



Madan Mohan Malaviya University of Technology, Gorakhpur-273010 (U.P.) – India

TESTING & CONSULTANCY RULES 2020

- 1.0** Madan Mohan Malaviya University of Technology (MMMUT), Gorakhpur is continuously engaged in encouraging the research and consultancy works along with the strong academic activities. Research and consultancy activities enhance the infrastructure and generate the revenue for the development of the University. These will be herewith called the Testing and Consultancy Rules of Madan Mohan Malaviya University of Technology (MMMUT) Gorakhpur. These rules will come into effect from the date of approval by the Competent Authority and will render all other Testing and Consultancy Rules ineffective which remained in force till such a date.
- 1.1** In these rules, the Head of University means Vice-Chancellor of MMMUT. Vice Chancellor may designate the Dean of Research & Consultancy (DORC) or some other Dean for taking decision on the issues related to testing and consultancy. In such a case, the role defined for DORC shall be executed by the designated Dean.
- 1.2** All the members of the academic staff of the University shall be encouraged to engage themselves in research and consultancy services to such an extent that it does not interfere with the discharge of their academic duties. Attempts should also be made to involve the research/ post graduate students in such works. The technical staff of the University having Ph.D degree and expertise in the related field will also be permitted to undertake consultancy job as co-investigator. All consultancies, whether carried out by an individual or a group of faculty members irrespective of the quantum of facilities of the University availed, will be considered as University Consultancy. Each consultancy project will be the responsibility of the person concerned for its correctness, validity, accuracy, etc .
- 1.3** The consultancy may involve, but not limited to,
- (a)** Visit to actual sites of workplace of organization, Institutions, Industries, entrepreneurs, and other external agencies to assess the nature and magnitude of the problem faced and technical services required.
 - (b)** Rendering expert advice and /or services in terms of materials, design, process, product, project, fabrication, investigation, expert opinion, remedial measures etc.
 - (c)** Surveying of land, traffic, infrastructure, market, plant and machinery, techno-economic feasibility, damages, environment, pollutants, wastes etc;

- (d) Undertaking project, investigation and/or research work in connection to (b) and (c) as above.

2.0 Research and Consultancy Management Committee

- 2.1** There shall be a Research & Consultancy Management Committee (RCMC) as per clause (2.2) of these rules to manage and promote the Research and Consultancy works.
- 2.2** An RCMC consisting of the following members will decide about various issues as may be enunciated hereinafter which may arise in management and implementation of a Testing and Consulting project and utilization of the saving therefrom.
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| i. Dean of Research & Consultancy or any other Dean designated by Vice-Chancellor in his absence- | Chairman |
| ii. Dean Alumni & External Affairs - | Member |
| iii. Heads of CE, ME, EE, ECE and CSE- | Members |
| iv. Controller of Finance or his nominee | Member |
| v. Registrar - | Member Secretary |

The Committee may decide any other procedures / provisions / rules and rates of testing and consultancy etc. as may be needed from time to time with the approval of Vice Chancellor.

3.0 University Consultancy/Testing Projects

3.1 Consultancy Projects:

A project referred to the Head of the Department (HoD)/Registrar/Dean/Vice Chancellor will be announced by HoD in the expert group in the area of project. This will have two investigators, if possible. After seeking the interest, HoD will decide the Principal investigator (PI) and Co-Principal investigator (Co-PI). Further, a project referred to an individual faculty member needs to be put up before Head of Department for being taken up.

However, for centers/departments with special character different from normal teaching departments, the respective centers/departments/units may also carry out consultancy works, subject to the approval of R & C Management committee and Vice Chancellor.

3.2 Testing Work

For the works which involves the use of laboratory to test the items from clients. The R&C Management Committee with help of the respective HoD, will decide the rates of such works. Rates should be revised every two years. In case of non-revision of such rates due to any reasons whatsoever, the prevailing rates will continue to apply.

- 3.3** Any controversy arising out of the assignment of testing and consultancy work or non- acceptance of any consultancy project by the authority mentioned in Clause 3.1 is to be referred to the R & C Management Committee for the purpose of the final decision. The R & C Management Committee is also authorized to consider

prestigious project proposals received by the University and take appropriate decision to accept such projects to be carried out on a consultancy basis. Payment related issues must be approved by Vice-Chancellor.

4.0 Charges for Consultancy/Testing Projects:

4.1 Consultancy Charges

The total agreed charges of a consultancy project will consist of the University share, actual expenses (equipment cost, travel cost, contingency, student hiring, etc.) and the remuneration to be distributed to the faculty and staff. The remuneration will be paid to the faculty/staff as per norms and on the recommendation of the Investigators and approval by the competent authority.

4.2 Charges for Testing Job

The University may undertake testing jobs at a standard fee which is approved by the Vice-Chancellor with the recommendation of RCMC. The testing reports / consultancy reports will be countersigned by Head of the Department. However, the responsibility of the assignment shall solely lie on the Investigators.

4.3 Realization of Consultancy Fee

(a) Normally the entire fee in connection with consultancy/testing work is to be deposited by the client in full before the work commences. In exceptional cases where the work is started with only partial cost deposited in advance, the arrangement of subsequent receipt of funds from the client has to be clearly spelt out in advance and approved by Dean, Research and Consultancy through Controller of Finance/Registrar.

(b) All payments from clients including GST will be received by the Registrar on behalf of the University and got deposited in the University account by Controller of Finance.

4.4 It is the responsibility of the Investigators/ Head of Department to inform the client/firm about the consent for taking up consultancy project at the approved consultancy charge subject to the terms and conditions laid down by the “Rules for Testing and Consultancy” of the University.

5.0 Types of Consultation Funds

5.1 University faculty/staff welfare Fund (UWF)

This fund will be collected for the welfare of the faculty/staff wto help the kith and kin on the demise of an employee of the university, medical treatment, etc. A guideline will be prepared by RCMC in this regard separately and should be got approved by the Board of Management.

5.2 Account Section Pool Fund (ASPF)

Some percentage of project cost will be deposited in the Account Section Pool to distribute the money among the staffs of Account Section for the Testing and Consultancy related work. On the recommendation of Finance Controller and

approval of Vice-Chancellor of the University, the distribution will be done. A proper care shall be taken to distribute the funds based on workload shared by the staff. If Finance Controller feels that testing and consultancy work demands so, he may hire any part-time or out-source employee and his/her payment will be made from this fund. In such a case, the distribution to other employees of Account Section will be made after deducting the payment already made to such an employee. For accounting purposes, the distribution will be done at fag end of each financial year.

5.3 Departmental Pool Fund (DPF)

Some of the share will be used for the honorarium to staff including office and labs, etc. on the approval of competent authority. On the recommendation of HoD and approval of Vice-Chancellor of University, the distribution will be done. A proper care should be taken to distribute the fund on the basis of workload of the staff. For accounting purposes, the distribution will be done at end of each financial year.

5.4 Departmental Development Fund (DDF)

The objective of this fund is to provide additional grant to the department for its developmental activities as well as for funding its other activities for which adequate funds are not available from other sources. This fund can also be used for activities like providing seed money for holding conferences/workshops and seminars etc. This account will be operated by the Head of the concerned department according to a budget made by the Departmental Committee and as approved by Vice Chancellor.

5.5 Professional Development Account (PDA)

The investigators can keep their share or portion of share to PDA for their professional development. The use of the PDA will be as per approved norm of University.

6.0 Norms for Expenditure

6.1 The Principal Investigator may get specific work done on payment from outside with the approval of Vice-Chancellor.

6.2 The Investigators may engage University Student as Student Assistants for consultancy and testing work on payment of Rs. 100/- per hour subject to a maximum of 50 hours per month. However, students receiving fellowship from any external agencies/institutes shall not be entitled to such payments.

6.3 Expenses incurred on reasonable hospitality not exceeding 5% of gross fees contracted or Rs 5000/-, whichever is less, for the project in connection with the consultation work can be charged. For larger expenditure, approval of RCMC will be necessary.

7.0 Distribution of Consultancy and Testing Funds

Testing and consultancy work will be categorized in two parts:

Type of Work	Category	University Share	Others Share
Category I	Testing Work with Lab only	50%	50%
Category II	Consultancy Work with/without Lab Work	25%	75%

The distribution of others share will be as per the following tables. If the total earning of a faculty/staff from consultancy and testing including all categories exceeds 75% of his/her gross annual salary, then, in the new project where that faculty is involved, 50% of the amount will be the University share and remaining 50% will be distributed as per norms given below.

7.1 Testing Work:

Name	Unit
Total amount received	A
GST	B
Balance (A-B)	C
University Charge (50% C)	D
Expenditure	E
Money to be distributed (C-D-E)	S
Distribution of S	
Principal Investigators and Staff (85% of S)	F
Departmental Development fund (6% of S)	G
Department pool fund (2% of S) (1% pool fund+ 1%Hospitality)	H
Account pool fund (1% of S)	I
Faculty/Staff Welfare fund (6% of S)	J

7.2 Consultancy Work:

Name	Unit
Total amount received	A
GST	B
Balance (A-B)	C
University Charge (25% C)	D
Expenditure	E
Money to be distributed (C-D-E)	S
Distribution of S	
Principal Investigators and Staff (85% of S)	F
Departmental Development fund (6% of S)	G
Department pool fund (2% of S)* (1% Pool fund+1% to be used for hospitality)	H
Account pool fund (1% of S)	I
Faculty/Staff Welfare fund (6% of S)	J

8.0 **General Conditions**

- 8.1** Individuals or Departments may take up consultancy work only after taking approval of the Vice Chancellor on the prescribed format given in Annexure-I. The report of all types of Testing and Consultancy Projects will be prepared in triplicate and signed by Investigators and counter signed by the Head of the Department who shall keep the departmental copy. PI will send a copy to the concerned Client and keep a copy for the record. Demand of report by other than client through RTI or other ways should only be done after approval of competent authority of the University.
- In emergent cases where only advice of the University is involved or, where testing of materials/products in the laboratory is concerned, the work may be accepted with the recommendation of the Head of Department and approval of Dean Research & Consultancy on the prescribed form. However, the report will be given only when the consultancy project has been duly approved and all processing is completed following the procedure mentioned above.
- 8.2** For projects involving only site visits for consultation work and/or personal discussion, fees may be charged on per day basis at mutually acceptable rate subject to a minimum of Rs. 5000/- per man-day (with minimum one day), including the days spent on travel.
- 8.3** For technical and other staff, making only site visits outside the scope of an ongoing consultancy project, fees may be charged on per day basis at minimum of Rs. 1000/- per man-day (with minimum one day).
- 8.4** The Investigators may, with the prior permission of Dean Research and

Consultancy. avail the services of persons not in the University service as Investigators, provided that HoD certifies that the services are of a nature for which the expertise is not available in the University department. In such a case, the Principal Investigator shall necessarily be the faculty member of the University.

- 8.5** Duty leave will be admissible for individual consultancy work for maximum seven working days in a calendar year within the overall limits of the duty leave subjected to making alternative arrangement for teaching load and other University assignments during the leave period. For absence beyond seven days for consultancy work, leave as due will be taken by the staff member. For Departmental consultancy work, persons concerned will be treated on duty during absence from the campus. Any absence from the Headquarters in connection with consultancy project of any type will be with the prior approval of HOD or competent authority as notified from time to time.
- 8.6** Each consultancy project will have Investigator(s) (PIs) who will be faculty member in the service of the University and who will be responsible for signing the Memorandum of Understanding (MOU), if required, along with HoD on the basis of the “Guidelines for M.O.U.” available with the R & C Management Committee with the approval of Vice Chancellor.

9.0 Project Initiation and Management

9.1 Appointment of Principal Investigator (PI) / Co-Principal Investigator (Co-PI)

The client (sponsoring organization, which gives the consultancy) usually approaches the University for consultancy work through a faculty member or a functionary of the University (i.e. Head of the Department, Dean R & C, Registrar or Vice Chancellor). When a faculty member is approached for the work, he will be the Principal Investigator. If he does not wish to be the Principal Investigator, the HOD/Unit head will identify a suitable person as PI / Co-PI. If the project is referred to a functionary, the Principal Investigator would be identified by the concerned HoD.

The P.I. /Co-P.I. who is due to retire from University service will identify a new P.I./Co-P.I. for the consultancy project at least six months before his/her retirement having the area of expertise of project being done. The new P.I. should be agreeable to become P.I./Co-P.I. The new P.I./Co-P.I. will also give an undertaking to complete the project in the remaining funds and time period, to the Dean R & C through HoD. In case a new Principal Investigator is not appointed by the retiring Principal Investigator, as per guidelines in force, the University may take action as it may deem fit, which may include appointment of a new Principal Investigator, and/or termination of the project and/or any other action which it deems fit.

- 9.2** Principal investigator will take approval for undertaking the consultancy project through the HOD on the prescribed form obtainable from Dean R & C, who will assign a Job Number to the project and inform the same to the Principal

Investigator and the Head of the concerned Department. This completes the process of initiation of a consultancy project. The above Job Number must be quoted in all subsequent correspondence within the University. The project file will be closed with the submission of final project report and final settlement of accounts etc. and kept in the office of HOD concerned.

- 9.3** A copy of all the reports submitted to the “Client Firm” will be filed in the Department. In case, the information in the report is considered to be classified by the Consultant/Client firm, a brief note to this effect may be filed with the Department/Centre and Dean, R & C with a copy of the report in closed envelop. A certificate from the client that the work has been completed satisfactorily is generally not required except in controversial cases. However, if the client is not satisfied with the work of the consultants, it is the responsibility of the consultant to satisfy the client or else to approach R & C Management Committee to settle the issues, if any. Considering the report of R & C Management Committee, the decision of Vice Chancellor will be final and binding in this regard.
- 9.4** Travel: The most expeditious and convenient mode of travel should be used to minimize period of absence from the University. There will be no restriction placed by the University, on the mode of travel on grounds of entitlement. DA will be paid as per University rules. All these expenses will be met out from the consultancy project funds.
- 9.5** Outside Investigators: Provision for outside investigators is to be normally discouraged. If necessary, a provision of outside investigator will be made at the time of acceptance/approval of the project after obtaining approval from the Dean, R&C or R & C Management Committee. An amount of Rs. 20,000 or 10% of the consultancy fee whichever is lower can be paid to outside investigators. However normally in no case payment exceeding 20% of the total consultancy fees shall be allowed to outside investigators.
- 9.6** Collaboration with outside organizations/subcontracting: If collaboration with outside organization/institutions or subcontracting a part of the project is envisaged, the nature and scope and financial budget of the proposed arrangements will also be defined at the time of project approval.
- 9.7** In addition to academic and technical staff, the Investigators may distribute up to Rs. 2000 or 2% of the consultancy amount whichever is less remuneration as to the other staff of the department for miscellaneous assistance rendered in the execution of the project. This will come under the expenditure if honorarium is not paid to that staff.
- 9.8** No Consultancy project amounting to the sum of less than Rs 20000/ will be entertained in the University. However, no Testing work amounting to the sum of less than Rs 10,000/ will be entertained in the University.
- 9.9** **Disagreements/Disputes:**

- (1) Any disagreement within the University arising at any stage of a consultancy project will be resolved in consultation with R & C Management Committee to ensure an expeditious removal of bottlenecks and smooth functioning of the project.
- (2) In case of any dispute arising at any stage of consultancy project between Investigator (s) and the clients, the Investigator (s) will be responsible for settlement of the dispute.

10.0 Arbitration

1. In the event of any dispute or difference at any time arising between the parties relating to consultancy project or any other clause (s) or any content of the right and liabilities of the parties or other matters specified therein or with reference to anything arising out of the consultancy or otherwise in relation to terms, whether during the consultancy or therefore, such disputes or differences shall be endeavored to be resolved by mutual negotiations. If, however, such negotiations are infructuous, the dispute shall be resolved through arbitration. Vice Chancellor of the University shall be the sole arbitrator and decision taken by him/her shall be final and binding for both the parties.
2. All legal action will be subject to jurisdiction at Civil Courts at the location of the University (High Court at Allahabad and District Court at Gorakhpur).

11.0 Liability

In the case of any legal dispute arising between the Investigator (s) and the clients such that the Investigator (s) are in any way, held responsible for the losses incurred by the client such liability will be restricted to a maximum limit which will be calculated as follows:

Maximum Liability= 'The total amount charged for the project' minus 'the expenditure of the project'

It is in the interest of the Investigators to bring this fact to the notice of the client. The expenditure as determined by the University will be calculated as the expenditure likely to have been incurred till such date on which the clients informed the investigator in writing to stop work on the project, for an ongoing project, or till the end of the project for completed project. This amount does not include the remuneration paid to the Investigator (s) and staff of the University. The University may take a suitable insurance for this purpose on a rolling basis. Vice-Chancellor may provide some fund, in some cases, from the University faculty/Staff welfare fund.

12.0

Submission of the requisite report on the work itself shall constitute the Utilization Certificate/Final Bill. The department concerned shall keep the testing samples/material for maximum period of six months in its safe custody. Any dispute arising on the testing projects will be considered time barred after six months and University shall not be under any obligation to furnish the desired testing

sample/material used for testing. The testing report should clearly indicate this fact.

13.0 Rules for Academic Consultancy Work (Objectives, Norms and Guidelines for Self-Sponsored Academic Events (Seminars, Conferences, Workshops, Courses, Interns, Symposia, etc.)

To facilitate the up-gradation of knowledge and skills of the students/staff and to support the professional development of the faculty of the University, the following guidelines will be followed for organizing self-financed academic events in the University.

1. Pedagogical and technological programme like International/National Conferences, Symposiums, Seminars, Workshops, Faculty Development Programs (FDPs), Short Term Training Programs (STTPs), Summer Internship, Refresher courses or any other such programmes may be organized by the faculty members. The program should aim for enrichment of theory and technological skills, knowledge, upgradation of motivational and communication skills of the participants as per the changing scenario of Technical Education.
2. The course/ training programme may be organized by the faculty at Department Level / University Level independently or in collaboration with Ministry, Govt Agencies, Societies/ Institutes or Private Industry.
3. The proposed event may be funded by (i) Registration fees from Participants alone (ii) Ministry or Govt funding agencies like AICTE, UGC, AICTE,DST, QIP Centre etc. (iii) Sponsored by a Society like Institution of Engineers., IEEE etc. (iv) Fully sponsored by the Industry (v) Mix of the above modes (should be specified by the Principal Coordinator)

13.1 Operation of the Events

1. Faculties will be encouraged to organize academic events like International/ National Conferences, Symposia, Seminars, Workshops, Faculty Development Programs (FDPs), Short Term Training Programmes (STTPs), Summer Internship, Refresher courses, or any other such programmes which provide opportunity to acquire new knowledge and skills in the relevant areas. The programme should be self financing and should be able to support the expenditures to be incurred on it.
2. 15 % of the total raised funds shall be deposited into the University accounts for overhead expenses and the rest 85% of the fund will be at the discretion of the Principal Coordinator.
3. The Principal Coordinator shall ensure that the post course Summary Sheet, Feedback form from participants, Utilization Certificate and Statement of Expenditure of

Accounts for the income received and expenditure for the program are submitted after the completion of the event.

13.2 Guidelines

Following guidelines may be adhered to:

01. All the self-sponsored events organized by the faculty will come under the purview of Academic Consultancy.
02. Proposal will be submitted by the Principal Coordinator jointly with the written consent of the Co-Coordinators. The proposal should be accompanied by the letter of intent from the collaborative institute/organization wherever available/applicable.
03. The proposal has to be forwarded by the Head of the Department as token of making the facilities available in the Department for the said activity. Proposal complete in all respects should be sent to the Dean R & C.
04. The event shall be self-financed. The faculties may organize such events at Department / University Level independently by utilizing the registration fees of the participants only **or** the Principal Coordinator may raise funds in collaboration with any Ministry/ Govt. Agencies/ Industries/ Professional Societies etc.
05. In case of collaboration with Ministry or Government Agencies, the funds will initially be received by the University and it will be transferred to the Principal Coordinator account only after the due permission from Vice Chancellor.
06. Refundable seed money of Rs. 30,000/ may be sanctioned by the University as an advance to meet the starting expenses. PI can open a Bank Account for the event in the name of event with approval of Vice Chancellor.
07. The funds raised/received shall be deposited in the account operated by the Principal Coordinator / Co-Coordinator. All the expenditures are to be made by the Principal Coordinator. He/ She will maintain the complete account of all the expenditures incurred. The event should be closed financially within six months of the last day of the event.
08. The administrative and financial powers for satisfactory conduct of the course will rest with the Principal Coordinator.
09. Funds once released / sanctioned for organizing the particular course should not be utilized for any other program.
10. In case the event is cancelled, the funds will be returned to the Collaborating agency/ Society sponsoring the event, immediately.
11. The Honorarium to Coordinator(s), internal faculty and staff shall be paid after meeting all the expenses of the course. Any savings generated after meeting all the expenses shall be

contributed to the University and coordinator(s) as per the percentage prescribed in the norms. Distribution of the savings shall be done through Dean R & C.

12. After the completion of the event, the Principal Coordinator of the event shall submit the (a) Post Course Summary Sheet (b) Feedback form from Participants (c) Utilization certificate and statement of expenditure of accounts for the income received and expenditure for the program duly signed by Principal Coordinator of the event (d) Soft and Hard Copies of Instruction Material to be placed in the University Library to the Dean R & C.

13.3 Norms for Payment of Remuneration Honorarium to the Faculty/Supporting Staff Involved in the Programs and Other Charges/ Expenditures

Honorarium for Coordination (to be shared among Principal Coordinator and coordinators recommended by Principal Coordinator)

Course Duration	Honorarium
< one week	Rs. 20,000
one week to less than 4 weeks	Rs. 35,000
4 weeks to 8 weeks	Rs.50,000

Honorarium for Faculty/ Laboratory Staff

Lecture /Laboratory Details	Faculty	Laboratory Staff
Lecture (1 Hour)	Rs. 2,000	NA
Tutorial (1Hour)	Rs. 1,000	NA
Laboratory (2Hours)	Rs. 1,000	Rs.1,000 per session of 2 hrs. for up to 30 participants (to be shared amongst all Lab staff

Note:

- No single faculty member shall take more than 40% of Total contact sessions (of Lectures + Tutorials + Practical)
- The expert faculty will provide hard copy of lecture notes along with hard copy and soft copy of the PPT to the Principal Coordinator.

Honorarium for Staff of Deptt. Involved in organizing the programme	Upto 2 weeks: 5,000 More than 2 weeks 7,500
Honorarium for Processing Team (Staffs)	Upto 2 weeks: Rs. 2,000 More than 2 weeks : Rs. 3,000

Disbursal of savings (If any)

Percentage share of saving	Beneficiary
30%	University
60%	To Coordinator(s) Professional Development account in the proportion specified by Principal Coordinator
10 %	University Faculty/staff Welfare Fund

Annexure-I

Administrative Approval for Consultancy/Testing Work

1. Details of Consultancy/Testing Work:
2. Organization/Client details:
3. Area of the Consultancy/Testing work:
4. Amount of Consultancy/Testing work:
5. Number of Investigators to be allocated:
6. Name of Staff members involved:
7. For Testing work, name of the Lab used:

Investigators Details:

S.N.	Name	Department	Email and Mobile No.	Signature

(Signature of PI with Date)

Forwarded/Recommended by HOD

(Recommendation of Dean R & C with Seal)

(Vice Chancellor)

Note: After permission of Hon'ble Vice Chancellor, the file will move along with this Administrative Approval.

