

SA-38 (Effective from 24th February, 2014) Statute relating to the terms and conditions under which faculty members in University Departments and its affiliated Colleges may be permitted to undertake work relating to Consultancy Services.

SA-38.1 Objective:-

To provide for faculty members of the University /Colleges to take up consultancy.

SA-38.2 Faculty members may be permitted to take up the following Consultancy services:

(Effective from 24th July, 2019) Goa University considers Consultancy as an Academic activity . Faculty members do not solicit consultancy project. Faculty members may be permitted to take up following consultancy services.

i. Individual and Institutional Consultancy

(a) Individual Consultancy :

Individual consultancy relates to service rendered to an Industry/Organization or work done for them by the faculty member in his/her individual capacity.

(b) Institutional Consultancy:

Institutional consultancy relates to service rendered to an Industry/Organization or work done for them, by an Individual/Group/Centre/Department on behalf of the University/College. The Principal Consultant/Investigator shall be identified/approved by the Vice-Chancellor in consultation with the Dean in case of the University, and by the Principal/Director in consultation with the Head of Department/senior teacher in case of colleges/centres.

ii. Variety of consultancy services

Faculty may offer variety of consultancy services such as Feasibility Studies;, Technology Assessments;, Assessment of Designs, Environmental and Manpower Audits; Product Design; Process Development, Software Development, Vision and strategy statement, Testing & Evaluation services, Standardization and Calibration services, Impact Assessments, training sessions as a consultant and such other services.

iii. Procedure to take up consultancy services

(a) The individual consultancy services shall be undertaken by the concerned teacher with the permission of the Vice-Chancellor/Principal/Director or a person authorized by him provided that the problem referred to the staff member concerned, falls within the purview of his/her specialty or is closely related to his/her normal work in the Department/College. Any

request in this regard shall ordinarily be decided within two weeks of receipt of the request.

(b) The concerned teachers may be permitted to undertake up to four consultation services at a time, provided that they do not affect ongoing academic, research and related activities or other duties which may be assigned to them by the University/College. Any request for an additional consultation may be examined on merits of the case by the Vice-Chancellor/Principal/Director and decided thereupon.

(c) Consultancy projects may be initiated by requests / enquiries from the industry directly to the University/College or by discussion between the industry and the individual faculty member.

When the enquiry is directly received by the University/College, the work shall be assigned to a specific teacher or group of teachers, depending on their expertise, and existing commitments, by the Vice-Chancellor/Principal/Director in consultation with the Dean of the concerned Faculty and the Head of the Department, or a Senior teacher in absence of Head of the Department.

However, in case the client prefers the services of a specific faculty member, the assignment may normally be assigned to the identified person.

iv. Application for approval

While applying for the permission to undertake consultancy, the concerned teacher /Department shall provide the following details:

(a) Name and address of the client / organization.

(b) Title of the consultancy service.

(c) A brief description of the work to be done.

(d) Names of the staff members and other outside experts who may be involved in giving their consultancy.

(e) Whether the consultancy shall make use of any University/College facilities such as equipment or laboratory.

(f) An estimate of the charges proposed to be recovered from the client under the following heads:

(i) Details of expenses to be incurred.

(ii) Honoraria to consultant(s), staff of laboratory and others.

(iii) Cost of materials used in carrying out consultancy.

(iv) Computer charges.

(v) Charges for use of laboratory equipment and instruments.

(vi) T.A./D.A. for visits to sites.

(vii) Administrative/overhead charges to be paid to the University/College.

(viii) Miscellaneous.

v. Appointment of Principal Consultant

Every consultancy project shall have a Principal Consultant who shall be a permanent teacher in the service of the University/College and he/she shall be responsible for the following:

1. Formulating the project proposal, which include:
 - (a) Planning of the work to be done.
 - (b) Estimating costs according to the guidelines provided.
 - (c) Identifying other consultants, who shall be teachers/scientists in the service of the University/College/Institution, if necessary.
2. Co-ordination and execution of work.
3. Correspondence/Communications with the clients.
4. Writing of intermediate and final reports according to the project proposal.
5. Payment of appropriate expenses and remuneration.
6. Maintenance and auditing of accounts.
7. Payment of appropriate taxes and record of receipts.
8. Execution of Memorandum of Understanding (MoU) or Agreement by appropriate signatories.
9. Such other responsibilities as may be required for the smooth completion of the consultation work undertaken.

vi. Use of services of other personnel

- (a) The services of permanent employees of the University/College may be utilized for the execution of the consultancy projects provided it does not affect their primary functions and responsibilities. Suitable honoraria shall be made payable for such services.
- (b) In case of joint consultancy, prior permission shall be taken from Vice-Chancellor/Principal, as the case may be, for appointing personnel who are not permanent employees of University/College.
- (c) Students who are willing to work on consultancy projects may be permitted, provided it does not affect their academic commitments and performance. The work carried out by such students can be compensated by suitable honoraria.

vii. Consultancy Fee

- (a) The consultancy fee shall depend upon several factors such as time spent, importance of the advice and the experience of the teacher, client's willingness to pay.
- (b) The Principal Consultant, while estimating the Consultancy Fee chargeable to the client,

shall consider the amount payable to the other consultants, staff and students.

- (c) Remuneration shall be paid to the teacher and other personnel as per the norms of MoU/Agreement and on the recommendation of the Principal Consultant.

viii. Sharing of Honoraria

All honoraria received for consultation work shall be shared between the University/College and the Consultant* as indicated below or as specified by the UGC from time to time.

- (a) Out of the total honorarium for the consultancy, an amount upto 30% of the gross salary (basic salary + grade pay+ DA + TA) of the consultant, shall be paid exclusively to the consultant.
- (b) The amount exceeding 30% of, and upto, the gross salary of the consultant, shall be shared in the ratio of 70:30 between the consultant and the University/College respectively.
- (c) The amount exceeding the gross salary of the consultant shall be shared equally between the consultant and the University/College.
- (d) In case of joint consultancy work, the share of honoraria between the concerned consultants shall be by a prior mutual agreement or understanding between them.

Illustration:

A teacher drawing a salary of Rs. 2,00,000 p.a. (Basic+ Grade Pay+ DA+TA), if granted permission to accept a consultancy or similar assignment receives consultancy money/honorarium of Rs. 2,50,000/- in a particular year, the money received by him shall be shared as under:

Sr.No.	Consultancy Fee	Share of Consultant	University/College Share
1.	Money received equivalent to first 30% of the salary i.e. Rs. 60,000/-	Rs. 60,000/-	No share
2.	Money received equivalent to next 70% of the salary i.e. Rs. 1,40,000/-	Rs. 98,000/-	Rs. 42,000/-
3.	Money received beyond the salary i.e. Rs. 50,000	Rs. 25,000/-	Rs. 25,000/-
4.	Total Amount Rs.2,50,000/-	Rs. 1,83,000/-	Rs. 67,000/-

Thus, out of the amount received on account of above, the share of consultant shall be Rs. 60000+98000+25000 i.e. Rs. 1,83,000/- and University/College shall be Rs. 67,000/-

ix. Disbursement:

- (a) *Consultant Fees may be disbursed upon completion of the job and after receipt of Completion certificate from the Principal Consultant and submission of the consultancy completion report.*
- (b) *In case of long duration consultancies entailing advance payment of installments linked to milestones, partial disbursements may be made in accordance with the agreement upon submission of phase-wise completion certificate by the Principal Consultant and/ or as detailed in the MoU/Agreement.*

x. Exclusions:

The following shall not be construed as consultancy work for the purpose of regulating and sharing the consultation fee received by a teacher:

- (a) *Examinership, staff recruitment process, lectures and other related work from recognized Universities and Research Institutions, Statutory Bodies, autonomous bodies of Public Sector undertakings, wholly or substantially owned or controlled or funded/subsidized by Government.*
- (b) *Awards/prizes in recognition of academic achievement;*
- (c) *Writing of papers, articles, review of articles to journals, royalties from books and monographs, committee work, and delivering occasional lectures on literary, cultural, artistic, technological and scientific subjects; and*
- (d) *Participation in theatre, dance and music performances as well as participation/organization of art exhibitions.*
- (e) *Participation in/organization of sports, games and athletic activities as players, referees, umpires or managers of the teams.*

xi. Sharing of Honorarium:

The share of honorarium received by the University/College may be credited to a separate General Fund and 50% of this honorarium shall be allotted to the consultant for the department work.

xii. Conflict of Interest:

- (a) *Consultants shall inform the Head of the Department or the Senior teacher in case of absence of Head of the Department, in writing, the existence of any relationship between him/her and the client funding the consultancy project, or any vendor to whom payments are to be made from the project funds, or any scope for potential disproportionate self-gain.*
- (b) *The Head of the Department/Senior teacher, in case of absence of Head of the Department shall review such cases and decide appropriately, with the advice of a committee constituted by Vice-Chancellor/Principal, to ensure that no conflict of interest exists and that such an involvement by the consultant does not adversely affect the consultant's objectivity, integrity or commitment to the University/College.*

xiii. Restriction/Misuse of University/College Name:

Consultants shall not use the University/College name or the fact that they are affiliated with

the University/College, in a manner,

- (a) that suggests that the University/College approves or disapproves of a product or service provided by a profit/non-profit/governmental entity or*
- (b) that suggests that the University/College has issued consultancy findings when it has not done so, or misleadingly states the results of the consultancy findings that may be interpreted to communicate the official position of the University/College on any issue of public interest.*

xiv. Submission of Report:

It shall be the duty of the principal consultant to submit a report of every consultation work undertaken, to the Registrar/Principal/Director latest by 31st March of every year.

SA-38.3. Liability:

- (a) In case any legal dispute arises at any stage of consultancy between the consultant(s) and the sponsor, or with any person/organization, the Principal consultant shall be responsible for settlement of the dispute.*
- (b) The University/College shall have no responsibility for the advice or assistance given by the consultant to the party concerned.*
- (c) All legal actions shall be subject to jurisdiction of courts at Panaji, Goa.*

SA -38.4. Arbitration:

All disputes arising between the parties as to the interpretation, operation, or effect of any clause in this Statute or any other differences arising between the concerned parties, in connection with the consultancy, which cannot be mutually resolved, shall be referred to arbitration. The arbitrator shall be chosen by mutual consent in writing. The decision of such an arbitrator shall be binding on all the parties. Arbitration and Conciliation Act, 1996 and rules or any statutory modifications or enactments there under, for the time being in force, shall apply to the arbitral proceedings under this clause.

SA-39 (Effective from 25th February, 2014) Statute relating to the Intellectual Property Rights (IPR) of the Faculty members of Goa University and Affiliated College.

SA-39.1 Objectives:

This Statute is designed to regulate and manage the generation, use and commercial exploitation of the knowledge/Intellectual Property in the University and its affiliated Colleges.

SA- 39.2 Intellectual Property Assessment Committee (IPAC):

To facilitate assessment, an Intellectual Property Assessment Committee shall be constituted by the Vice Chancellor/Principal consisting of :

- (i) A Chairperson.*