

Mohanlal Sukhadia University, Udaipur (Raj.)





**MOHANLAL SUKHADIA
UNIVERSITY, UDAIPUR,
RAJASTHAN**

DRAFT DOCUMENT FOR CONSULTANCY POLICIES & RULES

PREFACE

Mohanlal Sukhadia University (MLSU), Udaipur, Rajasthan dedicatedly working for quality research and teaching, is also working for undertaking consultancy projects to strengthen academia-industry-society relationship. Besides offering various teaching and research Programs, MLSU dynamically inspires its faculty members to undertake consultancy projects. The consultancy projects are meant to interact with industry and other institutions working in the field of higher education in order to create new knowledge base and widen the research profile. The policy document is in consonance with the basic guidelines provided by UGC to compress the processes to support these efforts. This policy document will come into effect after it is duly passed by the Academic Council and BOM of the University.

SCOPE OF CONSULTANCY PROJECTS

- Consultancy projects may be taken up with industries, central and state government bodies and other service sector departments as well as with recognized international agencies in areas of know-how available in MLSU.
- The consultancy work may be done with the purpose of widening the knowledge base ultimately useful in larger benefit of the society as such. Consultancies provided by the University personnel should be of professional nature and stature bearing with them professional obligations and ethical requirements

Approved
Bor
Prof. I.V. Trivedi
Vice Chancellor

Approved
Gayatri

- The consultancy project work should have outcomes that augment the excellence in teaching and research standards of the University. They should result in fund generation for the University.
- Consultancy services given by the University personnel shall be along the guidelines as provided in the terms and conditions (See **Annexure 1** for details).

ELIGIBILITY FOR CONSULTANCY PROJECTS HANDLING

- Consultancy project assignments will be handled by a permanent full-time faculty either individually or forming a group of inter and intra faculty staff members.
- Consultancy project assignments can be taken-up by a single department, or a research center or a constituent college of the University individually or by clubbing together.

CATEGORIES OF CONSULTANCY PROJECTS

Consultancy project related services are to be categorized mainly as under:

- **Category 1: Individual Consultancy:** Consultancy that is solely based on the expertise of the faculty member who will act as a Principal Consultant(PC) and does not involve significant use of any institutional facilities.
- **Category 2: Departmental Consultancy:** Consultancy that requires one or more than one department and is of intra/inter departmental nature with wide spanned role of expertise. It may also require the use of University infrastructure / facilities such as equipment, instrument, laboratory staff, etc. This requirement will be fulfilled without disturbing the regular teaching and research work of the department, may be extra-office hours. This category will also have one Principal Consultant who will be solely responsible to carry out the entire consultancy project.

TYPES OF CONSULTANCY SERVICES:

- Advisory consultancy – In this class, the University facilities are not used and it includes retainer consultancies.
- Service Consultancy - Category I - In this class, the University equipments are used, but consumables and other materials are not required.
- Service Consultancy - Category II - In this class, the University equipments are used. Materials, consumables and Infrastructural Facilities are provided by the University.

APPROVAL OF CONSULTANCY PROJECT

- A faculty member intending to carry out the consultancy project need to apply in a prescribed format duly (See **Annexure 2**)
- Application of the faculty member will be dealt by a Consultancy Cell in the University which will be headed by a Director duly appointed by the Hon'ble Vice Chancellor for a period of minimum three years and shall be of the stature of a Professor cadre.
- The members of the Cell will have one representative one each from each of the seven faculties of the University, not less than the cadre of Associate Professor.
- The Cell will approve the consultancy projects on recommendation of the Head of the Department duly forwarded by the Faculty Chairmen in the University.
- After approval of the consultancy project by the cell, it will be forwarded to the Hon'ble Vice Chancellor for final permission.

CONSULTANCY RULES & REGULATIONS

- Each consultancy project shall be undertaken as per the Standard Terms and Conditions as mentioned in **Annexure 1**.
- Specific Agreement or Memorandum of Understanding (MoU) describing the

details of Contract shall be done between the PI and the consultancy requiring agency head.

- In case projects that usually involve non-disclosure agreements, detailed 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 resolution, liability, Intellectual Property Rights (IPR) matters, arbitration, and other applicable laws. These projects involve significant amount of effort and time associated with the negotiation and implementation of the research contracts.
- Director, Consultancy Cell will co-ordinate and guide the consultation activities of the University. He/She may take suitable administrative action to regulate _____ and monitorsuchactivitiesasperrulesframedbytheUniversityinthisregard _____ in consultation with Cell Members. He/She may exercise such authority as may be vested in him/her by the Vice-Chancellor.
- A faculty member will be allowed to carry out the work of the Consultancy project with academic leave (if it belongs to category 1) as per university rules and for duty leave (if it belongs to category 2 and allotted by the University orders) as per university rules. In special cases of consultancy beyond prescribed leave days, Vice-Chancellor's permission may be sought.
- A faculty should receive remuneration for consultancy by a Cheque/Demand Draft/Online Transfer in favour of **Comptroller MLSU**. Individual Faculty members/Department should not receive consultancy amount directly.
- A Consultancy work Proforma invoice (See**Annexure 3**) is designed for the purpose of transanction of taxes and GST as applicable will be paid. These will be paid by the Client and should be included in total cost of the consultancy project. A letter for consultancy work on client's letter head will be provided by the client as provided in **Annexure 4**.
- TA/DA will be paid by the client to the faculty member as per University rules and that will not be part of the consultancy fees.

- An appropriate consultancy fees shall be charged by the faculty from the client as per the contract signed between the two. The Distribution of Consultancy fees shall be done as per the **Annexure 5**
- There will be no certification provided by the University for the analytical results for which the university laboratories were used during consultation.
- The final report of the consultation project will be submitted in duplicate as per the enclosed proforma (**See Annexure 6**) by the PC to the Director, Consultancy cell who will give one copy to the Central Library, another to the Departmental Library of the University.
- The University shall not bear any financial liability of the consultancy projects in whatsoever condition if the projects is ceased due to any reason before the stipulated time schedule.
- IPR generated from the project shall be joint property of the University and the client. Any legal pertaining to such a project shall be dealt by the PC on his own and shall not have any liability on the University. The matters shall be dealt within the previews of Udaipur Jurisdiction.
- For all matters not covered in this document, as a general principle, Director Consultancy Cell may be requested for consideration on case-to-case basis.
- Total annual remuneration taken by an individual faculty member from consultancy project work shall not exceed his/her total emoluments for one year. The particulars of consultancy amount drawn by the individual faculty member shall be submitted to the Comptroller Office/DDO of the University through the Dean Consultation Cell for Income Tax calculation purpose for each financial year.
- The consultant/faculty member and the Director Consultancy Cell shall be jointly responsible for submitting periodic utilization certificates and final audited statements of accounts on completion of the said consultancy project, either by a Chartered Accountant or by the University auditors.
- Equipments/materials purchased out of the consultancy projects shall be the property of the University. After the completion of the project, the equipment material shall continue to be under the control of the PC until his

retirement/leaving the University.

- Stages for interim payment of consultancy fees should be mentioned in the proposal by the client based upon time duration and/or completion stage.

STANDARD TERMS AND CONDITIONS FOR CARRYING OUT CONSULTANCY PROJECTS

1. DECLARATION: All works undertaken by MLSU 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 consultation.

2. CONFIDENTIALITY: Care will be taken by MLSU to maintain confidentiality and discretion regarding confidential information received from the Client, including but not limited to results, reports and identity of the Client.

3. REPORTS: Any test or other consultancy report given by MLSU will be based on work performed according to available standards and / or open domain literature. In any event, this report may not be interpreted as a legal document, certificate or endorsement and may not be used for marketing of the products or processes, without prior consent from MLSU. The MLSU reserves the right to retain two copies of the report and a soft copy in CD/pen-drive, and use the results of the project for its internal teaching and joint research and publication purposes.

4. WORK PERFORMANCE: Every effort will be made to complete the specified work according to the planned time schedule. However, MLSU will not be held responsible for delays caused beyond its reasonable control.

5. CONFLICT OF INTEREST: MLSU may take up work for other Clients also in the same area, provided, to the best of the institute's knowledge, there should be no conflict of interest in undertaking such projects.

6. PAYMENT: Unless specified otherwise, 20% payment of consultation fees to MLSU is to be made in advance before the onset of the project through Cheque/Demand Draft (DD)/Online Transfer in favour of Comptroller, Mohanlal Sukhadia University, Udaipur. The charges will also include any applicable tax

and

other levies, if any, as prescribed by the State/Central Governments from time to time.

Rest of the 80 % amount shall be payable after completion of the work within a week time before finalization of the report.

7. TERMINATION: The Consultancy Project may be terminated by either party by giving the other party a notice period of 30 days. However, both parties will meet any residual obligations in connection with the project.

8. LIABILITY: MLSU 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, if any, at all of MLSU shall be limited to the funds received for the Consultancy Project.

9. INTELLECTUAL PROPERTY RIGHTS (IPR): All rights pertaining to any intellectual property generated / created / invented in due course of the project, will be the joint property of MLSU and the Client. Terms and conditions regarding transferring / assigning / selling these rights to the Client shall be governed by a separate written and agreed to document if required. In case of Intellectual Property Rights if a candidate files a patent will be having all the privileges with him and with the University under whose jurisdiction he files the patent. The Patent filed will have all the access rights to the individual who has filed the patent and the University under whose supervision the patent has been filed.

10. RESOLUTION OF DISPUTES: Any disputes arising out of the Consultancy Project shall be amicably settled by MLSU and the Client. Any unsettled disputes may be subject to resolution as per the Indian Arbitration and Conciliation Act 1996 and the legal constraints are subject to Udaipur Jurisdiction only.

PRINCIPALCONSULTANT

CLIENT

Place:

Date:

		ANNEXURE 2
MOHANLAL SUKHADIA UNIVERSITY UDAIPUR		
APPROVAL OF CONSULTANCY PROPOSAL		
<i>(For internal use only)</i>		
		Date:
1.	Name of the Principal Consultant (PC) and department	:
2.	Type of consultancy	: Individual / Departmental
3.	Laboratory & Department(s) / Centre undertaking the work	:
4.	Name of the client Organization	:
5.	Date of commencement	:
6.	Amount paid by the organization and Receipt No. & Date	
7.	Details of proposal	:
	(i) Total consultancy fees to be collected from the organization	: Rs.
	(ii) GST	: Rs.
	(iii) Other applicable taxes and charges	: Rs.
	(iv) Expected Total expenditures (Materials and consumables to be used)	: Rs.
	(v) Balance amount (7i – 7 iv)	: Rs.
		Amount in Rs.
		University Share
		PI Share
		Others if any
		1
		2

8. Revenue sharing of consultancy fees	Total	

- Encl:**
1. Copy of signed terms and conditions (**Annexure 1**)
 2. Copy of consultancy offer letter from organization (**Annexure4**)
 3. Details of the expenditures for materials to be used
 4. The statement on the amount to be distributed among the staff members (both teaching and non-teaching if applicable)

PRINCIPALCONSULTANT

DIRECTORCONSULTANCY CELL

ANNEXURE 3

MOHANLAL SUKHADIA UNIVERSITY UDAIPUR

PROFORMA INVOICE FOR CONSULTANCY SERVICES

Invoice From	Mohanlal Sukhadia University Udaipur, rajasthan, 313001	Proforma Invoice No.	
		Date	
		GST Reg. No.	
		PAN/TAN No.	

Invoice To	Type of consultancy : Individual / Departmental	
	Name of the Client	
	Full postal address	

Particulars		Amount (Rs.)
Sub Total		
GST		
Any other charges / levies		
Net Amount		
Total		

Mode of payment (Kindly tick) Demand Draft Electronic Transfer

- For Demand Draft, No.....dated in favour of "Comptroller,
 1. Mohanlal Sukhadia University" payable at Udaipur drawnat Bank
 2. For Electronic Transfer, UTR No. dated.....from Bank
 TDS and/or other taxes
 3. asapplicable

For Mohanlal Sukhadia University, Udaipur

(Director Consultancy Cell)

(Principal Consultant)

Amount Chargeable (inwords):Rupeesonly.

(To be Typed on the Organization Letter Pad)
LETTER FOR CONSULTANCY WORKS

Date:

ProjectTitle :
Name and Address oftheOrganization :
Name of the Representative :
Designation :
Telephone: Fax:
Email :
Name of the Principal Consultant :
Designation :
Department :
Telephone: Fax:
Email :
Project Cost :
GST and other taxes as applicable : :
Total Project Cost :
Duration of the Proposed Work :
Date of Commencement :
Date of Completion :
Scope of the Proposed Work :

Any other relevant details:

DECLARATION:

WE AGREE TO THE ABOVE PROPOSAL AND ALSO THE STANDARD TERMS & CONDITIONS OF MOHANLAL SUKHADIA UNIVERSITY, UDAIPUR.

Authorized Signatory of the Organization

Signature:.....

Name:.....

Designation:.....

Date:.....

Annexure 5:

DISTRIBUTION OF CONSULTANCYFEES

Consultancy Categories	PC and team members	University
Category 1 Individual Consultancy	80%	20%
Category2 Departmental Consultancy	40%	60%

NB: The above breakup of the consultancy charges is for the internal administrative use of the University only and may not be revealed to the client for whom a lump sum figure of total consultancy charges may be quoted.

MOHANLAL SUKHADIA UNIVERSITY, UDAIPUR

FORMAT OF FINAL REPORT OF CONSULTANCY PROJECT

1	Name of Principal Consultant and department		
2	Type of consultancy project	Individual / Departmental	
3	Organization for which the consultancy work has been done		
4	Date of commencement		
5	Date of completion		
6	Total consultancy fees received		
7	Distribution of consultancy fees as per consultancy norms laid down by the University	Amount in Rs.	
		University Share	
		PC Share	
		Others if any	
		1	
	2		
	Total		

(Signature of Principal Consultant)

Encl:

1. Copy of approval letter for consultancy services (**Annexure2**)
2. Final technical report duly signed by both PC and the client to which consultancy services offered
3. Duly signed distribution of consultancy fees to different Consultants if applicable