

# CONSULTANCY

Rules, Guidelines & Related Information



**Baba Ghulam Shah Badshah University,**  
**Rajouri- 185131**  
**(J&K)**

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## CONSULTANCY RULES

### 1. PREAMBLE

The University is favorable to involvement of its faculty in consultancy work for the reason that it helps in resource generation and enrichment of the faculty in professional experience and knowledge. As a consequence, those who undertake consultancy services become better educators. Further, involvement of teachers in consultancy work impacts students and motivates them to apply themselves in finding solutions to societal problems. In the process an ambience of problem-solving, creativity, competition and hard work is generated.

### 2. Definitions:

- 2.i **University** means Baba Ghulam Shah Badshah University .
- 2.ii **Executive Council** means Executive Council, Baba Ghulam Shah Badshah University
- 2.iii **Department** means all teaching Departments, research centres and colleges of the University.
- 2.iv **Vice Chancellor** means Vice Chancellor, Baba Ghulam Shah Badshah University, Rajouri
- 2.v **Dean** means Dean of the concerned School
- 2.vi **Registrar** means Registrar of Baba Ghulam Shah Badshah University
- 2.vii **Finance Officer/ Dy Registrar Finance** means Finance Officer of the University
- 2.viii **Central Committee for Consultancy Projects (CCCP)** means University's Central Committee for Consultancy projects constituted by the Vice Chancellor
- 2.ix **Project** implies consultancy / routine testing projects
- 2.x **Consultancy** means consultancy assignment /job given by an outside agency to a faculty of the University for work within mutually agreed terms and conditions. It will also include a consultancy assignment /job referred to the Head of the Department or

  
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a functionary of the University (i.e. Vice-Chancellor / Dean(s) / Principal(s)/ Registrar) which may be taken up as consultancy work by faculty.

**2. x(a) Individual Consultancy; Specialized Work with /without use of lab facilities**

All Consultancy works that are non-Departmental Consultancy Project will be treated as Individual Consultancy works (Design /Inspection/ Third party inspection /vetting /Checking/Value Engineering).

**2.x(b) Departmental Consultancy Specialized Projects with /without use of lab facilities**

Consultancy work referred to the Head of the Department or any other functionary of the University (i.e. Deans or Vice Chancellor ) may be taken up as Departmental or individual Consultancy project. Similarly, a project referred to an individual faculty member may be taken up as Departmental Consultancy Project at the request of that faculty member. Normally, Consultancy Projects involving multi-disciplinary / inter Departmental inputs or requiring use of huge facilities, and projects which are expected to run for a long period may be taken up as Departmental Consultancy Projects. The PIs of Departmental projects will be appointed by PMC on the basis of seniority , field of specialization and funds on equitable distribution basis .A Departmental Consultancy Project will have one or more Investigators as per requirement as decided by PMC.

All routine Testing Field work in the Departments shall be undertaken only as Departmental consultancy.

**2.x(c) Routine Testing project** implies those testing works where the rates are fixed by the PMC of the Department .The concerned Head of the Department in consultation with PMC will appoint PI from among the willing faculty members of the concerned specialization of the Department with at least 3 years or more permanent service.

**2.xi Sponsor / Client** means the organization that offers a Project to the University and provides necessary financial inputs for successful and timely completion of the project.

**2.xii Principal Investigator (PI)** is a member of the faculty /scientist /engineer of the University with necessary expertise and competence to undertake consultancy work. Normally, the faculty /scientist/engineer who submits the project proposal, negotiates

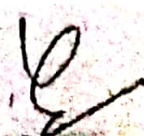


with the client, and is instrumental in getting the project funding is the Principal Investigator (PI).

- 2.xiii **Co-Principal Investigator (Co-PI)** is a member of the faculty /scientist /engineer of the University (Including Emeritus Fellow, Chair faculty, Visiting Professor/ BSR Fellow co-opted by the Head of the Department /Principal Investigator (PI) to work jointly with him /her on the project .
- 2.xiv **Consultant:** Consultant is an individual or government /public sector undertaking Government Company engaged for a specific period to carry out specific job.
- 2.xv **Project Staff** means a person(s) appointed as per the guidelines to work on a project.
- 2.xvi **University Fund (UF)** means a part of the Institutional share received for sponsored project and consultancy project credited to a separate fund operated by Finance Officer / Dy Registrar Finance under the overall supervision of the Vice- Chancellor.
- 2.xvii **Departmental Fund (DF)** means a fund of the Department to which University overhead charges /share from consultancy Projects are transferred.
- 2.xviii **Project Monitoring Committee:** Project Monitoring Committee (PMC) means the Departmental Committee constituted to monitor Consultancy projects with the approval of Vice Chancellor. For large projects, with contracted amount of more than 10 lacs, the Central Committee for Consultancy Projects (CCCP) will be the monitoring agency.

### 3. General

- 3.i All funds in connection with Project shall be received in the name of the Registrar, BGSBU University, Rajouri, by cheque , draft or internet banking transfer. The Accounts of Project /UF/DF shall be maintained by Finance Section and controlled by Vice Chancellor as per University norms. No funds shall be received in any other account and in cash or in Bank Instrument.
- 3.ii The time spent by a faculty /scientist / engineer on Consultancy Project may not exceed one day per working week plus one day during weekend, which works at a total of 104 man-days during a calendar year.
- 3.iii Consultancy project from any client can be taken up as per University rules .For consultancy work involving only site visit or personal discussion a minimum amount of



Rs 5,000/ per man-day for faculty /scientist /engineer / and Rs 500/ per man-day for technical / non academic staff may be charged , besides travel, lodging and boarding which will be paid by the agency on actual basis.

3.iv University staff may be granted projects leave upto 15 days per calendar year for work related to consultancy Projects, in addition to special casual leave available as per University norms. Provided further that such leave shall be avoided as far as possible during examination, entrance tests and similar other such activities.

3.v Report(s) and data collected/ raised out of project will be the joint Intellectual Property of the client and the consultants. These can be used by the client for his own use only and cannot be disclosed to a third party without prior consent of the client and the Principal Investigator of the constancy project.


3.vi The Intellectual Property Right (IPR) policy of the University shall be applicable in general; however, if there is a condition in MoU signed between the client and PI, regarding the IPR issue that will take precedence over the condition laid down in the above para.

The report of the consultancy project shall be maintained by PI and Head of the Department each for a period as per GOI rules from the date of closure of the project and for routine testing from the date of issue of report.

3.vii If a prima-facie case of malpractice and or misconduct is established by a fact finding committee against a staff member in connection with project(s), the Vice-Chancellor on the recommendation of School Dean may prohibit the concerned staff member to take part in any new project either as Principal Investigator CO- PI till such time when final decision is taken by the appropriate authority in the matter. However, in such cases the concerned staff member will be expected to complete his/her obligations in the ongoing project(s) with which he/she is connected, in order that the ongoing projects and obligations to the client do not suffer.

3.viii All purchases including DF, shall be made through the Departmental purchase committee as per University rules.

3.ix Faculty /scientist /engineer may accept honorary membership of Board of Directors of companies with the condition that there will not be any direct involvement of the faculty in concerned industry/ company and such assignment is limited to three industries /companies.

  
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Principal Investigator  
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#### 4. COMPOSITION OF COMMITTEES

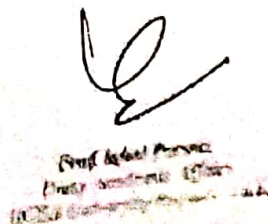
4.1 **Consultancy Project Monitoring Committee.** For routine monitoring of projects there shall be a Departmental Project Monitoring Committee (PMC) comprising the following:

- (a) Head of the concerned Department
- (b) Senior most Professors of the Department /School
- (c) One Senior Assistant Professor/ Associate Professor of the School as nominee of Head of the concerned Department
- (d) One Senior Assistant Professor /Associate Professor of the Department – Member

One Co-opted member by the Head of the Department/ Nominee of Head of the concerned Department shall be the Member Secretary of the PMC.

4.ii **Central Committee for Consultancy Projects-** For overall supervision and monitoring of consultancy by the University Departments/ Centers / Colleges and of large projects ( 10 lacs or more or specialized or inter departmental or inter disciplinary) the Central Committee for Consultancy Projects (CCCP) with the following composition shall distribute, review and assess the progress and status of consultancy of Department periodically (at least once in a quarter year or whenever required ) for equitable distribution and timely completion of the large projects. The committee may also advise Principal Investigator in any other matter on the project.

- (a) Vice Chancellor- Chairman
- (b) Dean(s) of the Schools
- (c) Head of the concerned Department or his nominee.
- (d) Member Secretary of the PMC of the concerned department
- (e) Concerned Principal Investigators in case of specialized / personal project



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- (f) One expert in relevant field from outside the University if required or representative of the client, if required by sponsor/ client.
- (g) Finance Officer / Dy Registrar Accounts, Non Member
- (h) Co-opted member, if required.

All the reports and accounts shall be maintained by Dean of concerned School as Member Secretary.

## 5. Manpower

### 5.i Consultancy Project staff

- 5.i(a) The project staff shall be appointed for assisting /working on the project as per prescribed selection procedure, designation, qualifications, and experience requirements on consolidated fellowship/ emoluments as per University rules. The Project staff shall work for accomplishing the objectives of the project.
- 5.i(b) Open selection will be held for all project positions through walk-in interview.
- 5.i(c) Appointments on all project position shall be made only for the duration of the project.
- 5.i(d) Appointment of project staff on ad-hoc basis against a project can be considered by Vice -Chancellor on the recommendation of the PI for a period not exceeding 89 days.
- 5.i(e) Transfer of project staff from one project to another, either on completion or midway, may be permitted by Vice Chancellor on the recommendation of respective PIs.
- 5.i(f) The Tenure of appointment of project staff will be at the most for remaining duration of the project. The severance notice may be issued to the project staff by the PI a month prior to the termination of appointment.
- 5.i(g) On completion of one year or more and on the recommendation of PI, the enhancement of emoluments project staff may be considered by the Vice-Chancellor.



For Approval  
Date: \_\_\_\_\_  
Signature: \_\_\_\_\_

5.i(h) Contractual project staff appointed shall execute a Contract Agreement with PI at the time of joining with the explicit provision that the contract may be terminated by either side, the staff or PI or University by giving one month's notice or one month's consolidated emoluments in lieu of the notice. The contract will be complete when countersigned by the Vice-Chancellor. The Registrar will retain the original contract agreement.

#### 5.ii Student Assistants

The PI may engage University students and pay them out of expenditure head irrespective of whether or not they are Fellowship/ Assistantship holders, subject to a maximum of 5% of net contracted value out of PI /Co-PIs share.

#### 5.iii Consultants

The PI may, with the prior approval of Vice Chancellor, avail the services of individuals not in the University or Government Service as Consultants. However, the amount payable to such Consultants(s) shall be limited to 15% of the total contracted amount in the consultancy project, payable out of Department Fund.

### 6. Travel

6.i The most expeditious and convenient mode of travel should be used to minimize period of absence from the University. Admissible DA or actual boarding & lodging expenses will be paid on production of receipts, subject to a maximum of twice the daily gross salary at the ceiling of the person's Pay scale. Expenses on local travel by taxi will be reimbursed against receipt as per actual.

Approval for domestic travel out of approved expenditure head and leave shall be accorded by the Vice Chancellor. Faculty /Scientist /Engineer and Group-A Officers shall be allowed to travel by AC taxi.

Provided further that all air travel under Consultancy projects may be performed in economy class on low fare basis in the cheapest Airline.

Payment of Charges to travel agents for Ticket purchase assistance, Visa assistance, Insurance etc. shall be admissible from project funds.



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Notwithstanding what has been stated above, if the sponsor, client has specified any condition(s) for travel under the project that shall be followed.

- 6.ii Approval of Vice Chancellor will be required for all International Air Travel and any deviations from the conditions listed above.
- 6.iii Out of Pocket expenses will be payable for the actual period of field work at the work place at the following rates according to the category of staff and will not be admissible for the journey days.

PI/co- PI: Rs 1000 per day or part of a day .

Project Staff and others: Rs 400/ per day or part of a day

## 7. Finance and Accounts

### 7.i Details of distribution of project fund shall be as follows:

Item	Consultancy Project
Total money received	M
Service Tax (T)\$	14% of M
Total Project expenditure #(E)	15% of(M-T)
Net Contracted amount (N)	$N=(M-E-T)$
University Share (U)£	25% of N
Departmental share (D)	15% of N
PI , Co-PI(s)share including Student assistance and Contingencies / Unforeseen expenditure (if required ) €	52% of N
Share of Head of the Department	1% of N
Secretary PMC Share	1% of N
Lab Incharge's share ^	1% of N
Technical Staff/ Admin/other staff's share @	5% of N
	Total 100% of N

Technical Staff /Admin /Other staff's share to be distributed by the PMC on the recommendation of PI.

\$ No service tax shall be deducted in case of Inter departmental consultancy .



# Any saving ~~Access~~ expenditure shall be from department's share subject to PMC approval.

€ Share among PI and Co-PIs shall be distributed on the basis of (40% + 20% + 20%) or (40% + 30% + 30%) or (60% + 40%) in case of 4, 3 and 2 PIs and Co-PIs, respectively on the basis of distribution. Student assistance if required shall be subject to the limit of 5% of Net contracted amount (IV). In case there is no students' involvement or no unforeseen expenditure the entire amount shall go to PI and Co-PI(s)

\* In case of no lab use the share shall go to the Departmental share (D)

@ Saving shall go to Department's share

E To be deposited in Corpus Fund Account of the University.

Note: All above distribution shall be subject to taxation rules and policies of Government of India implemented from time to time.

- 7.1 (a) For Consultancy project with contracted amount of Rs 25 lacs or more, Interim distribution may be permitted subject to the condition that the total distribution does not exceed 60% of the balance amount and that the amount of distribution commensurate with the work completed.
- 7.1 ii A separate account head shall be maintained for combined consultancy projects by Finance section. Finance Officer / Dy Registrar Finance shall be responsible for the submission of audited statement of Accounts
- 7.1 iii Accounts of all the Expenditure made shall be submitted by PI / HoD to Finance section of the University, as per University rules. Expenditure in excess of 15% of total contracted amount shall be approved by the PMC in case of departmental project and CCCP in the rest.
- 7.1 iv For all Technical, ministerial and other staff, the upper limit for remuneration from Projects and other sources is 60% of the gross salary received in financial year.

#### 8. Utilization of Department Fund (DF)

DF can be utilized for following purposes:

- a. Development of Departmental Infra structure facilities like laboratory equipment, class room furniture, committee and conference room furnishing / renovation.





- b. Repair, Maintenance of A.M.C of equipments
- c. Repairs and maintenance of office and labs
- d. Seed money for holding conferences /workshops, seminars etc
- e. Travel (domestic and abroad ) and related expenditure for PI/Co-PI, student or outside expert
- f. Exploratory visits
- g. Engagement of project staff
- h. Fee and related , stationary expenditure for acquiring training /qualification(s)
- i. Membership fee of professional societies
- j. Books, journals related stationary, computer consumables and any storage media
- k. Office peripherals , furniture for lab and offices , instrument, computer ( all types ) and peripherals, etc.
- l. Project correspondence, hospitality and miscellaneous expenditure
- m. Or any other purpose recommended by the PMC/CCCP.

The budget for utilizing DF may be recommended by the Project Monitoring Committee of the Department and approved by the Vice Chancellor .For any special requirements not covered above, a proposal may be sent by the PMC of the Department for consideration of the Vice -Chancellor

**09. SPONSORS / CLIENTS SPECIFIC CONDITIONS**

Specific conditions of sponsor / client for designation(s), qualifications, and employment condition(s) for manpower and other related expenditure shall be followed .

**10. EXCEPTION CLAUSE**

These guidelines shall normally be applicable to all Consultancy Projects in the Schools /Colleges /Departments /Centers /Offices of the University. However , any changes required which do not constitute policy change may be approved by Vice Chancellor on the recommendations of School Dean.

**11. CONSULTANCY PROJECT INITIATION AND MANAGEMENT**

- 11.1 Each project will have a Principal Investigator (PI) who will be a faculty member/Scientist in the service of the University. He will be responsible for:



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- a. Planning of the work to be done
  - b. Co-ordination and execution of work,
  - c. Handling all communications with the client
  - d. Writing intermediate and final reports according to the nature of consultancy
  - e. Signing the Memorandum of Understanding (MoU) or Agreement with the sponsor /client, if required as per existing University rules .
- 11.ii The PI will, at his discretion, co-opt other faculty members as investigators. Any other Scientist /Engineer /Group A employee so permitted by Vice Chancellor can be co-opted as Investigator.
11. iii The PI will prepare consultancy project proposal in conformity with.
- a. Approved designation and emolument/ fellowship rates for project staff, with qualification and experience as specified by the university
  - b. Cost of the proposal in conformity with the rates approved by the PMC/CCCP as the case may be.
  - c. Other guidelines for the Consultancy Projects, and
  - d. Rules, Regulations and Statutes of the University
- 11.iv All consultancy project proposals shall be sent, through the Head of the Department to Registrar for onward submission to the client
- 11.v It shall be the responsibility of the PI to get project work completed satisfactory within the sanctioned grant and duration
- 11.vi The PI shall ensure that the head-wise expenditure does not exceed the budgetary allocation.
- 11.vii The PI shall maintain details of equipment purchased out of consultancy project funds separately for each project and send a copy of the record to Finance Officer / Dy Registrar Finance for placing the same before the respective Govt. for Audit, for verification or any other purpose as and when required.



11. viii The PI shall be responsible for maintenance of Laboratory Record Book (LRB) as required for IPR submission and periodical and/ or final technical report(s) compilation of the consultancy project work for submission to the client as required.
11. ix The PI shall write to the Finance Officer / Dy Registrar Finance for timely release of funds with a copy to the Registrar/ Vice-Chancellor for follow up, if necessary.
11. x The sponsor/ client which assigns the consultancy project usually approaches the University for Consultancy work through an individual or a functionary of the University (i.e. Head of the Department, Dean or Vice Chancellor)
- When an individual is approached for the work, he/she will normally be the Principal Investigator (except routine testing). If the project is referred to any other functionary of the University the Principal Investigator would be identified by the CCCP.
11. xi All proposal received, even directly from the client to the Individual faculty/scientist/engineer shall be placed before the PMC/CCCP as the case may be, before final acceptance. The acceptance letter of a proposal shall be sent to the client only by the PM/CCCP and not any Individual faculty /Scientist /engineer
11. xii Consultancy work may only be undertaken by the permanent faculty /scientist /engineer with no less than three years permanent service in the University
- No retiring faculty member be allowed to submit a consultancy project proposal as Principal Investigator (PI), if its duration extends to one year or more beyond his/her date of superannuation ,or if more than half of the proposed duration of the project falls beyond the date of retirement of the PI.
11. xiii The retired faculty/scientist/engineer working as Emeritus Fellow be allowed to continue as Principal Investigator in the ongoing consultancy projects, provided the sponsor(s)/ client(s) do not have any objection.
11. xiv If the PI leaves the university, retires or proceeds on leave or is not available for some other reason, Vice Chancellor, on the recommendation of the PI, may appoint a new PI, who will assume the powers and responsibility of the PI. The new PI will also give an undertaking to complete the project with the left over funds and time, to the Vice Chancellor through School Dean, Head of the Department .However, in exceptional circumstance, a retired faculty member may continue to work as PI with the approval of the Vice Chancellor.

11. xv

Normally the agreed charges of the consultancy project are to be deposited by the sponsor/client, in full, before the work commences. However, this stipulation is negotiable. In case where the work is started with only partial charges deposited in advance, the arrangements of subsequent receipt of remaining funds from the client have to be spelled out clearly in advance.

11. xvi

#### **Completion/ Closure of Project**

Project file will be closed with the submission of final project report, final settlement of accounts etc.

A project is normally expected to be closed soon after the due date of completion as stipulated in the original project proposal, unless extension has been sought and granted. For consultancy projects which are not closed by the PI as scheduled, the finance office will take action for project closure at the end of the financial year in which the stipulated date of completion falls. The unspent balance in such cases will be transferred to the Department after due notice to the PI and Head.

All Stock Registers pertaining to consultancy projects will be deposited in the Departmental Office after the concerned projects are completed and closed.

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#### **BUDGETARY NORMS**

12. i

Refer section 3.0 for Funds transfer by the client.

12. ii

The total agreed charges of a Consultancy project will consist of the University share, actual expenses and the remuneration to be disbursed to the faculty and staff. The actual expenses should cover the following cost related to the project.

- a. Consumable materials
- b. Permanent equipment to be procured/ fabrication of equipment or models
- c. Travel expenses in connection with the project work.
- d. Computational or other charges payable to the University ( If not available with the PI) or any other outside agency.
- e. Charges to be paid for the use of specific equipment in the Department (if not under the control of PI) or Central facilities.



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- f. Contingent expenses to cover cost of supplies, preparation of report typing, word processing, drawing, drafting, stationery, reproduction, buying books and journals, membership fee for professional societies, postage, courier, FAX and telephone (including rental, STD/ISD call bills of telephone at residence or mobile phones), internet, cost of insurance of personnel/ equipment being used for the project and medical reimbursement on duty (excluding major ailments) for staff etc.
- g. Expenses for work to be carried out on payment basis, remuneration to student assistants.
- h. Insurance on equipment and manpower during travel.
- i. Any other costs considered appropriate.

Service tax will be applicable as per government rules excluding inter departmental consultancy within University.

### **13. COLLABORATION WITH OUTSIDE ORGANIZATIONS**

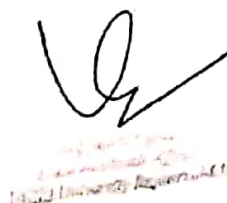
If collaboration with other Govt. Public Sector organizations is envisaged, the nature, scope and budget of the proposed arrangement will also be specified while submitting the project proposal for approval.

### **14. LIABILITY**

In case any legal dispute arises between the Investigator(s) and the client such that the Investigator(s) are in any way, held responsible by the client to make good the losses incurred such liability will be restricted to a maximum limit which will be calculated as follows:

Maximum Liability = The total amount charged for the project- the expenditure / liabilities on the project. It is in the interest of the Investigators to bring this fact to the notice of the clients. The expenditure /liabilities as determined by the University will be calculated as the expenditure / liability till such date on which the client informs the Investigator in writing to stop work on the ongoing projects, or till the end of the project for completed projects. This amount does not include the remuneration paid to the Investigator(s) and staff of the University. The University may take suitable insurance for this purpose on a rolling basis. The expenditure on this account may be charged to the UF.

The amount charged by the University is on lump sum basis. Submission of the requisite report on the work shall constitute the Utilization Certificate/ final bill.

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## **15 DISAGREEMENTS/ DISPUTES**

- 15.i** Any disagreement within the University arising at any stage of a Consultancy project will be resolved in consultation with Vice Chancellor to ensure expeditious resolution of bottlenecks and smooth functioning of the project .
- 15.ii** In case of any dispute arising at any stage of Consultancy project between Investigator(s) and the client(s)/ sponsor(s). The investigator(s) will be responsible for settlement of the dispute.
- 15.iii** All legal action will be subject to jurisdiction at Civil Courts at Rajouri/ High Court of Judicature at Jammu.

## **16. ARBITRATION**

In event of any dispute or difference arising at any time between the parties relating to Consultancy project or any other clause(s) or any content of the right and liabilities of the parties or other matters specified therein or with reference to anything arising out of the Consultancy or otherwise in relation to the terms during the consultancy or thereafter, such disputes or difference shall be resolved by mutual negotiations. If, however, such negotiations do not help, the dispute should be finally settled by arbitrator appointed by the Vice Chancellor .

## **17. PUBLICATION OF RESULT**

PI will have the right to publish the work carried out by him/her unless the clients have an agreement under which their prior permission is required. In such cases the draft paper will be submitted to client before publication and if no objections are raised within one month of the submission of the proposal to publish the result, it will be assumed that the sponsor/clients have no objection to the publication.



*Prof. Dr. J. K. Sharma*