



Yashwantrao Chavan Maharashtra Open University Nashik (M.S)

CONSULTANCY POLICY (CP)

GENERAL CONSIDERATIONS

Although the primary function of *Yashwantrao Chavan Maharashtra Open University, Nashik (MS)* is to render service to the people of Maharashtra through its established programs of instruction, research and extension through open and distance learning. The University recognizes its obligation to make services available of the many highly qualified, trained specialists on its faculty to business, industry, governments, professional societies, or other appropriate groups. Moreover, a professional nature of outside services generally contributes to the faculty member's contribution to the teaching and research programs. Therefore, the University encourages involvement of its faculty in outreach /extramural activities which are consistent with their primary responsibilities to the institution. These activities typically invite a Regular University staff member (administrator, faculty member, professional staff member, or employee) to use his or her specialized knowledge to provide advice or judgment about a problem, situation, or area of scholarship in an academic discipline. Because of the increasing prevalence of various consulting , extramural and outreach activities, however, and in view of the inherent problems associated with these, the following guiding principles and policies have been established to prevent conflicts of interest, interference with University functions, or unethical practices:

1 The major criteria used to determine whether a particular outreach/ extramural activity is shallow encouraged are:

- a) The effect of the activity on the individual and the University, professionally and academically.
- b) The extent to which the activity will complement the University's programs or interfere with the effective discharge of the faculty member's responsibilities to the University. These responsibilities include not only formal classroom and laboratory activities, but also other duties

such as student counseling, Committee work, preparation of scholarly publications, and continued professional development.

2 It is the responsibility of the Center Head or Director or Registrar to exercise judicious control of the consulting activities so that no university functions are neglected. It is the University staff member responsibility to ensure that his or her regular work is covered during the approved consulting period.

The increasingly necessary and complex relationships between universities, government, and industry call for more intensive attention to standards of procedure and conduct in government - sponsored research and outreach programmes. Such standards of clarification and application must be designed to serve the purposes and needs of the projects and the public interest associated with them and to protect the integrity of the cooperating institutions as agencies of higher education. The government and University, as the contracting parties, have an obligation to see that adequate standards and procedures are developed and applied: to inform each other of their respective needs; and to ensure that all individuals participating are aware of their respective behaviors and apply the standards and procedures that are so developed. Consulting relationships between University staff members and industry interests in research and education in the University. Likewise, the transfer of technical knowledge and skill from the University to industry/ business contributes to technological advancement. Such relationships are desirable, but certain potential hazards should be recognized.

4. **The Vice - Chancellor** is directed to formulate, implement and publicize procedures to enforce this policy as required by applicable regulations.

Conflict Situations :

1. Favoring outside interests :

When a Regular University staff member (administrator, faculty member, professional staff member, or employee) is undertaking or engaging in government sponsored work in a significant financial interest, or with a consulting arrangement, it is a private business concern. Important to avoid actual or apparent conflicts of interest between government , sponsored , University research obligations and outside interests and other obligations. The situations in or from which conflicts of interest may arise the:

a) Undertaking or orientation of the staff member's University to serve the research or other needs of the private firm without disclosure of such undertaking or orientation to the University and to the sponsoring agency:

b) Purchase major research equipment, instruments, materials, or other items from the University for a private firm in which the staff member has the interest without disclosure of such interest;

c) Transmission to the private firm or other use for personal gain of government-sponsored work products, results, materials, records, or information that are not made generally available (this would not necessarily preclude appropriate)

Licensing arrangements for inventions, or consulting on the basis of government-sponsored research results where there is significant additional work by staff member independent of the government-sponsored research):

d) Use for personal gain or other unauthorized use of privileged information acquired connection with the University staff member and government - sponsored activities (the term "privileged information" includes, but is not limited to, medical, personnel, or security records of individuals; anticipated material requirements or price actions: possible new sites for government operations; and knowledge of the forthcoming programs or selection of contractors or subcontractors in advance of official announcements);

e) Negotiation or influence on the negotiation contract to the staff | members government - sponsored research between the university and private organizations with which staff members have consulting or other significant relationships;

f) To receive gratuities or special favors from private organizations that the university conducts, or to conduct business connections with a government sponsored research project, or extension of gratuities or special favors to employees under the sponsoring government agency, which may reasonably be interpreted as an attempt to influence the recipients of their conduct.

2. Distribution of effort :

There are competing demands on faculty members (for example, research, development of course material, committee work, outside consulting). The way in which the University staff member divides his or her effort between these various functions does not raise ethical questions unless the government agency is supporting the research is misled into the amount of intellectual effort the University Staff member is actually devoting to the research question. A System's precise time accounting is incompatible with the inherent character of the work of faculty members, since the various functions they perform are closely interrelated and do not conform to any meaningful division of a standard work week. On the other hand, if the research agreement contemplates that a University Staff member will devote a fraction of the effort to government-sponsored research, or faculty members agrees to assume responsibility for such research, a demonstrable relationship between the indicated effort or responsibility and the actual extent of the University Staff member's involvement is expected to occur. Each University, therefore, should - through joint consultation of administration and faculty - develop procedures to ensure that proposals are responsibly made and complied with.

3. Consultancy for government agencies or their contractors :

When the University staff member engaged in government - sponsored research also serves as a consultant to a federal agency, such conduct is subject to the Conflict of Interest Statutes on the interest of Preventing Conflicts of Special Government Employees. When the University staff member consults for one or more government contractor, or prospective contractor, in the same technical field as the staff member's Research project/ expertise, care must be taken to give avoid advice that may be questionable objectivity because of its possible bearing on the individual's other interests. In conducting and performing consulting services, the University staff member should make full disclosure of such interests to the University and to the contractor. In so far as they may appear to relate to the work at the University or to the contractor Conflict – of interest problems could arise, for example, in the participation of a staff member of the University for an evaluation of a government agency or some technical aspect of its contractor's work with another organization in which the staff member is a consulting or employment. A relationship or a significant financial interest, or an evaluation of a competitor to such other organization.

Regular University Staff members may be allowed to consult and / or be involved in appropriate continuing education and public service activities with a maximum of one workday per week, with the consent of their School Director and appropriate Authority. Additional

compensation for consulting and internal activities will be counted against this maximum of one day per week; Travel days must be counted as consulting time. This policy is not intended to limit consulting activities outside the normal work day, during vacation, or during the summer. A formal application, form - 1, must be filed at least five working days in advance for permission to engage in outreach/extramural activities other than the traditional functions of professional, scholarly, or honor societies.

The application, form – 1 must be approved by the University Staff member's **Center Head and Director or Registrar**. Copies of approved applications shall be maintained in a central file in the Office of Planning and Analysis and in the individual's file in University Personnel Services :

Yashwantrao Chavan Maharashtra Open University, Nashik (MS) shall assume no responsibility for its competence with respect to its faculty members or Staff of the performance of outreach /extramural professionals activities, except those carried out under the auspices of the most established programs operated by the University.

In connection with outreach/ extramural professional activities arranged outside established University programs, the name of **Yashwantrao Chavan Maharashtra Open University, Nashik (MS)** shall not be used for advertising or promotional purposes or in any of the reports or statements that Implies approval or endorsement by the University.

1. Faculty members or University Staff should not commit to special university facilities and equipment or other urgent external consulting projects unless such use is approved in writing by the school Director or other appropriate administrator.
2. Faculty members or University Staff will be exposed to the Reimburse the University's use of specialized equipment and facilities as well as materials. Use of University computer facilities for consulting will also require prior written approvals to be reimbursed at the external user rate.
3. Approval or reimbursement will not be required for the use of the library or office space for consulting activities.
4. The faculty or University Staff involved in any consultancy & services must take prior permission from the University research council (URC) of the University.

5. The agreement mentioning the nature of the job to be undertaken, the duration of the work and the charges need to be duly signed by consultant and consultee with prior approval of the **Vice- Chancellor**.
6. The consultant is not allowed to take up any form of outside work-related consultancy not covered by an agreement involving the University Resources.
7. The faculty or University Staff involved in non-work related consultancy must not use the University name to endorse this activity without prior written approval from the University research Council (URC) or Authority of the University.
8. ***The University research Council (URC) reserves the rights of disbursement of the revenue generated through consultancy & services among the University and consultant. The general distribution of disbursement will be 30 : 70 with prior approval and acceptance.***
9. The documentation of the consultancy & services must be recorded and submitted to the University research Council at the completion.
10. The consultant needs to ensure that the undertaken job must not hamper his/her academic / administrative responsibilities.


Dr. Dhananjay Mane

Convenor


Hon. Vice Chancellor

Chairman