

Guidelines for undertaking Consultancy & Sponsored Research Assignments

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Guidelines for undertaking Consultancy and Sponsored Research Assignments

1. PREAMBLE

In the light of changing industrial scenario, government policies and University priorities, JKLU considers it timely to ensure that its faculty is engaged productively on research and consultancy assignments. Doing so is an important means for extending benefit of the research and consultancy work at the University to the various stakeholders such as faculty, students, research scholars, industrial partners including the emerging and vibrant start-up eco-system in the country. The establishments of Atal Incubation Center at JKLU supported by the Government of India funding as well as several other incubation centers around the country along with JKO's industry are catalysts. Therefore, JKLU encourages its faculty to undertake research and consultancy work as a measure of scientific/technical collaboration with outside agencies including industries.

Research and consultancy projects provide a firsthand knowledge of the current problems of industry and the emerging areas which are very helpful in fine-tuning the curriculum to the national needs. At the same time, the faculty members get an opportunity to apply their ideas for finding out the solutions to the problems in emerging areas. Furthermore, the consultancy work also provides incentives for all categories of staff as per their contributions to the assignments.

The research and consultancy assignments also help faculty to provide placements to the students of the university. This is possible as the respective industries will have the interaction with the faculty and the university. Moreover, with the increasing number of grant opportunities nationally and internationally where participation of an industrial partner is not only allowed but even encouraged and in some cases preferred, it is imperative that consultancy assignments are encouraged.

2. GENERAL

2.1 The Principal Investigator (PI) will take up research and/or consultancy assignments/projects by his/her own initiative; or suggested by group head/coordinator or institute head; or can be initiated by Dean (R&D) in which case suitable PIs and Co-Is will be nominated or selected by the Dean (R&D). The consultancy project proposals are to be approved by a Consultancy Development Committee (CDC) constituting of Vice Chancellor (Chairperson), Pro-Vice Chancellor, Dean (R&D) and the Director of the concerned Institute(s) of the University, The Chancellor may nominate an additional member to the committee. All acceptance letters will be sent by the Dean (R&D) on behalf of the CDC. The

gross funds in connection with Projects of Indian origin should be received in the name of the JK Lakshmipat University, Jaipur. The account of such Projects will be maintained by university's accounts office and monitored by the PI as well as Dean (R&D). In case of projects of foreign origin, CDC may approve of alternate arrangements for remittance, if more suitable (for example, remittance of net funds to JK Lakshmipat University after deductions of any costs such as consultancy costs, travel, incidentals, equipment rentals, cloud infrastructure rentals and any other costs that are incurred at the location of the origin of consultancy assignment abroad).

2.2 The time spent by a faculty on sponsored Research and/or Consultancy Project (including initiation presentations) will not exceed a total of 52 man days during the calendar year without compromise of any kind on basic teaching assignment/s or administrative functions. Longer time periods may be considered on case by case basis if a project is considered to be strategically important for the University by the CDC.

2.3 The Intellectual Property Rights (IPR) related to the background technology will be retained by the respective parties at the time of commencement of a consultancy assignment. In the absence of any specific clause about the IPR in an MoU between the parties, the IPR created as foreground technology in the course of the consultancy project will be shared equally between the co-inventors and followed up as per the general IPR procedure (Appendix 1). However, if there are specific mutually agreed conditions in the MoU signed between the Sponsoring agency and the PI regarding the IPR issue specifying a different ratio of distribution of the IP and mode of follow up including assignment of rights, then that will take precedence over the condition laid down earlier in this paragraph.

2.4 The report of the Sponsored Research and Consultancy Projects (RCP's) will be kept by PI for a period of 3 years from the date of closure of the project and for routine testing from the date of issue of the report.

2.5 All purchases under RCP's executed in India shall be made as per University norms. In case of equipment which is to be carried outside, the same should be indented by the R&D Office before they are taken out for testing. The equipment thus purchased under RCP will be property of the University, unless it is part of the deliverables to the Sponsoring agency as per the MoU.

2.6 Faculty/staff may accept honorary membership of Boards and Committees of credible companies with the condition that there will not be any conflicting interest with JKLU, with permission of CDC (which will reasonably not be withheld). The direct involvement of the faculty in concerned industry/company is limited to three memberships.

2.7 Mandate and Composition of Research and Consultancy Project Committee (RCPC):

The mandate of the RCPC, appointed by the VC in consultation with Dean (R&D) is to provide oversight and technical and managerial support in executing the proposal.

The RCPC will consist of the following:

Pro-Vice Chancellor	-	Chairperson
Dean (R&D)	-	Member
Nominees of Vice Chancellor (02)	-	Members
Representative of finance (nominated by VC)	-	Non-Member

The sponsored Research and consultancy projects are generally attracted by individual faculty members in recognition of their research and technical skills. The distribution of fund among PI and team members will be as per mutually agreed terms within the team members as decided by the PI.

The RCPC will recommend any suggestions to VC as regards any special considerations for taking up a sponsored research or consultancy project, as and when and if necessary, such as any exceptions to be considered as regards the teaching load of concerned faculty, taking up a project for lower than stipulated costing, etc.

3. Travel:

Travel allowances will be as per JKLU norms after the approval from competent authorities.

4. Finance and Accounts

4.1 General:

Before making a quote for research or consultancy project, cost estimate for each consultancy and research project may be prepared by PI with details with regard to costing that may be done under following heads (as and where applicable):

- a. Consultant Fee (CF)
- b. Charges for Project Technical Staff (CPTS)
- c. Project Staff Salaries (PSS)
- d. Operational Expenses: Materials, Transportation, Stationary, Miscellaneous (OE)

- e. University Overhead Charges (UOC): 20% of (c+d)
- f. Taxes (if applicable): 18% of (a+b+c+d+e)
- g. Price to be quoted: (a+b+c+d+e+f)

With the approval of VC, some projects can be taken up for long term benefits which may be priced lower than the above formula.

4.2 Distribution of Amounts

4.2.1 At the time of submission of a research and/or consultancy assignments/projects proposal, the PI shall make a provision of University Overhead Charges (UOC) at the rate of 20% of the project staff (project staff specifically hired only for the purpose of the project, e.g. JRFs, SRFs) salaries and cost of Operational Expenses or at the rate permitted by the sponsoring agency. However, this will not be treated as a condition for accepting the award of project.

4.2.2 In the individual expertise oriented Research or consultancy assignments (Category-E), amount charged under the budget head of Consultant Fee (CF): the amount will be distributed between the University and participating team members in a ratio of 20%-80% (examples, forms in Appendix 2).

In the routine testing oriented Research or consultancy assignments (Category-T) where the University infrastructure and equipment is extensively utilized, amount charged under the budget head of Consultant Fee (CF): the amount will be distributed between the University and participating team members in a ratio of 50%-50% (examples, forms in Appendix 2).

Any amounts not claimed by the team members or voluntarily forfeited and any amounts not spent under the other budget heads at the end of the project will be transferred to the Research Development Fund (RDF). Examples of RDF distribution are provided in Appendix 2. RDF will be used for facilitating research work as per the norms developed by the RCPC and approved by the VC. In case of more than one consultant and/or more than one technical staff involved in the project execution, the respective amounts would be distributed among group members in mutually agreed proportions.

4.2.3 In case of large consultancy assignments funded by a Government Organization or JKO (Rs. 10 lacs or more), University share may be negotiated with the approval of the VC.

4.2.4 For consultancy assignments with an outlay of Rs. 10 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 is commensurate with the work completed.

4.2.5 A separate account head shall be maintained for each project by University

accounts office and reported in MIS. University accounts shall be responsible for the submission of audited statement of accounts as and when required by the sponsors.

4.2.6 For all technical staff, the upper limit for remuneration from Projects and other sources is 60% of the gross salary received in a financial year and for all Technical Staff it is 100%.

4.2.7 If any of the academic staff wishes to divert part or whole of his/her own remuneration to his/her Professional Development Fund (PDF) for future use, the same will be permissible.

5. Admission of Project Staff to Academic Program

5.1 A project staff is eligible to register for Ph.D. or Master's Program of the University as per University norms subject to his/her satisfying the admission requirements of the University.

5.2 The concerned project staff will be required to give an undertaking that he/she will not be automatically eligible for award of University fellowship and shall finance himself/ herself beyond the tenure of the appointment if University fellowship is not awarded.

5.3 The project staff admitted to Ph.D./ Master's program will be governed by the relevant ordinances and fulfil his/her obligations towards the PI & the project in which he/she is appointed.

6. Sponsor's Specific Conditions

Specific conditions of sponsor (e.g. DST, DSIR, DAE, CSIR, ICAR, ISRO, DRDO) for designation(s), qualifications and employment condition(s) for manpower and other expenditure related matters shall be followed.

7. Exception Clause

These guidelines shall normally be applicable to all assignments. However, any changes required which do not amount to policy change may be approved by VC in consultation with Research & Consulting Project Committee (RCPC), and if necessary the Consultancy Development Committee (CDC).

Appendix 1

General IPR Procedure

The purpose of this IPR procedure is to encourage a pro-active and vibrant environment conducive for quick and efficient filing or registration of Intellectual Property such as utility patents, design patents, copyrights, and trade-marks.

1. As soon as any co-inventor/ co-creator or a group of them collectively envisage a potential for IPR, they will approach Dean (R&D) and complete the required format to describe briefly the invention/ creation.
2. The invention/co-creation will be assessed for patentability and potential for enhancements towards patentability keeping in view a reasonable outcome during the examination of the application in India and/or abroad. This due diligence process may be undertaken either by the internal expertise or external consultation or by a combination of both. Addition of co-inventors/ co-creators may be considered depending on contribution and mutual agreement.
3. The contributing co-inventors/co-creators from within the university and outside (personnel from sponsoring agencies, collaborators, external consultants, etc.) will share the IPR created as foreground technology in the course of a project proportional to their contribution to the development of the approach, conceptualization, embodiments, process steps and/or design features of the invention.
4. The cost incurred during the drafting, filing, prosecution and initial grant of an IPR will be shared by the co-inventors/co-creators/co-applicants proportional to their ownership of the IPR.
5. Once the IPR is granted by an IPR office in India and/or abroad, if any of the co-inventors/ co-creators/co-applicants either individually or in groups, the University, sponsoring agency (or agencies), collaborator(s), or consultant(s) or a combination of these or any other external party expresses interest that the IPR is assigned fully to the interested party, the same will be undertaken provided that all the co-inventors/ co-creators agree for the assignment either for cost or without cost.
6. If no assignment of IPR materializes, the co-inventors/co-creators/co-applicants will continue to bear the cost of maintenance of the granted IPR proportional to their ownership of the IPR.
7. On assignment of the IPR to the interested party, the entire cost of maintenance of the IPR will be borne fully by the assignee for the life-time of the IPR.
8. If the assignee is unable to bear the maintenance cost during the life of the IPR, the other parties will have the right to ask for re-assignment to the interested party or parties willing to maintain the IPR for its life-time.

Appendix 2

Sample Calculation:

Estimate for Category-T job

Estimate for Category-E job

Sl. No.	Head of expenditure	Amount (Rs)	Sl. No.	Head of expenditure	Amount (Rs)
1.	Material	500	1.	Consultant fee (CF)	30000
2.	Utilities	300	2.	CPTS	5000
3.	External Service	-	3.	Project staff salaries (PSS)	5000
4.	Machine/Equipment hours (used either internally or rented service utilized from third parties outside)	10000	4.	Operational Expenditure (materials, transport, stationary, misc. etc) (OE)	10000
5.	Transport and Incidentals	2200	5.	TOTAL COST	50000
6.	Charges for Project Technical Staff (CPTS)	15000	6.	University Overheads (20% of 3+4)	3000
7.	Consultant Fee (CF)	20000	7.	TOTAL (before tax)	53000
8.	Miscellaneous ($\leq 10\%$ of 9)	2000	8.	GST (as applicable, considered 18% as sample)	9540
9.	TOTAL Cost	50000	9.	TOTAL (including tax)	62540
10.	University Overheads (at 20% of 1to5+8)	3000			
11.	TOTAL (before tax)	53000			
12.	GST (as applicable, considered 18% as sample)	9540			
13.	TOTAL (including tax)	62540			

Note: Determination of CF and CPTS for Value Billing-
 Monthly salary of consulting faculty or staff (Cost To Company or CTC): S
 Average number of working days per month: 20
 Number of Person-days estimated to be spent on the project: D
 $CF = (S/20)*V*D$ (V is a variable to be negotiated with sponsor on case-to-case basis and approved by the CDC)
 $CPTS = (S/20)*D$ (on overtime basis)
 Example calculation of CF considered above:
 Monthly salary (CTC): S= Rs.100000; Estimated Person-days: D= 2 days
 $CF = (100,000/20)*2*2 = Rs.20000$ (for negotiated V=2)

Disbursal and closure of the project

Case 1:

If the project is complete and OE has not been fully utilized, then the unspent amount under OE (for example, in the calculation above, in a Category-E project, suppose that only Rs.4000 was spent on OE and Rs.6000 is unspent balance) can be clubbed into the Consultant Fee (CF) to make the total $30000+6000=36000$ and disbursed as follows:

To be disbursed	Amount (Rs)	University share (20%)	Consultant/ staff share (80%, taxable)
CF	$30000+6000=36000$	10800	25200
CPTS	5000	0	5000

Case 2:

If the project is complete, part of OE is unspent and furthermore the consultant does not want to draw more than part of Rs.25200 as originally allocated (for example, he/she wants to claim only Rs.15200 and retain the balance amount of Rs.10000 in his/her RDF for future use). The unspent OE will be clubbed (for example, in the calculation above, in a Category-E project, suppose that only Rs.4000 was spent on OE and Rs.6000 is unspent balance, then the amount available for disbursement will be Rs.36000); and furthermore, the consultant wants to draw only Rs.15200 resulting in balance Rs.10000 (to be retained in his/her RDF fund).

To be disbursed	Amount (Rs)	University share (20%)	Consultant/ staff share (80%)	Consultant drawing (taxable)	Deposited in Consultant's RDF Fund
CF	$30000+6000=36000$	10800	25200	15200	$25200-15200=10000$
CPTS	5000	0	5000	--	--

**JK LAKSHMIPAT UNIVERSITY
RESEARCH, DEVELOPMENT AND CONSULTANCY**

Job No.

Date:

Category E job: Expertise based consultancy

1. Name of Consultant:

2. Department/Centre/School:

3. Cost estimate:

S.No.	Head of expenditure	Amount (Rs)
i.	Consultant Fee (CF)	
ii.	Charges for Project Technical Staff (CPTS)	
iii.	Project Staff Salaries including External Consultant recommended $\leq 40\%$ of vi) (PSS)	
iv.	Operational Expenditure (OE)	
v.	Overheads (20% of iii+iv)	
vi.	Total	
vii.	GST (as applicable) @ 18% of vi as example	
viii.	Grand total (vi + vii)	

Note: GST will change as per nature of consultancy project (e.g. export exempted from tax) and the rules and regulations of Government of India as may be amended and would be applicable from time to time.

Signature of the Consultant:

Signature of Dean (R&D):

Date:

Copies to: Head of Accounts, Pro-Vice Chancellor, Vice Chancellor for kind information

**JK LAKSHMIPAT UNIVERSITY
RESEARCH, DEVELOPMENT AND CONSULTANCY**

Job No.

Date:

Category T job: Testing jobs

1. Name of Consultant:

2. Department/Centre/School:

3. Cost estimate:

S.No.	Head of expenditure	Amount (Rs)
i.	Consultant Fee (CF)	
ii.	Charges for Project Technical Staff (CPTS)	
iii.	Project Staff Salaries (PSS)	
iv.	Operational Expenditure (OE): Material Utilities External Service Machine/Equipment hours (used either internally or rented service utilized from third parties outside) Transport and Incidentals	
v.	Overheads (20% of iii+iv)	
vi.	Total	
vii.	GST (as applicable) @ 18% of vi as example	
viii.	Grand total (vi +vii)	

Note: GST will change as per nature of consultancy project (e.g. export exempted from tax) and the rules and regulations of Government of India as may be amended and would be applicable from time to time.

Signature of the Consultant:

Signature of Dean (R&D):

Date:

Copies to: Head of Accounts, Pro-Vice Chancellor, Vice Chancellor for kind information

**JK LAKSHMIPAT UNIVERSITY
RESEARCH, DEVELOPMENT & CONSULTANCY**

Job No.

Date:

CONSULTANCY DISBURSAL FORM

1. Name of Consultant:

2. Department/Centre/School/ Salary code:

3. All outstanding Advances settled: Yes No

4. Total amount to be disbursed (Rs.):

4.1 Consultant Fee (CF) and CPTS: choose relevant table

No transfer to RDF

To be disbursed	Amount (Rs)	University share (20%)	Consultant share (taxable) (80%)
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CF

CPTS

Partial transfer to RDF

To be disbursed	Amount (Rs)	University share (20%)	Consultant share (80%)	Consultant drawing (taxable)	Deposited in Consultant's RDF Fund
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CF

CPTS

(Note: All undisbursed amounts will be transferred to the RDF)

Signature of the Consultant:

Signature of Dean (R&D):

Date:

Copies to: Head of Accounts, Pro-Vice Chancellor, Vice Chancellor for kind information