



VIVEK UNIVERSITY

[Estd. by Govt. of Uttar Pradesh, as per Uttar Pradesh Private Universities Act, 2019, no.21 of 2024.]
MORADABAD ROAD, POST AGRI, BIJNOR, UTTAR PRADESH-246701, INDIA

Policy Guidelines on Consultancy

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Preamble:

It is important 'to be the fountainhead of new ideas and of innovation in technology and science' and with its general goal of 'creating an ambience in which new ideas, research and scholarship flourish and from which the leaders and innovators of tomorrow emerge'. In fulfillment of these points of importance, Vivek University has taken the initiative to promote consultancy assignments to be accepted by its academic staff. They will thus have the privilege of consulting with both public and private entities, whether national or international. It is our belief that such activities would eventually contribute to the professional development and stature of the faculty member, and that of the University as well. Eventually, these may also lead to innovations and protection of Intellectual Property (IP).

The benefit from such collaboration may get enhanced through professional expertise of the collaborators, and establish long-lasting professional contacts, associations and relationships. These opportunities for sponsored research for private institutions, or business houses or organizations would generate paid professional work that is substantively related to a faculty member's area of expertise and duties at the university. All faculty members would have to secure advance approval for consulting activities to ensure that the activity is beneficial to the University and are kept within reasonable bounds.

Vivek University recognises that consultancy forms a vital part of its responsibilities as a higher education institution to build effective relationships with the industry, Government and Non-Government Organizations, sister educational institutions, society at large and individual researchers. The University appreciates that such "Knowledge Exchange" facilitates and promotes mutually beneficial relationships. Vivek University also looks at consultancy as an opportunity to strengthen industry-academia tie ups and to extend the benefits of expertise developed by its faculty for the welfare of the society.

This policy is intended to provide a clear framework for those Faculty members of the university engaged in, or who wish to engage in consultancy. This policy applies to all faculties and students.

Definitions:

- **University** means Vivek University, Bijnor.
- **Consultancy Project** means a „paid assignment“ given by an outside agency to a faculty member or Department(s) of the university on mutually agreed scope and terms & conditions and as per university norms.
- **Sponsor** means the agency or organization which offers a consultancy project.
- **Consultant** means an individual or Department/ school engaged to carry out a consultancy project.
- **Principal Investigator (PI)** means an individual faculty of the University, who with his expertise is instrumental in getting a consultancy project.
- **Co-Investigator (CI)** means a faculty member co-opted by the Principal Investigator (PI) to work jointly on the project.

Broad Guidelines

The faculty desirous of accepting a consultancy work from any external agency should put up the Consultancy Proposal on a prescribed proforma, the Assignment Proposal and details of Agreement and Standard Terms and Conditions of the proposed Contract. All such proposals shall have to be accompanied with a communication from the Client by e-mail or through letters clearly indicating the title, scope, and duration of the proposed consultancy as well as the amount of consultancy charges being offered with timelines and deliverables, and any other relevant information. The estimated budget should be in a format so as to be processed and executed easily by the Vivek University Finance office and Administration.

Work on a consultancy project shall be undertaken only after the prior approval of the

competent authority of the Vivek University. Consultancy Rules and General Guidelines (which are subject to change from time to time) in this respect are given below.

Consultancy Rules, Scope and Norms:

Scope: Consultancy Services may be offered to Industries, Service Sector, Govt. Departments and other National and International agencies in niche areas of expertise available in the University. The services offered shall be along the lines of 'Professional Services' and will carry obligations and ethical requirements associated with such services, as indicated in the standard terms and conditions.

Consultancy services offered may cover a variety of activities such as Feasibility Studies; Technology Assessments; Assessment of Design and / or Manufacturing Process; Material, Energy, Environmental and Manpower Audits; Product Design; Process Development, Software Development; General Troubleshooting, Retrofitting Exercises, Intensive efforts for transfer of highly focused skills and expertise to select groups in specific organizations, vision and strategy statement and so on. Standardization, Calibration Testing and Evaluation services may be offered 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.

Consultancy Norms: Consultancy work will be taken up by the Vivek University faculty members, research scholars, students and staff members subject to the following norms:

- The responsibility for conduct of the project and the deliverables will lie with the consultant, and Vivek University will only provide the necessary administrative support.
- The consultancy cannot be at the cost of the duties of the said faculty member at the Vivek University.
- All expenses for a consulting project, including the University Overhead Charges and the Service Tax, must be met by the sponsoring agency.
- The minimum total budget for a consultancy project must be ₹ 5,000/- (excluding the Service Tax,)
- Recruitment of temporary staff for consultancy projects shall follow existing university norms and rules for project staff recruitment. Purchases and travel for the consultancy project shall be from project funds budgeted for such expenses, and shall follow the existing university purchase and travel rules.
- The time spent on consultancy and related assignments shall be limited to the equivalent of one to two working day(s) per week. In addition, consultants may like to utilize, on an average, one non-working day per week.
- Consultancy assignments may be taken up and implemented, within the constraints indicated above, provided they do not have any adverse impact on the ongoing academics, research and related activities.
- The services of permanent employees of the university may be utilized for the execution of the consultancy projects provided it does not affect their primary functions and responsibilities to the university.
- Students who are willing to work on consultancy projects may be permitted as per university norms to do so, provided it does not affect their academic commitments and performances. Such work by students may be compensated by suitable honoraria.
- Any other employee of the university may take up consultancy work with prior approval of the Vice Chancellor.

Each project shall be undertaken either under:

- Standard Terms and Conditions (where the work is taken up in good faith between the consultant and the client, the obligations and responsibilities of both parties being limited by the standard terms and conditions), or
- Specific research agreement or Memorandum of Understanding (MoU) describing the

details of contract. MoU for the details of negotiations of contract, terms and signing of contracts in the form of agreement or MOU covering various aspects such as deliverables, milestones, payment schedules, role and responsibilities of the parties, non-disclosure of confidential information, disputes, liability, IPR matters, arbitration, and applicable law, etc.

Consultancy Rules: Travel

Travel out of the campus on account of consultancy activities should be undertaken with intimation to the head of the department/Dean of school.

Outstation travel of consultancy assignments may be undertaken normally with the prior approval of the Vice Chancellor.

Consultancy Rules: Project Execution

Consultancy projects are normally initiated by requests/enquiries from the industry/ institution directly to the university or by discussion between the industry/ institution and the consultant(s).

- When the enquiry is directly received by the university, the work will be assigned to specific consultant/or groups of consultants depending on their expertise, and existing commitments by the Vice Chancellor.
- In the event of a client preferring the services of a specific consultant, the assignment may normally be assigned to the identified person with the approval of the Vice Chancellor.
- All acceptance letters will be sent by the Registrar/ Dean Research to the requesting agencies, in consultation with the Vice Chancellor.
- Consultancy project proposals (prepared in response to a client's request) are to be approved by the Vice Chancellor.
- The Charges, once finalized, will not be negotiable. However, if the scope is altered, a fresh estimate may have to be considered.
- The minimum charges applicable in respect of consultancy jobs will be Rs 5,000/- excluding any applicable tax.
- Consultant should be aware of the potential for the generation of Intellectual Property during the execution of projects. The Intellectual Property Policy of the Vivek University will govern all decisions and actions concerning the generation, handling, protection and commercialization of the Intellectual Property.

Payment schedule: The charges for any assignment are normally payable in advance. However, exceptions may be made in respect of assignments involving charges exceeding Rs.1,00,000/- and with implementation period exceeding 3 months.

In case of large assignments, a payment schedule linked to milestones can be worked out. Such a payment schedule should ensure that (i) advance payment is received for every segment of work, and (ii) the number of installments is reasonable and consistent with case of implementation.

Revenue sharing: The revenue generated out of consultancy services will be shared between the University and the PI/CI in the following ratio:

1) Consultancies involving the utilization of Institute's equipments/ research facilities etc.: - 80 (University): 20 (PI/CI)

2) For providing service using personal expertise of the PI/CI: - 40 (University): 60 (PI/CI)

Other Matters: Notwithstanding the above, and keeping in mind the best interests of the Vivek University, consultancy may be taken up in exceptional cases, not covered by the above rules, with prior approval of the Vice Chancellor.


Dean Research
Vivek University, Bijnor