



RESEARCH AND CONSULTANCY CELL

The Maharaja Sayajirao University of Baroda, Vadodara.

University Main Office, Fatehgunj, Vadodara

Research and Consultancy Cell has been established in the University to promote and coordinate research , consultancy-related activities, Intellectual Property Rights (IPR) and University Sponsored Research Projects vide Syndicate Resolution No. 22, dated 31-8-2012 and passed by the Senate Ordinance No. O.296. Director shall be the Head of the Research and Consultancy Cell and shall be appointed by the Syndicate on recommendation of the Standing Committee. The term of the Director shall be three years and can be extended for another term of three years. The rank and powers of the Director shall be of such as specified in O.31.

The honorarium payable to the Director and readjustment of his workload for smooth and effective functioning of the Cell shall be fixed from time to time by the Vice-Chancellor.

Prof. D. K. Kanchan
Director,
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The M. S. University of Baroda, Vadodara

Norms, Scope of Functions and Financial Modalities of the Research and Consultancy Cell

1. INTRODUCTION

In order to enhance the level of intellectual productivity and efficacy, the Office of Research & consultancy Cell (ORCC) is set up to provide specialized administrative and managerial support for the operation of in-house & sponsored research, consultancy and other R&D related activities of the M. S. University of Baroda. The scope and scale of research has substantially evolved from the era of student's in-house theses to funded projects and interdisciplinary research programs at national and international levels. The principal objective of creating such Cell is to facilitate - on behalf of the university, coordination in administration, managerial, liaison, monitoring etc. of in-house & sponsored research and consultancy work within the ambit of the administrative framework of the M.S. University. The Office of Research and Consultancy Cell (RCC) will facilitate interaction with external agencies, both national and international. It will also promote and manage University-Industry interactions and all externally funded research and development projects (except Government agencies) as well as patents. The Office shall act as a liaison between the University and Private/Industrial funding agency to undertake sponsored projects.

2. THE RESEARCH AND CONSULTANCY CELL (RCC)

(a) **Objective:**

The M. S. University of Baroda, Vadodara has always emphasized on the cultivation of strong links with industry and promotion of research work and various industrial activities by the faculty members and students. In order to keep up with the growing volume of industrial liaison activities, and even more importantly, to catalyse the further growth and development of interaction between the University and Industry, a separate *Office of the Research and Consultancy Cell* (ORCC) is established and headed by the *Director, Research and Consultancy Cell*.

(b) **Domain of the Research and Consultancy Cell:**

The Research and Consultancy Cell will be responsible for the management of the following activities:

- **University Supported Projects**
- **Sponsored Industrial Research Projects**
- **Industrial Consultancy Projects**
- **Intellectual Property (Patents, copyrights etc.) arising out of the above activities**

(c) **Organizational Structure of the Office of Research and Consultancy Cell (ORCC):**

(i) **The Director:**

Director of the Office of the *Research and Consultancy Cell*, who shall be a Professor of the University with high research acclaim and with professional research approach, shall be recommended by the Standing Committee comprising of Vice-Chancellor, Pro-Vice-Chancellor and one Dean nominated by Vice-Chancellor and approved by the Syndicate for a term of three years or till his /her superannuation, whichever is earlier and shall be the main executive officer of the Research and Consultancy Cell. The term of the Director may be extended for another three years. The Director will report to the Vice-Chancellor in his/her functioning. The Director of the Cell is delegated powers equivalent to other officers such as Dean, Chief Warden; Director Students Welfare, Proctor etc. as specified in Ordinance 31.

The Vice-Chancellor shall fix, from time to time, the honorarium to be paid to *Director* and decide about the readjustment of their teaching workload in order to enable him/her to attend to his/her responsibilities in the Cell effectively.

(ii) **Advisory Committee for Research and Consultancy Cell (RCC)**

An Advisory Committee of the Research and Consultancy Cell shall be comprising of one or two Deans, Senior Professors, Senior Teachers, Development Officer and Director of the Cell, shall be constituted with the responsibilities of providing impetus to the University research and consultancy activities and to provide support, advice and assist the teachers. The Members will be senior teachers with research and consultancy experience and of high repute in their research area from different departments and inter-disciplinary programs. The Advisory Committee shall be a vibrant entity to discuss policy issues and the ways to promote research and consultancy and encourage the research activities in the University. RCC members will help in highlighting the shortcomings, if any, in procedural matters and thus sharpen the performance of the Office.

3. PREAMBLE:

The Director of the research and Consultancy Cell shall coordinate with all the Faculties of the University, Industries, NGO's and reputed Institutes;

- To have a closer linkage and promote research suited to industry needs, and consultancy,
- To encourage faculty members in the University to submit research projects and to bring about MOUs and Agreements with various industrial and research organizations in different fields and sectors to promote various forms of interactions such as;

(a) **Industrial Research & Consultancy**

- i. Sponsored industrial research
- ii. Joint industrial projects for faculty
- iii. Use of industrial labs by University
- iv. Use of specialized database / lab equipment of University
- v. Solutions for Field Problems
- vi. Creation of collaborative labs / testing centre at University
- vii. Research fellowship support, and manage the

(b) **Intellectual Property (Patents, Copyrights etc.)**

To encourage, safeguard and manage Intellectual property according to Intellectual Property policy (IP Policy) of the University relating to Inventions (Patents, design, trademark, Layout diversity etc.) and Expressions (Copyright, various forms of expressions and related rights).

4. UNIVERSITY SUPPORTED PROJECTS

It is anticipated that sustained long-term support to research will deliver immense overall advantage in the research in the University.

The M.S. University of Baroda has proposed for creation of a budget for research proposals. Initially, seed money of ` 25 lakhs shall be made available from University share of testing and consultancy income. Subsequently, the adequate funding shall be provided yearly basis from the following funds:

- (i) 5% of the "examination fee" and
- (ii) 5% of the "University share of testing income".
- (iii) 5% of the "University share of consultancy income".
- (iv) 5% of the "University Development & Maintenance Funds income".

An adequate number of projects will be approved every year; each project being proposed for a period of two to three years. This financial support from within the University will enable the teachers to forge new directions, and make a positive impact in the University's research domain. In view of the University decision to financially support research for teachers using internal resources, the following strategy for selection and monitoring of projects, including implementation details and deadlines will be adopted:

4.1. RESEARCH MOBILISATION:

The research projects shall be identified as major or minor depending upon the proposal submitted. A minor project up to ` 2 lakhs and a major one of ` 4 lakhs may be sanctioned.

Guiding Notes:

- i. Projects would be selected from detailed proposals submitted to the Office of Research and Consultancy Cell (RCC). The proposals would necessarily be in extremely important and attractive areas. They would be reviewed by a panel of experts, including some from outside the University, if necessary. The quality of the proposal would be the primary factor guiding its selection for financial support.
- ii. Projects funded by the University would be carefully monitored. Publications, Ph. D. students and Patents would be used as indicators of success.

4.2. CALL FOR RESEARCH PROPOSALS:

- i. Office of Research and Consultancy Cell will announce the call for proposals from the teachers of the University. The call will include the thrust areas, though proposals would be welcome from all those who are fresh appointees and do not already possess any research projects earlier particularly proposals from Social Sciences, Commerce, Fine Arts, Performing Arts etc., where the fund rendering agencies are not many . Innovative but feasible proposals from the newly appointed Assistant Professors from Science and Technology may also be considered.
- ii. Proposals will be reviewed by a body-constituted by the Office of the Research and Consultancy Cell and approved by the Vice-Chancellor. The body may seek the opinion of external experts to evaluate the proposal. Such experts may be suggested by the investigator in the proposal itself.
- iii. The committee will make decisions with respect to the suitability of the proposal for financial support as well as other aspects such as time-frame requested; cost of consumables, expenses towards travel for data collection, and any other relevant item, the investigator may wish to put in the proposal. The recommendation of the experts, forwarded by Director Research and Consultancy Cell will be submitted to Vice-Chancellor for final approval.

4.3. PROCESS OF APPROVAL:

Each proposal will be independently reviewed by 1-2 subject experts.

- i. **Timeline:** Call for proposals would be launched in early January every year. Proposals will be due on 15th January.
- ii. **Review** (internal and external) is expected to be complete by mid February. Presentations would be held in February-March and all decisions would be announced by the last week of March. Reviews of ongoing projects would be arranged in October each year.
- iii. **Identifying areas of research:** This step is understandably the most important. Research directions could be driven by pure excitement and curiosity. The emphasis will vary from one year to the next and will require continuous discussion.
- iv. **Evaluation:** Progress would be closely monitored, using external experts, if necessary. High impact/good publications would be the first step in this evaluation. University support will also be viewed as an investment for bringing in major projects and awards.
- v. Modalities of Audit and Utilization of the funds be followed.

5. SPONSORED INDUSTRIAL RESEARCH PROJECTS

For a project sponsored by industries /corporate sectors /Trust/NGO's or University (MSU), honorarium can be claimed. The amount is to be used by the PIs as approved in the respective budget head by the funding agency.

- i. **Individual projects:** The M.S. University encourages investigation of basic and applied areas of Social Sciences, Fine Arts, Performing Arts, Science and Technology, Commerce, Management Studies etc., in the form of sponsored projects. Research grants for such projects are given by industries, private business houses, corporate sectors or any NGO's. These projects are usually of 2-5 years duration with periodic appraisals.
- ii. **Collaborative projects:** Faculty may also participate in collaborative projects with other domestic or industrial partners. In such projects, there must be a separate budget and scope of work clearly stated for the faculty & staff of the University and the collaborator.

5.1 RULES:

- i. The office of the Research and Consultancy Cell shall be the nodal office for all the research projects sponsored by private sectors /corporate sectors /trust / NGO's or by the University (MSU).
- ii. The teachers of the M. S. University shall submit the project proposal, containing the Financial and Technical details of the project proposal, to the Director of Research and Consultancy Cell through HOD and the Dean of the Faculty. The Project proposal should be as per the format of funding agency. The Director Research and consultancy Cell shall forward the proposal to the said funding agency after proper scrutinizing and completing in all sense to avoid any delay.
- iii. A statement on terms and conditions of the project including the right of patents and royalties must be spelt out clearly.

- iv. If any Memorandum of Understanding, vis-a-vis, terms and conditions and deliverables has to be signed between the University and the funding agency, the Director, Research and Consultancy Cell will be the signatory on behalf of the University along with the Principal Investigator and Co-PI (If any).
- v. The letter of sanction and details of the amount sanctioned under different budget heads, duration of the project and other terms and conditions should be communicated to the Director, Research and Consultancy Cell with a copy of the Project, if sanctioned, after revision or changes by the funding agency.
- vi. The project will be started after the receipt of first instalment of the grant sanctioned or as specified by the funding agency, and approved by the syndicate as per rdinance 31.

5.2 FINANCIAL GUIDELINES

University rules of expenditure that includes procurement, travel, remuneration etc., shall be applicable as for the projects funded by UGC/DST/ ICSSR/ BRNS/CSIR/ GUJCOST/ AICTE / DBT/ICMR/ICAR/GSP etc., unless an 'exception' has been made out by the funding agency.

5.3 REVIEW AND CLOSURE

- i. The PI should prepare the Annual Progress Report along with the settlement of accounts which should be submitted to the Office of the Research and Consultancy Cell. After verification of the accounts by the Chief Accounts Officer, the reports and accounts with Utilization Certificate with a forwarding letter should be sent to the funding agency.
- ii. Closure of the project should be done within six months of the completion of the project. The final technical and fiscal report along with Utilization Certificate audited by the University approved Chartered Accountant, should be prepared by the PI in accordance with the requirements of the funding agency, and the same shall be submitted to the Office of the Research and Consultancy Cell for verification.
- iii. Statement of final accounts showing the year-wise receipts and expenditure and a list of articles (consumables and non-consumables) left over at the time of termination of the project and purchased out of the project funds should be sent to Office of the Research and Consultancy Cell. These articles may be transferred to the Department stock register except where the sponsoring bodies do not allow the Department to retain the articles without paying them the book value of the articles.
- iv. A teacher shall be considered for new projects proposals only up to two years before Superannuation.
- v. Teachers of the University shall be allowed to work as PI till the University Rules allows him/her to continue or up to the age of Superannuation as per the guidelines of Gujarat Government from time to time

6. RESEARCH FELLOWSHIPS

The office of the Research and Consultancy Cell shall be responsible for disbursement / sanction of the various research fellowships/scholarships/Research Associate (RA) anctioned by UGC, University or any other government or non-government agencies except those, which are sanctioned or allocated in the research proposals awarded to the *individual teachers* funded by the agencies such as UGC / DST / ICSSR / BRNS / CSIR / GUJCOST / AICTE/ DBT / ICMR/ICAR/GSP etc. through a committee constituted by the Vice-Chancellor. The office will also monitor the proper and timely disbursement of the fellowships as well as their research progress of such scholars from time to time.

7. INDUSTRIAL CONSULTANCY PROJECTS

7.1 INTRODUCTION

The Maharaja Sayajirao University of Baroda is situated in industrial, scientific and economic hub of the State of Gujarat. University has a large number of faculties wherein there is is a vast expertise in various fields. This expertise is at present interacting with other organizations at the individual level. Such interaction gives only limited results and maximum benefit do not accrue. Instead of this if an institution interaction is initiated between M. S. University and any interested party it will produce better and visible results. The wealth of expertise could be utilized for the welfare of society. This will bring the university and society closer and the academic community will contribute to the growth and development of the society at large.

7.2 BENEFITS FROM CONSULTANCY ACTIVITIES

- The Research and Consultancy Cell of The M. S. University of Baroda wishes to encourage Academic Staff to undertake consultancy assignment in the areas of their Academic and Research pursuit realizing that the benefits accrued are four-fold.
- The expertise and facilities of the university are utilized for scientific technological, commercial and social development, benefiting society as a whole.
 - A unique opportunity is provided to the faculty members to enrich their knowledge and experience in solving the problems of the real world.
 - The additional knowledge and experience thus gained are imparted to the students and
 - A fairly significant income will accrue to the university to supplement other revenues and grants.
- a) Consultancy Services may be offered to Industries, Service Sector, Government Department and other National and International agencies in niche areas of expertise available in the University.
 - b) The service offered shall be along the lines of 'Professional Services' and will hence carry with them obligations and ethical requirements associated with such services.
 - c) Consultancy services offered may cover a variety of activities such as Feasibility Studies, Technology Assessments, Assessment of Designs and/ or Current Manufacturing Process; Material, Energy, Environmental and Manpower Audits. **Product Design:** Job Wok Development of Process, Preparation of Chemicals/ Pharmaceutical Formulations, Product Development, Software Development General Troubleshooting, Condition Assessment & 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.
 - d) 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.
 - e) All Consultancy and related Jobs need to be structured and executed in the spirit of promoting University-Industry Interactions, as a vehicle for augmenting (current) levels of excellence in teaching and research.
 - f) RCC shall discuss with Industry and other such groups to identify the thrust areas of research and consultancy in their fields.

7.3 ELIGIBILITY FOR CONSULTANCY WORK

Only permanent academic faculty members of the University of the Level of Assistant Professor / Lecturer (In case of Polytechnic) / Chartered Accountants and Business Management (MBA) and above can act as consultants. Consultants are specifically identified for an individual project before it is taken up by the University. Individual faculty members will not solicit consulting work. Individual consulting will cover only cases of paid participation in teaching or lecture programmes. Membership of Board/Committees and remunerated publication or any other activity in whatever form or method will come within the purview of consulting for the purpose of these rules.

"The faculty member's primary obligation is to the University and it is expected that he/she will not, in any way, financially or otherwise, transgress the spirit on which the consulting privilege rests".

The rules in individual consulting will be as specified in Rule 11 or 12 of the Rules regarding Discipline and Conduct of University employees.

7.4 TERMINOLOGY

Consultancy work is the professional services rendered by the university to a client on a fee basis. The form in which this service is rendered may be classified as follows, subject to the condition that in case of dispute or doubt in any Clause, the Vice-Chancellor's decision shall be final.

- (a) **Consultancy Project:** - In this category of work, activities such as design/analysis, software development, product design /development, process design/development. Model investigation, advice on R & D., transfer of technology, evaluation/review and diagnostics may be undertaken wherein considerable intellectual input and /or originality is involved. It covers Exhibition of Art work/sponsored Performances for the Faculty of Fine Arts and Faculty of Performing Arts respectively and Chartered Accountant / MBA's.
- (b) **Test project:** - This category of consultancy work involves developing, testing, typically implying innovations or innovative use of experimental facilities and considerable interpretation of results often leading to opinions and recommendations.
- (c) **Consultant:** - A consultant is an academic faculty member of the university as defined in Clause (3) who on behalf of the university renders specified professional services to client, normally on the basis of personal compensation for such services.
- (d) **Investigator:** - An investigator is an academic faculty members of the university specified under clause (3), who on behalf of the university undertakes development testing and offers his expertise in the interpretation of results of the test project, as well as opinions and recommendations wherever necessary, normally on the basis of personal compensation for such services.

- (e) **Client:** - A client is an individual or organization requesting and contracting for professional services from the university. The type of organization may include Government (Centre/State). Public/Private/Joint sector units. Consulting agencies. R & D Laboratories, Educational Institutions and in fact any bonafide legally established organization with freedom to carry out business with the University.
- (f) **Total Project Cost:-** This is the sum of money in exchange of which the University undertakes to fulfil the items of work defined under the scope of the consulting work. The entire project cost is normally required to be paid in advance or at least partly before the commencement of the consultancy work and thereafter in parts/phases by the client to the university (*as given in 7.11 Financial Guidelines*). However in genuine case, the Director, Research and Consultancy Cell shall have power to make amendments in this clause.
- (g) **Terms and Conditions:** - The terms and conditions governing the undertaking of the consultancy work by the University would normally specify clause of contractual obligations such as the scope of work, time limits, provision of data by the client limitations in terms extent of involvement of the university or the consultants for visits, technical advice and training, intellectual and material property rights and other relevant aspects.

7.5 APPROACHING FOR CONSULTANCY

The client can either approach any academic staff or Head / Dean of Faculty or Director, Research and Consultancy Cell of the University for the Consultancy Job. In case the office of the Research and Consultancy Cell is approached by some outside agency for a possible consultancy job, such requests shall be referred to the concerned Head of the Department for his/her advice. In case the client gives specific references of any faculty member, it shall be referred to the concerned faculty member. The Director, Research and Consultancy Cell, in turn, will assign the job to the individual or group of individuals in the Department after ascertaining their competence. The concerned staff member(s) will prepare the proposal according to a prescribed format adhering to the standard terms and conditions and send it to the Director Research and Consultancy Cell for obtaining, through the Head of Department, approval of the competent authority.

All proposals for a consultancy job are to be submitted on **prescribed form** keeping in view the standard terms and conditions. The form should be filled up in all respect and must be signed by the consultant(s) and the client organization. Special care should be exercised for adhering to the time schedule. The following norms should be followed for monitoring consultancies undertaken by the faculty.

- (a) The consultancy work should not interfere with the normal teaching / research work of the Department and other duties of the staff member(s) concerned.
- (b) The total time to be spent by the consultant(s) in all consultancy jobs in hand at any given time should not exceed one working day per week/per person.
- (c) The total earning from consultancy should not exceed 150% of the gross yearly salary in a particular financial year.

All proposals for a consultancy job are to be submitted on prescribed form. The form should be filled up in all respect and must be signed by the consultant(s) and the client organization. Special care should be exercised for adhering to the time schedule. The following norms should be followed for monitoring consultancies undertaken by the faculty:

- (a) Consultancy jobs exceeding ` One lakh and to be completed in more than one year be reviewed every six months. If the job is progressing well the consultant should certify its progress in writing. In case there are serious problems either from the client or consultant the issue should be brought to the Director, Research and Consultancy Cell or the Vice-Chancellor, for his decision.
- (b) If the client and the consultant agree to a revised time schedule, written consent of the client should be obtained.
- (c) Where the consultancy is not getting completed in the agreed schedule/revised time schedule the Director, Research and Consultancy Cell shall hold a meeting of the client and consultant for resolving the issue. In case this does not happen, the Vice-Chancellor shall be referred to for a final decision in the matter.
- (d) In case of any dispute arises in relation to the matter, the same shall be referred to an arbitrator appointed with mutual consent of both the parties and the Baroda Court shall have the jurisdiction over such matter.

7.6 INSTITUTE CHARGES

The Institute charges for the purpose of costing are divided into two portions, viz.

- (a) **Operational Expenses:** to be incurred for the operation of the job, under different heads No amount from this will be paid to the consultants.
- (b) **Fee for Scientific and technical advice:** to be apportioned between the University and the consultant and other academic staff.

The different budget heads under “Operational Expenses” which should be planned are:

- (i) **Cost of Labour:** Honorarium to non-academic (technical/administerial staff) and hourly rate to person specifically hired for the particular work.
- (ii) **Cost of Materials:** Amount needed for the purchases of material required for the job.
- (iii) **Instrumental/Computer Charges:** Charges for the use of computer/ Instrument of the institute or from outside.
- (iv) **TA/DA:** For local visits and also for travel within /outside the country if specifically provided for the proposal.
- (v) **Contingencies:** Catering to contingent expenses.
- (vi) **Administrative Overhead Charges:** These are charged at the rate of 10% of the total consultancy charges to be paid to the University (i.e. expenses plus fee for scientific and technical advice)
- (vii) The cost of infrastructure of the University including wear and tear, depreciation of building etc. at the rate 5% of total consultancy charges.

7.7 CONSULTANCY PROJECT TYPE

- i. **Type-I:** Addressed to any University functionary that is HOD, Dean or Director Research and Consultancy, and has Laboratory component.
- ii. **Type-II:** Addressed to any University functionary, that is, HOD, Dean or Director Research and Consultancy, and does not have Laboratory component.
- iii. **Type-III:** Addressed to any specific faculty expert and has Laboratory component.
- iv. **Type-IV:** Addressed to any specific faculty expert and does not have a Laboratory component.
- v. **Type-V:** The Chartered Accountants, who wish to apply for permission to do private practice, are asked to pay fixed amount of ` 5,000/- p.a. for those who are practising for less than 10 years and ` 10,000/- p.a. for those who are practising for more than 10 years from the date of their applications. Permission once given will remain valid as long as the fees are paid regularly. If, in any year, the fees are not paid, the permission will automatically get cancelled and a fresh application will have to be made for renewal of the permission. (*Refer- S.R. 3(2) dated 20-7-2001*)

7.8. GENERAL GUIDELINES

- i. Each consultancy project shall have a Principal investigator and other Co-PIs as chosen by the PI as per their area of specialization. Principal Investigator must be a regular teacher of the University however temporary Assistant Professor / Temporary Lecturers (in case of Polytechnic) may be considered for Co-PI.
- ii. The PI shall be appointed by the Director, Research and Consultancy Cell on the recommendation of Head of the Department and Dean of Faculty as per the area of specialization, willingness and availability of the member for the projects of Type I and Type II.
- iii. For the consultancy projects Type-III & Type IV, the PI shall normally be the concerned Academic Staff member, subject to the condition that the work falls within his area of academic/research pursuit.
- iv. For the type-III, IV and V, the teacher is permitted to do outside the work subject to the conditions governing under rule-12 or Rules regarding the discipline and conduct of the University Employees passed by the Syndicate and;
 - a) He/she will devote 40 hours per week for the work assigned in the Faculty,
 - b) Clients should not be called in the Faculty during teaching hours,
 - c) University quarters if occupied, must not be used for running the Office.
 - d) Permission to undertake consultancy should be renewed every year.
 - e) He/she shall have to intimate about the exact amount received by him latest by the second week of March or 31st March of the Year.
 - f) The amount ` 3000/- or 30% of the total income, whichever is higher shall be paid by him at the end of financial year irrespective of the fact whether he/she makes profit out of the consultancy or not *as per S.R. 34 dated 27-9-1991 under the intimation of the University.*
- v. Each consultancy project may have a team of Academic Staff members to be chosen up by the Principal investigator as per the area of specialization.
- vi. The Office of the Director, Research and Consultancy Cell (RCC) shall be the nodal Office for all the consultancy projects in the M.S. University of Baroda. The Office of the Research and Consultancy Cell (RCC) shall maintain all the financial records pertaining to the projects.
- vii. The members of the Academic Staff shall submit the proposal for any consultancy project to the Director Research and Consultancy Cell through HOD and Dean of the Faculty, and the same shall contain the following, (a) Name of other members in the project (b) Scope of the work (c) Financial details (d) copy of the letter from the Client.
- viii. Consultancy project proposals (prepared in response to a client's request) are to be approved by the Director Research and Consultancy Cell who may examine the scope of the work and cost estimates. It is essential to discuss proposed work plans with a client vis-a-vis the scope, in order to obtain clarity before the consultant prepares the cost estimates

- ix. Consultant should be aware of the potential for the generation of Intellectual Property during the execution of projects. The *Intellectual Property* (IP) Policy of the University will govern all decision and actions concerning the generation handling protection and commercialization of the Intellectual Property.
- x. The services of external consultant that include experts from other Universities/ Institutions, retired Faculty/research scientists, may be utilized to a limited extent in order to provide comprehensive services to clients. Such external consultants will be entitled to a lump sum consultant fees which may be fixed after taking into account essential expenditure directly related to the assignment.
- xi. 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 performance. Such work by students may be compensated by suitable honoraria.
- xii. The persons involved in the bio-medical/bio-technology or microbiological research/ testing shall be observing the following guidelines of the committees according to Govt. of India viz.,
 - 1) Ethical Guidelines for Biomedical Research on Human Participants
 - 2) Institutional Bio-safety Committee (IBSC)
 - 3) CPCSEA Guidelines for Laboratory Animal Facility
 - 4) Ethical Guidelines for Psychological Research
 Such committees should be made as per ICMR/DBT/CPCSEA guidelines in the University before undertaking research or consultancy work. Office of the Research and Consultancy Cell will be the nodal office to constitute the committees and monitor their functioning as per guidelines given by the authorized agencies of the Govt. of India.

7.9 LIMITATIONS

- i. The time spent on consultancy should be managed in such a way that it should not affect the teaching and other assignments of the University.
- ii. The total remuneration received by any Teacher through consultancy related payment shall be limited to 150% of his gross salary in financial year to be seen on accrual basis; similarly the limit for Technical / Other Staff shall be fifty percent.
- iii. Consultancy assignments may be taken up and implemented, within the constraints indicated above, provided they do not have any adverse impact on the ongoing academic, research and related activities. Further, such assignments need to be carefully scheduled in the light of ongoing commitments. If required, a clear indication of the earliest date on which the assignment can commence may be clearly spelt out in the proposal form.
- iv. 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.

7.10 CONFLICT OF INTEREST

Consultants shall disclose to the Director Research and Consultancy Cell, in writing, the existence of:

- i. any relationship between him / her and the client funding the consultancy project or any vendor to whom payments are made from the project funds, in the form of involvement of any immediate relatives or
- ii. any scope for potential disproportionate self-gain, Director Research and Consultancy Cell will review such cases and decide appropriately, with the advice of its advisory committee, to ensure that no actual conflict of interest exists and that such an involvement by the consultant does not adversely affect the consultant's objectivity integrity, or commitment to the University and to the profession.

7.11 FINANCIAL GUIDELINES

- a) All the payments for consultancy projects shall be in the name of the Registrar, The M.S. University of Baroda through DD or electronic transfer.
- b) The charges for any assignment are normally payable in advance. However, exceptions may be made in respect of assignments involving charges exceeding ` 200,000/- and with implementation periods exceeding 3 months.
- c) In the 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 instalments are reasonable and consistent with ease of implementation. The number of instalments may not exceed four for a project implemented over a one-year period, and, this number needs to be scaled down accordingly for shorter duration projects.

The **Total Agreed Charges** (TC) of a project shall have the following Budget Heads:

- i. Technical Advice Fee (A)
- ii. Total Expenses (E), that includes- Contingency expenses: Travel expenses;
- iii. Visit Fee: Outside consultant charges and other recurring and nonrecurring expenses
- iv. Total taxes or other Levies as per prevailing rules (T)
- v. The minimum Technical Advice Fee (A) applicable for consultancy project shall be ` 20,000/- or more as decided by the consultant and the client excluding of any applicable tax,
- vi. Variations up to 20% in the '*Expenses Head*' can be made subject to availability of funds, and unspent balance under this head can be transferred to the "*Technical Advice Fee*".

- vii. The PI, while seeking approval of expenditure from Project funds, should specifically mention the project '*Budget Head*' to which that expenditure will be debited
- viii. Project specific services of the Consultants from outside the University may be sought, subject to the certification by the PI stating that the expertise of the kind is not available in-house and prior approval of the Director Research and Consultancy Cell is to be obtained. The payment to such Consultant shall be limited to 20% of the fee charged under Technical Advice fee or `100,000/- whichever is less.
- ix. Estimates under Total Expenses (E) should be carefully prepared by the Principal Investigator keeping in mind the market rates for equipment, material and services to be procured from market and the time required for the project.
- x. Contingency expenses may cover- cost of supplies, preparation of report, typing, word processing, drawing, drafting, stationery, reproduction literature (books, journals), postage, courier, FAX and telephone (including rental and STD/ ISD call bills of telephone at residence or mobile phones), analytical testing charges and computational charges etc.
- xi. Expenses incurred on reasonable hospitality in connection with the consultation work can also be charged as expenses on actual basis on production of receipt as per University rules.
- xii. Dearness Allowance (DA) for teacher and Technical Staff will be admissible for the "field work" which will comprise collection of field data from natural environment, mapping of an area, installation and maintenance of instruments in the field, performance of test in the field, etc. as per University rules.
 - a. Preliminary Diagnostic Discussions / Site Visits may be charged at a minimum rate of `5,000/- per day per expert. As an industry friendly move, the consultant may decide to absorb such charges into the final project cost.
 - b. For travel outside the University, the most expeditious and convenient mode of travel should be used to minimize period of absence from the University. There will be no restriction placed by the University on the mode of travel. Actual boarding & lodging expenses will be paid on production of receipt.
- xiii. The permission to leave the Head quarter shall be as per the University rule, besides regular University leaves no additional leaves shall be maintainable for taking up the consultancy assignments.
- xiv. Principal Investigator may get specific job work done on payment from outside, such payment may not exceed 5% of the TC for the project, and for higher amount specific permission may be sought from Director, Research and Consultancy Cell, subject to the ceiling of 10 % of TC.
- xv. Principal Investigator may engage University Students (who may or may not be getting fellowship) as Student Assistants with the approval of Director, Research and Consultancy for consultancy and testing work on payment of `150/- per hour subject to a maximum of 50 hours per month. The expenditure on this account can be booked under manpower charges/ contingency.
- xvi. Distribution of Consultancy amount for Type-I and III projects (i.e., having laboratory component)
 - a. Total Contracted Amount (C), that is. Total Agreed Charges (TC) less Taxes (T)
 - b. Total Expenditure on the project (E)
 - c. University share (I) = 0.50(C-E)
 - d. Staff Share (S) = 0.50 (C-E)
- xvii. Distribution of Consultancy amount for Type II and IV projects
 - a. Total Contracted Amount (C): that is. Total Agreed Charges (TC) less Taxes (T)
 - b. Total Expenditure on the project (E)
 - c. University share (I) = 0.35 (C-E)
 - d. Staff Share(S) = 0.65 (C-E)
 - e. The Staff Share 'S' shall be distributed to Academic, Technical and Other staff of the University involved in an assignment based on the recommendation of the PI. The distribution of University Share (I) shall be utilised by the Research and Consultancy Cell for its general activities and as a fund for research related activities.

8. CONDITIONS FOR PROJECTS & CONSULTANCY

- i. **DECLARATION:** All work undertaken by the University as part of the project will be in good faith and based on material / data / other relevant information given by the Client requesting for the work,
- ii. **CONFIDENTIALITY:** Due care will be taken by the University to maintain confidentiality and discretion regarding confidential information received from the Client, including but not limited to results, reports and identity of the client.
- iii. **REPORTS:** Any test or other consultancy report given by the University will be based on work performed according to available standards and /or open domain literature in any event; this report may not be construed as a legal document, certificate or endorsement and may not be used for marketing of the products or processes, without prior consent from the University. The University reserves the right to retain one copy of the report and use the results of the project for its internal teaching and research purposes.
- iv. **WORK PERFORMANCE:** Every effort will be made to complete the specified work according to the planned time schedule. However, the University will not be held responsible for delays caused beyond its reasonable control.
- v. **LIABILITY:** The University shall not be held liable for any loss, damage, delay or failure of performance, resulting directly or indirectly from any cause which is beyond its reasonable control. The liability of the University shall be limited to the funds received for the project.

- vi. **INTELLECTUAL PROPERTY RIGHTS:** All rights pertaining to any intellectual property generated / created /invented in the due course of the project, will be governed by the IP Policy of the University.
- vii. **CONFLICT OF INTEREST:** The University may take up work for other clients also in the same area, provided, to the best of the University's knowledge, there is no conflict of interest in undertaking such projects.
- viii. **BREACH OF CONDUCT:** To examine/investigate any complaint/ information of breach of professional misconduct the Vice-Chancellor may constitute a committee comprising, Director, Research and Consultancy as convener, and two external members. The Committee may recommend restraining the PI/Co-PI from undertaking industrial Consultancy assignment for a specified period.
- ix. **AUDIT:** The account of the 'Industrial Consultancy Fund' shall be annually audited through professional chartered accountant and the report thereof shall be submitted to the Director, Research and Consultancy.
- x. **TERMINATION:** The project work may be terminated by either party. However, both parties will meet any residual obligations in connection with the project
- xi. **RESOLUTION OF DISPUTES:** Any disputes arising out of the project shall be amicably settled by both the Project Team and Client. For unresolved dispute the Vice-Chancellor may constitute a committee comprising- Director, Research and Consultancy Cell as convener, and two external members, for reconciliation and recommendation. Any unsettled disputes may be subject to resolution as per the Indian Arbitration and Generation Act 1996. The terms and conditions will apply to all projects taken up by the University, unless otherwise mutually agreed to in a separate document.
- xii. **OVERRIDING POWER:** The Vice-Chancellor, on the recommendation of Director, Research and Consultancy Cell, shall have the authority to overrule any of these rules in the overall interest of the University, and the reasons for the same shall be recorded.
- xiii. **JURISDICTION:** All agreement signed on behalf of The M. S. University of Baroda will have the Jurisdiction of the courts in Vadodara (Gujarat State)

9. INTELLECTUAL PROPERTY POLICY (IP POLICY) OF THE M.S. UNIVERSITY:

The policy is applicable to the intellectual property (IP) like patents, copyrights, trademarks, industrial designs, layout designs of integrated circuits, trade secrets, geographical indications etc created in the university or outside the university by the persons on the rolls of the university. The policy may be modified from time to time to meet the emergent needs or on case to case basis. Any intellectual property generated out of the creative efforts of the employee (temporary or permanent) or student/research scholar will be the property of the university and will be governed by the rules and regulations published by the university from time to time from the office of Research and Consultancy Cell (RCC). Following are the salient features of the policy:

- i. The faculty is advised to go for patenting (at least with provisional specifications) before sending the research work for publications, if the research work points towards an invention of commercial/strategic importance.
- ii. The patent application may first be filed in India. Cases of high commercial/strategic potential can be considered for PCT filing on the recommendation of a committee constituted by a competent authority.
- iii. The RCC may consider financing the filing of such applications which have high commercial value as advised by an expert committee constituted by the Director, Research and Consultancy Cell. Such cases will be evaluated by the committee for potential commercial value of the invention.
- iv. RCC may also consider for renewal of the patent or any other form of the IP if the patent/copyright is already granted to the creator of the invention on case to case basis on the recommendation of an expert committee constituted by the competent authority.
- v. Ownership of the intellectual property created as cited above will be as follows;
 - a) The M. S. University of Baroda (MSU) will hold the sole ownership in those cases where the IP is created by its (ex)staff / (ex)students in/out of the university using the funds of the university.
 - b) In case of projects/schemes funded by external Government funding agencies like UGC/CSIR/DST/DBT etc, the terms and conditions as defined by the funding agencies will be applicable.
 - c) In cases of collaborative projects sponsored by industries/corporate sector/trusts/NGOs/private individuals, there will be joint ownership of the created intellectual property. IP agreements need to be signed in such cases. In case of commercialization of the IP, MSU can assign its share of ownership-rights to the collaborator (funding agency) if it (MSU) wishes so on case to case basis. The collaborator will have the first right of refusal towards commercialization following which the university will be free to license the IP to a third party. In case the generated IP having academic and research value, MSU reserves the right to use the IP for its own in-house R & D/teaching fulfilment.
 - d) The collaborator will not have the right to use the name or logo of MSU for any purpose for the created IP unless permitted by the MSU.
- vi. In case of commercialization/licensing of an IP, revenue sharing will be in the ratio of 60:40 between the inventors/creators and the university.

- vii. Licensing will be of 'Non-exclusive' nature unless and otherwise stated. License fee will be decided on case to case basis.
- viii. In case of 'Exclusive' licensing of an IP, there will be a periodic review which will be defined clearly in the terms and conditions of the licensing.
- ix. MSU retains the rights to initiate legal proceedings against infringement of its IP or flouting of terms and conditions by the collaborators.
- x. MSU will obtain indemnity from legal proceedings against a person or organization for its IP due to malfunctioning, manufacturing defect, production problems, design guarantee etc or against any direct or third party legal liability arising out of commercial exploitation of IP.
- xi. In case of any conflict/dispute the Vice-chancellor will have the veto power and his decision will be deemed final.
- xii. All agreements signed by RCC on behalf of MSU will have the jurisdiction of the courts in Vadodara and shall be governed by appropriate laws of the Union of India.



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