



**GOVERNMENT OF KERALA**

**Abstract**

Higher Education Department-Technical-Guidelines for Consultancy and Sponsored Research-Approved-Orders issued

**HIGHER EDUCATION(G) DEPARTMENT**

**G.O.(Rt)No.330/2024/HEDN Dated,Thiruvananthapuram, 05-03-2024**

Read 1 G.O(MS)No.699/19/H.Edn dated 13.05.1991

2 G.O(MS)No.06/2012/H.Edn dated 09.01.2012

3 Letter No.L1/793/2024/DTE dated 08.02.2024 from the Director of Technical Education

**ORDER**

As per the Government Order read as 1<sup>st</sup> and 2<sup>nd</sup> above , Government have approved/revised the rates of testing carried out in Government Engineering Colleges and Polytechnic Colleges under this Department. There is no guidelines exist for carrying out consultancy and research projects.The Director of Technical Education as per letter read above, has forwarded the proposal for draft guidelines for Consultancy & Sponsored Research in Engineering/ Polytechnic Colleges for approval.

Government have examined the matter in detail and are pleased to approve the guidelines for Consultancy & Sponsored Research in Engineering/ Polytechnic Colleges which is attached herewith.

(By order of the Governor)

C AJAYAN

ADDITIONAL SECRETARY

To:

The Director of Technical Education,Thiruvananthapuram

The principal Accountant General(Audit/A&E),Kerala, Thiruvananthapuram

The Information Officer,Web & New Media,I &PR Deptment

[www.highereducation.kerala.gov.in](http://www.highereducation.kerala.gov.in)

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Signed by

Gopakumar C R

Date: 06-03-2024 10:36:19



## Guidelines for Consultancy and Sponsored Research

The Guidelines for Consultancy and Sponsored Research are applicable to all Government Engineering Colleges/ Polytechnics under Directorate of Technical Education, Kerala. Each Government Engineering college/ Polytechnic is hereafter referred to by institution. Each institution has to constitute an Industrial Training Consultancy and Sponsored Research (ITC&SR) cell headed by a faculty not below the rank of Associate Professor (Lecturer (selection grade -II) in polytechnics) appointed for a maximum duration of 3 years by the Principal in consultation with Institution Programme Implementation Unit (IPIU) of the Institution. ITC&SR coordinates, facilitates and administers all the Consultancy projects and Sponsored Projects in the institution. All the major decisions and activities of ITC&SR, are to be approved by IPIU of the Institution. IPIU is constituted with the Principal, Heads of departments and Head (ITC&SR) to guide/mentor/support the activities of ITC&SR.

ITC & SR interacts with external funding agencies (government and private funding agencies), both national and international. ITC & SR supports following activities:

1. Industrial Consultancy involving funding from industry
2. Research based Industry Projects
3. Testing Projects
4. Sponsored Research Projects.
5. Training programs for faculty for enhancing the aptitude for Research and Innovation.

The Head (ITC&SR) has responsibility for project administration including (i) acceptance of industrial consultancy projects, testing projects and sponsored research projects from the sponsor on behalf of the institution; (ii) the selection, recruitment, extension, termination and invoking of disciplinary action, if needed, against project staff; and (iii) financial and administrative matters related to all projects covered under the ITC & SR.

### 1. Definition and Scope of Consultancy Projects/ Services offered

- 1.1 Consultancy Projects/ Services may be generally defined as technical services involving existing expertise. 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 Institution.
- 1.2 The consultancy services offered shall meet the obligations and requirements as indicated in the standard terms and conditions specified in Annexure 1. Consultancy projects may include infrastructure intensive projects, expertise intensive projects, research based consultancy projects and testing projects. Standardization and calibration services offered should normally be backed by periodic calibration /

standardization of laboratory equipment used.

- 1.3 All Consultancy projects need to be executed for strengthening Institute-Industry Interactions, as a means for value addition in teaching and research, for increasing employability of Graduates including PhDs / M.Techs and in turn for generating funds.

## 2. Project category

Each project shall be undertaken in one of the following categories

### A) Consultancy Projects

#### i. Industrial consultancy projects

a. Infrastructure intensive projects

b. Expertise intensive projects

c. Common Testing projects

#### ii. Research based consultancy projects

### B) Sponsored Research projects

## 3. Consultancy Projects

3.1 In the case of Industrial Consultancy projects and Common testing projects, the obligations and responsibilities of the consultant and the client are limited by the standard terms and conditions specified in Annexure 1.-

3.2 Consultancy and related assignments can be taken up by regular faculty. All employees undertaking consultancy shall here in after be referred to as 'Consultant'.

### 3.3 Research Based Consultancy Projects

3.3.1 Research based Consultancy projects usually involve signing of contracts in the form of agreement or MOU covering various aspects such as deliverables, milestones, payment schedules, roles and responsibilities of the parties, non-disclosure of confidential information, disputes resolution, liability, IPR matters, arbitration, and applicable law.

3.3.2 These are consultancy assignments generally taken up for development of product/ technology for an organization/ industry or assistance in the design in which there exists sizeable research content.

These assignments may have the following features:

- i. The project proposals are submitted jointly/separately by the faculty and the client.
- ii. All the central facilities of the Institution can be utilized for which the equipment utilization charges have to be met from the project.
- iii. Equipment purchases are allowed.
- iv. A separate agreement will be signed by both the parties indicating the scope, time schedule, financial outlay and other relevant matters, after getting approval from the institution

3.4 The equipment purchased through the Institution for Sponsored, Consultancy and Research-based Industry projects should be housed and used in the Institution premises.

3.5 Each consultancy project involving a deliverable/report should include a disclaimer in its terms and conditions. The same disclaimer should be prominently displayed on the front page of the report submitted by Consultants. It shall be mandatory for Consultants to include the following disclaimer in applicable consultancy reports:

*The report on the consultancy project is the technical opinion of the individual faculty member, based on his/her expertise in the specific area and NOT the views of the institution. The contents of this report are purely technical/scientific and non-legal in nature and based on the information/facts disclosed by the client. The client shall be solely responsible for any intended use/ utilization of this report. All warranties or representations of any kind pertaining to the report or its contents are hereby expressly excluded.*

*The disclaimer shall also be included as part of Standard Terms and Conditions and Consultancy Letter shared with clients.*

### 3.6 General Consultancy Rules

Consultancy work taken up by Consultants is subject to the following conditions:

- 3.6.1 The services of regular employees of the Institution may be utilized for the execution of the consultancy projects provided it does not affect their primary functions and responsibilities as a faculty/staff of the Institution.
- 3.6.2 The time spent on consultancy and related assignments shall be limited to the equivalent of 52 working days in a year. The travels generally are to be planned on non academic days and academics shall not be affected in any manner.
- 3.6.3 Students who are willing to work on consultancy projects may be permitted as per Institution norms as long as it does not affect their academic commitments and performance. Such students may be compensated by suitable honoraria.

### 3.7 Consultancy Rules-Related to Travel

- 3.7.1 Travel out of the campus/ outstation travel on Consultancy Assignments may be undertaken with the prior approval of the Head of the Department, or, the Principal (in the case of Heads of Departments).

### 3.8 Consultancy Rules-Related to Project Execution

- 3.8.1 Consultancy projects are initiated through requests or enquiries from the industry through

discussion between the industry and the Consultants.

When the enquiry is directly received by the Institution, the work will be assigned to consultants depending on their expertise, and existing commitments, by the Head (ITC&SR).

All acceptance letters will be sent by the Head (ITC&SR).

Consultancy project proposals are to be approved by the Head (ITC&SR) after examining the scope of the work and cost estimates

3.8.2 The Intellectual Property Policy of the Institution shall govern all decisions concerning Intellectual Property generated during the execution of projects unless otherwise mentioned in specific agreements.

3.8.3 Faculty may also take up consultancy projects in collaboration with other institutions under DTE, national or international agencies. In such projects, even though there may be an overall budget, there must be a separate budget and scope of work statement to be prepared for the Institution. The Institution will treat such collaborative projects similar to any other consultancy project.

3.8.4 The Consultant may utilize the services of external consultants especially retired Faculty and agencies. The consultant fees payable to External Consultants and other services may not, exceed 15% of the total project cost. The details of external consultant to be submitted to the Head (ITC&SR) stating the reason for engaging them. A declaration in the format given in Annexure II to be submitted by external consultant.

### 3.9 Costing of Consultancy

3.9.1 The consultants in consultation with the client work out the consultancy charges based on the expenses for consumables, contingencies, capital equipment, travel, honoraria for students, project staff, time requirements of consultants and other regular employees of the institution, external services, licensing fee etc.

3.9.2 The charges for common testing projects shall be worked out based on the prevailing rates for testing specified by Government of Kerala. The rates specified are for the use of equipment and services of faculty/staff only. Other expenses like TA of staff, transportation of equipment, unskilled labour, charges for collection and sending of samples, other contingent expenditure, etc. involved in the field testing, if any, will be extra. The testing charges shall be revised based on the variable recurring expenditure involved from time to time by a technical committee appointed by

the Director of Technical Education.

### 3.10 Disbursement of Remuneration

3.10.1 The proposed distribution of remuneration payable for consultancy and testing projects are as given below. All payments towards remuneration for testing and consultancy charges will be made after deducting TDS as per rules.

#### 3.10.1.1 Consultancy Projects

The maximum amount payable to the consultants including all expenses incurred towards execution of the consultancy project should not be more than 50% of the total cost of consultancy project when work is carried out in college laboratories. The remaining 50% to be remitted to ITC&SR. In labour / expertise intensive works, the maximum amount payable to the consultant can be up to a maximum of 70% of the project cost with the permission of the Principal on recommendation by IPIU. For works carried out outside the campus incurring huge expenditure, the total amount payable to the consultants may go up to 75% of the total cost of the consultancy project. In all cases consultancy fees should be at least 20% of the project cost. The remuneration to the Head (ITC&SR) and principal will generally be 1% each of amount collected by ITC&SR towards consultancy every month. 10 % of total amount collected per year by ITC&SR is to be remitted to government. All payments towards remuneration for testing and consultancy charges will be made after deducting TDS as per rules.

#### 3.10.1.2 Testing Projects

The revenue generated from testing projects is to be distributed as follows. 50% to the Government, 18 % to faculty involved in the testing project, 12 % to technical staff/students involved in the testing project, 1 % to respective Lab in charge, 1 % to office staff involved in the testing project, 1 % to HoD, 1 % Head (ITC&SR), 1 % to Principal and the remaining 15% is retained as institution share for carrying out development/maintenance of respective lab and for meeting the operational expenses of ITC&SR. Under any circumstances items listed under testing shall not be converted to consultancy projects.

### 3.11 Project Closure and Final Report

Consultant shall submit a copy of the final signed report of consultancy/testing projects to ITC&SR

of the institution. The reports shall be preserved as 'Classified Documents' for a period of typically ten years. Consultants shall include the Disclaimer in their reports as detailed in Annexure I of this document. Consultants shall submit a declaration in the format given in Annexure II along with the report to ITC&SR.

### 3.12 Distribution of Institution Share from consultancy/testing projects

The details of distribution of the share of the institution from the net income generated from consultancy /testing projects are given below:

- 3.12.1 60% to the institution to support activities related to students and staff welfare, students and staff training infrastructure development, repair & maintenance, routine expenditure for development of the institution, technology enhancement, knowledge updating, community development activities, operational expenses, etc.
- 3.12.2 40% to the department which carried out consultancy to support any of the above said activities in the department on recommendation by the head of the department and approval by the Principal.
- 3.12.3 The salaries, operating and coordinating expenditures, other common expenditures of the center and college as approved by the Principal and contingencies are also met from the college share.
- 3.12.4 In order to promote consultancy/research activities, consultants will be provided up to 5% of the net income generated by them to meet expenditure towards participation in conferences/workshops/ publication fee (subject to a maximum of Rs. 50000/-) and purchase/repair of instruments to improve their research/ consultancy activities.
- 3.12.5 In order to promote innovative projects from students, an amount of 5% of net income generated by the centre every year subjected to a maximum of Rs. 1,00,000/- is set apart for funding student projects for competitions conducted by reputed organizations (Government/NGO).

### 4. Sponsored Research Projects

4.1 In order to promote research and innovation in the campus, ITC&SR supports the following activities

- 4.1.1 Conduct of training programmes for the faculty on preparation of proposal for Sponsored Research Projects for funding from external agencies.
- 4.1.2 Support for expenses involved in the preparation of sponsored research projects/travel expenses for project presentation before funding agencies

- 4.1.3 Supporting the expenditure for IPR/patent filing when Intellectual Property Resources Fund (IPF) of the institution can not meet the expenditure due to shortage of funds.
- 4.2 Sponsored research project may be initiated either by a faculty member of the institution submitting a proposal to the sponsoring agency or by a client institution or industry seeking the help of the institution. The sponsored programme can be taken by an individual faculty member (Principal Investigator – PI) or jointly with other investigators (Co-Principal Investigators). The team may include Collaborator(s) from external Institutions/Universities/Industry if the funding agency permits external collaboration. The PI is expected to keep the whole project team informed about the progress of the project and involve the Co-PIs in all related project activities.
- 4.3 Project proposals are to be prepared by the PI jointly with the Co-PIs (if any) for submission to the funding agencies in the standard format(s) prescribed by the funding agency. Apart from the objectives, proposal will contain provisions for all anticipated expenses relating to staff, equipment, materials, travel and contingencies. Institution Overhead is to be included in the project budget. The Institution Overhead is 10% of the project cost. However, in the case of proposals submitted to Public Sector funding agencies such as DST/SERB, DBT, MeiT, etc., the allowable overhead specified by respective funding agency can be indicated in the budget. The maximum duration of the project has to be fixed as per the guidelines of funding agency.
- 4.4 The faculty member who has less than two years for superannuation at the time of submitting the project proposal should include another faculty member with a longer service at least by one more year, as a Co-PI.
- 4.5 The proposal along with an endorsement letter from the principal is submitted to the funding agency. The principal issues an endorsement letter confirming the support for the project utilizing the Institution's facilities after scrutinizing the project proposal and the availability of infrastructure facilities in the institution.
- 4.6 Faculty may also take up projects in collaboration with other institutions under DTE, national or international agencies. In such projects, even though there may be an overall budget, there must be a separate budget and scope of work statement to be prepared for the Institution. The Institution will treat such collaborative projects similar to any other sponsored project.
- 4.7 Distribution of Institution Overhead
- 4.7.1 40% of the institution overhead of a sponsored project can be utilized by the faculty concerned for professional development by meeting expenses such as Conference/Research related registration and travel expenses, Membership fee in Professional bodies (scientific & technical only). Purchase of technical & scientific



books, journal, and for maintenance of research labs by meeting expenses towards maintenance of the equipment and purchase of consumables.

- 4.7.2 Remaining 60% of institution overhead can be utilized by the institution to support activities related to students and staff welfare, students and staff training, infrastructure development, repair & maintenance, routine expenditure for development of the institution, technology enhancement, knowledge updating, community development activities, operational expenses, etc. The procurement/maintenance activities to be carried out following store purchase procedure.
- 4.7.3 Earnings for direct Technology Transfer, Revenue Sharing and Royalty will be governed by the Intellectual Property Policy of the Institution documented separately.

Annexure 1  
**DIRECTORATE OF TECHNICAL EDUCATION KERALA**  
**STANDARD TERMS AND CONDITIONS**

1. **Declaration:** All work undertaken by the institution 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 the institution 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 the institution 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 the institution. The institution 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. **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.
5. **Liability:** The institution shall not be held liable for any loss, damage, delay or failure of performance, resulting directly or indirectly from (i) the project work undertaken here under or the results thereof, or (ii) any cause, which is beyond its reasonable control (force majeure). Provided, however that liability of the institution (if any) under all circumstances (if affixed by any law or proceeding), shall be limited to the funds received for the project.
6. **Intellectual property rights:** All rights pertaining to any intellectual property generated / created / invented in the due course of the project, will be the joint property of the institution 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.
7. **Resolution of disputes:** 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.
8. **Disclaimer:** The report on the consultancy project is the technical opinion of the individual faculty member, based on his/her expertise in the specific area and not the views of the institution. The contents of this report are purely technical/scientific and non-legal in nature and based on the information/facts disclosed by the client. The client shall be solely responsible for any intended use/ utilisation of this report. All warranties or representations of any kind pertaining to the report or its contents are hereby expressly excluded.
9. **Entire agreement:** This agreement sets for the full and complete understanding/agreement of the parties and supersedes all other oral/written communications/agreements concerning the subject matter here of.

**Annexure II**

**Declaration from Internal/External Consultant**

[Declaration by the consultant in the case of normal consulting activities like civil engineering design/structural design, in which research component is not that predominant]

I/we have undertook the consulting activities for .....

(Name of work) and used the latest codes and standards for the execution of the work. I have cross verified all calculations/documents/deliverables myself with the support of .....

..... (Name and Designation of the person)

I/We took utmost care while preparing the design documents/drawings/deliverables and I/we have given a signed copy of deliverables to ITC&SR and will keep a copy with me for a minimum period of 10 years.

I/we undertake the responsibility for protecting the interests of the institution in the case of any litigation in this regard.

Place:

Date:

Signature:

Name:

Designation: