

Sponsored Research & Industrial Relations Unit  
(SRIRU)

Rules and Regulations



भारतीय प्रौद्योगिकी संस्थान पटना

Indian Institute of Technology Patna

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# **1. Introduction**

IIT Patna considers the need to facilitate the research and development activities systematically to lay strong foundation and register growth in research by generation of resources, research collaborations and establishing links with industry.

Sponsored Research & Industrial Relations Unit (SRIRU) is a special Unit set up to act as an interface between funding agencies and the Institute to handle sponsored research projects and industrial activities.

SRIRU will handle the project management aspects related to accounts, purchases, recruitments, audits, liaisons with sponsors, and prepare the status reports.

## **1.1 Scope**

The rules and regulations shall be called as "SRIRU RULES" hereafter and shall be applicable to all activities stated therein. The proposals submitted by IIT Patna involving the following activities are termed as SRIRU activity:-

1. Sponsored Research Projects involving external funding sources
2. International Research Collaborations involving international funding sources or international collaborators
3. Industry Sponsored Projects, Industrial Consultancy involving funding from industry
4. Organizing Workshops and Courses for dissemination of knowledge as part of the research projects.
5. MoU and Agreement with National/International Institution for Research having self-sufficiency nature.

## 2. Project Management

### 2.1. Sponsored Projects

Each sponsored project will have a Principal Investigator (PI) who will be responsible for the formulation of the project proposal according to the format prescribed by the concerned funding agency. In case the Institute is awarded a sponsored project directly, or a proposal is submitted at the Institute level, the Principal Investigator would be identified by the Director.

The project proposal may include:

- a) Planning of various project activities
- b) Estimation of funds required for the project considering the following budget heads:
  - (i) Salary of the project staff (with designations),
  - (ii) Equipment,
  - (iii) Consumables,
  - (iv) Travel,
  - (v) Contingency and
  - (vi) Institute overhead.
- c) Identifying co-investigator(s).

The Registrar's office will examine the financial aspects of proposal prepared by the PI and process the same to obtain the approval of Director IIT Patna before forwarding the proposal to the sponsoring agency. The same procedure will be followed for project proposal submitted to international agencies/ foreign organizations seeking foreign grants. A copy of the submitted project proposal has to be retained in Registrar's Office under R&D documents. When the project is sanctioned, original copy of the sanction letter from sponsoring agency will be retained in the office of Registrar. **The SRIRU forms (RD-1 and RD-2) need to be submitted immediately after receiving the sanction of project.** The Registrar (IIT Patna) will assign a unique Project number and communicate the same to the sponsoring agency and PI. This completes the process of initiation/ registration of a sponsored project. The assigned project number must be quoted

in all subsequent correspondences. The PI will handle all communication with sponsoring agency after a project has been accepted. A copy of intermediate and final reports sent to the sponsoring agency will be kept with R&D documents of the project file.

The project will be started after the receipt of funds. The Institute normally requires the cost of the project to be deposited by the sponsoring agency, before the work commences. The PI will make recommendations to the Director regarding expenditure from the project funds. The project expenditure for equipment and consumable will be maintained in a separate stock register by PI.

The statement of expenditure and utilization certificate will be prepared at every financial year end by the Registrar.

The project file will be closed with the submission of the final technical and financial project report and transfer of the non-consumables and consumables to the Department/Centre stock register.

## **2.2 Consultancy Projects**

The consultancy project is initiated through a faculty member or by the Director, IIT Patna. When a faculty member is approached by Industry or Research Organization for the consultancy work, he will be identified as the **Principal Consultant**. If he does not wish to be the Principal Consultant or if the project is referred to the Director IIT Patna, Principal Consultant would be identified through appropriate discussion and appointment will be made by the Director IIT Patna.

The consultancy project therefore has a Principal Consultant who will be responsible for formulating the project proposal which may include:

- a) planning of the work
- b) estimating costs according to guidelines
- c) identifying other consultants, if necessary

- d) execution of work
- e) handling all communications with clients after a project has been accepted
- f) writing of intermediate and final reports according to project proposal
- g) making recommendations to Director IIT Patna regarding expenditure from the project funds and disbursement of funds to participants in the consultancy project

The Institute normally requires the cost of the consultancy project to be deposited by the client, in full, before the commencement of work. However, based on the needs of the client and circumstances, the Institute may permit commencement of work with payment to be made as per agreed upon milestones. All payments from clients will be received by the Institute and expenditure and disbursements made through normal Institute procedures.

A copy of the submitted consultancy project has to be retained in Registrar Office under R&D documents. **When the consultancy project is sanctioned, original copy of the sanction letter will be retained in the Registrar office.** The SRIRU forms (RD-1 and RD-2) need to be submitted immediately after receiving the sanction of project. After the initial deposit has been made by the client, the Registrar Office will assign a job number to the consultancy project and inform the same to the client, and the Principal Consultant. This completes the process of initiation of a consultancy project. The above job number must be quoted in all subsequent correspondence.

The project file will be closed with the submission of the final project report and disbursement of fees to the consultants and others.

## **2.3 Testing Services**

The Institute will undertake routine and non-routine testing jobs provided facilities are available and such testing does not interfere with any teaching or R&D work. The testing jobs can be initiated by faculty.

## **3. RULES AND REGULATIONS**

### **3.1 Budget Heads**

There will be a separate Institute account for project funds. All funds received for projects will be deposited in this account. Besides the funds for ongoing projects, this account will be used to maintain a number of funds of the Institute as described below:

*3.1.1. Institute Development Fund (IDF):* Overheads from projects and portions of payments made to consultants etc. will be credited to this fund as per details given below. The utilization of this fund will be decided by the Director IIT Patna.

*3.1.2. Professional Development Fund (PDF):* PDF is a budget head of R&D funds of individual project investigators/ consultants/ staff which is created out of the following sources for professional expenses/ development of the concerned investigators/ consultants:

- a) Part of the overhead of sponsored research projects.
- b) Amount transferred from short-term courses that are not drawn as honorarium.
- c) Full or certain portion of the consultancy fee from consultancy projects
- d) Any other income with the approval by the Director IIT Patna



The account thus generated can be utilized by the investigators in the expenses towards professional development as given below though no honorarium is admissible from this PDF:

- i. travel(within the country or abroad) for professional work
- ii. purchase of books, journals, membership fees of professional societies.
- iii. conference(within country or abroad) related expenses.
- iv. purchase of consumables for professional work .
- v. purchase of equipment
- vi. other expenditures such as-cost of photocopying, binding, cost of telephone calls, hiring of manpower, hiring of services such as taxis, caterers etc. needed for professional work.
- vii. any other special expenses permitted by Director IIT Patna.

*3.1.3. Intellectual Property Rights Facilitating Fund (IPRFF):* The IPRFF fund is created out of the share(5% institute overhead) and further augmented out of the earnings due to commercial exploitation of the patents and IPRs. This Fund shall be utilised by the institute for updating the innovation, for filing new patent applications, protecting their rights against infringements, for creating awareness and building competency on IPR and related issues.

## **3.2. Costs**

Cost of a research project will consist of equipment costs, institute overheads, actual expenses, payment to research scholars/staff/employees for consultancy projects, service tax on consultancy fees.

### **3.2.1 Institute Overhead Charges**

For sponsored Research Projects, the Institute will forward proposals with overheads 20% of the total project amount. However, the actual overhead will be determined on what the

funding agency agrees to, in consultation with the Director IIT Patna.

For **Consultancy Projects**, thirty percent (30%) of the total project cost will be charged as Institute overhead normally.

For **testing services**, the institute overhead will be the estimated institute facility cost out of the cost of testing service charges and will be deposited in Institute Development Fund(IDF).

#	Type of consultancy	Rate of overhead (after deduction of Service Tax)
1.	Use of no Institute facilities	25%
2.	Use of Institute facilities such as Laboratory and Computer	30%
3.	Primarily testing and interpretation	35%

Institute Overhead Charges	Sponsored Research Projects	<b>Consultancy Projects</b>	Testing Service
IIT Patna	20%	30% (25% without using institute facilities)	Routine 35% Non-routine 30%

The overhead for sponsored research & consultancy projects will be distributed as follows:

- a) 65% of the amount to the Institute Development fund(IDF)
- b) 30% to the Professional Development Fund (PDF) of the PI (in case there are Co-PI, this amount will be distributed proportionately to the PDFs of the investigators involved.)
- c) 5% to the Intellectual Property Rights Facilitating Fund(IPRFF).

Institute overhead distribution IDF & PDF & IPRFF	Sponsored Research Projects	Consultancy Projects	Testing Service
IIT Patna	IDF 65% PDF 30% IPRFF 5%	IDF 70% PDF 30%	IDF 100%

### 3.2.2 Actual Expenses

The Actual Expenses will cover the following costs related to a project:

1. Permanent equipment to be procured
2. Consumable Materials to be used.
3. Computational charges (at commercial rates).
4. Charges to be paid for the use of specific equipment in the departments or central facilities.
5. Contingency Expenses.

These will cover:

- i) Cost of supplies, stationery, and reproduction.
- ii) Cost of books, journals, membership fees of professional societies.
- iii) Payment for typing and other office work to external agencies.
- iv) Postage and telephone (including phone deposit charges, rentals and call charges of phones at the office or residences).
- v) Entertainment expenses (this is to cover costs incurred in meeting clients in the Institute or during a tour).
- vi) Conference Registration fees
- vii) Payments for hiring services in short-term contract, and
- viii) Miscellaneous expenses.

6. Traveling expenses

Travel may be undertaken for site visits, meetings outside the Institute, participation in Conferences /Workshops/ Seminars in India and abroad. Actual expenses will be admissible relaxing institute regular TA/DA rules.

7. Salaries of project employees

### **3.2.3. Payment to employees, external consultants and students involved in consultancy projects**

Payment in consultancy work can be one of the following:

- a) Consultation fees to faculty and technical staff.
- b) Honoraria to students.
- c) Honoraria and overtime to other staff.
- d) Fees to external consultants.

Any payment due to consultancy work will be divided into two parts: Seventy percent (70%) of the amount will be paid to the person concerned, and the remaining thirty percent (30%) charged as institute overhead will be credited in the following manner:

- i) seventy percent (65%) of the amount to the Institute Development Fund(IDF)
- ii) thirty percent (30%) to the concerned faculty Professional Fund(PDF).
- iii) five percent (5%) to the Intellectual Property Rights Facilitating Fund(IPRFF).

Service Tax is compulsory on all consultancy services. The rate of Service Tax in force now is 10.5% of the total consultancy fees. The Service Tax so collected will be deposited in to the Govt. accounts of the Central Excise Department.

### **3.3 Testing Fees in Consultancy Projects**

The testing charges are at standard rates or at the rates estimated by the faculty member who will supervise the testing work.

The following formula shall be applicable for estimating of testing service charges:-

$$(a) \text{ Cost of institute facility} = \frac{\text{Cost of equipment} \times \text{Testing time}}{2000 \times \text{Life of the equipment}}$$

Life of equipment is estimated as 5 years for Computers and 10 years for other equipments.

(b) Total Testing Charges = Cost of institute facility + Cost of consumable + Honorarium to Staff + Honorarium to Faculty (Consultant).

The cost of institute facility estimated from the above formulae will be the institute overhead.

### **CALCULATION OF CONSULTANCY FEE**

If project cost (prior to overheads) is X; then overheads of p% will be charged on X as per the table above. Service Tax will be 10.2% or whatever is applicable, on (X+p% overheads). For example, for a project cost of X = 100, and 30% overhead, the calculation is as follows :

Project cost	=	Rs. 100.00
Overhead	=	Rs. 30.00
Service Tax	=	(Rs.100+Rs.30) x 10.2% = Rs. 13.26

### **3.4 External Consultants in Consultancy Projects**

The services of external consultants may be utilized to a limited extent in order to provide comprehensive services to clients. Such external candidates will be entitled to a lump sum honorarium/ fees. The honoraria payable to external consultants may not exceed 30% of the total consultancy fee.

### **3.5 Hiring Norms**

- a) Open selection will be held for all project posts for a duration of more than one year. There will be an internal circular within the Institute. If suitable candidates are not available, then open selection will be made. In special situations, on the recommendation of the Principal Consultant / Investigator, short term job contracts for upto 6 months may be given with the approval of Director IIT Patna.
- b) All project appointments will be contractual and on the basis of consolidated monthly compensation.

- c) Automatic transfer from one project to another either on completion or midway shall not be permitted.
- d) The tenure of contractual appointment of a project staff will be for the duration of the project or three years whichever is less.
- e) The total period of contractual employment with the R&D project in two or more projects in no case shall exceed five years.
- f) On the completion of each year of service during the contract period suitable enhancement of monthly compensation may be considered on the recommendations of the PI with the approval of Director.
- g) A project employee shall execute a contract agreement on non-judicial stamp paper of value Rs.100/- with the Registrar at the time of joining, with the explicit provision that contract may be terminated by either side (staff or the Registrar office) by giving one month's notice or one month's consolidated compensation in lieu of the notice.
- h) Selection of JRF/ SRF/ RA shall normally be made as per the guidelines provided by the sponsoring agency, and as per Institute requirements, and with the approval of the Director.
- i) All appointment letters shall be issued under signature of the Registrar on approval of the Director IIT Patna.
- j) The Principal Consultant / Investigator shall consider prevailing compensation packages, general qualifications and experience of staff while preparing project proposals.
- k) The Selection Committee for the recruitment of Project staff for each project will be constituted by the Director as follows:

a. Director or his nominee :	Chairman
b. Principal Consultant /Investigator(PI):	Member
c. An expert(to be recommended by the PI):	Member
d. Nominee of sponsoring agency:	Member
e. Expert from the concerned department	Member

- l) If the Director is not the Chairman of the selection committee, its recommendation shall be submitted to the Director for consideration and approval. A suitable designation to the project staff may be assigned to give flexibility. The scale of pay of project staff is flexible and in accordance to the sponsoring agency and to attract good candidates. The Director shall have the power to fix, on the recommendations of the selection committee, the monthly consolidated compensation and the duration of the contractual appointment.
- m) On the completion of each year of service during the contract period suitable enhancement of monthly compensation may be considered by the Director on the recommendations of the PI/PC of the concerned project.
- n) All project staff shall work for the project in which he she is employed, only, unless requested otherwise by the PI/PCs concerned, and agreed to by the Director. The PI/PCs shall be the sanctioning and controlling authority for all types of leave with respect to contractual project staff.
- o) In case of recruitment of JRF/ SRF candidates who have been declared successful at NET/ GATE may be preferred. In exceptional cases, candidates without NET/ GATE may be recruited through a proper selection procedure. It is desirable to have Nominee of funding agency in the selection process and such requests for nominees may be sent well in advance.
- p) The hiring of project staff should follow the number of personnel, in different categories, sanctioned under the project. The category of post and its emoluments are governed by sponsoring agency orders.
- q) Scale and emoluments for the posts not covered under the sponsoring agency order are governed by norms prevalent in the implementing Institution.
- r) In exceptional situations, on recommendation of PI short term job contracts for 89 days and in very special situation upto 6 months may be considered by the Director IIT Patna.

### **3.6 Conduct Rules for project staff**

Project employee shall follow general code of conduct as approved by the Director. They have to maintain secrecy of the research findings / technical information and shall not get involved in unauthorized communication of any official document or information. The Director may, at his discretion, constitute committee(s) to conduct disciplinary proceedings, if necessary against project employees. On the basis of the report, suitable disciplinary action may be initiated and punishment will be imposed by the Director.

### **3.7 PhD Admissions for Project Staff**

The project employees may be allowed to register for the Ph.D. programme of the Institute, if they fulfill all the requirements prescribed by the Institute and meeting the following conditions:

- a) The remaining tenure of the scheme / project at the time of admission is at least two years;
- b) The admitted candidate gives an undertaking that he / she will not be automatically eligible for Institute Fellowship;
- c) The course work per semester shall in no case exceed three subjects

## **4. Guidelines for Project Investigators and Consultants**

### **4.1 Leave Provision**

Faculty members going out of town on research/consultancy project related work will be treated to be on duty subject to a maximum leave of 30 days per year, and subject to a maximum leave of one week per regular semester. Approval for going on duty on such work will be approved by the Director.

### **4.2 Limitations**

It is expected that only those consultancy projects will be accepted by the Institute which provide challenges befitting professional competence of the faculty members. Therefore,



undertaking routine testing jobs is to be discouraged. Sufficient caution also needs to be exercised to ensure that consultancy projects do not interfere with the normal duties of faculty members. Thus, the time spent by a faculty/staff member on consultation work should be limited, on an average, to one day a week.

### **4.3 Involving Foreign Collaborators**

At least one foreign institution/investigator from the other country should express a desire to cooperate in the research and development project with IIT Patna and a sponsoring agency ready to support financially for international R&D projects.

The project may involve a company from each side for academic / industrial research project for joint industrial R&D project aiming at the development of products/ processes leading to commercialization.

The proposals involving foreign collaborators must have funding support given to each partner in accordance with the National Laws, Rules, Regulations and procedures in effect.

A bilateral memorandum of understanding (MoU) between IIT Patna and the collaborating foreign institution need to agree on the Indian component of the total project cost with the approval of Director IIT Patna.

### **4.4 Publications of results**

Investigators wishing to publish technical/ scientific papers based on the research work done under the project, should adhere to the guidelines of sponsoring agency and acknowledge the assistance received from sponsoring agency in the publications.

If the results of research are to be legally protected, the results should not be published without action being taken to secure legal protection for the research results.

### **4.5 Technology Transfer and Intellectual Property Rights**

It is encouraged to file patent applications for the research outcomes from the projects on their innovations, to transfer their technologies for commercialization, and to reward the inventors of IIT Patna.

"Intellectual Property Rights" include patents, registered designs, copyrights and layout design of integrated circuits.

It is encouraged to seek protection of Intellectual Property Rights (IPR) to the results of research through R&D projects. The patent may be taken in the name(s) of inventor(s). IIT Patna gets its name entered in the Register of Patents as the proprietor of the patent.

It is encouraged to take necessary steps for commercial exploitation of the patent on exclusive/ non-exclusive basis and retain the benefits and earnings arising out of the IPR. The institute may share 1/3<sup>rd</sup> of the earnings to inventor(s) and other persons from such actual earnings and 1/3<sup>rd</sup> share credited in PFF and rest 1/3<sup>rd</sup> credited in IDF.

Unless otherwise agreed with the Sponsor in the project agreement, Intellectual property Rights for any discovery or invention originating from the Sponsored Research and Industrial Consultancy Project shall jointly rest with the Institute, Investigator(s) and the Sponsoring Agency unless the sponsoring Agency authorizes the Institute in writing to have the exclusive right.

Patent / copyright application before the Registrar / Controller of Patents shall be filed by IIT Patna on the basis of the recommendations made by the Patent / Copyright Committee.

The Institute and Industrial concern may transfer the technology to a third party for commercialization on exclusive/ non-exclusive basis. The third party, exclusively licensed to market the innovation in India, must manufacture the product in India. The joint owners may share the benefits and earnings arising out of

commercial exploitation of the IPR as decided by Director IIT Patna and the partners.

The information relating to the details of the patent obtained the benefits and earnings arising out of IPR and the turnover of the products are periodically submitted to the sponsoring agency which has provided funds.

For the effective protection of IPR, it is necessary that the PIs should maintain a register that gives the details of the work done and salient findings on daily /weekly basis. This register should be signed by the PI and by at least one other faculty / project employee as witness to the result.

For the copyright protection of software, registration of the software shall be made and properly documented.

The PIs shall not independently transfer technology either on exclusive or non-exclusive basis to any party without the consent of the IPR owners and institute permission. The terms and conditions for each of such technology transfer shall be worked out on a case to case basis with approval of the Director IIT Patna.

#### **4.6 Retainership:**

With the permission of the Director(IIT Patna), the faculty members of the Institute can accept retainership of the reputed organizations. The fees thus earned shall be shared by the Institute and the Individual in the ratio of 3 : 7 only after payment of service tax, etc as applicable. For this purpose, the faculty concerned may utilize one day per week or four days in a month during an academic year with the specific approval of the Director(IIT Patna) provided alternate arrangements for classes and other commitments are made by faculty member. This applies to research and consultancy projects too.

#### **4.7 Software Marketing:**

All software duly copyrighted may be marketed and the sale proceeds thus accrued shall be shared between the Institute and

the software consultant(s) as per Industrial Consultancy rules for the first copy and in the ratio (3: 7) for the subsequent copies after payment of applicable taxes like service tax. If the subsequent copy sales involve training and their supporting services, the rules of consultancy (with no contribution towards use of Institute computing facilities) shall be applicable. If the marketing rights are transferred, the terms and conditions shall be determined as per Technology Transfer Rules.

## **5. Guidelines for Project Expenditures**

The project expenditures generally fall under the following categories:

- i. Expenditure related to purchase of equipment/ consumables/ contingencies/ set up fabrication, etc.
- ii. Salary for project staff.

### **5.1. Purchase related expenditure:**

The project having provision for the purchase of items (equipment/ consumable /books / contingency etc.) can procure following the institute purchase procedures. The project purchase would be classified as R&D purchases. There should also be funds available in the appropriate account head and prior approval for all kinds of expenditure is necessary.

The purchase order would be issued by the Registrar for projects, after the competent authority approves the purchase committee's recommendations. **When the item is delivered, as per the P.O details, the PI is required to send the bill(s) to the Registrar after proper stock entry of the item in project. This is to be followed by sending the inspection report to the Registrar.**

Any exception / deviation to these rules may be considered by the Director for approval depending on the merits of the case.

### **5.2. Travel related expenditure:**

The project having provision for travel head in the approved project can obtain a prior approval for travels from Director before travelling. The faculty and staff have to follow institute

leave rules and expenditure norms in travel related expenditures from project. Deviation to these rules may be considered by the Director for approval depending on the merits of the case.