

Consultancy Policy and Norms for Consultative Practices



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Statement of Policy

Engineering and Technology have a mandate of implementation of knowledge. It is widely accepted that consultancy constitutes an important professional activity in an Institution devoted to Technological Education and Research. Consultancy assignments provide exposure to real life problems requiring solutions in specified time frames. Consultancy can help an academician in making teaching interesting and realistic through real life examples and case studies drawn from the experience gathered through implementation of projects. Consultancy can also provide clues towards selection and pursuit of R&D projects with a strong commitment for application. In the overall analysis, consultancy assignments can be professionally enriching and can significantly elevate the qualities of teaching, learning, research and development and, contribute towards technological growth.

Consultancy assignments also provide opportunities for elevating one's professional status and ensure visibility on global canvas. An active consultant from an academic Institution can not only play a vital role in shaping governmental and corporate policies through significant technological inputs, but also contribute substantially towards technical decisions aimed at corrective measures, creativity, and performance improvements. High levels of professional status and recognition can bring immense satisfaction to the individual and credit to the Institution. In addition, consultancy assignments offer opportunities to the individual as well as the Institution to augment income.

Substantial consultancy activities have also been seen to have an indirect but very significant beneficial impact on teaching and research. Invariably hardware, software, unused components and consumables accruing from consultancy projects provide significant support to student projects. Active consultancy can also assist in the placement of students. Evidently, consultancy needs to be recognized as an important facet of the Institutional activities and, provided with the requisite levels of support, and appropriate recognition as a performance indicator.

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In the light of changing economic scenario, government policies and priorities, University considers consultancy projects as an important means for extending benefit of professional expertise of faculty at the University to the sponsoring agencies. This helps broadening the experience base of the University faculty and staff and also as a tool for contributing to the country's industrial and economic growth. As a matter of policy, the University encourages its faculty members to undertake consultancy work.

Norms for Consultative Practices

- 1 Consultancy Services may be offered to Government Departments, Industries, Service Sector, and other National and International agencies in areas of expertise available in University.
 - 1.1 Services offered will carry with them obligations and ethical requirements associated with 'Professional Services' and faculty associated with work shall remain fully responsible.
 - 1.2 Standardization and Calibration services may be offered in areas in which facilities are available or can be augmented. Such services should normally be backed by periodic Calibration / Standardization of laboratory equipment used for such purposes.
 - 1.3 Consultancy assignments need to be structured and executed in the spirit of promoting Institute - Industry Interaction, and as a vehicle for augmenting (current) levels of excellence in teaching and research, and in the process generating funds.
- 2 Consultancy and related services offered may be divided into broad categories as below:

Type I: Involving nominal use of University Facilities, i.e., open ended and advisory assignments, Assignments requiring Research and Developmental work involving nominal use of institutional facilities and not falling under Type II below.

Type II: Involving Laboratory Testing of materials, Calibration, Standardization tasks.
- 3 Consultancy and related assignments can be taken up by Faculty and/or Research Scientists in Departments / centers - (hereafter referred to as consultants). Faculty may make correspondence necessary with sponsors to fetch consultancy projects to University. If it a group activity, faculty

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dealing with major part of work shall be the Principal Investigator (PI).

- 4 Time spent on consultancy and related assignments shall be limited to the equivalent of 52 working days in a year, preferably at the rate of one working day per week. In addition, Consultants remain permitted to utilize, on an average one non-teaching day per week and full vacations period including all public holidays.
 - 4.1 Consultancy related assignments may, however, be taken up and implemented, within the constraints indicated above, provided they do not have any adverse impact on the ongoing and potential academic and research activities.
 - 4.2 Travel out of campus should be undertaken with prior intimation to the Head of Department / Centre. In case of Heads of Department / Centers, intimations should be sent to Vice-Chancellor. In emergencies, post-facto sanction shall be considered acceptable.
- 5 Consultancy requests may be received by Head of Department concerned (HoD) or a faculty member if his/her services are preferred by the client. Work can be assigned to specific consultant/s depending on expertise and competence of the faculty.
 - 5.1) Consultancy project proposals are to be approved by HoD concerned for revenue up to * 1 Lakh. Information of such approvals shall be submitted to Dean (R&D). Approval for revenue more than * 1 Lakh but less than * 3 Lakh shall be granted by Dean (R&D). Information of all proposals sanctioned for revenue less than * 3 Lakh shall be submitted by Dean (R&D) to Vice-Chancellor. Proposals involving revenue more than * 3 Lakh shall be approved by Vice-Chancellor after recommendation from HoD and Dean (R &D). Approvals shall be obtained in format as provided in annexure A
 - 5.2) If a client prefers services of a specific consultant, that assignment shall be assigned to the consultant/s identified by client.
 - 5.3) PI, after obtaining formal approval of University Authority shall make required professional Correspondence with the client.
 - 5.4) In an extreme emergency, a consultant may take up an assignment with intimation to HoD, and seek post-facto approval. It would, however, be necessary to ensure that the task involved is not a major one entailing total charges not more than Rs.50,000.
 - 5.5) Consultancy charges once finalized will not be negotiable. However, if the scope is altered, a fresh estimate shall be considered.

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- 6 Consultants taking up developmental work need to be aware of prospects of patents/copyright and related IPR issues. It is to be noted that patents/copyright are granted to inventors/authors and clients funding such work may overlook this aspect. The feasibility of working out suitable arrangements in this regard should be discussed with HoD and suitable arrangements worked out in deserving cases. The arrangements could include (i) Award of the patent/copy right registration to the inventor/author with assignment of all commercial rights to the funding client, or (ii) Charging of developmental costs and obtaining a share of royalties and/or down payment.
- 7 All fees/charges in connection with consultancy projects shall be credited to the bank account (IRG account) created by the University for this purpose. The charges for any assignment are normally payable in advance. However, exceptions may be made in respect of assignments involving charges exceeding Rs. 25,000 and with implementation periods exceeding 2 months. In the case of large assignments, a payment schedule, linked to milestones, can be worked out. Such a payment schedule should ensure that the number of installments are reasonable and consistent with ease of implementation.
- 8 Disbursement of consultancy revenue after meeting all expenses shall be as under:
- 8.1) For Type I Projects: Consultant/s shall receive 70 % share
University shall receive 30 % share
- 8.2) For Type II Projects: Consultant/s shall receive 50 % share
University shall receive 50 % share
- 8.3) Disbursement shall be addressed at level of a) Asstt. Registrar for distribution revenue up to ₹ 5000 and b) Dy. Registrar for all cases of revenue more than ₹ 5000.
- 9 From University share, honorarium shall be payable to following in proportion mentioned below:
- 9.1) For all projects, Head of Department shall receive 1 % of revenue as sitting honorarium.
- 9.2) Office staff covering all relevant sections shall receive honorarium as 2.5 % of revenue, distributed at discretion of Head of Section concerned
- 9.3) Supporting Technical Staff and Departmental Office Staff shall receive honorarium as 2.5 % of revenue, distributed at discretion of Head of Department concerned.
- 10 Services of external consultants may be utilized in order to provide comprehensive services to clients. Such external consultants will be entitled to a lump sum honorarium as recommended by PI, who will also be responsible for professional aspects of services of external consultant. Any other help such as typographical work, report preparation, drafting of drawings and reports, etc.



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shall be availed on job basis. Such services to be obtained from hired resources shall always remain deemed to be permitted at level of PI and deductible from total consultancy fees. Expenditure for travel and industrial visit concerned with assignment shall be chargeable to consultancy fee to be received or received.

- 11 Services of students may be utilized with the prior approval of the HoD. The services of students so utilized may be compensated through honoraria paid out of Total Consultancy Fees. This facility be used if considered to benefit students for academic front or promoting "learn and learn" in case of economically weaker students or for those students voluntarily opting for participation.
- 12 Provision needs to be made for Professional Development expenses for facilitating professional development and elevation of faculty as consultants, to enable them to meet the challenging and diverse requirements of national and international clients. In pursuit of this, it is proposed that a Professional Development Fund be created.
 - 12.1) Professional Development Fund will be operated by the HoD. An Advisory Committee may draw up norms and guidelines for extending professional development assistance to individual consultants, for approval by the Vice Chancellor. In drawing up the norms and guidelines, due consideration needs to be given to the level of professional activity of the applicant - through consultancy, industry funded sponsored research, and other externally funded sponsored research leading to major augmentation of institutional research facilities. HoD may process requests for professional development assistance as per the approved norms and guidelines.
 - 12.2) Component of University Share from Consultancy Revenue mentioned below shall be utilized for generation of Professional Development Fund.
 - Type I Projects: 50 % of University Share
 - Type II Projects: 25 % of University Share
- 13 Minimum charges for Type II Projects, shall be on the basis of approved rate list of services for the departmental laboratories. For Type I projects, PI shall be liberty to fix the charges.
- 14 There will be no limit on the total remuneration to be received from Consultancy projects during the financial year by faculty & other Academic staff. However, income tax rules of the Government shall be followed. It shall be responsibility of the individual faculty member to pay appropriate taxes.
- 15 Consultancy Fees as well as honoraria payable may be disbursed as indicated below:

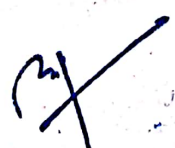
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- 15.1) For short duration jobs entailing full advance payment, full disbursement upon completion of the job and receipt of a certificate to that effect by the project leader
- 15.2) In the case of long duration jobs entailing advance payment of installments linked to milestones, partial disbursements may be made; such disbursements will be linked to the phase-wise estimates to be provided by the project leader. and, the phase completion certificate.
- 16 Confidentiality, if required by the client, is to be honored and strictly observed in respect of all consultancy and related jobs. All staff/students involved should undertake in writing in this regard. All results sheets and reports should be retained as confidential documents, and, access and circulation should be restricted. Circulation and forwarding of information/reports should be in sealed envelopes marked 'classified'. Project Leader concerned shall be responsible for observing confidentiality.
- 17 Information for administrative purposes of consultancy projects undertaken by the department shall be available in summarized form with Head of Department. The technical information / reports in consultancy services shall be preserved as 'Classified Documents' for a period of typically five years and may be destroyed thereafter.
- 18 Technology Transfer fees and Royalties earned from consultancy projects may be disbursed along the same lines as consultancy income. The facility of contribution to the Professional Developmental Account may also be extended to consultants identified with developmental efforts leading to such Technology Transfers. However, remuneration or honorarium received in respect of examination work, contribution of abstracts, review of articles in journals, royalties received for publishing book/s, commercialized outcome of research at individual level and delivery of expert lectures is permitted to be retained in full by the contributing faculty or research scientist.
- 19 **Liability** In case any legal dispute arises between the Consultant(s) and the sponsor (client) such that the Consultant (s) are in any way, held responsible to make good the losses incurred by the sponsor, such liability will be restricted to a maximum limit as follows:
Maximum Liability = (total amount charged for project) – (expenditure on the project)
It is in the interest of the Consultant(s) to bring this fact to the notice of the sponsors.

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20 Arbitration In the event of any dispute or difference at any time arising between the parties relating to Consultancy project or any other clause(s) or any content and liabilities of the parties or other matters specified there in or with reference to anything arising out of the Consultancy or otherwise in relation to the terms, whether during the Consultancy or thereafter, such disputes or differences shall be endeavored to be resolved by mutual negotiations, between investigator(s) and said party. If, however, such negotiations are in-fructuous, the disputes should be finally settled through Arbitration and Conciliation Act 1996 by three arbitrators appointed in accordance with the said Act. Arbitrators shall give reasoned & speaking award.

21 Disagreements/Disputes Any disagreement within the University and concerned party arising at any stage of a Consultancy project will be resolved in consultation with Director (R& D) to ensure an expeditious removal of bottlenecks and smooth functioning of the project. In case of any dispute arising at any stage of consultancy project between Investigator (s) and the sponsor(s), the investigator(s) will be responsible for settlement of the dispute. All legal action will be subject to jurisdiction at Civil courts at Alibag / High Court at Mumbai.

22 Publications of Results PI will have the right to publish the work carried out by him unless the sponsors have an agreement under which their prior permission is required. Such agreement may be done a priori by both the parties concerned.

23 IPR Protections Consultancy work which can result into potential IPR and proceedings thereafter shall be the joint right of University and concerned party. The work can be registered in the individual's name; however, rights (as agreed up on) shall deemed be reserved with the University. Any patent filed for IPR through consultancy project shall be deposited with the office Dean (R & D).

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Proposal for Consultancy or Testing Work in Department of ----- Engineering

Proposal Number assigned by Dean (R&D):

Date:

Consultancy (Type I)

Material Testing (Type II)

Title of the Work:

Client Name and Address:

Request Reference from Client: Request Letter shall be enclosed herewith the proposal

Description of Consultancy Work	Amount		Total
	Consultancy Charges:	<input type="text"/>	
Taxes (if any)	<input type="text"/>	<input type="text"/>	<input type="text"/>

Declaration:

Contents of consultancy report /drawings will be used for benefit of the client organization. It will be stated in consultancy report /drawings that DBATU / its faculty shall be responsible to the scope limited as per DBATU Consultancy Rules for consequences of implementation of results therein. PI (name) will carry out necessary further professional correspondence and certification activities related to services to be provided to client.

Name/s and signature/s of consultant/s group (if any)

Principal Investigator

Recommendation by **Department Committee** (Name and Signature)

(1) Faculty -1 (2) Faculty -1 (3) Faculty -1

Approval limited to the case of consultancy charges \leq ` 1.0 Lakh
In case of higher charges, proposal is hereby forwarded for approval of **Dean (R&D)**

Signature and Seal of Head of Department

Approval limited to the case of consultancy \leq ` 3.0 Lakh
In case of higher charges, proposal is hereby forwarded for approval of **Hon. Vice Chancellor**

Signature and Seal of Dean (R&D)

Submitted to Hon. Vice Chancellor with request for approval to submission as above

Hon. Vice Chancellor

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3.5.1 Consultancy Policy

Consultancy is well recognized as an effective way for universities to disseminate knowledge and make an early and direct impact on society. However, the balance between consultancy and the traditional roles of the academic staff needs to be managed and the interests of the University must be protected. This Policy provides provisions for conducting consultancy to ensure that consultancies undertaken by staff are consistent with the University's strategic and operational objectives and the costs are sustainable. All Research and Non-research consultancies as described in this Policy are governed by the following guiding principles: (a) There should be a demonstrable benefit to the University from the consultancy through income, enhanced reputation and/or expansion the expertise of the staff member. b) The Consultancy must not be in conflict with University policies including that governing employment; such as the Code of Conduct Policy. (c) The Consultancy must not be in conflict with the functions, objectives or interests of the University or damage the University's reputation. (d) At a minimum, the salary and on- cost charges set by the University must be applied to all project budgets. All Consultancies are required to include overheads.




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