

# CONSULTANCY POLICY



Madanapalle Institute of Technology & Science

(UGC- AUTONOMOUS)

A handwritten signature in black ink, appearing to read 'R. Thulasiram Naidu', is positioned above the printed name.

Dr. R. Thulasiram Naidu

(Associate Dean-R&D, Madanapalle)

A handwritten signature in green ink, appearing to be a stylized 'G' followed by a flourish, is positioned above the printed title.

PRINCIPAL

## Contents

Contents.....	1
1. Introduction.....	2
1.1 Vision and Mission Statement.....	2
1.2 Research & Development (R&D).....	2
1.3 Research & Development (R&D) Activities.....	3
2. Consultancy Policy.....	4
1. Preamble.....	4
2. The Policy.....	4
2.1. <i>Scope of Consultancy Services offered</i> .....	4
2.2. <i>Institute Research Consultancy</i> .....	5
2.3. <i>Institute Non-Research Consultancy</i> .....	5
2.4. <i>Private Consultancy</i> .....	5
2.5. <i>Standard Terms and Conditions</i> .....	6
3. Staff Entitlements.....	7
4. Approval.....	8
5. Conflict of Interest.....	8

## 1. Introduction

**Madanapalle Institute of Technology & Science** is established in 1998 in the picturesque and pleasant environs of Madanapalle and is ideally located on a sprawling 30-acre campus on Madanapalle - Anantapur Highway (NH-205) near Angallu, about 10km away from Madanapalle.

MITS, originated under the auspices of RatakondaRanga Reddy Educational Academy under the proactive leadership of Sri. N. Krishna Kumar M.S. (U.S.A), President and Dr. N. VijayaBhaskarChoudary, Ph.D., Secretary & Correspondent of the Academy.

MITS is governed by a progressive management that never rests on laurels and has been striving conscientiously to develop it as one of the best centers of Academic Excellence in India. The Institution's profile is firmly based on strategies and action plans that match changing demands of the nation and the student's fraternity. MITS enjoys constant support and patronage of NRI's with distinguished academic traditions and vast experience in Engineering & Technology. With innovations in both its curriculum and research, the Institute intends to rapidly gain reputation globally.

### 1.1 Vision and Mission Statement

#### Vision

Become a globally recognized research and academic institution and thereby contribute to technological and socio-economic development of the nation.

#### Mission

To foster a culture of excellence in research, innovation, entrepreneurship, rational thinking and civility by providing necessary resources for generation, dissemination and utilization of knowledge and in the process create an ambience for practice-based learning to the youth for success in their careers.

#### Quality Policy

Madanapalle Institute of Technology & Science is committed to bring out and nurture the talents and skills of youth in the fields of Engineering and Management to cater to the challenging needs of society and industry by

- Contributing to the academic standards and overall knowledge development of the students
- Providing excellent infrastructure and conducive learning environment.
- Enhancing the competence of faculty and promoting R&D Programs
- Collaborating with institutions and industries.
- Ensuring continual improvement of Quality Management System.

### 1.2 Research & Development (R&D)

As Research is a key component in the Institute's Mission, Research & Development (R&D) is continually striving to strengthen its research capacity to effectively address the following key areas:

- a) **Relevance.** Identification and prioritizing the research needs in line with national and international development objectives and importance.

- b) **Necessity.** Research is necessary to bridge knowledge gaps that hinder technological advancement and to advance the utility of an existing technology. Necessary research builds on past research findings.
- c) **Efficiency.** In research, efficiency refers to the utilization of resources (time, human and materials) in the widest possible sense, without duplication of effort. It ensures that research objectives are realistic for the available resources; objectives are achievable at the lowest possible cost, and resource allocation is based on relative importance of reaching the selected objectives.
- d) **Effectiveness.** Research effectiveness is evaluated in terms of its potential to achieve desired results in satisfying the national objectives as well as the adoption and application of research findings in solving societal problems.

### 1.3 Research & Development (R&D) Activities

The proposals submitted by the institute involve the following activities, namely termed as R&D activities:

1. Sponsored Research Projects involving Internal/External Funding Sources.
2. International Research Collaborations involving International Funding.
3. Industry Sponsored Projects and Industrial Consultancy involving funding from Industry.
4. Organizing Continuing Education Programmes/Conferences/Seminars/Symposia /Workshops for dissemination of knowledge as part of the Research Projects.
5. Institute sponsored Research Projects.
6. Encouraging Researches to Publish Papers in Journals and Conferences and to apply Patents.

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## 2. Consultancy Policy

### 1. Preamble

Consultancy is well recognised as an effective way for Institute to disseminate knowledge and make an early and direct impact on society. However, the balance between consultancy and the traditional roles of the academic staff needs to be managed and the interests of the Institute must be protected. Research & Development (R&D) is established at MITS has taken an initiative to promote research, innovations, consultancy activities and also facilitates the protection of Intellectual Property (IP) thus generated at MITS. Consultancy is a part of MITS, Research & Development. To enhance consultancy activities more effectively Consultancy Policy has formulated.

This policy, provides provisions for conducting consultancy to ensure that consultancies undertaken by staff are consistent with the Institute's strategic and operational objectives and the costs are sustainable. MITS is committed in making its expertise available through service to industry, commerce, government, professions, arts and other educational and research organisations.

### 2. The Policy

All Research and Non-research consultancies as described in this Policy are governed by the following guiding principles:

- (a) There should be demonstrable benefit to the Institute from the consultancy through income, enhanced reputation, and/or expanding the expertise of the staff member.
- (b) The Consultancy must not be in conflict with Institute policies including those governing employment; such as the Code of Conduct Policy.
- (c) The Consultancy must not be in conflict with the functions, objectives or interests of the Institute or damage the Institute's reputation.
- (d) At a minimum, the salary and on-cost charges set by the Institute must be applied to all project budgets. All Consultancies are required to include overheads.
- (e) Staff members shall not undertake external research activities where no formal agreement has been authorised by the Institute unless they are on leave without pay, approved by the Dean concerned. Such faculty may not use their MITS affiliation or academic title when providing research services that are not approved by the Institute.

#### 2.1. Scope of Consultancy Services offered

2.1.1 Consultancy Services may be offered to Industries, Service Sector, Govt. Departments and other National and International agencies in niche areas of expertise available in the Institute.

2.1.2 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 as indicated in the standard terms and conditions (2.5).

2.1.3 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; Process Development, Software Development; General Troubleshooting, Retrofitting Exercises,

Intensive efforts for transfer of highly focused skills and expertise to select groups in specific organizations, vision and strategy statement and so on.

2.1.4 Testing & Evaluation services are to be normally offered in selected specialized areas. In order to meet the needs of certain Governmental and related agencies, and special clients (with long term association with the Institute) routine testing services may be offered, but to a limited extent.

2.1.5 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.

2.1.6 Jobs which are too complex to handle, by virtue of certain constraints inherent in any academic and research environment - such as execution of certain types of works, should not normally be taken up irrespective of the availability of expertise and perceived needs of the clients.

2.1.7 All Consultancy and related Jobs need to be structured and executed in the spirit of promoting MITS Consultancy, as a vehicle for augmenting (current) levels of excellence in teaching and research, for proper placement of MITS Students and in the process, generating funds.

## *2.2. Institute Research Consultancy*

A Research Consultancy exists where an academic staff member provides research skills or expertise in return for remuneration from an external funder. A Research Consultancy may be the outcome of a tender or an individual negotiation.

## *2.3. Institute Non-Research Consultancy*

Non-Research Consultancies include non-research activities performed under contract for a third party. Non-research Consultancy would include the provision of professional services to external agencies for a fee. This would include, but not be limited to, routine laboratory and other testing of materials, devices or products, analysis of data such as market surveys, opinion surveys etc., The provision of professional services such as designing, legal and medical advice undertaken by members of faculty and staff.

## *2.4. Private Consultancy*

In Principle, a faculty or staff member is not supposed to undertake a Private Consultancy unless it is approved by Dean (R&D) and the Principal. However, the faculty or staff conducting private consultancy shall ensure that such work does not affect their allocated duties, obligations to the university. None of the benefits set out for Institute Consultancy are available to faculty and staff undertaking a Private Consultancy. It is the responsibility of the staff member undertaking a Private Consultancy to make clear to the person or body for which the Private Consultancy is undertaken that it is the staff member and not the Institute who is carrying out the work, and that the Institute has no responsibility or liability what so ever in the matter. A staff member conducting a Private Consultancy must ensure that the following criteria are met:

- (a) The carrying out of tasks associated with the Private Consultancy will be accomplished without unduly affecting the duties of the position;



- (b) The use of Institute trademarks such as letterheads, brands etc. or Institute intellectual property is strictly prohibited in Private Consultancies;
- (c) No Institute facility (including library resources, power, space, equipment, consumables and telephone facilities) will be used to fulfil the requirements of the Private Consultancy
- (d) The Private Consultancy is not within an area in which the Institute might be contracting to provide a service on a commercial basis, possibly utilising the skills of the staff member involved;
- (e) MITS is not bound by any agreement (written or otherwise) relating to the Private Consultancy;
- (f) The staff member agrees to indemnify MITS and its representatives from and against all actions, claims, loss, damage, costs, charges, liabilities and demands arising directly or indirectly from or in respect of the Private Consultancy activity; and
- (g) The staff member declares any real or potential conflict of interest to their manager.

#### *2.5. Standard Terms and Conditions*

The following terms and conditions will apply to all projects taken up by MITS under Consultancy, unless otherwise mutually agreed to in a separate document.

1. **DECLARATION:** All work undertaken by MITS 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.
2. **CONFIDENTIALITY:** Due care will be taken by MITS 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 MITS 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 MITS. The institute reserves the right to retain one copy of the report and use the results of the project for its internal teaching and research purposes.
4. **WORKPERFORMANCE:** Every effort will be made to complete the specified work according to the planned time schedule. However, Institute will not be held responsible for delays caused beyond its reasonable control.
5. **CONFLICTOFINTEREST:** MITS may take up work for other clients also in the same area, provided, to the best of the institute's knowledge, there is no conflict of interest in undertaking such projects.
6. **PAYMENT:** The payment of consultation charges to MITS are to be made in advance and in full before the start of the project, through a demand draft / crossed valid cheque, drawn in favour of The Principal, MITS and sent to the Consultant or the address overleaf. The charges will also include any applicable tax as prescribed by the Government of India from time to time.

7. **TERMINATION:** The project work 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:** MITS 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 (Force Majeure). The liability of MITS shall be limited to the funds received for the project.
9. **INTELLECTUALPROPERTYRIGHTS:** All rights pertaining to any intellectual property generated / created / invented in the due course of the project, will be the joint property of MITS 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.
10. **RESOLUTIONOFDISPUTES:** Any disputes arising out of the project shall be amicably settled by both the organizations. Any unsettled disputes may be subject to resolution as per the Indian Arbitration and Conciliation Act 1996.

### **3. Staff Entitlements**

The Institute allows staff to engage in Research, Non-research and/or Private Consultancies provided they do not interfere with the discharge their duties. Consultancies shall be undertaken only with the approval of the Dean R&D. No limit is placed on earnings. However, there is a limit on the time spent on Consultancy.

3.1. Academic Staff may spend one day per week on approved Consultancies, with a maximum of 48 days per year. Variations to this time commitment, it requires an approval through Proper Channel. A lesser time commitment may be approved when the proposed Consultancy interferes with the discharge of responsibilities.

3.2. Dean R&D must obtain written permission from the Principal to undertake Consultancies.

#### **3.3. Benefits of MITS Consultancy**

The Institute provides the following benefits to staff undertaking Institute Research or Non-research Consultancies:

- (a) Protection under the Institute's professional protection and public liability insurances, subject to the terms, conditions and exclusions within those policies.
- (b) The faculty or staff member will be protected under the terms of the current Insurance Policy held by the Institute in the event of a claim against the faculty or staff member undertaking the Consultancy or Grant (provided that the claim is not as a result of fraudulent, dishonest, criminal, wilful or malicious acts by the staff member).
- (c) Access to the Institute's financial management processes to support and enable invoices to external organisations for funding and expenditure of project costs.
- (d) Access to the Institute's resources such as technical and administration staff equipment and telecommunications, subject to approval by the Faculty or Office.
- (e) Entitlements to use the Institute's name and reputation, providing it is not brought into disrepute.



- (f) Ability to make reference to their Institute position and title in connection with the work.

The Institute does not extend these benefits to Private Consultancies. Any Consultancy conducted by a faculty or staff member that accesses any of these benefits in the course of undertaking the work will be regarded as a Research or Non-Research Consultancy and subject to the conditions of this Policy.

3.4. All Consultancies are required to include overheads.

3.5 If there is a substantial contribution by the faculty member and the staff in the consultancy project and no resources of the College (like laboratory, computer, software etc. utilized), the members involved in the consultancy project will take 70% of the total net amount so received by the Institution and 30% will go to the College. If OD has been utilized to execute the Consultancy work than the Incentive will be limited to 50% net of all expenses. If there are more than 1 person involved in the consultancy project, the amount will be equally distributed.

3.6 If the resource of the College such as laboratory facilities, computing facilities, drafting and other facilities like OD etc. have been utilized in the consultancy project, the share of the College will be 50% of the net amount so received from the consultancy work and 50% will go to the faculty and other staff involved in the consultancy work.

#### **4. Approval**

All Consultancy activities are required to be approved and managed in accordance with this Policy. Applications to conduct Consultancy are required to be approved through proper channel. Intellectual Property outcomes obtained from Consultancy service should meet the requirements of MITS IPR Policy.

#### **5. Conflict of Interest**

Engagement in consultancies must not create a conflict of interest, perceived or actual. Any conflict of interest, actual or perceived must be reported to the Dean, R&D/Principal for resolution. A conflict of interest may arise where an employee engages in consultancies at the expense of the Institute's interests or the interests of other employees or students.

An example of a potential conflict of interest includes, but is not limited to:

- financial or non-financial interests;
- teaching or course work for another institution;
- work performed for a supplier of goods or services to the Institute; or
- work undertaken with an organisation to which the Institute supplies goods or services.

##### **5.1. Consultancies with Other Tertiary Institutions**

Full-time members of the Institute staff should not accept regular Consultancies with other institutions without first obtaining the permission of the Dean, R&D / Principal.

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#### **References:**

1. IITIndore - Industrial Research and Consultancy Rules
2. Konerulakshmaiah Education Foundation – Consultancy Policy.