

College of Engineering, Pune

*Consultancy Projects, Sponsored Projects
and
Continuing Education Programmes*

Rules and Regulations

Consultancy Projects

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PART I

DEFINITIONS

1.1 Institute

Institute means “College of Engineering, Pune”

1.2 Department

All academic departments and academic centers will be covered by the word “**department**” for the purpose of these rules.

1.3 Director

Director, College of Engineering, Pune.

1.4 Dean (R & D)

Dean of Sponsored Research/Industrial Consultancy and Development,
College of Engineering, Pune

1.5 Head (HoD)

Head of the Department

1.6 Principal Consultant/Investigator (PI)

A faculty member of the institute who is responsible for handling the consultancy project.

1.7 Consultant / Co-investigator

Any other faculty member associated with the consultancy project along with PI.

1.8 Consultancy Projects

A request received from the industry for carrying out an investigation / research / design referred to/by the Director/Dean (R and D)/ Head of the Department to suitable faculty members for providing a solution to a problem is termed as a consultancy project.

1.9 Department Consultancy Project

A project may be taken up as a Departmental Consultancy Project by the concerned department. Further, a project referred to an individual faculty member may also be taken up as Departmental Consultancy Project at the request of the faculty member. Normally, Consultancy Project involving multi disciplinary/ inter departmental inputs or requiring use of extensive institutional facilities, likewise projects which are expected to run for a long period may be considered by a department to be taken up

as *Departmental Consultancy Project*. A Departmental Consultancy Project will have at least two investigators drawn from one or more departments.

1.10 Individual Consultancy Project

All Consultancy Projects taken up by a faculty member on behalf of Department / Institute will be treated as Individual Consultancy Projects.

1.11 Type-I Consultancy Projects

Consultancy Projects which do not require laboratory facilities of the Departments/Institute will be classified as Type-I Consultancy Projects.

1.12 Type-II Consultancy Projects (involving lab. facility, etc)

Consultancy Projects involving use of laboratory facilities of the Departments/Institute will be classified as Type-II Consultancy Projects. Such projects will cover testing, measurements, calibration of equipment/ instruments and testing of materials /equipment in laboratory, field testing and measurement and research and development work using laboratory facilities, as a part of that consultancy project.

1.13 Norms for accepting consultancy projects

Consultancy projects above Rs. 2 lakhs shall be accepted only after approval through proper channel. All consultancy projects to be taken up by various departments of the institute shall be examined from the point of view of its S&T content and its likely benefit to the academic and R&D activities at the Institute, which can in turn, influence the quality and standard of the academic work at COEP. For this purpose, every project proposal would be examined and approved by an Institute Level Committee, before it is accepted for being conducted as Type-I or Type-II project. The committee shall consist of :

- | | |
|--|-----------|
| • Dean (R and D) | Convenor |
| • Concerned HOD | Member |
| • Senior professor/faculty from concerned department | Member |
| • Technical expert(s) in subject area
(nominated by the Director) | Member(s) |

The Faculty Member(s) proposing to take up the consultancy project will be invitee(s) at the Meeting and they will be required to make a presentation on the proposal. In case of testing work, concerned faculty may present the case.

1.14 Project Staff

A person appointed on contract in conformity with the guidelines of a sponsored research or consultancy project. The project staff includes research, technical and office personnel.

1.15 Project Research Staff

A person appointed on contract in conformity with the guidelines of a sponsored research or consultancy project as a fellow or associate or with a similar designation and receiving fellowship. Generally, there shall be a provision for such fellowship amount in the project thus approved.

1.16 Institute Overhead Charges

Institute shall charge a fixed percentage of the Consultancy Project / Sponsored Project amount as Institute Overhead Charges (IOC). The IOC shall in turn be distributed into a number of funds to be maintained by the institute for specific purposes.

1.17 Internal Revenue Generation Fund (IRG)

Part of the IOC shall be credited into the already existing Internal Revenue Generation Fund (IRG).

1.18 R & D Fund (RDF)

A part of the IOC shall be credited to a new fund called as R & D Fund (RDF). This will be operated by Dean (R &D) with the approval of Director. The RDF shall be used only for supporting R&D activities of the institute.

1.19 Staff Development Fund (SDF)

A part of the IOC shall be credited to already existing Staff Development Fund (SDF). The Staff Development Fund shall be used for the general welfare of faculty/ staff of the Institute including meeting contingency requirements of faculty/staff or their family members. A suitable scheme to administer the fund shall be worked out by a committee appointed by the Director.

1.20 Department Development Fund (DDF)

A part of the IOC shall be credited to the Department Development Fund (DDF) of the concerned academic department(s). The objective of this fund is to provide additional grant to the department for its development activities as well as for funding its other activities for which adequate funds are not available from other sources. This fund can also be used for activities like

- a) TA/DA and Registration fee in part /full for attending a conference in India or abroad and for making exploratory visits for sponsored Research/ Consultancy work.
- b) Departmental membership fee of professional societies.
- c) Purchase of professional books, journals, stationary, computer stationery, software or data storage medium.
- d) Equipment/ Air conditioner facilities for laboratories and phone/ fax facilities in the office.
- e) Up gradation or purchase of laptop or desktop computer and related peripherals for use by the faculty members of the department.
- f) Purchase of office and laboratory furniture.
- g) Providing seed money for holding conferences / workshops and seminars entrepreneurial activities, etc.

A separate DDF Account will be maintained by each department in the name of the Department DDF-A/C IRG for instance “**Mechanical Engineering DDF - A/C IRG**”. The budget for utilizing DDF will be approved by the professorial committee of the department headed by the Head of concerned department.

All income /proceeds/receipts from various heads of account/activities of/for the department shall be credited to this account and this account will be operated by concerned Head of the Department and Dean (R & D) or Director of the Institute.

There shall be only one account with each department as mentioned above. All other existing accounts shall be merged into this new account except for project accounts like RPS/MODROB/FIST or any other such projects as per the norms of funding agencies.

2. General Outline of Consultation work

Individuals or Departments may take up consultancy work after intimation and approval of the Dean (R & D) through the Head of the concerned Department. The PIs and HODs will sign the report of Departmental Consultancy Projects and the Principal Investigator will sign the report of the individual Consultancy project. All departments will refer the identification code for each consultancy assignment [Project No.] in the form as given below.

Name of the Deptt	CP/Type I / II)	Initials of PI//HOD	Year	Incremental SI. No allotted by Dean (R &D)	Title of the project
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e.g. in case of Electrical Engineering Department

EE	CP/Type-II	BNC	2007	01	Development of Controller for PM M/C
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This identification code shall be provided by Dean R&D office of the institute. The above project number must be quoted in all subsequent correspondence within the institute & to the client.

- 2.1 All consultancy work shall be approved by the college level committee, identified as Type I or II project and then taken by the PI.
- 2.2 All fees/charges in connection with consultancy projects should be received in the name of the **Director, College of Engineering, Pune to be deposited in the IRG account of the institute.** The Dean R and D office shall disburse consultancy fund into Research and Development Fund, Staff Development Fund, Departmental Development Fund and retain the balance in the IRG fund, appropriately as per guidelines provided later. Director's approval shall be obtained wherever necessary, in case of deviations.
- 2.3 For Projects involving only site visits for consultation work and/ or personal discussion, fees may be charged on per day basis at mutually acceptable rate subject to a minimum of Rs. 3000/- per man day for academic staff including the days spent on travel.
- 2.4 For technical and other non-academic staff, making only site visits outside the scope of an on going consultancy project, fees may be charged on per day basis at a minimum of Rupees 300/- per man day.
- 2.5 The Principal Investigator may avail the services of persons not in the institute service as consultants provided that the services are of a nature for which the expertise is not available in department/institute. The charges for such consultation should be already included in the project cost and separate amount from DDF/RDF may not be permitted. However, if at a later date, such services are found essential, necessary permission of Dean (R&D) would be required.
- 2.6 Consultancy project for an amount less than Rs. 5000 should normally be avoided. This will however, not apply for cases where the Department/ Institute has fixed rates (as in case of testing). The limit as stated in Cl. 2.3 and 2.4 shall be reviewed every three years or earlier if the need arises.
- 2.7 For Departmental Consultancy Projects, the Principal Investigator will be judiciously decided by the Head of the Department in consultation with R&D coordinator of the

Department. *As expertise and experience are both necessary for a consultant to play an effective role in the assignment, it is desirable to set a lower limit of the level and the number of years of experience for the consultant. A senior Lecturer with about 5 years experience should preferably be considered while identifying the PI. In exceptional cases, the above mentioned members should take the decision in consultation with Dean (R&D) / Director of the institute.*

- 2.8** Each Consultancy project will be classified either as Type I or Type II and will not be bifurcated, In case of multi-disciplinary/ inter departmental Projects, a single project can be divided into sub-projects on mutually agreed terms, by the consenting departments.
- 2.9** For Individual Consultancy/Department Consultancy work, faculty and staff members proceeding out of station for consultancy work with the permission of HOD, will be treated on duty, within the scope of specified in Cl 2.10. However consultancy must not hamper the academic schedule/services to be given to the students.
- 2.10** It is recognized that the consultancy leads to increased knowledge and capabilities of the faculty member concerned. Therefore each such consultant has to be given free time of at least one day per week to conduct such assignments by adjusting the academic schedule. In addition to this, the consultant may be granted project leave up to 15 days during an academic year for work related to sponsored research/Individual consultancy projects, in addition to the leave available as per institute norms. HODs shall be empowered to approve project leave/adjust academic schedule. Academics and economics of the returns should always be the points of concern.
- 2.11** The laboratory staff proceeding on field work for Consultancy Project work may avail project leave up to 15 days during a calendar year. HODs shall be empowered to approve this leave.
- 2.12** There will be no limit on the total remuneration to be received from Consultancy Projects during any financial year by a faculty and other academic staff. However, institutional academic assignments and income tax rules of the Government shall be followed.

3 EXPENDITURE NORMS

3.1 Job Work

The Principal investigator may get specific job work done on payment (labor cost) from outside. However, such payment may not exceed 25% of the total amount

contracted for the project and should be paid from the concerned project cost. While making such expenditure all the rules and regulations as applicable to Consultancy Projects should be followed. For higher expenditure prior permission of the Director will be necessary.

3.2 Student Assistants

The Principal Investigator may engage institute students as Student Assistants for consultancy and testing work on payment of Rupees 50/- per hour subject to a maximum of 50 hours per month. However, students receiving fellowship from any agency may not be entitled to such payments. The total expenditure on this account should not exceed 20% of the gross fees contracted for project in normal case and be paid from the concerned project cost.

3.3 Hospitality

Expenses incurred on reasonable hospitality not exceeding Rs 200/- per head per meal and Rupees 50/- per head for snacks etc. in connection with the consultation work, can be charged as expenses out of the fee received subject to the condition that the total expenditure on this account should not exceed 5% of gross fees contracted for the project. For larger expenditure approval of Dean (R& D) will be necessary.

3.4 Travel

The most expeditious and convenient mode of travel should be used to minimize period of absence from the Institute. There will be no restriction placed by the Institute on the modes of travel. Actual boarding and lodging expenses, in addition to DA, will be paid as per Institute norms. All these expenses will be met out of the concerned consultancy project fund.

3.5 Out of pocket expenses for Field Work

The payment of "Out of Pocket Expenses" to the faculty and other staff proceeding on fieldwork connected with the consultancy projects will be admissible on the following conditions:

- (a) Out of pocket expenses will be admissible for the "field work" which will comprise of collection of field data from natural environment, mapping of the area, installation and maintenance of instruments in the field, performance of test in the field etc. for the purpose of sponsored research or industrial consultancy.

- (b) Out of pocket expense will be payable for the actual period of work at the work place and will not be admissible for the journey period.
- (c) Out of pocket expenses will be permitted in addition to D. A.
- (d) The rate of payment of out of pocket expenses will be as under:

<u>Category of staff</u>	<u>Rate</u>
Faculty	Rs. 250/- per day
Staff	Rs. 75/- per day

3.6 Consultants

- 3.6.1 Normally, provision for involving experts from outside the institute as a consultant is not expected. However, if found necessary, the decision should be made at time of acceptance/approval of the project.
- 3.6.2 An amount of Rs. 25000/- or 10% of the consultancy fee whichever is lower can be paid to Consultant(s) after obtaining approval from the Dean (R&D).
- 3.6.3 For payment over Rs. 25000/- and up to Rs. 50000/- or 25% of the total fees, whichever is lower, approval of a committee set up for this purpose by the Director under the Chairmanship of Dean (R&D) would be required.
- 3.6.4 For payments over Rs.50,000/- or over 25% of the consultancy fee, Director may approve payments on the recommendation of the committee mentioned above.
- 3.6.5 Payment exceeding 25% of the total consultancy fee shall not normally be allowed to consultants.
- 3.6.6 As stated earlier, such charges shall be included in the project cost/shall be paid from the concerned project.

4 DISTRIBUTION OF FUNDS

4.1 Individual Consultancy projects/ departmental consultancy projects

[a] Consultancy Type- I:

After consent and acceptance of the project, the project amount should be received in the name of Director, College of Engineering, Pune. It shall be deposited in the IRG account. The distribution of this amount should be done by Dean's office as given below:

- Total fee received from client = I
- Amount of Institute Overhead Charges = 0.25 x I

(Out of this 25 % share of the institute, 10 % shall be deposited in IRG a/c and 5 % each shall be deposited in to RDF, SDF and DDF respectively).

- Out of the 75% amount, after meeting all the expenses in connection with the consultancy project, balance amount shall be disbursed to the PIs/consultants as decided by the concerned consultants.

[b] Consultancy Type – II

- Total fee received from client = I
- Amount of Institute Overhead Charges = 0.25 x I

(Out of this 25 % share of the institute, 10 % shall be deposited in IRG a/c and 5 % each shall be deposited in to RDF, SDF and DDF respectively).

- Expenses including concerned staff involved = 0.25x I (approx)
- Concerned faculty/PI/Pis = 0.50x I

Service tax (at prevailing rates) shall be charged extra. The R and D office will deduct 25 % and service tax in advance and then the balance amount would be available to HOD/PI for project expenditure and remuneration to concerned staff and faculty. The PI has to submit the audited project expenditure within three months after the project is completed and report submitted. *In special cases, wherever necessary, Director's approval shall be obtained for variation in norms.*

4.2 The software products developed by a faculty member/s, research worker will be shared between the institute and the individual as per the norms of **TYPE- I** Consultancy project. If a student is involved in developing a software, he/she will be paid due share.

4.3 Review

Wherever a certain limit has been stipulated in terms of an absolute sum (and not in terms /by way of percentages), this will be reviewed by the Dean (R&D) every year and the recommendations made for the approval of the Director.

5 TESTING ASSIGNMENTS:

A project involving merely testing could be taken up by a Department, only if such requests are not repetitive in nature, draining the faculty/staff resources and such testing facilities are not available in the city. Certain testing assignments specially

demanded by some Govt /Public Sector undertakings/organizations shall also be taken up through the institute. Such testing assignments shall be approved by concerned HOD. The distribution of testing amount shall be as per guidelines mentioned below:

Testing:

- Total fee received from client = I
- Amount of Institute Overhead Charges = $0.25 \times I$

(Out of this 25 % share of the institute, 10 % shall be deposited in IRG a/c and 5 % each shall be deposited in to RDF, SDF and DDF respectively).

- Remaining Amount (B) = $0.75 \times I$
- Total expenditure on the testing = E (E should not exceed 0.5 I)
- Saving (S) = $(B - E)$
- Faculty involved = $0.60 \times S$ (one or more faculty involved)
- HOD = $0.10 \times S$
- Supporting staff involved = $0.30 \times S$

The test reports shall be signed by the concerned HOD and faculty involved.

Service tax (at prevailing rates) to be charged extra and paid separately per testing work.

In special cases, wherever necessary, Director's approval shall be obtained for variation in norms.

PART II

Guidelines for Industrial Consultancy

1. Introduction

In the light of changing economic scenario, government policies and institute priorities, the Institute considers consultancy projects as an important means for extending benefit of scientific research work at the institute to the sponsoring agencies broadening the experience base of the institute community and as a tool for contributing to the country's industrial and economic growth. Therefore, as a matter of policy, the institute encourages its faculty members to undertake consultancy work as a measure of scientific/technical collaboration with outside agencies. Appropriate consultancy projects, in addition, for providing much needed service to the industry, also benefit the concerned faculty members and the Institute in several ways. They enrich the professional experience and knowledge of faculty members and thus make them better educators. Consultancy projects provide a first hand knowledge of the current problems of industry, which is very helpful in tuning the curriculum to the national needs. The faculty members get an opportunity to apply their innovative ideas to practical situations. Furthermore, the consultancy work provides incentives to all categories of staff for their contribution. While the institute encourages the faculty members to undertake consultancy projects, it is expected that the time spent by a faculty member on consultancy projects will not exceed one day per working week.

2. Project Initiation and Management

2.1 Each consultancy project will have a Principal Investigator (PI) who will be a faculty member in the service of the Institute and who will be responsible for

- (i) Formulating the project proposal which may include
 - (a) Planning of the work to be done.
 - (b) Estimating costs according to the guidelines provided
 - (c) If necessary, identifying other Investigators, who shall also be faculty member/s in the service of the institute.
 - (d) In case of joint work, the other investigators may be from other departments/organizations
- (ii) Co- ordination and execution of work,
- (iii) Handling all communications with the clients.
- (iv) Writing of intermediate and final reports according to the project proposal.

- (v) Making recommendations to the Dean (R & D) regarding expenditure from the Project and remuneration to be paid to faculty, staff and students.
- (vi) Payment of appropriate expenses and remuneration.
- (vii) Maintenance and auditing of accounts.
- (viii) Payment of appropriate taxes and record of receipts.
- (ix) Preparation of the memorandum of Understanding (MoU) or Agreement and getting it signed by appropriate signatories. Guidelines for MoU / Agreement are given at *Annexure 'A'*.

2.2 Appointment of Principal Investigator (PI)

The client (sponsoring organization which gives the consultancy) usually approaches the institute for Consultancy work through a faculty member or a functionary of the institute [i.e. Head of the Department/Dean (R&D)/ Director]. When a faculty member is approached for the work, / a client approaches to the faculty, he/she will be the Principal Investigator. If he/she does not wish to be the PI, the HOD/Dean (R&D), will identify a suitable person as the PI. If the project is routed through functionary, the PI would be identified by the concerned HOD / Dean R&D/Director of Institute.

2.2.1 The P.I. who is due to retire from Institute service will identify a new PI for the Consultancy Project at least three months before his/her retirement. The new PI should agree to become PI and give an undertaking to complete the project in the remaining funds and time period to the Dean (R&D) through the HOD. In case a new Principal Investigator is not appointed by the retiring Principal Investigator, as per guidelines in force, the Institute may take action as it may deem fit, which may include appointment of a new Principal Investigator and /or termination of the project and/or any other action which it may deem fit.

2.3 The Emeritus Fellows can only be appointed/ nominated as Co-PIs or Investigators and not the Principal Investigators.

2.4 Normally, the agreed charges of the projects are to be deposited by the client, in full, before the work commences. However, this stipulation is negotiable. In cases where the work is started with only partial cost deposited in advance, the arrangement of subsequent receipt of funds from the client have to be clearly spelt out in the advance and approved by Dean (R&D).

2.5 Collaboration with Outside Organizations/ Subcontracting

If collaboration with outside organizations/ institutions or subcontracting a part of the project is envisaged, the nature, scope and financial budget of the proposed arrangements will have to be clearly specified in the project proposal at the time of submitting the proposal for approval. Subcontracting of work will be done as per the convenience of PI after approval by concerned HoD and Dean (R and D).

3. BUDGETARY NORMS FOR PROJECTS

3.1 Total charges

The total agreed charges for a consultancy project will consist of the Institute Overheads (IRG, RDF, SDF, DDF), actual expenses and the remuneration to be distributed to the faculty/staff etc. The service charge should be over and above the cost of the project. The actual expenses should cover the following costs related to the project :

- (i) Permanent equipment to be procured/ fabrication of equipment or models.
- (ii) Consumable materials.
- (iii) Travel expenses in connection with the project work
- (iv) Computational and other charges the Principal Investigator have to pay to the Institute or any other outside agency in the course of the execution of the work.
- (v) Charges, if any, to be paid for the use of specific equipment available in other departments or central facilities outside the institute.
- (vi) Contingency expenses to cover cost of supplies, preparation of report, typing, word processing, drawing, drafting, stationary, reproduction, literature (books, journals, membership fees for professional societies), postage, courier, FAX and telephone (including mobile/calls on residence phone), advertisement, entertainment expenses, cost of insurance of personnel/ equipment being used for the project, etc.
- (vii) Expenses for work to be carried out on payment basis, remuneration to student assistants.
- (viii) Any other costs considered appropriate.

3.2 Estimates for the above expenses should be carefully prepared by the Principal Investigator keeping in mind the market rates for equipment, material and services to be procured from the market and the time required for the project. It is normally expected that the time spent by the faculty member on consultancy project will not exceed one day per working week. The norms laid down by the institute from time to time for salaries of staff and purchase procedures should be kept in mind while preparing the budget estimate for the client and the consultancy fee to be charged accordingly.

3.3 Taxes: While preparing proposal, provision of service tax, as applicable, shall be made over and above the total contract amount. Service Tax will be charged on exclusive testing work. If any project involves consultancy and testing both, Service tax will be charged on full amount of the contract. It is the responsibility of PI to see that service tax is paid. If needed, the completion report/project report can be withheld.

3.4 Consultancy Fee :

There are no rigid norms for calculating the Consultation Fee. It depends upon several factors such as time spent, importance of the advice and the experience of faculty, etc. While estimating the Consultancy Fee chargeable to the client, the Principal Investigator should keep in mind that only part of the total fee is available for distribution amongst the faculty, staff and students after meeting the expenses and Institute overhead charges. Remuneration will be paid to the faculty/ staff as per norms and on the recommendation of the Principal Investigator.

At departmental level, consultancy charges in the form of fixed amount/certain percentage of work may be worked out for definite type of work.

4 COMPELETION / CLOSURE OF PROJECT

4.1 The distribution of Consultancy fee should be completed within 3 months from the closure of the project.

4.2 For ongoing projects, a part distribution of consultancy fee may be permitted subject to the condition that the total distribution does not exceed 50% of the estimated distribution amount and that the amount of distribution is commensurate with the work completed.

- 4.3 A project is normally expected to be closed soon after the date of completion as stipulated in the original Project proposal, unless extension has been sought and granted by appropriate authorities. For all the projects, which are not closed by the PI as expected, the HOD with approval from Dean (R & D) 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 DDF after due notice to the PI and approval of Dean (R&D)/Director.
- 4.4 In case the PI leaves the project unfinished/incomplete, an appropriate action should be initiated by HOD in consultation with Dean(R&D) and Director.
- 4.5 All stock registers pertaining to projects will be deposited in the departmental office when the concerned projects are completed and closed.

5 Other requirements

- 5.1 A retiring / retired technical staff member may be paid remuneration /honorarium out of the consultancy projects during the year or in the previous years.
- 5.2 In case a consultancy project involves testing of samples which are to be done by the investigator and not supplied by the sponsor, it will be necessary that at least one of the Investigators should be present at the time of drawing samples, so that authenticity of the samples and sampling process is ensured.

6. LIMITATION

It is expected that Institute will accept only those Consultancy projects, which provide challenge befitting professional and academic competence of the faculty members.

7. LIABILITY

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

Maximum Liability = (total amount charged for the project) – (expenditure/liabilities on the project).

It is in the interest of the Investigators to bring this fact to the notice of the sponsors. The expenditure/liabilities as determined by the Institute will be calculated as the expenditure/liability till such date on which the sponsors inform the Investigator in writing to

stop work on the project for on going project, or at the end of the projects. This amount does not include the remuneration paid to the Investigator/(s) and staff of the institute. The Institute may take a suitable insurance for this purpose on a rolling basis. The expenditure on this account may be charged to the IRG Head of account. The amount charged by the institute is on lump sum basis. Submission of the requisite report on the work itself shall constitute the Utilization Certificate/ final bill.

8. DISAGREEMENTS/DISPUTES

8.1 Any disagreement within the Institute and concerned party arising at any stage of a Consultancy project will be resolved in consultation with Dean (R& D) /Director to ensure an expeditious removal of bottlenecks and smooth functioning of the project.

8.2 In case of any dispute arising at any stage of consultancy project between Investigator (s) and the sponsor(s), the investigator(s) will be responsible for settlement of the dispute.

8.3 All legal action will be subject to jurisdiction at Civil courts at Pune/High Court at Mumbai.

9. ARBITRATION

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

10 PUBLICATIONS OF RESULTS

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

11 IPR protection

The work which can result into potential IPR and proceedings thereafter, shall be the joint right of institute and concerned party. The work can be registered on the individual's name, however, rights would be reserved with the institute.

12 LARGE CONSULTANCY PROJECTS

For Projects with an outlay of more than Rupees 10 lakhs, the PI will ensure that the project proposal to be submitted to the sponsoring agency is vetted by the Head of the Department and Dean (R & D). The projects of value more than Rs. 20 lakhs would be monitored by a central monitoring committee.

13 SELECTION PROCEDURE FOR RECRUITMENT OF RESEARCH STAFF

Normally, the selection procedure outlined in *Annexure 'B'* will be followed for recruiting research staff (JRSF/ISRF/RA etc) under consultancy project.

PART III

Annexure 'A'

A : GUIDELINES FOR MoU / AGREEMENT

If an Agreement /MoU is required to be signed with the sponsor of a Consultancy Project, it should generally include the following clauses. Additional clauses may be added if considered necessary.

A.1 General

The reference to the proposed Consultancy and identify the parties concerned pertaining to the MoU.

A. 2. Scope

This section should spell out briefly the nature of work, its limitations and the expected end results.

A. 3. Time Frame

This clause must indicate the expected duration of the project and should also indicate the schedule of review of progress, submission of reports etc., if any.

A.4 Consultancy Charges

The document must clearly indicate the charges to be paid for the proposed Consultancy project along with amounts of bank draft(s) to be drawn in favour of Director, College of Engineering, Pune- A/c IRG. There should also be a mention of the service tax liability in this regard. Further, the schedule of payment should also be indicated in this clause.

A. 5 Responsibilities

This clause should define clearly the responsibilities of the various parties with regard to making the data and / or material available for the work as also for the return of the same, as and if applicable.

A.6 Patents/Publications

The MoU should clearly spell out the arrangements proposed to be made with regard to any patent or publications arising out of the proposed Consultancy project.

A.7 Arbitration

The document shall provide for a suitable channel to settle any disputes or differences related to the execution of the Consultancy project, which shall conform to clause 9 of "Guidelines for Consultancy".

A.8 Liability

This clause should indicate the maximum liability, which is to be accepted in the event of the project being terminated without completion at any stage and shall be in conformity with clause 7 of “Guidelines for Consultancy.”

A. 9 Amendment to the MoU

The clause should specify a provision for amendments to any one or more clauses of the MoU through mutual consent, at any stage during work of the project, due to any reason whatsoever.

A. 10 Signatories

The o/c of MOU should be signed by PI, HOD, Dean R&D and Director. Final copy (two nos) of MOU may be signed by Director and sponsor, with two witnesses (Dean R and D)/HOD from institute and one from sponsor side. The o/c and original MOU copy shall be with Dean R&D office.

Annexure 'B'

B : SELECTION PROCEDURE FOR RECRUITMENT OF RESEARCH STAFF UNDER SPONSORED RESEARCH AND CONSULTANCY PROJECTS.

B.1 Preparation of draft advertisement

Principal Investigator will send the draft advertisement to Dean (R & D) for approval.

B.2. Advertisement of the positions

The Principal Investigator will advertise the positions and receive the applications.

B.3 Screening of Applications

The P.I. will fix the meeting of screening committee and send the report of the screening committee to Dean (R &D) for approval and will issue the letters to the candidates.

B.4 Screening Committee Constitution

- (i) Any one member of the Standing Committee of 4-6 faculty members by the Director for one year ----Chairman.
- (i) Concerned Principal Investigator - Member.
- (ii) One faculty member from the Department as available to the PI – Member.

B.5. Interview

The P.I. will fix the date of the interview and get the interview conducted. The PI will send the recommendations of the Selection Committee to Dean (R& D) for approval.

B.6. Selection Committee Constitution

- (i) One Professor from amongst Institute Selection Committee approved by the Director for one year. Chairman
- (ii) Head of the concerned Department. Member
- (iii) Concerned Principal Investigator /Co-Principal/Investigator Member-Secretary
- (iv) One faculty member at the level of Professor from outside the Department as available to PI– Member
- (v) One external expert from outside the Institute who is in the relevant field and is not below the rank of Asst. Professor - Member.

Note:-

The external expert at serial No.(v) will be introduced only if required by the sponsoring agency and will be nominated by Dean (R&D) on the recommendation of PI.

B.7 Final Selection / Appointment

Selection Committee report will be approved by Dean (R&D) and appointment letter will be issued by office of Dean (R&D), of the Institute.

SPONSORED PROJECTS

1. Definitions

All the definitions spelt out in Part-I of the “Consultancy Projects” shall have the same meaning in respect of “Sponsored Projects”.

2. General Outline of Sponsored Projects

Normally Sponsored Projects are funded by the Government Agencies like DST, CSIR, AICTE, MHRD, DIT, DAE, ISRO, etc. The proposals need to be prepared in the formats prescribed by the concerned agencies and may include costly equipment, staff requirements, consumable and other requirements. The budgeting needs to be done as per the guidelines/norms of the funding agency and the coordinating faculty member has to present the same to the review committee, if invited. If the project is sanctioned, the Department and the Institute has to facilitate the faculty member in all aspects. The faculty member who receives the project shall be identified as Project Investigator.

The project once sanctioned by the funding agency shall be given an identification code by the office of Dean (R & D). All PIs and Departments will refer the identification code for each project in the form as given below.

Name of the Deptt	SP	Initials of PI//HOD	Year	Incremental SI. No allotted by Dean (R &D)	Title of the project
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e.g. in case of Mechanical Engineering Department

ME	SP	SRK	2007	01	Development of Laser Machining Laboratory
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3. Institute Overhead Charges and Distribution of Funds

The Institute shall retain 15% of the total project cost as Institute Overhead Charges (IOC) and the amount disbursed as given in Section 4.1 of Part I of the Consultancy Projects. However, the amount of IOC may vary depending on the norms to be adhered to in respect of different funding agencies.

The balance amount shall be available to the PI for project expenses as spelt out in the original proposal. Any deviation from the heads of accounts spelt out in the original proposal shall be implemented after taking permission from the funding agency.

4. Selection procedure for recruitment of research staff under sponsored project

The norms described in Annexure B of the Sponsored Projects shall be followed.

5. Project Report and Closure of Project

The PI shall be responsible for the timely completion of the project and submission of final report to the funding agency through the office of Dean (R &D).

CONTINUING EDUCATION PROGRAMMES

1. Definitions

All the definitions already narrated in earlier sections have the same meaning.

2. General Outline of CEP/STTP activity

Individual faculty members or Departments may take up Continuing Education programme or Short Term Training Programme (CEP/STTP) activities after intimation and approval by the Dean (R and D). All departments will refer the identification code for each CEP assignment in the form as given below.

Name of the Deptt	CEP	Initials of PI//HOD	Year	Incremental Si. No allotted by Dean (R &D)	Title of the project
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e.g. in case of Civill Engineering Department

CE	CEP/ STTP	RPT	2007	01	Modern mathematical methods in Geotechnical engineering
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This identification code shall be provided by the R&D office of the institute. The above code must be quoted in all subsequent correspondence.

All fees in connection with CEP/STTP shall be received in the name of the *DDF, A/C IRG*. The coordinator of the CEP/STTP shall disburse/utilise the amount as per proposed guidelines. CEP Co-ordinator/HoD will also be responsible for timely payment of service tax.

3. GUIDELINES FOR UTILIZATION OF FUNDS

In House Short Term Courses/ STTP/ Lectures/ Practical

Total fees received from the client	= I
Total expenditure on the courses	= E (E should not exceed 0.8 x I)
Saving (S)	= (I-E)
IRG	= 0.25 S
RDF	= 0.25 S
SDF	= 0.25 S
DDF	= 0.25 S

Course Expenditure includes

- 1) Course Material/registration kit
- 2) Technical Books
- 3) Consumables / Raw materials
- 4) Announcement of the course through News Papers/ Correspondence/brochure printing, etc
- 5) Towards Tea/ meals/Snacks / Misc Expenses/Incidental Expenses etc.
- 6) Remuneration to the faculty including visiting Faculty, Experts their TA/DA etc.
- 7) Honorarium to the Course Coordinator/s/HoD
- 8) Remuneration to supporting staff involved
- 9) Audit Fee for C.A

The coordinator has to submit the audited expenditure details to the office of the Dean (R &D) within six weeks from the last day of CEP activity, failing which appropriate action may be initiated by Dean (R & D).

4. PROGRAMMES/ PROFESSIONAL COURSES CONDUCTED UNDER MOUs

It is recognized that the MOUs form an important part of institute activities. It leads to generation as well as exchange of knowledge and capabilities of both the parties involved in an MOU. The MOUs should preferably benefit the institute either in terms of better utilization of resources, increase in the knowledge and capabilities of the faculty involved, IPR, infrastructure improvement, and/or benefit to industry/society (students in particular) at large. Therefore such MOUs are encouraged. However, the MOU should be a booster rather than a burden to the

institute. A faculty taking initiative in materializing an MOU may remain as coordinator for executing that MOU. As per the need, he may be provided encouragement and appropriate support within the department for execution of an MOU.

Each MOU being an independent entity, the generation and utilization of revenue out of such activity shall be defined within the scope of MOU itself, keeping in view the objectives, institute overheads, infrastructure utilization, etc.

In general, Institute should earn a share of at least 20 % of the income generated from the MOU after taking care of all expenses and rentals for the infrastructure support provided to the organization with whom MOU is signed. This amount shall be received at the beginning/end of such MOU activity.

Each new MOU should be reviewed and approved by a Institute level committee comprising of

Director	Chairman
Concerned HOD	Member
A senior professor in the subject area (nominated by Director)	Member
Dean (Academics)	Member
Dean (R and D)	Member-Secretary

The coordinator preferably along with the other party should present the case before the committee.

The Part-II and Part-III of the “Guidelines for Consultancy” may be used as guidelines in appropriate situations.