and analysis of Law/ Statute. 3. Sound knowledge of Government administrative regulations/ experience in Legal procedures/ laws. 4. Familiarity with Public Health Systems and Government Health Schemes.
6.	Age limit (As on 01.01.2023)	50 years
7.	Desirable Criteria	<ol style="list-style-type: none"> 1. Capability to function collaboratively and productively, in multidisciplinary environment; 2. Ability to represent the organization in interactions with Central & State Government, and other stakeholders; 3. Track record of implementing innovative idea and schemes in day to day working; 4. Ability and willingness to travel extensively; 5. Interpersonal and management skills with ability to work in a deadline -driven

		<p>environment;</p> <p>6. Possess team working capability;</p> <p>7. Good Command over MS-Office/ internet;</p> <p>8. Good communication skills in English and Hindi, both written and verbal.</p>
8.	Consolidated Remuneration	<p>Rs. 60,000 per month.</p> <p>Annual increase in remuneration upto the maximum of 5% will be permissible depending upon performance appraisal. In exceptional cases where Programme Division strongly feels, enhancement of upto 10% can be given with the approval of concerned Additional Secretary in concurrence with IFD.</p> <p>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 Department will issue TDS Certificate.</p>
9.	Allowance	<p>Shall not be entitled to any allowance such as DA, HRA, Transport facility, residential accommodation, CGHS, Medical Reimbursement etc.</p>
10.	TA/DA	<p>No TA/DA shall be admissible for joining the assignment or on its completion. Foreign travel of Technical Consultant is not permitted at all unless specifically authorized by Secretary in public interest. However, Consultants shall be allowed TA/DA for their travel inside the country with the approval of the competent authority in connection with the official work. The details of TA/DA policy applicable to Technical Consultant as per Annexure-I of Establishment -II Section OM No.Z.28015/10/2017-Estt.II dated 02.09.2021.</p>
11.	Leave	<p>30 days leave in a calendar year, of which 15 days leave may be taken in first half and 15 days in 2nd half of contract. A Consultant shall not draw any remuneration in case of his/her absence beyond 30 days in a year (calculated on half yearly pro-rata basis).Un-availed leave in a calendar year cannot be carried forward to next calendar year. The Ministry would be free to terminate the services in case of absence of a Consultant for more than 15days beyond the entitled leave in a calendar year.</p>
		<p>Legal Consultant shall follow the normal</p>

12.	Working Hours	<p>working hours as prescribed, services of a Consultant may be required beyond office hours or on weekend/ closed holidays depending upon exigency or as specified by the Cell.</p> <p>They shall mark their attendance in AEBAS mandatorily (subject to orders issued in this regard by M/o Health & Family Welfare from time to time) failing which it may result in deduction of remuneration.</p>
13.	Confidentiality of data and documents	<p>The intellectual Property Rights (IPR) of the data collected as well as deliverables produced for the Ministry shall remain with the Ministry. No one shall utilize or publish or disclose or part with, to a third party, any part of the data or statistics or proceedings or information collected for the purpose of this assignment or during the course of assignment for the Ministry, without the express written consent of the Ministry. The Consultant shall be bound to hand-over the entire set of records of assignment to the Department and before the expiry of the contract and before the final payment is released by this Ministry. The Consultant would be required to sign a non-disclosure undertaking in this regard.</p>
14.	Termination of Agreement	<p>The Division reserves the right to terminate the contract, by giving 15 days notice to the Consultant/Advisor. Termination shall be effected by written notice served on the Consultant and shall take effect in 15 days of such notice. The termination will be without prejudice to either party's rights accrued before termination.</p> <p>The Department shall not be responsible for any loss, accident, damage/ injury suffered by the consultants whatsoever arising out of the performance of duties including travel.</p>
15.	Right of the Ministry	<p>The Ministry has right to cancel the advertisement, and not go for engagement of Consultant, at any stage. It may accept or reject any or all applications, without giving any reason thereof, whatsoever.</p>

16.	How to apply	<p>Interested applicants may submit their application online as per proforma at Annexure alongwith a copy of Curriculam Vitae within 15 days from the date of uploading the advertisement at the website at the following e-mail address:- rare.disease-mohfw@gov.in swarnendu.singha@nic.in</p> <p>In addition to this, hard copies may be submitted to the following address: The Under Secretary, Room No. 501-D Wing, Ministry of Health & Family Welfare, Nirman Bhawan, New Delhi - 110011.</p>
17.	Selection Procedure	<p>Ministry of Health & Family Welfare (Rare Disease Cell), through a 3 member Selection Committee, will scrutinize the applications and short list the candidates based on merits. The Short-Listed Candidates will be called for interview or be interviewed through Video Conferencing as decided by the Ministry.</p> <p>The decision of the competent authority on selection of the candidate will be final and no correspondence on this subject will be entertained.</p>

Encl: As above.

(Swarnendu Singha)
Under Secretary (Rare Disease)
Tel: 011-23061521
Email: swarnendu.singha@nic.in

1. E-Health Section, MoHFW for publishing the circular in M/o Health & Family Welfare website.
2. E-office notice board.

Annexure

APPLICATION FORMAT FOR APPOINTMENT AS LEGAL
CONSULTANT IN RARE DISEASE CELL, MINISTRY OF HEALTH &
FAMILY WELFARE

Name

Father's Name

Date of Birth

Mobile No.

Email ID

Mailing Address

Permanent Address

Educational Qualification

Work experience (In short, details may be provided in Curriculum Vitae)

Organization/Institute	Period		Nature of work	Remarks
	From	To		

I certify that the information provided in this application is true and correct as on the date submission of this application. I understand that withholding of information or giving false information will result in a refusal of hire/ termination of the employment/ penalty.

I have read the terms and conditions mentioned in the vacancy advertisement for the post carefully and agree with the same.

Place:

Date:

(Signature of Applicant)

Name of Applicant