

F.No.11/2/2018-Estt.
Government of India
Ministry of Mines

339-A, Shastri Bhawan
New Delhi - 110001
Dated: the 15th May, 2019

CIRCULAR

Sub: Engagement of Legal Assistants on contractual basis in Ministry of Mines- reg.

Ministry of Mines requires the services of Legal Assistants on contractual basis for a period of one year. A Summary of Legal Assistant's position, Terms of Reference and remuneration for this position are as under:

S. N.	Name of Position	No. of Position	Consolidated remuneration (Rs. per month)	Terms of Reference
1.	Sr. Legal Assistant	2	Rs.75,000/-	As per Annexure-1
2.	Jr. Legal Assistant	3	Rs.50,000/-	As per Annexure-1

- Applications from eligible candidates for the aforesaid positions are invited in the enclosed performa (**Annexue-II**) along with the copies of certificate of essential qualifications and experiences. The applications may be addressed to the Under Secretary, Room No. 314, 'D' Wing, 3rd Floor, Shastri Bhawan, New Delhi – 110 001
- Applications received incomplete or after due date will not be considered. Only shortlisted candidates will be intimated and called for interview.
- The Ministry of Mines reserves the right to reject any application without assigning any reason.
- Dully filled in application forms along with relevant documents should reached to the undersigned on or before **31.05.2019**. The application has to be sent via email (yogesh.patel77@gov.in) followed by hard copies by post.


(Yogesh R. Patel) 15.5.19

Under Secretary to the Government of India

Tel. No. 011-23383946

Email- yogesh.patel77@gov.in

युगेश्वर सचिव / Under Secretary
अवर सचिव / Ministry of Mines
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To,

- All Ministries/Departments of Government of India.
- Through CPP Portal: Copy forwarded along with soft copy for publishing the circular in the Ministry's website to NIC, Ministry of Mines.

Annexure-1

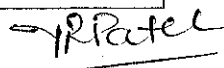
Terms of Reference for engaging Legal Assistant

1.	Name of Post	Legal Assistant									
2.	Number of Post	Sr. Legal Assistant-2, Jr. Legal Assistant -3									
3.	Eligible Criteria	<p>i) Legal Assistants should be professionals having a Bachelor's/ Master's Degree of Law from a recognized University and/or Institute in India, recognized by the Bar Council of India.</p> <p>ii) Legal Assistants should be registered as an advocate in the Bar Council in terms of Advocate's Act, 1961.</p> <p>iii) Legal Assistants should possess minimum post-qualification experience as prescribed in Table 1 below.</p> <p>iv) Legal Assistants must have an experience in Court of Law or expert in legal matters with sufficient experience of working in government Department having handled Court matters.</p> <p>v) Legal Assistants having experience in dealing with matters related to Mines & Minerals would be preferred.</p> <p>vi) Legal Assistants should have excellent written and oral communication and interpersonal skills. Knowledge of Computer applications such as MS Word, MS Excel, Power point etc. are essential.</p>									
4.	Age Limit	Not more than 40 years as on 31.05.2019.									
5.	Remuneration	<p>(i) A monthly consolidated remuneration will be paid to the legal Assistants as prescribed in the Table 1 below as approved by the Competent Authority from time to time for different classes of Assistants.</p> <p>ii) The Assistants shall be entitled to an annual increment of 10 % in their remuneration, in case the tenure is extended subject to satisfactory performance.</p> <p style="text-align: center;">Table 1</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 40%;">Post Qualification Experience in years</th> <th style="width: 15%;">No. of posts</th> <th style="width: 45%;">Consolidated Remuneration per month (in Rupees)</th> </tr> </thead> <tbody> <tr> <td>2-5 years</td> <td style="text-align: center;">3</td> <td style="text-align: center;">Rs.50,000/-</td> </tr> <tr> <td>05 years and above experience of working with Govt. Departments/PSUs and/or High Courts / Supreme Court of India.</td> <td style="text-align: center;">2</td> <td style="text-align: center;">Rs.75,000/-</td> </tr> </tbody> </table>	Post Qualification Experience in years	No. of posts	Consolidated Remuneration per month (in Rupees)	2-5 years	3	Rs.50,000/-	05 years and above experience of working with Govt. Departments/PSUs and/or High Courts / Supreme Court of India.	2	Rs.75,000/-
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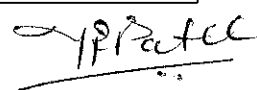
JR Patel

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6.	Engagement	<p>i) The engagement of the Legal Assistant will be purely on contractual basis and will not confer any right/claim for regularization of his/her appointment in the Ministry/Organization.</p> <p>ii) In case a person leaves before completion of six months, he/she will not get any experience certificate.</p> <p>iii) There shall be no change in the terms and conditions of the contract once it is finalized.</p> <p>iv) The contract would be initially for a period of one year and may be further extended on year to year basis, subject to appraisal of the performance and on need basis.</p>
7.	Leave	<p>The legal Assistants shall be entitled to avail 12 days of leave in a calendar year. The reimbursement will be on pro rata basis, therefore, he/she shall not draw any remuneration in case of his/her absence beyond 12 days in a year.</p> <p>The un-availed leave in a calendar year can neither be carried forward to next calendar year nor be entitled for leave encashment.</p>
8.	Confidentiality	<p>(i) During the period of engagement with the Ministry, the legal Assistants would be subject to the provisions of the Indian Official Secrets Act, 1923 and shall not divulge any information gathered by him/her during the period of his/her assignment to anyone who is not authorized to know/have the same.</p> <p>(ii) The legal Assistants appointed by the Ministry shall in no case represent or give opinion or advice to others in any matter which is adverse to the interest of the Ministry.</p> <p>(iii) The legal Assistants will maintain absolute confidentiality and secrecy of information handled by him/her. The secrecy and confidentiality shall be maintained even after the termination of the engagement.</p> <p>(iv) Perform such other work of legal nature, as may be entrusted from time to time by the Competent Authority.</p>
9.	Conflict of Interest	<p>The legal Assistants shall be expected to follow the general rules and regulations laid down by the Government for the employees. The appointed legal Assistant will show utmost honesty, secrecy of office, punctuality and sincerity while discharging his/her duties. In case the services of the legal Assistant are not found satisfactory or found in conflict with the interest of the Government functioning, his/her duties is liable to be terminated/discontinued without assigning any reason whatsoever.</p>
10.	Working Hours	<p>The Assistant shall endeavor to observe normal office timings</p>


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		<p>and may also be called upon to attend the office on Saturday, Sunday or any other holiday in case of urgency. In case of leave, short leave or any other work or exigency, the legal Assistants shall notify the department promptly.</p> <p>The Assistants may be called on Saturday, Sunday and other gazette holidays, if required. The Assistant would, however, be eligible for compensatory leave.</p>
11.	Termination of Agreement	<p>The Ministry may terminate a contract to which these terms apply if:</p> <ul style="list-style-type: none">a) The Legal Assistant is unable to address the assigned work.b) Quality of assigned work is not to the satisfaction of the Department.c) The Legal Assistant is found lacking in honesty or integrity or violates the confidentiality clause.d) If the Legal Assistant is absent from duty without due authorization.e) If the Competent Authority elects not to renew the contract of the Legal Assistant at the end of the initial contract period.f) Any other reason as may be required. <p>“Provided that the competent Authority reserves the right to terminate the contract without assigning any reason whatsoever with immediate effect without remuneration or notice period on the ground of proven misconduct”.</p>
12.	Requirement of Prior Notice	<p>The Contract of the Legal Assistant can be terminated by serving a notice period of 30 days or one month salary in lieu thereof.</p>
13.	Allowances	<ul style="list-style-type: none">a) The legal Assistants shall not be entitled to any allowance such as Dearness Allowance, Residential Telephone, Transport Facility, Residential Accommodation, Personal Staff, CGHS, Medical Reimbursement, Pension, gratuity etc.b) The Legal Assistants shall not claim any benefit / compensation / absorption / regularization of service with this office under the provisions of Industrial Disputes Act, 1947 or Contract Labour (Regulation & Abolition) Act, 1970.c) 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 Mines will issue TDS Certificate (s).


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14.	Scope of Duties	<p>Legal Assistants are expected to perform the following duties/functions:</p> <ol style="list-style-type: none">Tender legal opinion on the issues coming before the Ministry. Prepare para-wise comments on all OAs, Writ Petitions, SLPs, PILs filed against the Ministry and forward to the concerned Standing Counsel after approval of the Competent Authority, for drafting counter affidavit.Scrutinise the counter affidavit received from Counsel with reference to the para wise comments,Perform such other work of legal nature, as may be trusted from time to time.Maintain the list of pending court cases in the Ministry.Monitor the pending court cases.To assist and be present in the court at the time of hearing.Further, the Legal Assistants should be in sound health (both physically and mentally), and should be of impeccable integrity.the legal Assistants shall also assist the Ministry in any policy decision/matters as and when required by the Ministry.Assistant shall deal with the Court matters including cases involving legal issues for examination and recommendation of appropriate action to be taken by the Competent Authority.
15.	Selection Procedure	<p>The engagement shall be purely on contractual basis. Applications in response to this advertisement shall be shortlisted on the basis of experience and qualification as mentioned above. The Legal Assistants shall be selected from short listed candidates by the competent Authority. The decision of the Competent Authority on the basis of personal interview by a selection committee shall be final and binding. No TA /DA will be paid for attending the interview.</p> <p>The interested Candidates may submit an application along with copies of educational qualification and experience certificates as per the format enclosed as Annexure-II.</p>
16.	Place of work	Ministry of Mines's offices situated in New Delhi (i.e at Shastri Bhawan, New Delhi).


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APPLICATION FORM

Affix latest
passport size
Photograph duly
pasted and self
attested.

1. Name
- a) Father's Name :
- b) Husband's Name(wherever applicable) :
2. Address: i) Correspondence
- ii) Permanent
- iii) E-mail ID
- iv) Contact nos.
- (Mob)

3. Date of Birth (in Christian era): DD/MM/YY.....

Age on the closing date of advertisement:

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4. DETAILS OF EDUCATIONAL QUALIFICATIONS (GRADUATION ONWARDS):

EXAMINATION PASSED	UNIVERSITY/ INSTITUTION	SUBJECT/ DISCIPLINE	YEAR OF PASSING	PERCENTAGE OF MARKS
(1)	(2)	(3)	(4)	(5)

5. DETAILS OF OTHER QUALIFICATIONS, if any :

EXAMINATION PASSED	UNIVERSITY/ INSTITUTION	SUBJECT/ DISCIPLINE	YEAR OF PASSING	PERCENTAGE OF MARKS
(1)	(2)	(3)	(4)	(5)

6. DETAILS OF EXPERIENCES:

S. No.	Name of Organization/Dept.	Position held	Period of service	
			From	To

(Please attach a copy of certificate self-attested):

7. Please state whether in light of details provided by you above, you meet the requirement of the post:

DECLARATION

I hereby undertake that the information given above is true and correct. I agree to the terms and conditions for engagement as Legal Assistant in the Ministry of Mines

Place:

Date:

(Signature of candidate)