

Government of Pakistan
Ministry of Information Technology and Telecommunication

DIGITAL PAKISTAN

TERMS OF REFERENCE

Ministry of Information Technology and Telecommunication is entrusted to formulate policies aimed at improving National Information and Communications Technology (ICT) infrastructure and services, to transform Pakistan into a knowledge-based economy by ensuring provision of reliable and affordable Information and Communications Technology enabled services. In this regard, this Ministry invites application from dynamic professionals for the post of **CONSULTANT (LEGAL), MP-II SCALE** as per details given below:

JOB SPECIFICATION

EDUCATIONAL QUALIFICATION & EXPERIENCE:

Ph.D in Law from HEC recognized local/foreign university with 10 years professional experience in the relevant field.

OR

LLM in Law from HEC recognized local/foreign university with 14 years professional experience in the relevant field.

PROFESSIONAL CREDENTIALS:

The candidate must have following professional credentials:

1. Experience of legal drafting i.e. framing of bills/laws/acts/rules, regulations, ordinance etc. and practicing law preferably in IT and Telecom Sector.
2. Knowledge of practice in ICT and ability to handle complex legal issues relating to the sector.
3. Understanding of policy and regulatory framework of IT and Telecom sector in Pakistan.
4. Experience in drafting of primary and secondary legislations.
5. Solid experience in handling legal matters with successful outcomes and drafting contracts, MoUs and agreements.
6. Exposure to coordinate, organize and conduct stakeholder consultations in the course of his duties.
7. Excellent communication and interpersonal skills and ability to communicate effectively at national and international fora.
8. Proven skills and the ability to multi-task and manage multiple litigations and other legal issues.
9. Strong leadership and team work skills.
10. Commitment to professionalism, discipline and integrity
11. The candidate should be enrolled as Advocate of High Court for the **last 5 years**.

AGE LIMIT:

Maximum 62 years (to be calculated as on the closing date of submission of applications)

JOB DESCRIPTION/DELIVERABLE TASKS

Sr. No.	Deliverable Tasks
1.	Draft legislation i.e. framing of draft bills/ordinances, rules, regulations, on Information Technology and Telecommunication Sector.
2.	Provide legal expertise to senior officers in interpretation of various statutes/laws and facilitate them in framing policies for the ICT sector.
3.	Give legal opinions, draft comments for court cases and represent the Ministry in Courts, if so required.
4.	To evaluate & vet the contracts on behalf of the Ministry/Government of Pakistan relating to ICT Sector.
5.	To interact with the stakeholders and private sector in the field of IT & Telecom in order to take updated feedback regarding legal issues involved in ICT sector by organizing workshops, seminars and other consultative work.
6.	To look after administrative affairs of the legal cell of this Ministry
7.	Advise on Legal Policy and Regulatory Affairs and perform all necessary activities on behalf of the Ministry involving legal and regulatory affairs, as and when directed by the Ministry.
8.	Represent MoITT in all legal proceedings/litigation in the courts of law, across Pakistan.
9.	Co-ordinate legal activities of different Organizations under the Ministry.
10.	Provide legal counseling on issues related to international organizations and agencies like ITU, WTO, UNCITRAL, UNCTAD, FACT, etc. IT companies and international organizations, consultants etc. on legal policy and regulatory matters, as and when directed by the Ministry.
11.	Any other task specifically assigned by the Ministry.

DURATION:

Appointment of the Consultant (Legal) shall initially be made on contract for three years which will be extendable for a further two years (year to year basis) on the recommendation of Performance Evaluation Committee in accordance with prescribed performance evaluation of MP Scale positions.

DISQUALIFICATION:

No person shall be eligible for appointment as Consultant (Legal), who:

- a) has been or is dismissed from service as a consequence of disciplinary proceedings;
- b) has been or is convicted, by a court of competent jurisdiction, for an offence involving moral turpitude;
- c) either at the time of appointment as Consultant (Legal) or thereafter during such appointment was not or is not a citizen of Pakistan; or
- d) Derived benefits from the National Reconciliation Ordinance, 2007 (LX of 2007).
- e) Does not possess valid educational degrees.

MANNER OF APPOINTMENT:

- a) The appointment shall be made as per prescribed procedure of appointment in MP-II Scale position.
- b) The vacancy of the Consultant (Legal) shall be uploaded by the Ministry of IT and Telecom on its website and also advertised at least in two national leading newspapers of nation-wide circulation.
- c) A shortlisting Committee shall be constituted with the approval of Secretary, IT and Telecom, for shortlisting of applications.
- d) The Selection Committee for appointment in the MP-II Scale shall recommend three most suitable candidates out of the shortlisted candidates and a summary shall be submitted for decision of the Prime Minister, accordingly.

PAY PACKAGE:

The Consultant (Legal) shall receive pay package of MP-II Scale in accordance with the Management Scale Policy.

LEAVE:

The Consultant (Legal) shall earn leave in accordance with the Management Scales Policy.

CONFLICT OF INTEREST:

The Candidates for appointment as Consultant (Legal) shall have / seek retirement from his existing Department and post or his appointment shall be subject to acceptance of resignation from designated authority and shall not, during his term of office, engage himself in any other service, business, vocation or employment.

CONSULTANT (LEGAL) TO BE PUBLIC SERVANT:

The Consultant (Legal) appointed under these rules when acting or purporting to act in pursuance of any of the provisions of these rules shall be deemed to be a public servant within the meaning of section 21 of the Pakistan Penal Code (Act XLV of 1860).

TERMINATION OF CONTRACT:

The contract of Consultant (Legal) may be terminated by giving one month's notice on either side or payment of one month's basic pay in lieu thereof.

APPLICABILITY OF OTHER RULES:

In respect of matters not specified here, the law, rules, policies corresponding level of Civil Servants shall be applicable.

<http://www.moitt.gov.pk>

(Fakhira Akram)

Section Officer (Admn)

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