



M.K.E.S. COLLEGE OF LAW

CONSULTANCY POLICY

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M.K.E.S. COLLEGE OF LAW

CONSULTANCY POLICY

1. Preamble:

Consultancy is work of a professional nature, undertaken by the College staff in their field of expertise, for clients outside the institution, for which some financial return is provided. It is unlike research in that it does not have as its prime purpose the generation of new knowledge. Consultancy will produce some form of contracted output which may be partly or wholly owned by the client. The College normally does not have freedom of publication over the results of consultancy. Consultancy does not include activities undertaken on behalf of the College and covered elsewhere in contracts of employment, such as: research, teaching, training and other activities defined in a staff's job description. Consultancy is well recognized as an effective way for the college to disseminate knowledge and make an early and direct impact on society. However, the balance between consultancy and the traditional roles of the academic staff needs to be managed and the interests of the College must be protected. In considering whether or not permission will be given for consulting activity the relevant member of the faculty (teaching or non-teaching) will take into account such factors as the compatibility of the activity with the responsibilities and commitments of the staff members, potential conflicts of interest, and the use of Institute resources.

2. Definition And Extent Of The Policy:

Malad Kandivli Education Society's MKES COLLEGE OF LAW henceforth called M.K.E.S. adopts the UGC definition of Consultancy as:

“The provision of expert advice and work crucially dependent on a high degree of intellectual input which is for commercial or non-commercial purpose and without the creation of new knowledge. Consultancy may be carried out either by academic staff or by members of administrative staff who are not on academic contracts such as senior college staff.”

This policy does not apply to those activities, paid or unpaid, which are in furtherance of scholarship or general dissemination of knowledge, such as: Authorship of, or royalties from, the publication of books, Service on public sector or charitable committees, External examiner duties, Lecture tours and conference presentations or attendance, Editorship of academic journals or the publication of academic articles.



M.K.E.S. COLLEGE OF LAW

3. Objectives

The objectives of Consultancy Policy are:

1. to promote academic, industry and research interaction
2. to encourage and facilitate faculty to provide knowledge inputs sought by industry, government agencies or other academic/research organizations.
3. To provide provisions for conducting consultancy to ensure that consultancies undertaken by staff are consistent with the College's strategic and operational objectives and the costs are sustainable.
4. to provide a clear framework for the college staff engaged in, or who wish to engage in, consultancy, either through a college consultancy or in a personal capacity.
5. To manage all potential risks to M.K.E.S. and its staff.

4. Confidentiality and Intellectual Property Rights:

The research and knowledge generation activities staff and students undertake for M.K.E.S. during consulting activities is done collaboratively with and/or is funded by an external organization. This will normally mean there are obligations in respect of any Intellectual Property generated and third party confidential information exchanged in such projects. It is recommended that an agreement (Memorandum of Understanding/Memorandum of Association) be executed between the consultant and consulting parties explicitly stating the terms and conditions regarding confidentiality and intellectual property rights. Each staff relating to projects they are involved in and should respect the confidentiality of information belonging to third parties. Staff seeking to undertake consultancy should be careful to consider existing obligations to third parties (including those obligations entered into by their colleagues or other members of the

University) and not do anything which might put the College / University in breach of its obligations to them. In particular staff should be careful not to use confidential information of a third party without their



M.K.E.S. COLLEGE OF LAW

written consent and not use any Intellectual Property unless they are confident there are no constraints on the College's use of the same.

5. Guidelines for Consultancy Services

1. M.K.E.S. shall from time to time identify the areas and the faculty who have developed technology, special knowledge, skills and expertise in their respective disciplines offer such technology skill, knowledge or expertise to institutions, companies, societies, trusts and individuals as and when required by them.
2. The faculty, in consultation with the Principal, will decide the consultation fee taking into consideration the cost involved in developing the technology and providing consultancy, expertise, special knowledge and other aspects.
3. Income Distribution: Any faculty who does consultancy shall pay the College 10% of the consultation fee.
4. There shall be a clear memorandum of understanding (MOU) between M.K.E.S. and the organization / trust / society / company / individual concerned to whom the consultancy is provided through its faculty member / members and others herein after called consultants.
5. The MOU shall contain all details of providing consultancy such as the cost of the material involved, if any, cost of construction of a facility, if any, number of visits to be made by the consultant concerned, his TA/DA etc., per visit and any other expenses involved in providing the consultancy. The MOU shall also contain a period up to which the consultancy will be in vogue and the duties and responsibilities of each of the parties.



M.K.E.S. COLLEGE OF LAW

6. If necessary, and if it is found to be useful and is in demand by many people and/ or organizations, the College may apply for a patent for the technology developed.
7. Dispute Resolution: Any dispute arising during or after the period of consultancy shall be decided by the Principal on the recommendations of the Governing Council which shall be final.
8. Faculties, doing consultancy at a personal level are required to intimate the same to the College and should take a formal permission.
9. The industry may contact the individual faculty for consultancy, but the formal correspondence should be through the Principal.
10. Both the consultant and the consulting parties should follow the confidentiality and intellectual property rights mentioned above.

Date of implementation of the policy- 1st January, 2022

Date of amendments/ revision- NA

Approval Authority- Board of Management