

BUAT-Policy Document for Consultancy 2022



***Directorate of Research
Banda University of Agriculture and
Technology, Banda (U.P.)***

BUAT-Policy Document for Consultancy 2022

Guidelines & Patronage: **Dr. N.P. Singh, Vice Chancellor**

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1. Introduction

With increasing national and international importance of agriculture, new opportunities have opened up for effective and efficient transfer of knowledge, skills and technologies to the end-users. The changed times are more encouraging and rewarding than before for our scientists and staff. New opportunities can be more enriching for research and development work in terms of both, application of expertise as well as revenue generation to the individual and institutions. It is felt that interactive processes through consultancy services for external agencies shall further enhance research and education capability, improve core competencies, work efficiency and environment; and augment visibility of professional strengths. Ultimately, much-needed actual realization of knowledge, skills and technologies at the user level will happen at an accelerated pace. Consultancy activity in Banda University of Agriculture and Technology may be associated with contractual relationships, including research, service contracts *etc.* with government non-government organization in lieu of a fee. The university, therefore, encourages consultancy services wherever it is appropriate and parallel to aims and objectives of the university in a mannered service agreement.

2. Scope and Objectives of Consultancy Services

Consultancy shall mean professional services rendered to external agencies in terms of scientific, technical, engineering or other professional advice/assistance based on the expert knowledge and skill available in the University. All consultancy services in the University shall be institutional and shall be in the area of expertise of the individual(s) and shall preferably be in the thrust areas of the University. Consultancy will produce some form of contracted output which may be partly or wholly owned by the client. It will be governed by short-term contracts with minimal use of university resources. It would be an additional management responsibility for university, and would involve extra work for existing university staff. Therefore, the university will share remuneration to the member of university who is engaged in consultancy out of the consultancy fee earned from the clients.

3. Consultancy services

Consultancy is envisaged as an activity which entails assistance to an external organization in finding a solution to specific scientific/technical/managerial problem(s) or performing a task for it in pecuniary returns. A consultancy project, however, may be similar to research projects sponsored by private/corporate sectors. The Vice Chancellor while approving the consultancy assignment shall have the powers to decide whether a particular assignment should be considered under consultancy services or not. Any technical work requiring research and development activity to be undertaken by the University and requiring substantial use of institutional infrastructure and time of the experts and staff shall be taken up as consultancy project. Some of the activities mentioned below have been taken to illustrate the purview of consultancy services:

- i. Preparation of literature/survey/feasibility studies/state of art project/technology forecasting/ evaluation reports

- ii. Interpretation of test results and data, advising on risks and hazards or similar skilled advice
- iii. Advisory tasks in preparation, evaluation and implementation of a project
- iv. Advisory tasks in design engineering related to agriculture and allied sciences
- v. Assistance in management of biotic and abiotic stress issues and other problems
- vi. Technical advice even in the form of one-time assistance to help in trouble shooting or problem solving, mainly advisory in nature, including pilot plant/up-scaling trials for technology validation and commercialization.

4. Activities Excluded from purview of Consultancy services

This consultancy policy does not apply to the activities intended for furtherance of scholarship or general dissemination of knowledge or general enhancement of intellectual level of the society at large. The following categories of external contract/ grant for professional service functions rendered to public sector organizations/educational/non-commercial agencies are exempted from this policy:

- a. External examinership and assessment
- b. Production of scholarly works such as books, articles, study material and research papers
- c. Editorship of a professional/academic journal or publication, refereeing papers, reviewing books
- d. Lecturing and resource person as invited expert in programmes organized by such outside agencies
- e. Contributing to broadcast media programmes
- f. Research Advisory Committee or Institute Management Committee or Expert Committee member
- g. Member/Office holder of a professional society; organizing committee member for seminars/symposium sponsored by professional societies/scientific academies/ ICAR /statutory bodies/ universities/other government organization
- h. Public service such as serving on Government/public body in the capacity of an expert
- i. Charitable services
- j. Services on deputation
- k. Any other activity similar to above as decided by the Vice Chancellor are outside the scope of the consultancy policy.

5. Types of Consultancy Services

The University may own two types of consultancy services for revenue or income generation.

5.1 Professional Service Functions: This includes sharing of ideas, knowledge and skills through trainings, demonstrations, sponsored research particularly by private sectors or corporate houses.

5.2 Intellectual Assets or Marketing of IPR: This includes licensing of technologies and commercialization of established practices which have been evolved by the University as a result

of research *e.g.* parental lines, varieties, patents, technologies, products (seeds, seedlings, saplings, fingerlings, sorted semen, processed/valued added products/formulations, grafts *etc.*

The income generated from professional service functions is liable to sharing with consultant (s)/ faculty (ies) involved in consultancy whereas, that from intellectual assets is a matter of the University right.

6. Duration of Consultancy

6.1 The total time invested in consultancy activity must be less than that which is equivalent to 30 working days per Calendar year.

6.2 The duration of any consultancy activity will be limited to that mentioned in the approved agreement.

6.3 Any extension of consultancy work would require prior permission of the Vice Chancellor.

7. Processing of the Consultancy Services

The client may approach either the expert concerned directly, or the college Deans, Director of the P MEC, Director Research or Vice Chancellor's office. However, Directorate of P MEC with approval of Vice Chancellor will identify potential expert (s) and finalize the name of team leader and team of consultants. Once team of consultant (s) is finalized, it will be asked to submit consultancy proposal in prescribed format as in **Annexure-1** for final approval by the Vice Chancellor.

7.1 Selection of the leader and team of consultant(s)

Consultancy assignments involve high level skill, work efficiency, and scientific and systems approach, and contributes to image building of the institute/system. Therefore, decision on selection of the personnel should be made on the basis of the nature of work involved and capability of particular persons, and not on the basis of hierarchy. At the same time, total work in hand with an individual is also to be considered. Thus, a fair distribution of consultancy work should be ensured so that it is not confined to a few and specific individuals.

7.2 Approval of Consultancy project proposal and Agreement/MoU

The consultancy project should be evolved through mutual discussion between the client and the expert(s). The proposal can then be mutually prepared keeping in view work outlines, terms of reference and costing of the project. After filled up project proforma, consultancy proposals and Agreement/MoU have to be submitted to the Vice Chancellor, through proper channel for prior approval, who will have the right to make the decision to accept or decline the proposal.

8. Limitation to consultancy by an individual

An individual faculty/scientist/staff will not be allowed to accept consultancy for a total period exceeding 30 days in a calendar year while on duty on the roll of the University. If in an individual case, the total period of consultancy in a year exceeds 30 days, approval of the Vice Chancellor shall be necessary. Such proposals for relaxation in the limit of consultancy duration shall be considered on merit of the consultancy project, larger interest of the society, University and other stakeholders, availability of subject matter experts for that purpose and track record of the consultant (s).

9. Leave requirement for undertaking consultancy

In each case of consultancy services, duty leave or extraordinary leave has to be taken. In case the consultancy work requires significant absence from normal duties of the individual, the leave has to be applied for by the consultant (s). All cases of consultancy offering over and above the limit of 30 days in a calendar year shall require prior approval of the duty leave or extraordinary leave which ever may be applicable.

10. Costing of Consultancy Project

10.1 The costs for consultancy projects shall be worked out after taking into account expenses connected with the consultancy proposal, intellectual fees, and any other costs specific to the proposal, including mandatory taxes (such as service tax) as applicable which shall be paid by the client. The client may offer a lump-sum payment as the project/consultancy cost.

10.2 The expenses related to a consultancy proposal shall consider all operational expenses (such as TA/DA) and any other Direct Costs or any other cost specific to the project if applicable; intellectual fee and service tax.

10.3 The amount of Intellectual fee component will be fixed by the consultant (s) in consultation with Directorate of PMEC, depending on quantum and quality of assignment and proposed in prescribed format through proper channel for approval of Vice Chancellor.

10.4 The minimum charges should ideally be equal to the charges for man-days, except in case of consultancy offered against open tenders, where the intellectual fee could be decided by the competent authority keeping in view the potential competition.

11. Sharing of Intellectual Fees

The intellectual fees include such fees received in the form of honorarium/ consultancy fees/consultancy charges *etc.* It would not include travel charges, per diem charges, incidental charges or hospitality offered by the client to the consultant(s) directly. It is advised that sharing of intellectual fee under consultancy services should be appropriately monitored and accounted for on completion of project/annual basis, whichever is earlier, so that it is possible to provide an appraisal report for individual employee-wise benefit sharing and reserves kept for record. Accordingly, the following be adhered to:

- a) Appropriate system of cost-accounting has been put in place by the University.
- b) A legally valid agreement or MoU or letter of intent as applicable has been completed with the external organization.
- c) The task has been completed in accordance with the terms of the Agreement/MoU.
- d) The receipts due from the external organization have been received in full.
- e) The outside client has not contested the University's fulfilment of its obligations as defined in its Agreement/MOU.

Before the sharing of intellectual fees, it should, however, be ensured that all expenses incurred in connection with the consultancy project are recovered first. Thereafter, the intellectual fees including such fees received in the form of honorarium/ consultancy

fees/consultancy charges *etc.*, shall be shared as per details given below, subject to the provision of annual ceiling institutionalized:

Item	Share
Share Consultant(s)	70%
Institutional income	30%

The consultant(s) charges (70% as above) shall be divided among the overall consultant team as deemed appropriate, considering the role of team members constituting the consultant team. The decision shall rest with the main consultant, but would require approval of the Vice Chancellor. The Directorate of PMEC shall facilitate the process as recommending body for sharing of intellectual fees.

12. Procedure for benefit sharing

On the completion of assignment and receipt of all dues from client, subject to conditions mentioned in point 11, the Project Leader, in consultation with the team members involved in the execution, shall decide the share to each member commensurate with the inputs of each individual member. The share distribution chart will be prepared which will be circulated among all the members of consultancy project for their perusal and putting signature on it in the event of consensus. Thereafter, the share distribution chart is submitted to Directorate of PMEC for understanding the claim and recommending to the competent authority. In case non-consensus/objections/representations of any of the project team member to the distribution shall be submitted for consideration by a Committee formed for this purpose. The recommendations of the Committee shall be intimated to concerned staff. In case there is no further representation against the decision of the Committee within 15 days of its intimation, distribution as per the Committee decision shall be got approved by the Vice Chancellor and will be treated as final.

13. Ceiling on benefit sharing payments

Each financial year, from 1 April to 31 March, shall be considered as the annual period. There is no ceiling on annual benefit sharing payments to an individual faculty/scientists/staff. However, the income earned by any individual faculty/scientists/staff from consultancy will be taxable as per Govt. of India rules. All financial transactions related to consultancy will be cashless through bank transfer to/from appropriate university account. The university will make the appropriate payment to the consultancy provider as per rules.

14. Conflict of Interest

14.1 Engagement in consultancies must not create any perceived or actual conflict of interest.

14.2 Conflict of interest, if any, must be immediately reported to the Vice Chancellor.

14.3 A conflict of interest shall be considered as a case where an employee engaged in consultancy at the expense of the interests of university as defined by the Vice Chancellor.

15. Code of Conduct

15.1 The conduct of the employee during the consultancy work must conform to the prestige and reputation of the university. The university will be entitled to take disciplinary action against its employee for any misconduct during the consultancy.

15.2 Original copies of all documents related to all consultancy services undertaken by its employee must be in possession of the University for allowing appropriate processing for financial accounting and audit purposes.

15.3 The clients receiving consultancy services would not be entitled to use the university name, logo etc. in any form without prior permission of the Vice Chancellor.

16. Dispute Redressal and Resolution

All cases of lack of clarity on any issue, or any ambiguity, or subjectivity in interpretation, must be reported to the Vice Chancellor, whose decision will be final and binding. The Vice Chancellor may, at any point of time, call for amendment or revision of this policy document as deemed appropriate. Any violation of the above policy shall be dealt with as per university rules.

Annexure -1: Proforma for Submitting Consultancy Proposals

1. Name of the University:
2. Title of the proposed Project (including brief of the project):
3. Scope of the Consultancy work:
 - i. Preparation of literature/survey/feasibility studies/state of art project/technology forecasting/evaluation reports
 - ii. Interpretation of test results and data, advising on risks and hazards or similar skilled advice
 - iii. Advisory tasks in evaluation and implementation of a project
 - iv. Design engineering related to agriculture
 - v. Assistance in management of pests and other entomological problems
 - vi. Technical advice in the form of one time assistance to help in trouble shooting, or problem solving, mainly advisory in nature
 - vii. Any other (specify)
4. Detailed objectives of the consultancy project:
5. Duration of the project (give specific dates and period):
6. Programme of work and phasing of milestones:
7. Whether the physical or other infrastructural facilities available at the University are required for carrying out project: Yes/No
8. Name and address of the consultant(s) undertaking the project:
Name:
Postal address:
Phone:
Fax:
Email:


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B.U.A.T., Banda-210001 (U.P.)

9. Previous consultancy work undertaken by the consultant(s) during the past one year

Title of project	Sponsoring Agency	Period			Total cost of project	Intellectual fee received	
		From (Date)	To (Date)	Duration (Days)		In the project	By the consultant

10. Whether the project requires foreign visit by the consultant(s): Yes/No If yes, attach the check-list for foreign deputation

11. Whether the consultant(s) would require leave for carrying out the work: Yes/No If Yes: whether he/she has required leave in balance: If No: provide justification as to how the consultancy would be done while discharging official duties.

12. Sponsoring agency:

a. Name and address:

b. Status: Indian: Central Government/Government Undertaking/State Government/Private organization/ NGO/other (specify) _____ Foreign: U.N agency/CGIAR Institute/Private Organization/or other International Agency (specify) _____

13. Activities of sponsor in brief:

1. Additional information in case of foreign sponsoring/collaborating agency:

i. Details of past collaborations, if any, by the collaborator/sponsor with the University/other Indian institution(s), whatever is known

ii. Details, if any, available on R&D projects of sensitive nature and concerned with national security, taken up and/or funded by the sponsor/collaborator in the past in its own country or any other country, whatever is known

iii. Genesis of the project

iv. Foreign support/collaboration (details):

v. Financial support (Rs. & Foreign Exchange)

vi. Any other support

vii. Justification/need and likely benefits (scientific, economic, societal, strategic etc.)

14. Does the project involve?

a. Referring to or sourcing of strategic/sensitive material/information. Yes/No

b. Transfer of biological material(s) to the collaborator/sponsor. Yes/No

c. Use of genetically modified organisms. Yes/No

d. Use of environmentally or otherwise hazardous material(s). Yes/No

e. Use of radioactive materials. Yes/No

f. Field surveys/trials/proving/collection/testing (give location). Yes/No

g. Ethical issues in conduct of the project. Yes/No If answer to any of the points from (a) to (g) is 'yes', the consultant to give undertaking to abide by relevant University/government regulations and guidelines on the subject.

15. Total outlay of the project: (Provide break-up for different Operational Heads as given below)

1. Direct Expenses (including TA/DA cost); if any:
 2. Intellectual fee:
 3. Any other cost specific to the project if any:
 4. Service tax:
 16. Schedule of payment of fees (indicate amount of each installment, due date of payment and bank guarantees)
 17. Intellectual fees payable to the consultant(s), a brief of calculations with reasons:
 18. Whether Intellectual Property Rights issues are involved in the consultancy project. If yes, are they in conformity with University regulations; if not, the variation be indicated and explained with justification for approval of the competent authority.
 19. Whether a written communication/agreement indicating 'abide to BUAT Consultancy Regulations' for Professional Service Functions received from the external agency. If yes, enclose a copy along with comments; if no, provide justification.
- Certified that the overall University/State or national interests do not suffer in any way with the acceptance of the consultancy project.

Signature of Consultant(s)

(To be forwarded by Head of Department and College Dean)

Recommendation of Directorate of PMEC:

1. Certified that the proposal has been considered as per procedure and is found to be in conformity with the University rules and guidelines.
2. It has been examined and ensured that:
 - i. the acceptance of the project is befitting the academic status of the University. Yes/No
 - ii. the amount of all charges and intellectual fee offered is commensurate with fees chargeable as per costing guidelines. Yes/No
 - iii. the return to the University is commensurate with the potential and likely gains to the client as a result of transfer of in-house knowledge, skill or technology. Yes/No
 - iv. the project would contribute to the knowledge and professional competence in the University. Yes/No
- v. In case(s) the answer to any of the questions from i to iv is 'no', please provide justification.
3. Any other comment:

Signature of Director PMEC

Signature of Vice Chancellor


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