



जैव प्रौद्योगिकी अनुसंधान और नवाचार परिषद
जैव प्रौद्योगिकी विभाग संगठन
BIOTECHNOLOGY RESEARCH AND INNOVATION COUNCIL
A DEPARTMENT OF BIOTECHNOLOGY ORGANIZATION



AI-99011/1/2023-MED-DBT

Dated: 24.09.2025

OFFICE MEMORANDUM

Sub: BRIC Bye-laws 2025

The Biotechnology Research and Innovation Council (BRIC) hereby notify the BRIC Bye-laws 2025. The Bye-laws are appended to this OM.

2. In exercise of the powers conferred by Rule 9.4 of the Rules & Regulations of BRIC, the BRIC Bye-laws have been framed. The Bye-laws have been approved by the Governing Body in its meeting held on 30th July, 2025 and by the Department of Biotechnology, New Delhi vide dated 22nd September, 2025.

3. This issues with the approval of President, BRIC; Hon'ble Minister of State (IC) of the Ministry of Science and Technology.

(Dr. Kalaivani Ganesan)

Scientist 'F', DBT/Nodal Officer, BRIC

Ph. No. 011- 24365321

Copy to:-

1. PSO to SBT
2. PPS to AS&FA
3. PPS to JS (A)
4. AIPSU, DBT
5. Directors/Executive Directors of iBRIC



**BYE-LAWS OF THE BIOTECHNOLOGY RESEARCH AND INNOVATION COUNCIL
(BRIC) – AN AUTONOMOUS ORGANIZATION UNDER THE DEPARTMENT OF
BIOTECHNOLOGY**

September, 2025

CHAPTER- I

PRELIMINARY

In exercise of the powers conferred by Rule 9.4 of the Rules & Regulations of Biotechnology Research and Innovation Council (BRIC), the Governing Body of BRIC hereby frames these Bye-laws with the sanction of the Central Government. The Bye-laws have been approved by the Governing Body in its meeting held on 30th July, 2025 and approved by the Department of Biotechnology, New Delhi vide dated 22nd September, 2025

1. Short Title and Commencement:

1.1 These Bye-laws shall be called the “Biotechnology Research & Innovation Council Bye-laws, 2025”, hereinafter referred to as “**BRIC Bye-laws**”. These shall come into effect from the date of its notification issued by BRIC.

1.2 These Bye-laws shall be read in conjunction with the Memorandum of Association (MoA) and the Rules and Regulations of the BRIC Society registered with Government of NCT of Delhi, vide Original Registration No. 88/SE/2023 dated 10th November 2023.

2. Definitions and Interpretation:

In these Bye-laws, the words, expression and abbreviations used shall have the same meaning as defined in the Rules and Regulations of BRIC, unless the context signifies otherwise.

CHAPTER – II
Finance and Accounts

1. Funds:

In terms of Clause 20 of “The Rules and Regulations of BRIC Society”, the funds of the Society shall consist of the following:

- a. Recurring and Non-recurring grants made by the Central Government as sanctioned by DBT
- b. Fees and other charges received by the Society
- c. All monies received by the Society by way of grants, gifts, donations, endowments (as per provisions of IT Act 1961), sponsorships and/or other earnings (user charges, royalty, tech transfer fee etc)/ legally valid contributions from individuals and bodies corporate or societies or other legal entities (National & International).
- d. Overheads on extramural grants.
- e. All External Grants.
- f. All funds received by the Society shall be paid into the Society’s Account as per the rules of Government of India

2. Budget Estimates, Appropriation & Re-appropriation:

Preparation of budget estimates of the Society, appropriation, re-appropriation of funds and other related matters shall be regulated in accordance with instructions issued by the Government of India from time to time in this regard.

3. Expenditure Sanction:

- 3.1** No expenditure from the funds of the Society shall be incurred without the sanction of the competent authority.
- 3.2** The Governing Body, BRIC, may delegate powers to Director-General, BRIC, as are considered necessary, subject to such restrictions as are contained in the Delegation of Financial Power Rules of Government of India.
- 3.3** The Governing Body may subject to such restrictions as are contained in the Delegation of Financial Power Rules of Government of India, delegate powers to the Directors of Research Institutes and other officers of the Society for functional autonomy.
- 3.4** The financial obligations arising out of the proposed Bye-laws would be met from within the allocated grants/budget

4. Contracts/Agreements on behalf of Society and Litigation:

- 4.1** All contracts/agreements shall be executed and countersigned on behalf of the Society by an officer or officers of the Society as authorized by the Director-General for BRIC Secretariat and Directors of Research Institutions for Research Institutions. The form and substance of all contracts shall be approved by officer(s) so authorized by Director-General for BRIC Secretariat or Director of the Research Institution for matters concerning Research Institutions.

4.2 At the Research Institution, officer authorized by the Director of the Research Institution and the Deputy Director-General (Administration) or any other officer authorized by the Director-General for matters concerning BRIC Secretariat, shall have the power to file and defend suits and other proceedings on behalf of the Society and shall have the power to compromise, settle, or refer to arbitration any dispute relating to the Society.

4.3 The Director-General (for BRIC Secretariat matters) or Director of the Research Institution (for institutional matters), may authorize an officer of the Society to sign Power of Attorney, pleading and all other documents/petitions/applications to be filed in any court, including an Arbitrator, on behalf of the Society.

5. Investments:

5.1 The funds of the Society may be invested only in such manner as may be prescribed by Government of India ensuring compliance of Rule 230(8) of GFR 2017.

5.2 All investments of the funds of the Society shall be made in the name of the Society. All purchases, sales or alterations of such investments shall be affected on the authority of the Director-General for matters related to BRIC Secretariat or Director of the Research Institution, for institutional matters. All contracts, transfer deeds or other documents necessary for purchasing, selling or altering the investments of the society shall be executed by an officer authorized by the Director General for matters related to BRIC

Secretariat or Director of the Research Institution, for institutional matters. Delegation of financial powers with regard to procurement of goods/purchase of stores and personnel benefits will be governed by the extant rules issued by the Ministry of Finance from time to time.

- 5.3** The safe custody of the scrips/securities will remain in the personal charge of an officer of the Society authorized by the Director-General for matters related to BRIC Secretariat or Director of the Research Institution, for institutional matters and will be verified once in six months with the Register of Securities maintained for the purpose and a certificate of verification will be recorded by the officer of the Society in the Register.

6. Drawing of funds:

No funds of the society including its Research Institutes, shall be drawn or disbursed without due approval and authentication of officer(s) authorized in this behalf by the Director-General for matters related to BRIC Secretariat or Director of the Research Institution, for institutional matters.

7. Corpus Funds:

The Governing Body shall with the approval of the Government of India to create a corpus fund for the Society and adopt the Guidelines at Annexure 1 for generation and utilization of the corpus funds. Grant-in-Aid (GIA) will not be diverted to corpus funds.

8. Maintenance of accounts and their Audit:

The Director-General, in consultation with the Comptroller and Auditor General of India may cause a handbook to be prepared which may provide for maintenance of the accounts of the Society, system of internal audit, audit of accounts by the CAG, their presentation to the society and placing the same on the table of the both the Houses of the Parliament.

CHAPTER III

BRIC RESEARCH INSTITUTES AND SECRETARIAT

1. BRIC Secretariat – Research Institutes of BRIC

1.1 BRIC Secretariat and Directors of Research Institutes shall operate under the direct control of the Director-General.

1.2 The BRIC Secretariat will *inter alia* deal with the following matters (Annexure 2a):

- i. Strategic decisions with regards to scientific matters related to mission programmes and multi-institutional collaboration of national importance;
- ii. Receipt and disbursement of funds from the Department of Biotechnology;
- iii. Appointment of all Directors and officers of Research Institutes of level 14 and above, by direct recruitment, deputation or promotion as per recruitment rules and extant guidelines of Government of India in respect of autonomous bodies;

- iv. All recruitments including appointment by direct recruitment, deputation or promotion in respect of all posts of BRIC Secretariat;
- v. Parliament matters;
- vi. Appeal matters against the decisions of subordinate authorities;
- vii. Accounting of funds to the Ministry of Finance and Public Accounts Committee;
- viii. Recruitment/promotion policy and procedures;
- ix. Legal matter pertaining to BRIC Secretariat;
- x. Audit and Vigilance matter pertaining to BRIC Secretariat;
- xi. Any other matter as decided by the Governing Body

1.3 The Research Institutions shall primarily deal with the following matters (Annexure 2b):

- i. All scientific, financial and administrative matters pertaining to the Research Institutions;
- ii. National Missions;
- iii. International and interagency scientific collaboration;
- iv. Liaison and interaction with major users and Government departments;
- v. Audit & Vigilance matters;
- vi. Grievance mechanism;
- vii. Budget and Finance;
- viii. Exercise of powers in accordance with the extant rules for delegations of financial powers;
- ix. Patent matters;

- x. Any other matter assigned to the Institute by the Governing Body
 - 1.4** All officers/staff of the BRIC Secretariat shall discharge their duties and functions as per work allocation made by the Director-General.
 - 1.5** All officers/staff of the Research Institutes shall discharge their duties and functions as per work allocation made by the Director.
- 2. Special Modes of Engagement of Distinguished/ Chair Scientists, Adjunct faculty, visiting faculty etc.:**
- 2.1** The Society may engage/appoint Distinguished/Chair professor/scientists from amongst retired scientists of eminence as per detailed guidelines of Department of Biotechnology in this regard issued from time to time.
 - 2.2** Short-term visits/invites to external faculty, upto 6-month duration (nationally/internationally) may be approved by Directors as per institutional requirements and reported to GB.

CHAPTER IV

GENERAL PROVISIONS

1. Service Conditions of Officers and Staff:

- 1.1** The Central Civil Services (Classification, Control & Appeal) Rules 1965, and the Central Civil Services (Conduct) Rules 1964, for the time being in force, shall apply, so far as may be to the officers and establishment in the service of the Society, subject to the modification that:

- a) Reference to the "President" & "Government Servant" in the Central Civil Services (Classification, Control & Appeal) Rules 1965, shall be construed as reference to the "President of the Society" and "Officers & Establishment in the service of the Society" respectively; and
- b) Reference to "Government" & "Government Servant" in the Central Civil Service (Conduct) Rules 1964, shall be construed as reference to the "Society" & "Officers & establishment in the service of the Society" respectively.

1.2 Orders made in the name of the President, Director-General and other officers of the Society under the Central Civil Services (Classification, Control & Appeal) Rules 1965 shall be authenticated by the signature of the officer designated for the purpose by the Director-General.

1.3 The scales of pay applicable of all regular employees of the society shall not be in excess of those prescribed by the Government of India for similar personnel.

1.4 In regard to all matters concerning service conditions of regular employees of the Society, the Fundamental and Supplementary Rules framed by the Government of India and such other rules and orders issued by the Government of India from time to time shall apply to the extent applicable to the regular employees of the Society.

1.5 The Director of a Research Institute shall be assisted by the Head of Administration and Head of Finance, who shall advise the Director on all administrative and financial matters and be responsible for providing support

services to all the scientific staff and bench level Scientists. Director shall have the power to overrule the advice of aforesaid functionaries after recording reasons thereof. A report of such cases shall be sent to BRIC Secretariat/GB on administrative matter and FC/GB on financial matters.

2. Employee Grievance Redressal:

2.1 An employee grievance redressal mechanism viz. the Employee Grievance Redressal Committee shall be constituted at each Research Institute to promote practices and processes that ensure healthy employer-employee relationship and expeditious disposal of employee grievances.

2.2 The Employee Grievance Redressal Committee shall be constituted with the following composition:

- i. Professor/Senior Scientist of the Institute - Chairperson;
- ii. Employee from the Administration/Accounts Section - Member;
- iii. Employee from the Establishment Section - Member;
- iv. Head Administration/Controller of Administration of the Research Institute, Member-Secretary.

2.3 The Chairperson and members shall be nominated by the Director and the term of the Chairperson and members shall be for a period of two years from the respective start dates. Should the grievance directly concern the Head Administration of the Institute, the responsibility of the member secretary will be delegated to another officer by the Director.

2.4 The Employee Grievance Redressal Committee shall go into the cases of

alleged injustice to the employee of an individual nature.

2.5 The Employee Grievance Redressal Committee shall seek such information as is necessary to fully investigate the grievance to arrive at a decision. The proceedings of the committee should be completed, and a first report/ recommendation submitted within a maximum of 90 days of receipt of the grievance.

2.6 The Employee Grievance Redressal Committee shall make appropriate recommendations to the concerned competent authority in response to the grievance of the employee.

3. Disciplinary and Appeal Matters:

The delegation of authorities in matters of Disciplinary proceedings under the CCS (CCA) Rules in respect of regular employees shall be as under:

S.No	Class of Employees	Disciplinary authority	Appellate authority	Reviewing authority
1	Employees of Research Institutes upto level 13 A	Director of the institute	DG - BRIC	President, BRIC
2	Directors of Research Institutes	President, BRIC	President, BRIC	President, BRIC
3	Officer of level 14 and above of Research Institutes	President, BRIC	President, BRIC	President, BRIC
4	Employees of BRIC Secretariat	President, BRIC	President,	President,

	of Level 14		BRIC	BRIC
5	Employees of BRIC Secretariat(Below Level 14 upto Level 10)	DG - BRIC	President, BRIC	President, BRIC
6	Employees of BRIC Secretariat(Below Level 10)	DDG (ADMIN)	DG- BRIC	President, BRIC

4. **Residential accommodation** may be provided, subject to availability, eligibility and entitlement to the regular employees in accordance with Government of India (Directorate of Estate /GPRA guidelines) rules in force.

5. **Estate Officer:**

An Estate Officer shall be designated in terms of The Public Premises (Eviction of Unauthorized Occupants) Act, 1971 for the purpose of being custodian of land records and coordination with land agencies, developmental authorities, concerned local authorities and state government. The Estate Officer shall report to the Director of the Research Institute.

6. **Leave Rules:**

6.1 CCS (Leave) Rules, 1972 in force and amendments thereto shall be applicable to all regular employees of the BRIC Secretariat and Research Institutes.

6.2 Sabbatical leave to be considered and approved by Director as per guidelines at Annexure 3. Deputation/ Foreign service for scientists to be

considered and approved by Director as per extant guidelines of GoI.

7. Medical Benefits:

All regular and retired employees of BRIC and their dependent family members shall be covered under the medical scheme for the medical treatment (both inpatient and outpatient) as per detailed Scheme at Annexure 4. The contributory amount will be periodically reviewed by Finance Committee and Governing Body for enhancement in proportion to the actual medical commitments for the employees. In case of shortfall, contribution from the corpus fund can be taken for the Medical Fund with the approval of the Governing Council. However, it must be ensured that the transfer from the corpus fund to the Medical Fund does not exceed the aggregate employee contribution.

8. Annual Performance Appraisal and Reporting System :

All regular employees of the BRIC Secretariat and the Research Institutes shall be appraised annually for their performance through the system of APAR (Annual Performance Appraisal Report) in accordance with the extant guidelines issued by the Department of Personnel and Training (DoPT) from time to time. With regard to appraisal of scientists in BRIC Secretariat and Research Institutes, the formats for Annual Work Report and APAR would be as prescribed in the Revised Flexible Complementing Scheme (RFCS) guidelines issued by DoPT vide its OM No.AB-14017/41/2013-PP(RR) dated 13th March, 2024.

9. Annual Medical Examination:

AME for all regular employees above 40 years of age is mandatory. The Ministry of Health and Family Welfare guidelines issued vide communication No. A.17020/1/2010-MS dated 21.10.2011, amended from time to time, shall be applicable in this regard.

10. Miscellaneous Provisions:

10.1. Intellectual Properties:

10.1.1 All work generated by the Research Institute or its staff pursuant to the BRIC objectives, comprising research, trials, experimental data, consulting and participation/presentations/ published work in national/ international forums/ journals shall be the intellectual property of BRIC. The provisions of the Intellectual Property Rights Policy 2016 of the Government of India and the DBT Intellectual Property Guidelines, 2023 shall be applicable to all Intellectual Property Rights matters of BRIC Society (Annexure 5).

10.1.2 For encouraging development of commercialization of inventions and innovations arising out of the research institutions and to encourage entrepreneurship amongst scientists, the Directors may accord approvals as notified in the DBT OM on the matter, dt 22 Jan 2025 (Annexure 6).

10.1.3 The Directors of the Research institutes shall place before the Governing Body a six-monthly statement of:

- (i) Patents filed during the period by the Research Institutes.

- (ii) Amount of income generated consequent to commercial exploitation of these patents and its distribution thereof to various heads (like Research Institute Income, Program Division, Govt. of India, etc).
- (iii) The distribution of income generated out of commercial exploitation of all the patents filed by the Research Institute may be distributed with the approval of Director.

11. Data Protection and Sharing:

All efforts must be made by the Research Institutions to foster a culture of responsible data sharing maintaining trust of all stakeholders.

12. Research Ethics and Integrity:

12.1 Research Institutions to nurture a research environment that promotes high ethical standards, contributes to ongoing professional development, and preserves public confidence in the scientific enterprise.

12.2 For pre-clinical and GM research, statutory institutional committees to be constituted.

13. Contribution to Scientific Periodicals:

13.1 Contributions to scientific journals resulting from work carried on at the Research Institute by members of the staff of the Research Institute shall contain the name of the Research Institute and BRIC and acknowledge the support of Department of Biotechnology.

13.2 The content/data of the contribution shall be the sole property of the BRIC, the record of which shall be maintained at an access-controlled, data archive at the Research Institute and be accessible to the BRIC Secretariat.

13.3 No contribution, which may relate to classified or confidential material, shall be made without the specific approval of the Director-General.

14. Extramural lectures, Examinerships, Funding opportunities:

The Faculty/Scientists and other Employees of the Research Institute may accept invitations to give lectures in their field of work to Institutes/Universities/Societies etc., with the approval of the Director. Faculty/Scientists of the Research Institutes may, if invited, accept examinership of doctoral students at academic institutes nationally and internationally, with the approval of the Director. Faculty/Scientists of Research Institutes would be encouraged to seek extramural funding to support research programs from national and international agencies, private entities, philanthropy foundations etc. Further, the Directors may ensure that such participation does not hamper the work of the Research Institute. Invitations to the Director of Research Institute for such purposed would require approvals of the Director-General. Any travel abroad in this regard would require approval as per extant guidelines of Department of Biotechnology in this regard.

15. Seminars, conferences, symposium, workshops:

Director of the Institute/ staff of the BRIC Secretariat may be deputed by the Director-General, BRIC to attend scientific conferences, symposia and congress,

workshop, brainstorming sessions, business or collaborative meetings/interactions etc. in the country. In the case of Research Institutes, the concerned Director may depute the staff to attend scientific conferences, symposia and congress, workshop, brainstorming sessions, business or collaborative meetings/interactions etc. in the country. If, however, such conferences, symposia, workshops, seminars, and lectures are held outside the country, then due approvals as per extant Department of Biotechnology/Government of India guidelines on foreign deputation, foreign travel and foreign hospitality shall be adhered to on each such occasion/event. Any departure from the laid down instructions would require prior specific approval of the Department of Expenditure (wherever applicable).

16. Consulting or Royalty of Services or Externally Sponsored Research Projects:

16.1 The Research Institutes may serve as consultants/conduct sponsored research projects to/ for other organizations related to its objectives through its institutional framework and as approved by the Director of the Research Institute. These should be reported to GB. All such consulting services shall be delivered through a MoU/contract/agreement with the client organization.

16.2 No staff member employed by the Institute shall enter into any private consulting/sponsored research assignments independent of the Institute. Such acts will be deemed a breach of conduct rules as defined by the CCS (Conduct) Rules 1964.

16.3 User charges for facilities shall apply to all consulting/sponsored assignments

within and done by the Research Institute or its staff.

16.4 The revenue earned out of above-mentioned consultancies/projects/agreements shall be credited to the corpus fund to be formed by BRIC.

16.5 Faculties running the core facilities shall be incentivized.

17. Collaboration with other institutions of repute:

17.1 The Research Institutes may collaborate with other national/international research institutions/ universities/ hospitals/organisations in pursuance of excellence in its objectives. The institute shall prepare an annual report in this regard and place it before the Governing Body for its information. In case of all international collaborations/project due prior approval of competent authorities shall be taken by the Research Institutes.

17.2 The collaboration[s] with other national/international institutions shall generally be of a technical nature unless extraordinary circumstances necessitate financial collaboration. Prior approval of competent authority would be taken by the Research Institute before such financial collaboration.

17.3 The Research Institute may undertake collaborative projects with the Industry (private/ government-national/ international) subject to extant guidelines of the Government of India in this regard.

18. User Charges:

18.1 BRIC Research Institutes shall levy user charges for the services rendered by the Research Institutes.

18.2 Research Institutes shall constitute a committee to determine user charges in respect of services rendered by the Institute. The recommendations of the committee shall be approved by the Governing Body.

18.3 There shall be a periodic review of the user charges every three years by a duly constituted committee. The recommendations of the committee shall be placed for the approval of the Finance Committee and Governing Body, following which the new rates shall be applicable as duly notified by the Research Institute.

19. Memorandum of Understanding (MoU):

BRIC shall enter into a Memorandum of Understanding (MoU) with DBT, Government of India, to be renewed at the start of each financial year in terms of Rule 229 (xi) of GFR 2017, spelling out clearly performance parameters, output targets in terms of details of programme of work and qualitative improvement in output, along with commensurate input requirements. The output targets, given in measurable units of performance, shall form the basis of budgetary support extended to the organization. The roadmap for improved performance with clear milestones should form part of the MoU.

20. Retirement Benefits:

20.1 The employees joining on or after 01.01.2004 shall be governed by New Pension Scheme (NPS) as amended from time to time or any such provisions, rules on the matter issued by the Central Government. All other retirement

benefits like Gratuity, leave encashment, etc shall be regulated as per the provisions applicable for Central Government employees as approved by the Administrative Ministry.

20.2 The Superannuation age of all the scientific, technical and administrative regular employees shall be as per those for Central Government employees.

20.3 In the case of the employees who joined the Research Institutes prior to 1.4.2004, they will be governed in this regard by as per their respective schemes such as CPF, EPF etc.

20.4 In the case of the death of a regular employee in service, covered under any of the above schemes, the extant Government of India guidelines in this regard shall be applicable.

21. Compassionate Appointments:

All Compassionate Appointments shall be regulated as per Department of Personnel & Training (DoPT) guidelines in this regard.

22. Employees Welfare Fund:

There shall be an employee's welfare fund for the employees of BRIC / Research Institutes under BRIC as per details given at Annexure 7. The employee welfare fund should comprise entirely of contributory funds. There will be no transfer of funds from corpus fund to employee welfare fund.

23. Power to remove difficulties:

In case of doubt regarding the interpretation of any of the provisions of these Bye-laws, the matter shall be referred to the Governing Body for a decision. In the event of there being any inconsistency between the MoA/ Rules and Regulations of BRIC Society, Bye-laws of the BRIC and Government of India rules/instructions, the provisions of the Government of India instructions shall prevail. If any question arises which is not covered by these Bye-laws, the decision of the Administrative Ministry shall be final. The Governing Body does not have the power to interpret instructions issued by the Government of India, which shall invariably be referred to DBT for necessary clarifications.

24. Review, Display and Notification of the Bye-laws:

Draft Bye-laws or any amendments to the approved Bye-laws shall be displayed on the BRIC website for a period of 10 days before being notified. Only after the notification the new Bye-laws shall come into effect from the date of notification.

**GUIDELINES FOR USE OF CORPUS FUND BY THE
AUTONOMOUS ORGANISATIONS**

Rule 229 (iv) of the GFR provides that all Autonomous organisations, new or already in existence should be encouraged to maximise generation of internal resources and eventually attain self-sufficiency.

2. Rule 229 (v) of GFR provides that Corpus Fund for Autonomous Bodies can be created out of Budgetary allocation which would require prior concurrence of Ministry of Finance, or from internal accruals for which approval of the Administrative Ministry is required.

3. **Guidelines**

(i) Use of Corpus Fund will be as per applicable guidelines of Government of India

(ii) To ensure compliance with Annual Expenditure limits on the activity and their purposes, a monitoring mechanism will be set up at each Autonomous organisation through a Committee headed by the Director of the Autonomous organisation. The Administration and Finance Officers of the organisations should be members of the Committee. The Committee will determine the Fund release from the Corpus Fund, monitor output from such Fund and maintain overall tracking of expenditure of subject to annual limits via a dedicated portal.

4. **Generation of Corpus Fund Revenue**

- (a) Royalty and Premia from Licensing and IPR
- (b) Consultancy Fee
- (c) Sponsored Fee
- (d) Overhead charges
- (e) Job work charges
- (f) Technical services
- (g) Use of infrastructure of the organisation for projects
- (h) Training Course Fee

Note 1: The distributable portion earned from the above will not be counted in the Corpus Fund.

Note 2: Budgeting of the Corpus Fund will be prepared annually.

5. **Utilisation of Corpus Fund**

- (i) Staff welfare measures;
- (ii) Annual Master Health Check-up for employees and spouse;
- (iii) Death Relief of upto Rs.2 Lakh to the family of the employee who dies in service;
- (iv) Group Personal Accident Insurance Policy;
- (v) Medical facilities through Insurance Policy for the regular employees in service and retired employees who are not covered by CGHS

As a one-time measure 10% of the Corpus Fund may be shifted to a Medical Fund to be created for taking care of the health issues of retired employees. The Autonomous organisations may start collecting contributions from the existing employees for the Medical Fund on a monthly basis. It may be noted that any shortfall in the Medical Fund may be reimbursed through reserves taken out of the Corpus Fund but not vice-versa.

- (vi) Capacity Building which will include research related travel to other Labs and field projects, attending meetings and workshops in India, competition workshops in India, Membership Fees for technical societies, professional bodies and associations related to their subjects.
- (vii) Honorarium

Honorarium to staff towards contribution for consultancy work which will be evaluated and recommended by a Committee constituted by the Director of the organisation, not exceeding Rs. One Lakh.

- (viii) To be undertaken with the approval of Governing Council through Finance Committee.

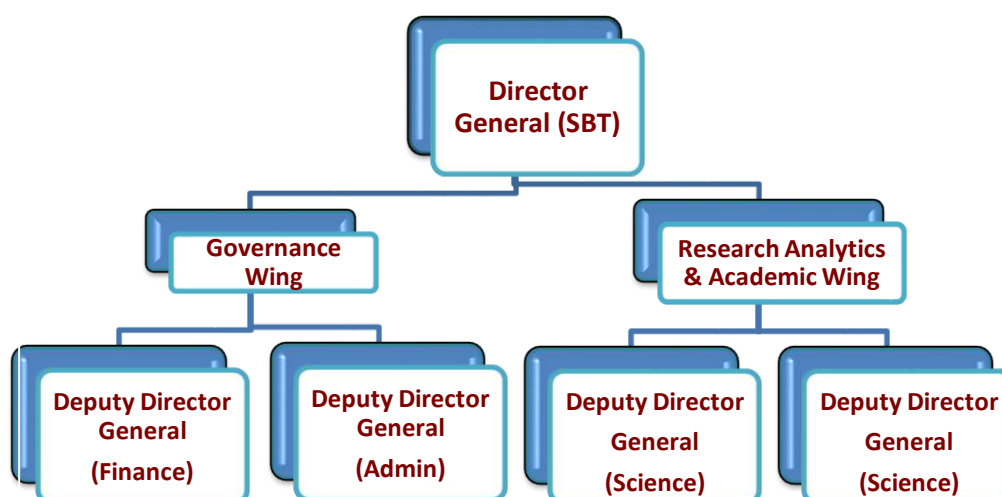
- 1. Infrastructure development or procurement of instruments in the event of non-availability of funds from the Ministry.
- 2. Funding for Start-ups or incubation centres.
- 3. Pending liabilities in Gratuity and EPF cases.
- 4. Establishment expenses and institutional development.
- 5. Inter-organisation transfer of specific amount of Corpus Fund to tide over any eventuality.
- 6. For International training and attending workshops/conferences abroad.
- 7. Any other proposal not covered above.

Roles and Responsibilities of BRIC Secretariat

BRIC aims to achieve transformational impact of biotech research institutions created over a span of three decades. BRIC Secretariat will maintain a lean structure prioritizing strategic and coordination activities. It will provide guidance on scientific strategic decisions, conceive and implement inter-institutional, national missions across iBRIC+ and coordinate decisions between iBRIC. BRIC Secretariat will coordinate inter-ministerial efforts for institutions and will be the face of the Biotech Research and Innovation Network.

BRIC Secretariat will not serve as regulatory authority providing one more level of hierarchy for decisions; rather it will continuously establish processes, guidelines and procedures fostering integrity and responsible conduct of every employee ensuring functional autonomy for decision-making at the institutional level.

BRIC Secretariat Organogram



Governance Wing

- Draft governance rules and guidelines for implementation by iBRIC to ensure seamless science governance and uniform, consistent service considerations.
- Recruitment/Promotions for Level 14 and above of iBRIC and Appointment of Directors/Distinguished or Emeritus faculty.
- Financial approval for procurements beyond institutional purview
- Approvals for Directors - leave, tour etc
- Administrative & financial approvals for travel abroad beyond institutional purview.
- New latest technologies for enhancing governance efficiency to be explored

Research Analytical & Academic Wing

- Provide guidance on scientific strategic decisions, operationalize national mission programs along with DBT and coordinate decisions between iBRIC.
- Conceive and implement new, inter-institutional, collaborative scientific missions across iBRIC+
- New collaborative, team-based, Ph.D and Postdoc programs in biotech.
- Coordinate scientific impact of iBRIC, ranking framework and other such outcome efforts.

Various governance activities to be performed at institutions with Director as approving authority is listed below:

- Directors may constitute inter-institutional committees comprising 3-4 institutions for considering common governance/administrative issues across institutions to minimize time of scientists on Admin work as well as to ensure uniform principles are adopted.

1. Recruitment: No new positions to be created. Upto Level 13A all recruitments for live vacant positions across cadres following RR

2. Promotions: Upto Level 13 A for all cadres following RR

3. Purchase of Stores/Goods: Extant rules issued from Ministry of Finance/DBT guidelines on delegation

4. Establishment:

- ***Leave:*** Approve all admissible leaves for all employees (CL/EL/CCL/MI/HPL etc) as per Gol norms
- ***Sabbatical:*** As per Annexure
- ***Travel:*** All National travels for all employees as per Gol norms; Foreign travel as per Gol norms
- ***Service considerations:*** Medical, welfare fund, Retirement, Disciplinary (Chapter IV)

- **Contractual Appointments:** *As per institutional requirement. Salaries to be fixed as per institutional norms/DST OM etc keeping in view GFR guidelines. Short-term faculty visits/invites.*

5. Legal Matters

- **RTI:** *Director to appoint PIO and CPIO*
- **Grievance:** *Respective Staff/Scientist concerned*
- **Audit:** *Institutional finance*
- **Court cases:** *Institutional admin*

6. Research commercialization:

- **Entrepreneurship:** *DBT Guidelines 2025*
- **Patenting/Tech licensing:** *DBT IP Guidelines 2023*
- **Revenue Sharing for tech transfer**
- **User charges/consultancy:** *Institutional norms*

7. Scientific Activities:

- *Research programs*
- *Education/training activities*
- *Science communication/conferences*
- *Science outreach*

(17.5) Grant of Sabbatical leave

(17.5. 1) Subject: Sabbatical Leave

The Governing Body of CSIR has approved the following rules and regulations for sabbatical leave at its 124th meeting held on 24th September, 1991.

Rules and Regulations

- 1 . The Sabbatical Leave would be exclusively for Scientific or academic work at any relevant Institution in India or abroad;
2. The Sabbatical Leave would be admissible to Scientists "C" and above who have rendered not less than six years service in CSIR;
3. Sabbatical Leave should be granted once in six years provided the scientist concerned has not gone on one year or longer deputation or assignment or study leave during the preceding six years;
4. Sabbatical Leave could be availed by a Scientist while receiving fellowship or the like from CSIR or any other Organisation;
5. The leave will be limited to a maximum period of one year only; it may be taken for shorter duration;
6. The scientist must have at least three years services after completion of sabbatical Leave;
7. The sabbatical leave cannot be combined with any other leave;
8. During the period of sabbatical leave, the Scientist concerned will be paid full salary and allowance as would have been otherwise admissible to him;
9. Scientist concerned will furnish a letter of acceptance from the Host Institution for undertaking advanced Study/research;
10. Scientist concerned will give an undertaking before proceeding on sabbatical leave that he will utilise it for the bona-fide purpose for which it is sanctioned and

will not accept any commercial employment during the period of leave; if, after rejoining duty, he resigns within three years he shall refund the salary paid to him during the period of his sabbatical leave;

11. During the period of sabbatical leave, the scientist will continue to retain accommodation on the same terms and conditions as are applicable to other council employees;

12. For all purpose the period of sabbatical leave will be treated as a period spent on duty without entitlement to TA and EA;

13. In case the Scientist proceeds abroad, the Laboratory where he is employed or CSIR will have no financial obligations including medical expenses;

14. All applications shall be forwarded by Laboratories to CSIR in case sabbatical leave is out of the country.

15. On completion of sabbatical leave, the scientist will submit detailed report on work done and objectives accomplished.

(CSIR -HRDG Letter No:CSIR/SK/SL/91, dated: 16/12/1991.)

(1 7.5.2) Sub: Provision of Sabbatical Leave for Scientists of CSIR.

Reference CSIR letter No.CSIR/SK/SL/91 dated December 16,1991 from Dr. Sushil Kumar, the then Head, HRDG, CSIR on the subject cited above. The Governing Body in its 131st meeting held on 29th July, 1993 while considering the recommendations of the Mashelkar Committee on Marketing Knowledge Base etc., has, inter-alia approved the following modifications in the existing rules and regulations for sabbatical leave:- "the facility of sabbatical leave that is presently available for work of scientific and academic nature only, be extended to include work on other activities of the innovation chain with industry, consultancy organisations, financial institutions, project engineering firms, technology marketing/transfer agencies, etc. All other conditions of the scheme approved by GB for sabbatical leave to remain unchanged".

(CSIR Letter No:CSIR/SK/SL/91/HRDG, dated: 13/07/1994.

**Contributory Medical Scheme (CMS)
of the Biotechnology Research & Innovation Council (BRIC)/ Research Institutes under
BRIC**

1. Title and Scope

The Scheme shall be called 'Contributory Medical Scheme' (CMS) of the Biotechnology Research & Innovation Council (BRIC)/ Research Institutes under BRIC (hereinafter referred to as Scheme). The payment of contribution towards the Scheme as mentioned in Para 5.1 is compulsory.

2. Date of Effect

The Scheme shall come into effect from **the approval of the competent authority.**

3. Applicability

3.1 The Scheme shall be applicable to all the regular employees of the BRIC/Research Institutes under BRIC and dependent members of their families.

3.2 The benefits under the Scheme shall also be admissible to:

- a) Retired employees of the BRIC/ Research Institutes under BRIC who opt for the benefits under the Scheme and the members of their families subject to the following conditions:
 - i. The employee should have put in a minimum of five year's service in the BRIC/ Research Institutes under BRIC before his/her retirement.
 - ii. The employee should pay contribution at the rate/amount fixed by the BRIC from time to time.
 - iii. Monthly CMS contribution shall be deposited in advance for 12 months before 30th March for the following Financial Year.
- b) Members of the family of a deceased employee of the BRIC/ Research Institutes under BRIC provided he/she had **completed five years** service in the BRIC/ Research Institutes under BRIC and also the contribution at the rate/amount fixed by the BRIC/ Research Institutes under BRIC from time to time is continued to be paid by the family.

The family of the deceased employee may avail of the benefit of the Scheme for the whole of the month in which the employee died as well as the succeeding calendar month without payment of contribution for the said succeeding month.

The benefits under the Scheme shall be admissible only to those dependent members of the family of the deceased employee who are covered by the definition of 'family' as per CGHS norms in this regard.

- c) The benefits under the Scheme will continue to be made available to the members of the family of the retired employees who are covered by the definition of 'family' even after their death subject to payment of contribution at the rate/ amount fixed by the BRIC from time to time.

4. Definition of 'Family'

'Family' for the purpose of the Scheme shall have the same meaning as defined in the CGHS guidelines and CS (MA) Rules.

- 4.2 No person who is receiving or is eligible to receive medical aid/facility/cash subsidy, cash allowance or reimbursement for medical care from any source other than this Scheme such as, for example, the Railways, CGHS, Commercial Organisations, Public Sector Undertakings, State Government, Private Sector Organisation, etc., shall be admitted to the Scheme without the explicit permission of and subject to such restrictions as may be imposed by the BRIC/ Research Institutes under BRIC.

4.3 Annual Declaration:

- 4.3.1 All employees should declare, at the beginning of each calendar year or as soon as possible thereafter, about the eligibility or otherwise of the members of their family for medical assistance from other sources.
- 4.3.2 A declaration in the prescribed form regarding income and residence of parents, as also regarding residence, dependence and age of eligible children, and other dependents, should be furnished by the employee at the time of initial registration and at the beginning of every calendar year thereafter for continuation of the Contributory Medical Scheme facilities.
- 4.3.3 It shall be the responsibility of the employee concerned to notify the Administration of the BRIC/ Research Institutes under BRIC as soon as their sons/daughters, parents or other dependents become ineligible for the benefits of the Scheme so that their names can be deleted from the list of Contributory Medical Scheme beneficiaries. Any suppression of

information would lead to withdrawal of the facilities under the Scheme and also institution of disciplinary proceedings as per rules.

5. Contribution:

5.1 For the medical benefit provided under the Scheme, a monthly contribution as per CGHS guidelines (amended from time to time) may be deducted.

5.2 In cases where both the husband and wife are employees of the Department, the payment of contribution will be regulated as per CGHS norms/guidelines in this regard.

5.3 In the case of an employee who is on any kind of leave, the contribution shall be recovered on the basis of the pay last drawn by the employee immediately before proceeding on leave. The facilities of the Scheme will not be available to a person proceeding on extraordinary leave, unless the contribution for the period of extra-ordinary leave is paid in advance before the commencement of such leave.

5.4 (a) An employee who proceeds abroad on deputation or on deputation-cum-special leave or any kind of study leave, may at his/her option, avail of the benefits of the Scheme for his/her family. The option shall be exercised before the employee proceeds on leave/deputation abroad and shall be treated as final and the contribution for the period shall be paid in advance.

(b) An employee who is on deputation and on foreign service terms to any other Department/Organization/Public Sector Undertaking/Autonomous Body/Central/ State Government, etc. and members of his/her family are not eligible for coverage under the Scheme. If the employee opts for coverage under Contributory Medical Scheme and the borrowing Department agrees for the same, he may be permitted to be covered under the Scheme.

5.5 Contribution from the family of deceased employees:

In the case of deceased employees, the monthly contribution to be recovered from the family of such deceased employees, as per CGHS guidelines.

5.6 Contribution from the family of deceased **Retired Employees**

In the case of deceased retired employees, the monthly contribution to be recovered from their family, shall be as per CGHS guidelines.

Note: Payment towards the above contribution shall be made by online transfer to bank account of BRIC/ Research Institutes under BRIC, as the case may be.

- 5.7 Delegation of financial powers: Delegation of financial powers for permission/ex-post facto approval (in case of 'emergency treatment')/settlement of medical reimbursement claims of individual beneficiaries/hospitals bills in provided as under:

Sl. No.	Approving Authority	Delegated powers
1	Director, RI	Upto Rs.5,00,000/-
2	BRIC Sectt.	Above Rs.5,00,000/-

6. Details of the Scheme:

- 6.1 An Authorized Medical Authority (AMA) is a doctor as notified by the Government of India (amended from time to time) or a doctor nominated as such by the Director of the RI or the DG as the case may be. Any specialist in a CGHS empaneled hospital will be considered as an AMA for the purpose of CMS.
- 6.2 All CGHS empanelled hospitals and few well-known private hospitals/nursing homes/poly-clinics empanelled by the RIs duly obtaining the approval of the Director of the RI will be recognized for treatment and hospitalization. The employees shall pay the charges for the treatment, to be reimbursed by the BRIC/ Research Institutes under BRIC as per the CGHS rates.
- 6.3 The consultation fees for the specialists to be borne by the Scheme will be as per the CGHS rates, revised from time to time.
- In addition to the consultation charges of the above, Package deal as defined as per CGHS is also admissible.
- 6.4 Hospitalization facilities will be provided in the recognized hospitals/nursing homes /poly-clinics. The ward charges which may be levied by these hospitals/ nursing homes/ polyclinics shall be borne by the Scheme in accordance with the CGHS rates.
- 6.5 Reimbursement of charges for treatment and operation in private hospitals/ nursing homes/poly-clinics will be subject to the CGHS rates, revised from time to time.
- 6.6 The employees and their families will also be permitted to go on their own to Government hospitals/Government-recognized hospitals for medical attention and treatment as outpatients and in-patients. Reimbursement to the employee

will be admissible as per CGHS rates, subject to production of bills and Doctor's certificate.

6.7 Reimbursement of bills: Reimbursement of bills will be restricted as per CGHS rates, as amended from time to time. If there is no CMS/CGHS package rate for treatment procedures/investigations /implants approval shall be granted as per AIIMS rate (if any) and if there is no CGHS/AIIMS rate approval shall be granted as per actual rates by the Director General/ Director of the Institute.

6.8 Cashless Scheme of Regular Employees: To benefit the employees of BRIC/ Research Institutes, the BRIC/ RI may empanel CGHS empaneled hospitals which are willing to provide cashless facility.

For all cashless transactions, patients will have to get permission letter from the BRIC/ Research Institutes duly following the process. During emergency situations the patient needs to inform the concerned authority of BRIC/ RI, as the case may be regarding the treatment and the concerned official could issue a permission letter or Email to the hospital, to that effect, within 24 hrs.

The bills sent by the Hospital for cashless are to be certified by the concerned authority of BRIC/ Research Institutes for payment and if there is any difference in the amount approved by the BRIC/ Research Institutes under BRIC and the hospital bill, the difference amount could be recovered from the concerned employee, through salary deduction.

However, the procedure remains the same for CMS members availing treatment in various other Private hospitals/clinics/ Diagnostic BRIC/ Research Institutes/ Govt. Hospitals, claiming for reimbursement and the bills being certified by the concerned authority of BRIC/ Research Institutes.

6.9 BRIC/RI Health ID Card for Cashless : For Hospitals to identify the CMS members for cashless transactions, an individual Health Card with a photo in this effect for REGULAR EMPLOYEES & their dependents, which could be recognized by the concerned hospital. The card can be issued / renewed by the concerned authority of BRIC/ Research Institutes, as the case may be, from time to time.

7. Ayurvedic and Homeopathic Treatment

7.1 The beneficiaries can get hospitalization/treatment from any Government or Government authorized Ayurvedic/Homeopathic hospitals/dispensaries.

7.2 For hospitalization/treatment under the Ayurvedic/Homeopathic systems at the Government hospitals, the beneficiaries will be required to make direct

payment and seek reimbursement from the BRIC / Research Institutes, as the case may be, thereafter.

- 7.3 The beneficiaries under the Scheme who go to the Government Ayurvedic/ Homeopathic hospitals/dispensaries for medical attention and treatment as out-patients or in-patients will be reimbursed as per the guidelines issued by Department of Ayush.

8. Medicines:

- 8.1 Cost of medicines, which may be prescribed by the Authorized Medical Authority/ Specialists will be reimbursed in full subject to the production of cash bills/receipts and doctor's certificate. The medicines shall be purchased only from the licensed medical shops registered under the Drug Control Act of the State.

- 8.2 **Based on the prescription of the Ayurvedic or Homeopathic Doctor**, the cost of Ayurvedic and Homeopathic medicines admissible under the CS (MA) Rules purchased only from approved shops will be reimbursed. The cost of any other Ayurvedic/ Homeopathic medicines shall not be admissible under the Rules even if it prescribed.

9. Special facilities for treatment of acute or chronic diseases:

The employees of the BRIC/ Research Institutes and members of their families suffering from diseases like tuberculosis, cancer, poliomyelitis and communicable diseases will receive treatment from the Authorized Medical Authority and Specialists. If the authorized Medical Authority considers that the patient requires treatment in a specialized hospital/institution for such diseases, they will refer such patients to the hospital/institution recognized for the purpose. A list of such specialized hospitals/institutions will be notified from time to time by the BRIC/ Research Institutes. Charges incurred at these hospitals/institutions and fees charged by the specialists for consultation, etc., and other institutions shall be paid by the employee and he/she shall submit the bills received from the hospitals/institutions or specialists concerned after scrutiny and recommendation of the authorized Medical authority for reimbursement. The reimbursement shall be restricted to the CGHS rates.

10. Maternity benefits:

- 10.1 Maternity benefits will be admissible as per CGHS guidelines. The eligible beneficiaries can be admitted for confinement in any of the recognized hospitals/nursing homes/poly clinics. Expenditure in this behalf will be met by

the Scheme in the same way as treatment for other diseases, as per CGHS rates, amended from time to time.

10.2 The maternity benefits as provided above will not be admissible to a female employee/wife of a male employee if the beneficiary has more than two living children.

10.3 Domiciliary confinement:

In the case of a domiciliary confinement supervised by a doctor (having qualifications recognized by the Indian Medical Council Act, 1956), actual charges or expenses limited to the CGHS rates, whichever is lower, will be payable.

11. Ante-natal and post-natal care:

Ante-natal and post-natal care will be available from the Authorised Medical Authority. The cost of the medicines, which may be prescribed by him/her, will be reimbursable in accordance with the procedure prescribed for reimbursement of medicines.

12. Other facilities:

12.1 An employee or a member of his family may be authorized by the AMA to have injections administered by another Medical Practitioner registered under the Indian Medical Council Act, 1956 either at his dispensary or at the employee's residence. Professional charges for injection, dressing etc., by private medical practitioners will be reimbursable at approved rates provided the nature of the case warrants such treatment.

12.2 The Scheme may arrange to provide facilities such as speech therapy, child psychiatric care and medical social-care free of cost to the beneficiaries and may recognize institutions for this purpose where these facilities can be availed of.

12.3 When transport by ambulance is recommended on medical grounds an ambulance may be hired and charges incurred in connection with such hiring, to the extent considered reasonable by the BRIC/ Research Institutes under BRIC, will be reimbursed to the employee.

12.4 No travelling allowance shall be payable for any medical attendance or treatment within the City

12.5 Power of Condonation: In case of delays in submission of medical bills after 6 months from the date of completion of medical treatment/discharge of the patients from the hospital are required to be taken up with DDG (Admin) for

BRIC Secretariat and respective Director for RIs for condonation of delay period.

The above benefits shall be subject to such restrictions as are imposed by CGHS norms /guidelines in this regard.

13. For periodical DENTAL check-up:

The beneficiaries may go to any Government Dental Hospital/ CGHS empanelled Dental Hospitals for treatment. Charges to the extent levied by them will be reimbursed as per CGHS guidelines.

14. Eye treatment:

The employees and their families will be permitted to go to the eye specialist in a CGHS approved hospital or a hospital on the approved BRIC/ RI panel for getting their eyes tested.

15. Limitation of liability:

There shall be a limitation of liability of inpatient care for a particular disease as follows:

	Psychiatric	Other diseases
1.All employees and members of their families	1 year	18 months
2.Retired employees and members of their families	1 year	18 months
3.Members of families of deceased employee	1 year	18 months

16. Miscellaneous provisions:

16.1 The Scheme shall be administered by the BRIC/ Research Institutes under BRIC or by an authority nominated for this purpose that will exercise administrative and cognate financial powers within the scope of the Scheme.

16.2 The BRIC/ Research Institutes under BRIC may admit any expenditure up to and including Rs.1000/- (Rupees One Thousand only) in each case relating to the Scheme which is not covered by the detailed provisions provided such expenditure is, in its opinion, in consonance with the general objectives of the Scheme.

16.3 The BRIC/ Research Institutes under BRIC may withdraw temporarily or permanently the benefit of the Scheme in the following cases:

- a) When there are reasons to believe that there is no reasonable prospect of the employee resuming duty after a spell of absence.
- b) When the beneficiary is not paying the contribution in time.
- c) In the case of misuse of the benefits of the Scheme either by the employee or a member of his/her family.
- d) When the employee is either dismissed or removed from service.
- e) In such other cases where such a step is considered necessary.

NOTE:-- Before taking action as mentioned above, the beneficiary concerned will be given a chance, wherever possible, to explain his/her position. A sum of Rs.100/- in the case of Groups A, B and C Officers will be recovered on each occasion for each CONTRIBUTORY MEDICAL SCHEME Diary (registration) lost or misplaced requiring issue of a fresh card. The total recovery on any one occasion of loss, etc. will not exceed Rs.100/- in the case of Groups A, B & C Officers. The BRIC/ Research Institutes under BRIC or the authority nominated by it may, for good and sufficient reasons waive any recovery on this account.

16.4 In cases where it is found that a beneficiary registered under the Scheme is not eligible to be so registered or is not eligible for any particular benefit under the Scheme, the BRIC/ Research Institutes under BRIC may decide upon the amount of recoveries in each case and the date from which such recoveries should be effected.

17. The competent authority may from time-to-time issue office orders and amend various schedules and forms as may be necessary for the operation of the Scheme.

18. If any question arises relating to the interpretation of this scheme, it shall be referred to the Governing Body whose decision thereon shall be final.

भारत सरकार
विज्ञान और प्रौद्योगिकी मंत्रालय
जैव प्रौद्योगिकी विभाग
GOVERNMENT OF INDIA
MINISTRY OF SCIENCE & TECHNOLOGY
DEPARTMENT OF BIOTECHNOLOGY



सत्यमेव जयते

ब्लॉक-2, 7वां तल, सी0जी0ओ0 कम्पलेक्स
लोधी रोड, नई दिल्ली-110003
Block-2, 7th Floor, C.G.O. Complex
Lodhi Road, New Delhi-110003
Tele : 011-24365071 Fax : 011-24362884
Website : <http://www.dbtindia.nic.in>

PID-14011/1/2022-MED-DBT

Dated: 06.09.2023

OFFICE MEMORANDUM

Sub: DBT Intellectual Property Guidelines, 2023

The Department of Biotechnology hereby notifies "DBT Intellectual Property Guidelines 2023." The Guidelines provide for ownership, transfer/commercializing of IP arising from DBT funded research outcomes. The Guidelines shall be applicable to all DBT funded extra-mural and intra-mural research organisations.

The details of publications and patents emanating from DBT-funded research may be reported by investigators at link <https://dashboard.dbtindia.gov.in/sbt/publication/> and <https://dashboard.dbtindia.gov.in/sbt/patents/> respectively. DBT will showcase such reported outcomes to the Government and Public regularly and hence all investigators are encouraged to report outcomes from ongoing and completed projects.

(Dr. Kalaivani Ganesan)

Scientist F, DBT

DBT INTELLECTUAL PROPERTY GUIDELINES

DEPARTMENT OF BIOTECHNOLOGY
MINISTRY OF SCIENCE & TECHNOLOGY

2023



DBT INTELLECTUAL PROPERTY GUIDELINES

1.0. Introduction

1.1. Every effort should be made by the institutes funded through public support to disseminate knowledge arising out of their research to the society for achieving public good. It could be in the form of peer-reviewed publication and development of a process or product for deployment on a scale through IP protection and transfer. The appropriate approach must be decided by the host institutions depending on the findings of the research work whether it has novelty, inventiveness and applicability or is deciphering of new concepts, understanding and theoretical frameworks.

1.2. These guidelines have been framed to enable seamless transfer of IP at academic institutes/research laboratories towards commercialization into technologies/products for larger societal impact.

1.3. IP arising out of public-funded research is a huge asset and must be appropriately harnessed for maximizing socio-economic impact and achieving public good.

1.4. The means and modes of IP transfer should be decided by the scientists based on their Institutional committees with external expert members. A suitable committee

comprising of external experts, including from the scientific, legal, finance and other relevant fields may advise the Director/Head of institute. The committee may review IP filing, granted status, as well their transfer or licensing. IP piling up for long periods without transfer or licensing should be avoided.

2.0 Background

2.1. For IP from academic/public funded research labs to be realized as a product and be deployed for the public good, focused up-scaling and other development is needed and this requires significant investments. The technologies developed at academia are generally not market-ready and up-scaling with persistent efforts is required to realize their value and potential.

2.2. The capacity and ecosystem to convert promising research leads into technology and products for the masses lies in the industrial/Start-up ecosystem. Hence transfer of research outcomes from publicly-funded research labs to SMEs/Start-ups is important

2.3. At present, as per DBT grant MoA, the IPs developed with DBT grant support can be transferred to industry only on a non-exclusive basis. This means that the Government can also provide the same IP to another interested industry. This has become a deterrent to technology and product development, as industries are not willing to invest significant time and finances into furthering technologies which may also be taken up by others.

2.4. The same issue arises where IP has been jointly developed by publicly funded academic institutes/research laboratories along with Industry, as this requires substantial commitment of time and finances by Industry. Similar issues arise for IP that arises from research that is jointly funded by multiple agencies both national and international.

2.5 DBT held discussion meetings with PMO, PSA and organized inter-ministerial brainstorming meetings.

2.6. Many deliberations were held with scientists, IP experts, academicians, policy-makers, Government officials and it has been recommended that grant MoA should be amended to provide options for all forms of licensing. The mechanism of licensing will be decided on a case-to-case basis by the inventor and the host institute through the institutional IP committees and informed to the Government.

2.7. DBT thereafter constituted a Working Group to draft a Report and recommendations.

2.8. The recommendations were shared with DPIIT and their recommendations obtained.

2.9. DBT committee under the Chairmanship of Additional Secretary & Financial Advisor, was constituted to suitably draft the Policy and implementation modalities of the WG recommendations.

3.0 IP ownership of DBT funded research outcomes

3.1. IP obtained through DBT intra-mural funding may be owned by the DBT institutions and commercialized using the principles outlined at Para 5.0 below.

3.2. IP obtained through extra-mural competitive grant funding to DBT and other public/private institutions may be owned by the institutions and commercialized using the principles outlined at Para 5 below.

3.3. In case more than two public/private institutions are partnering in the research program, they may enter into IP sharing agreement mutually amongst them.

4.0 Reporting of research outcomes - Publications/IP

4.1. It is important for Government to know the outcomes of its public-funded research. This will encourage Government's enhanced participation in public research and also to leverage evidence for future policy initiatives and suitable reforms. Accordingly, following to be adopted:

4.1.1. All investigators and host institutions to undertake in grant MoA for reporting the research outcomes from their DBT-funded research. Both publications and IP granted (if commercialized, the mechanism of tech transfer) be mandatorily reported to DBT.

4.1.2. All investigators and host institutions to undertake in grant MoA for acknowledging the support of DBT in their publications and products.

5.0 Principles on IP commercialization modality

Following are broad principles that may be considered in deciding on IP commercialization modalities.

5.a. The mechanism of licensing is to be decided on a case-to-case basis by the host institute through the institutional IP committees and informed to the Government. Transparent mechanisms should be built-in by the institutes to ensure that IP is transferred to the right industry with potential capability and competence to scale-up the innovation especially for exclusive licensing.

5.b. Following licensing, the host institution should report details to DBT.

5.c. In exclusive licensing, for products/technologies that are intended for large scale public deployment, agreements should include a clause of affordability in Indian markets.

5.d. The public-interest issues in exclusive licensing will be protected appropriately and all Indian patents are secured by the GoI through March-in Rights including the option of compulsory license under our patent law, if there will be any exigency arising for that technology/patent.

5.e. IP Assignment requests, if any, needs to be referred to DBT by the host institutions and will be taken up separately on a case to case basis with approval of Secretary, DBT to encourage spin-outs and start-ups formation.

5.1. Non-exclusive licensing

5.1.a. For research leads in higher TRLS, non-exclusive licensing may be the preferred modality with licensing fees decided on a case to case basis.

5.1.b. Competition to be encouraged so as to bring out high-quality, affordable products in the market.

5.1.c. Timelines on commercialization should be clearly defined in licensing agreements.

5.1.d. Preference to Biotech SMEs and for manufacturing in India.

5.2. Exclusive licensing

5.2.a. For research leads in lower TRLs, exclusive licensing may be considered.

5.2.b. Public interest should be protected with clauses on availability of the final product in Indian markets at affordable rates, especially for products with potential for mass deployment.

5.2.c. Timelines on commercialization should be clearly defined in licensing agreement.

5.2.d. Preference to Biotech SMEs and manufacturing in India.

5.2.e. Preferred purchase arrangements for start-ups for products developed under Government funded programs.

5.2.f. A standard licensing agreement framework may be developed by the public institution that would ensure a share of the revenue earned by the licensee to be given to the partnering public institutions for a limited timeframe.

5.2.g. The license shall be subject to the irrevocable, royalty-free right of the Government of the India to practice or to require the licensee to grant sublicenses to responsible applicants, on reasonable terms, when necessary to fulfill health or safety or security needs of the country.

भारत सरकार
विज्ञान और प्रौद्योगिकी मंत्रालय
जैव प्रौद्योगिकी विभाग
GOVERNMENT OF INDIA
MINISTRY OF SCIENCE & TECHNOLOGY
DEPARTMENT OF BIOTECHNOLOGY



ब्लॉक-2, (6-8वाँ तल), एवं ब्लॉक-3, (4-5वाँ तल)
सी0जी0ओ0 कॉम्पलेक्स लोधी रोड, नई दिल्ली-110003
Block-2 (6-8th Floor) and Block-3 (4-5th Floor)
C.G.O. Complex, Lodhi Road, New Delhi-110003
Tele : 011-24365071 Fax : 011-24362884
Website : <http://www.dbtindia.nic.in>

AI-99011/1/2023-MED-DBT-Part(3)

Dated: 22.01.2025

OFFICE MEMORANDUM

Sub: Operational Guidelines for Implementing Scientific Entrepreneurship and Research Commercialization at iBRIC

The Department of Biotechnology hereby notifies the Operational Guidelines for Implementing Scientific Entrepreneurship and Research Commercialization at iBRIC. The guidelines are appended to this OM. The operational guidelines includes details on process for approvals, time that can be spent by a Scientist wishing to avail the provisions of the Scheme while in employment at iBRIC and revenue sharing provisions amongst other things. The detailed deliberations carried out for drafting these guidelines is annexed.

2. The guidelines have been approved by the Governing Body of BRIC in the meeting held on 18th November, 2024 at New Delhi.

3. This has the approval of Hon'ble Minister of State (IC) of the Ministry of Science and Technology; President, BRIC Society.

(Dr. Kalaivani Ganesan)

Scientist 'F', DBT

Ph. No. 011- 24365321

Copy to:-

1. PSO to SBT
2. PPS to AS&FA
3. Sr. PPS to Scientist-H (AS)
4. PPS to JS (A)
5. All Nodal Officers of iBRIC
6. All the concerned Directors/Executive Directors of iBRIC



BIOTECHNOLOGY RESEARCH AND INNOVATION COUNCIL (BRIC)
A DEPARTMENT OF BIOTECHNOLOGY ORGANIZATION

OPERATIONAL GUIDELINES FOR IMPLEMENTING SCIENTIFIC ENTREPRENEURSHIP AND RESEARCH COMMERCIALIZATION AT iBRIC

December 2024

1. Preamble

The Department of Biotechnology (DBT) has recently created one Autonomous Body, BRIC (Biotechnology Research and Innovation Council) subsuming the governance of 13 elite autonomous research institutions while retaining their distinct research identities and local autonomy for maximizing biotech research impact. Towards this, BRIC aims to facilitate academic research translation. Therefore, these guidelines are notified for promoting translation and commercialization of research from institutions of BRIC (iBRIC) as well as scientific entrepreneurship amongst the iBRIC faculty.

The ethos is to encourage and promote Scientists having original research ideas to further translate and take it towards commercialization by turning into entrepreneurship while ensuring that their commitments and responsibilities for the institutions are fulfilled.

2. Background

The Department of Scientific and Industrial Research (DSIR), Ministry of Science and Technology have, conveyed the approval of Government of India (GoI) to the proposal of DSIR on the subject 'Encouraging Development and Commercialization of Inventions and Innovations: A New Impetus'. The proposal as approved by Government of India (available online at <http://www.dsir.gov.in>), inter alia, is applicable to Department of Biotechnology (DBT) and the autonomous institutions under DBT. Accordingly, DBT, vide OM no. BT/NBDB/13/01/2018 dated October 26, 2018 has notified the Revised Rules and Regulations for 'Encouraging Development and Commercialization of Inventions and Innovations.' The Scheme as approved by GoI permits:

- i. Researchers to have an equity stake in a Scientific Enterprise or create a spinoff while still in professional employment with their 'Scientific Establishment';
- ii. 'Scientific Establishments' to invest knowledge base as equity in a Scientific Enterprise;
- iii. 'Scientific Establishments' to set up incubation centers; and
- iv. Facilitating the mobility of researchers between Industry and Scientific Establishment.

Biotechnology Research and Innovation Council (BRIC) based on the Rules and Regulations notified by DBT has framed the operational guidelines detailing the responsibilities and approval processes for availing the various provisions of the Scheme.

3. Definitions

3.1 "Scientific Establishment" or "Institute" means the 'institutions of BRIC (iBRIC)'.

3.2 "Scientist" means Scientists and engineers in scientific cadre as well as academic staff such as Distinguished Professors, Senior Professors, Investigators, Associate Investigators, Assistant Investigators, Senior Fellows and those with other designations in the scientific and academic groups, in professional employment with iBRIC.

3.3 "Knowledge Base" means all inventions/innovations (whether patentable or not), invention and innovation disclosures, trade secrets, know-how, proprietary information, technical data documentation, data collections, databases, concepts, processes, developed software, original design drawings, original materials, research resources, support services and the like, whether or not the foregoing are in tangible or intangible form, developed at or existing in iBRIC.

3.4 "Entity" means a company or any Special Purpose Vehicle created to commercialize, spinoff or develop further the Knowledge Base towards commercialization.

3.5 "Scientific Enterprise" means a special class of new "Entity" that leverage scientific research, inventions and innovations and transform them into commercializable technologies/products.

3.6 "Approving Authority" and "Competent Authority" mean the Director of iBRIC, unless otherwise defined separately, who Shall have the authority to approve and accord permissions or reject an application made under these Rules.

3.7 "Rules" and "Rules and Regulations", as the context requires, mean the "Rules and Regulation for Encouraging Development and Commercialization of Inventions and Innovations"

Note:

- i. Definitions in singular form shall also denote the plural form thereof and vice versa.

- ii. Terms that appear in lower case shall have the same meaning as defined in upper case in these definitions.
- iii. Any word depicting masculine gender will also mean its feminine counterpart.

Operational Guidelines for Implementation of the Scheme

4. Scientists to have an equity stake in a Scientific Enterprise/spinoff while in professional employment at iBRIC

4.1 Preamble

The Institute encourages Scientists to translate their Knowledge Base into products and processes in order to effectively impact society as well as create commercial value. The Institute considers this as an important activity to provide returns on investment of public funding received by the Institute. The following has been framed with these objectives in view.

4.2 Eligibility

The Scheme is applicable for all permanently employed Scientists of iBRIC.

4.3 Procedure

- (i) The Institute shall notify the Institutional Steering Committee for handling requests from Scientists of the Institute seeking permission to have an equity stake or create a spin off in a Scientific Enterprise.
- (ii) Any eligible Scientist of the Institute desiring permission shall apply to the Institutional Steering Committee under sub clause (i) herein above, in prescribed form (Form-1) seeking permission to have an equity stake in a Scientific Enterprise or create a spin off.
- (iii) In the event of more than one eligible Scientist of the Institute collectively investing in the Scientific Enterprise taking equity, each one of these Scientists will have to apply separately to seek permission to have a stake in the Scientific Enterprise.
- (iv) In the event of more than one Scientist belong to different Scientific Establishments collectively investing in the Entity, each one of the Scientists will have to seek permission to have a stake in the Entity from their respective Scientific Establishments.

- (v) The Institutional Steering Committee may make recommendations considering, whether proper process was followed and the invention disclosure has been filed.
- (vi) If the invention disclosure has been filed and either a patent has been obtained or, after initial review, the Institutional Steering Committee recommends that there is novel intellectual property that can be monetized, then due processes will be deemed to have been followed.
- (vii) While seeking permission from institute to establish an Entity/Scientific Enterprise, iBRIC Scientists will provide
 - a. details of knowledge base and/or intellectual property generated solely at institute or in collaboration with other parties,
 - b. a tentative business plan of the Entity/Scientific Enterprise,
 - c. details of the promoters of the Entity and,
 - d. details of the Board of Directors.
- (viii) Where the Institute has exclusive ownership of the Knowledge Base, due process will be deemed to have been followed. If not, the Institute and all the other owners of the Knowledge Base shall agree, in writing, to provide exclusive right for the specific purpose (exclusive in all domains/exclusive to a particular vertical/exclusive to a particular geographical area) to the Entity and when evidence to that effect is available, due process will be deemed to have been followed.
- (ix) The Institutional Steering Committee will decide if there is any conflict of interest between other institutional responsibilities of the Scientist(s) and the Scientific Enterprise. If there are conflicts of interest these will be resolved based on the submission of the "Conflict of Interest Disclosure" form reviewed by the Director of respective iBRIC. The Competent Authority may recommend resolution of the conflict of interest before providing approval for the Scientist(s) to either create a spinoff or take equity in a Scientific Enterprise that possesses license for the Knowledge Base. The approval communicated to the Scientists(s) in such cases must specifically indicate the extant instructions of the Institute to avoid anticipated conflict of interest in the form of dos and don'ts.
- (x) The recommendation of Institutional Steering Committee under sub clause (i) herein above to the Director in respect of the applicant Scientist(s) shall be independent of any possible negotiation by the Institute for benefit-sharing for the Knowledge Base generated in the institute, and it shall have no bearing on the application of the Scientist(s).

- (xi) If the Scientist has requested taking equity stake in a Scientific Enterprise that does not require license for the Knowledge Base from the Institute only sub section (viii) herein above need to be followed. This will not be considered a spinoff, but would be considered as a request for equity in exchange for "know-how or other forms of Knowledge Base other than a patent". In these cases, the designated authority (Institutional Steering Committee) may recommend to the Competent Authority that either royalty or other forms of compensation may be provided (if warranted) to the Institute for sharing the "non-patentable" Knowledge Base.
- (xii) If the Director is himself/herself the Scientist seeking to create a spinoff or take equity, approval must be obtained from DG, BRIC.
- (xiii) The percentage of equity to be taken by a Scientist in a Scientific Enterprise will not be the prerogative of the Institute, but will be governed by the rules of the concerned Scientific Enterprise and the Registrar of Companies.

4.4 Competent authority for approvals

The Approving Authority shall be Director of respective iBRIC except in cases where he/she, himself/herself is a party. In such cases the Chairperson of Governing Body will be the Approving Authority.

4.5 Exemptions from operation of CCS (Conduct) Rules 1964 and other relevant Rules

Government has exempted Scientists of the Scientific Establishment from the provision of CCS (Conduct) Rules 1964 such as rule 15 (relating to private trade and employment), rule 16 (relating to investments, lending and borrowing), rule 18 (relating to movable, immovable property) and relevant provisions of the Fundamental Rules and other related rules for the limited purpose of implementing these Rules and Regulations. However, only those Scientists will be exempted from CCS (Conduct) Rules 1964, who are permitted to have equity stake in a Scientific Enterprise by the Competent Authority as prescribed above. Remaining Scientists will continue to be governed by the CCS (Conduct) Rules 1964.

4.6 Competent authority for granting exemptions from operation of CCS (Conduct) Rules 1964 and other relevant Rules

Director of respective iBRIC will be the Competent Authority for granting exemptions from operation of CCS (Conduct) Rules 1964 and/or any other relevant Rules.

4.7 Responsibilities

4.7.1 iBRIC Scientist responsibilities

- (i) iBRIC Scientists may provide professional advice to an Entity/Scientific Enterprise, upon request from Entity/Scientific Enterprise.
- (ii) iBRIC Scientist wishing to retain employment with the institution, should be associated with the Entity/Scientific Enterprise as non-executive Director, with due approval.
 - a) the total time commitment of iBRIC Scientist for external professional activities must not exceed 20% of her/his time spent on iBRIC duties. Exceptions to this must be discussed and agreed by the Director.
 - b) the total 20% of time commitment for external professional activities include, association with the Entity/Scientific Enterprise that was created from knowledge base generated at iBRIC, and either in advisory or consultancy role in any other existing Entity which was not created from knowledge base generated at iBRIC.
- (iii) If iBRIC Scientist wishes to associate with the Entity/Scientific Enterprise that was created from knowledge base of the institute full time and guide the activities in the initial phase, s/he has to take lien from the institute. Such lien can be taken for a maximum period of 3 years; in such situations.
 - a) if iBRIC Scientist had completed 5 years of service at the institute, lien period may be counted towards the sabbatical period that may be availed by the Scientist, but without financial burden on iBRIC.
 - b) if an iBRIC Scientist had not completed 5 years of service at the institute, her/his tenure review process shall not be extended due to lien period.
 - c) the lien period shall be treated not only as a period of duty but also be counted for future benefits and assessments. Nonetheless the rigour of evaluation for professional advancement shall not be diluted.
- (iv) iBRIC Scientist shall, in the event of Entity/Scientific Enterprise's merger with another unit or acquiring another unit or coming out with an Initial Public Offering (IPO) or disinvesting her/his share in the Entity, inform the institute of the same.

4.7.2 Entity/Scientific Enterprise/Spin-off responsibilities

A Scientific Enterprise

- (i) should not be construed as an agent or representative or part of iBRIC. Scientific Enterprise is solely responsible for the activities undertaken by the Entity/Scientific Enterprise and for any liabilities that may arise from the activities of the Entity;

- (ii) can utilize the resources of iBRIC (the term 'resources' shall be broadly construed widely and include, without limitation, laboratories, equipment, personnel and space) with prior approval in writing and on such terms and conditions as iBRIC may prescribe;
- (iii) shall, subject to the existing rights or licenses, have the option to license knowledge base from iBRIC by paying royalty (upfront or staggered with milestones or a combination of both);
- (iv) shall continue to be liable to iBRIC for payment of royalty even if the Scientist concerned disinvests her/his stake in the Entity/Scientific Enterprise;
- (v) can source the knowledge base from anywhere in India or Abroad; for the Scientist to take equity stake the knowledge base need not be from iBRIC.

4.7.3 iBRIC responsibilities

- (i) iBRIC notwithstanding anything contrary contained in any other rule, order or notification but subject to the provisions of this scheme, shall permit a Scientist to have any equity stake in Scientific Enterprise;
- (ii) iBRIC shall license knowledge base to the Entity/Scientific Enterprise on terms that are no worse than the terms on which iBRIC would have licensed the knowledge base to another person on arms-length basis;
- (iii) iBRIC in its discretion may take equity stake in the Entity/Scientific Establishment in lieu of royalty;
- (iv) iBRIC if decides to disinvest the equity, it will be first offered to the promoters of the Entity/Scientific Enterprise;
- (v) if iBRIC acquires equity, it can offer its equity to be placed under the IPO, in the event the Entity/Scientific Enterprise decides to go public with an IPO offer.

5. Enabling iBRIC to invest knowledge base as equity in a company/entity

5.1 Preamble

One of the ways to ease the burden of initial investment of a Scientific Enterprise is to offer the Knowledge Base of iBRIC in exchange for equity in the Scientific Enterprise. Recognizing the intangible benefits, the Government has permitted Scientific Enterprises such as iBRIC to invest their Knowledge Base and/or the cost of support services as equity in a company/Entity.

5.2 Eligibility

The Scheme to invest Knowledge Base as equity is applicable for iBRIC

5.3 Procedure

- (i) The Institutional Steering Committee will evaluate the need and the value of the Knowledge Base/support services, the need for taking equity and determine the valuation of the equity by negotiating with the Scientific Enterprise that wants to part with its equity in exchange for of the Knowledge Base/support service;
- (ii) Any Scientific Enterprise desiring to utilize the Knowledge Base and/or support services of iBRIC shall apply to the Institutional Steering Committee for the purpose, in the prescribed form (Form-2) seeking permission for equity participation in lieu of the cost of Knowledge Base and/or support services. On receipt of such application, iBRIC may have option to seek equity in cases of:
 - a) Scientist(s) of iBRIC continuing to contribute non-IP protected know-how knowledge to the Scientific Enterprise while still in iBRIC employment, if the Scientific Enterprise is less than three years old;
 - b) if the Company/Entity seeks services provided by iBRIC, if the company is a startup company and has no revenue streams;
 - c) if the Company/Entity seeks to license an IP and in exchange of milestone based payments chooses to provide equity in the Company/Entity.
- (iii) The Institutional Steering Committee shall examine each application in accordance with the procedures established by it and make an appropriate recommendation to the Director. While submitting its recommendation, the Institutional Steering Committee shall also reflect on the knowledge base from Security and Sensitivity angle and may not recommend the case for approval in case any possibility of compromise of security/sensitivity;
- (iv) On receipt of the recommendation of the Institutional Steering Committee, the Director shall exercise his/her judgment to either approve or reject the application. In case of approval, a legal agreement shall be entered into between iBRIC and the company/Entity for equity incorporating all the relevant clauses of the approval.

5.4 Competent authority for approvals

- (i) The Competent authority for approvals for the institute shall be the Director, iBRIC;

- (ii) The approval shall specifically state the quantum of the equity for the knowledge base and/or support services. It would also specify the type of support services it shall provide and for how long;
- (iii) The Competent authority may reject an application if the Knowledge Base impinges on the security of the nation or has any aspect of a sensitive nature detrimental to the institute, society, or the nation.

5.5 Responsibilities

5.5.1 iBRIC responsibilities

- (i) Institutional Steering Committee shall finalize the terms & conditions for knowledge base and/or support services to be invested as equity in the Company/Entity taking into consideration the overall investment and efforts required in translating such knowledge base into commercializable product/process by the company/Entity;
- (ii) iBRIC shall only invest knowledge base and/or support services as equity and under no circumstances can invest cash for equity in the Company/Entity;
- (iii) if iBRIC owns equity, iBRIC shall have a right to nominate its representative as independent Director on the Board of Directors of the Company/Entity;
- (iv) iBRIC shall not take the management of such Company/Entity in hand. Management of such Companies/Entities shall vest in the promoters or next majority stakeholder;
- (v) iBRIC shall not involve directly or indirectly any Scientist, who has taken an equity stake in the Company/Entity in any process that pertain:
 - a) to license knowledge base to the Company/Entity
 - b) to the purchase or hiring of goods and services from the Company/Entity
- (vi) upon request from the Company/Entity, iBRIC may provide technical personnel/professionals under the mobility scheme (section 7.3), on such terms and conditions as the iBRIC may prescribe;
- (vii) iBRIC shall divest their equity, at an appropriate opportunity on their discretion, as per the Financial norms; in such an event the Company/Entity shall be given the first right to buy back the equity, without compromising on financial returns. However, iBRIC shall reserve the right to decide about its equity stake as it deems appropriate, in the event of the Company's/Entity's merger with another unit or acquiring another unit or coming out with an Initial Public Offering (IPO);

- (viii) iBRIC shall plough back its share of dividend received from the income of such Companies/Entities as well as the amount received due to divestiture of equity stake in furthering its research objectives.

5.5.2 The Company/Entity/Scientific Enterprise responsibilities

- (i) the Company/Entity shall not view iBRIC as a promoter of the Company/Entity and it shall be viewed only as an investor;
- (ii) the Company/Entity shall not use the name of iBRIC without its expressed written permission;
- (iii) the Company/Entity shall permit iBRIC to nominate a person on the Board of Directors if iBRIC owns equity in the Company/Entity.

6. Setting up of Technology Incubation Centres (TIC) by iBRIC

6.1 Preamble

Nurturing early stage innovation and developing them into technologies is a measure of the strength of the National Innovation System (NIS). The concept of Technology Incubation Centre (TIC) has served well in moving innovations to market place thus limiting the initial capital investments by the entrepreneur. Recognizing the fact, Government has approved setting up TICs by various institutes/scientific establishments. These multipurpose TICs, aim to provide high quality infrastructure and ecosystem to entrepreneurs so as to help nurture start-up Companies/Entities through appropriate hand holding mechanisms.

6.2 Objectives

- (i) to accelerate the commercialization of new inventions and innovations;
- (ii) to nucleate, nurture and mentor new Entities/Scientific Enterprises, mainly in the area of biotechnology;
- (iii) to assist new Entities/Scientific Enterprises to forge appropriate linkages with other companies, academia and government;
- (iv) to encourage technological innovation and entrepreneurship in the country.

6.3 Scope

TICs established by iBRIC shall facilitate setting up Entity/Scientific Enterprise that

- a) translate inventions and innovations into products/processes, and
- b) provide R&D services on contract basis to national and international clients

6.4 Eligibility

iBRIC is eligible to set up Technology Incubation Centre under this scheme.

6.5 Procedure

If iBRIC is wishing to set up a TIC, it shall prepare a comprehensive report and seek the approval of BRIC Governing Body. The comprehensive report among others shall include objectives, scope, R&D capacity and major facilities of iBRIC, IP portfolio, SWOT analysis, proposed operations of TIC, management of TIC and financial analysis.

6.6 Operation of TIC and Management of TIC

TIC to be set-up in a hub & spoke model culminating the strengths of the existing incubation centres and managed at the iBRIC adopting best practices.

7. Facilitating mobility of researchers between Industry and iBRIC and vice versa

7.1 Preamble

Building newer skills, competencies and capabilities in Scientists is a continuous endeavour of all Scientific Establishments. One of the effective ways of building such skills is 'mobility' of researchers from one organization to another. Temporary movement of Scientists/Engineers from one Scientific Establishment to another and to Industry and vice versa is termed as 'mobility' of researchers. Mobility helps in seamless transfer of knowledge, skills and competencies across the spectrum. For example, Scientists working in iBRIC might acquire entrepreneurial skills with the exposure to industrial working environment; similarly, shortage of competent manpower may be eased in newer institutes temporarily. These provisions will cover personnel engaged in research, teaching, R&D activities including further development of innovation and inventions, as well as associated functions such as technology dissemination & diffusion, business development, knowledge management, technology & IP management, quality assurance etc.

7.2 Eligibility

The scheme for facilitating mobility of researchers between iBRIC and Industry and vice versa shall be applicable to all permanently employed Scientists in the scientific cadre of iBRIC who have at least 2 years of residual service after completion of the mobility period. Director will not be eligible for this scheme.

7.3 Procedure

- (i) iBRIC shall notify Institutional Steering Committee for handling requests from Scientists/engineers seeking permission under the provision;
- (ii) Any eligible Scientist who desires permission under the provision shall apply to the notified authority in the prescribed form (Form-3);
- (iii) Institutional Steering Committee shall examine each application in accordance with the procedures established by it and make an appropriate recommendation to the Approving Authority;
- (iv) The approval shall specifically state the period for which the Scientist is being permitted to avail the mobility provision;
- (v) Mobility shall be permitted only within the country;

7.4 Competent authority for approvals

The Approving Authority shall be the Director, iBRIC;

7.5 Operative provisions

- (i) The mobility of Scientists/engineers may be permitted between iBRIC, industry and approved Scientific and Industrial Research Organizations (SIROs) recognized by the Department of Scientific and Industrial Research;
- (ii) In utilizing the provision, two scenarios are envisaged viz.
 - a) mobility into iBRIC from industry and
 - b) mobility out of iBRIC to industry. Both the scenarios are permissible;
- (iii) An iBRIC Scientist seeking mobility out of institute within five years of appointment at iBRIC, may move to Company/Scientific Enterprise, which was formed based on the knowledge base generated at iBRIC;
- (iv) The provision of mobility can be permitted for research, teaching, R&D activities including further development of innovation and inventions as well as associated

functions such as technology dissemination & diffusion, business development, knowledge management, technology & IP management, quality assurance, etc.;

- (v) The objective of the mobility must be clearly defined;
- (vi) Not more than 20% of the eligible staff of the iBRIC may be permitted to avail the provision at any given time. The host institute may engage temporary staff, if necessary, during the period for sustaining the activities;
- (vii) Eligible staff member may utilize not more than 15% of her/his total service period during their career on mobility. This could be in small tranches subject to a minimum period of two months or at a stretch not exceeding two years;
- (viii) The permitted iBRIC Scientist shall be considered to be on sabbatical with provisions and benefits, if any, as appropriate, Accepting organization shall provide dislocation allowance of a minimum of 20% of their basic salary in addition to TA/DA;
- (ix) The industry Scientist who is availing mobility into iBRIC shall receive her/his salary from the parent organization. S/he will be eligible for suitable honorarium for the period of their work in iBRIC not exceeding 6 months. iBRIC may provide accommodation and charge for the same as per institute rules;
- (x) The parent organization shall extend medical facilities to his/her family members retained at the parent organization, as applicable to other staff members in the same grade;
- (xi) The mobility period shall be treated not only as period on duty but also be counted for all future benefits and assessments. Nonetheless the rigour of evaluation for professional advancement shall not be diluted;
- (xii) The accepting organization which is iBRIC/industry/SIRO must provide all logistic support to the person it accepts under the provision of mobility and to that extent a commitment from the accepting organization may be obtained;
- (xiii) The Scientist/engineer availing the mobility and the Scientists/engineers of the accepting institution shall be encouraged to write joint project proposals for collaborative research and jointly guide the research students;
- (xiv) iBRIC may provide a specific working space or facility to enable Scientists/engineers availing the mobility from industry, and define clear objectives of generation of intellectual property;
- (xv) iBRIC and parent organization of Scientists/engineers availing the mobility from industry should sign a Memorandum of Understanding stating clarity about ownership and sharing of jointly developed intellectual property.

8. Sharing of revenue

Revenue sharing model in all the cases between different parties will be 60% to 40% between Scientists and institutes respectively.

9. Modification to these Rules

Modifications to these Rules can be effected by iBRIC only with the concurrence and approval of the Governing Body of BRIC.

10. Disputes

All disputes between a Scientist and iBRIC relating to the permission granted under these Rules shall be settled by arbitration. Such disputes may be referred to the DG, BRIC as single arbitrator. The decision of the Arbitrator shall be final and binding on the parties. The arbitration proceedings shall take place in accordance with the Indian Arbitration and Conciliation Act 1996 as in effect at the time of the dispute. The place of arbitration shall be the office of the DG, BRIC or any other place as chosen by the DG, BRIC. The expenditure arising out of arbitration proceedings shall be equally shared by both parties. The language of arbitration shall be English.

The above Rules have the approval of the Governing Body of BRIC.

11. Relaxation

In case of any of the above conditions requires any relaxation due to any reason, whatsoever, the power of relaxation vests only with the Chairperson, Governing Body, BRIC.

Form-1

**Application for seeking approval of the iBRIC for investing in the equity stake of an Entity/
Scientific Enterprise/ Spinoff**

1. Details of the Scientist:

- I) Name:
- II) Designation:
- III) Division in which he/she is working:
- IV) Address for communication including telephone, mobile, fax, and email (office):
- V) Residential address including telephone, mobile, fax, and email:

2. Details of the Entity:

- I) Registered name of the Entity:
- II) Registration number and other relevant registration details:
- III) Registered address of the Entity with telephone, mobile, fax, and email:
- IV) If the Entity is operating from another location other than the registered office, please give details of the location and complete address including telephone, mobile, fax, and email:
- V) Profile of the Entity including broad outline of the activities:
- VI) Business Plan of the Entity (enclose a copy):
- VII) Give brief details of Knowledge Base. Where Knowledge Base is acquired, enclose proof of acquisition:
- VIII) Details of the promoters of the Entity (including address, telephone and mobile numbers, fax, and email), their brief background and their personal equity stake in the Entity:
- IX) Details of the Board of Directors (including address, telephone and mobile numbers, fax and email), their brief background and their personal equity stake, if any, in the Entity:
- X) Details of the present functioning of the Entity including the name and contact details of the Chief Executive Officer/Managing Director etc. In the event the Entity is yet to be established, give details of the proposed functioning of the Entity and the role of the Scientist who is seeking to take equity stake in the Entity:

3. Details of Equity stake proposed to be acquired by the Scientist:

- I) Face Value of each equity:
- II) Number of equity shares to be acquired:
- III) Total value of the equity shares (in Rupees) :
- IV) How is the acquisition of equity shares proposed to be financed?
- V) In case the acquisition is in a phased manner, please indicate the phases and approximate number of shares and their value in each phase.
- VI) Do the family members of the Scientist (wife or husband and children only) hold or propose to hold equity shares in the Entity? Please give details:

4. Other permissible provisions:

- I) Does the Scientist intend to take lien?
- II) If yes, state the period and date from which the Scientist intends to take the lien:
- III) Does the Scientist wish to be associated with the Entity as Non-Executive Director on the BoD?
- IV) If yes, specify the role of the Scientist as Director on BoD:
- V) Does the Scientist propose to offer consultancy to the Entity?
- VI) If yes, give the approximate consultancy man days per year:
(in the event of iBRIC permitting the Scientist to offer consultancy to the Entity, a separate agreement will have to be entered between Scientist and the Entity for the consultancy assignment as per the iBRIC norms)

5. Conflict of Interest Disclosure:

i) Please state the possible /anticipated conflicts of interest:

(Extant approvals if any, in force in regard to conflict of interests in relation to the applicant Scientist may also be brought to the notice of the appropriate authority of iBRIC)

6. Approvals are being sought for :

- Creating spinoff with the Knowledge Base (IP) generated at iBRIC
- to take equity stake in the Entity - number of equity shares (% of the equity in

relation to the authorized share capital)

- to take lien for a period of ----- years beginning (*dd/mm/yyyy*)
- to associate with the Entity as Non-Executive Director
- to provide professional consultancy to the Entity

[strike off whichever is not applicable]

7. Undertaking:

I resolve to undertake that:

- My primary responsibility is towards iBRIC and I shall abide by the instructions of the iBRIC from time to time;
- I am personally responsible for the Activities of the Entity and the liabilities arising out of it;
- I shall not invoke the name of iBRIC, without its express permission, in matters pertaining to the Entity;
- notwithstanding any permission granted to me, I shall not directly or indirectly associate myself:
 - a) with any process to license Knowledge Base to the Entity
 - b) with any process for the purchase or hiring of any goods and services from the Entity;
and
 - c) with the evaluation of any goods or services that compete with the goods or services of the Entity.

Signature _____

Name of the Scientist:

Form-2

Application for seeking approval of the Scientific Establishment/iBRIC for investing in the knowledge base and/or support services as equity in the Company/Entity

1. Details of the Company / Entity:

- I) Registered/proposed name of the Company / Entity:
- II) Registration number and other details (in case to be registered give the likely time frame when it will be registered and where):
- III) Registered Address of the Company/Entity with telephone, mobile, fax and email (in case to be registered Company/Entity give details of proposed address)
- IV) If the Company/Entity is operating from another location other than the registered office, please give details of the location and complete address including telephone, fax, mobile and email:
- V) Face Value of Equity share (in Rs.):
- VI) Authorized Equity capital of the Company / Entity (in Rs.):
- VII) Subscribed value of the Equity capital (in Rs.):
- VIII) Give details of the promoters including address with telephone, mobile, fax and email, brief back ground and their individual equity stake in the Company/Entity:
- IX) Give details of the Board of Directors including address with telephone, mobile, fax and email, brief back ground and their individual equity stake, if any, in the Company/Entity:
- X) Give details of the present functioning of the Company/Entity including the name and contact details of the Chief Operating Officer/Managing Director etc. In the event the Company/Entity is yet to be established, give proposed functioning of the Company/Entity:
- XI) Profile of the Company/Entity including broad outline of the activities or proposed activities:
- XII) In case of new start up, briefly outline the Business Plan of the Entity (also enclose a copy of Business plan):
- XIII) Give brief details of product range, in case of existing company and list the Knowledge base it had acquired:

2. R&D capacity of the Company/Entity:

- | | | |
|--|-----|----|
| I) Does the Company/Entity have a R&D unit | Yes | No |
| If yes, provide following information | | |

- II) Has it been recognized by DSIR (if yes give details)
- III) Give details of Staff strength
- IV) Give names of the staff having Ph.D. degree
- V) R&D expenditure in the last 3 years
- VI) List major R&D facilities
- VII) Describe current R&D activities
- VIII) IP generated due to the R&D activities in the last 3 years
- IX) Does the Company/Entity have expertise in translating the knowledge base into product/process? If yes give details of two such examples:
- X) Give current portfolio of IP:

3. Knowledge base proposed to be acquired by the Company/Entity as equity:

- I) Name of the knowledge base
- II) Brief details of knowledge base
- III) Brief plan of action for translating the knowledge base into product /process

(Questions to be answered by iBRIC/Scientific Establishment)

- IV) Is the knowledge base IP protected, if yes give details
- V) Is a report on the knowledge base available, give details?
- VI) Who are the inventors of the knowledge base, give names and percentage of their contribution?
- VII) Please classify the knowledge base as per the definition of knowledge base given in the section 2 of the main notification.

4. Support services proposed to be utilized in lieu of equity by the Company/Entity:

- I) Please list the equipment /facilities proposed to be used by the Company / Entity and the likely time requirement per month and the period of requirement
- II) Please list any other services that the Company/Entity propose to use and give details

5. Undertaking:

In case the Scientific Establishment agrees to invest its knowledgebase and/or support services in the company, I _____, the authorized signatory of the company on behalf of the company solemnly resolve to undertake that:

- i) the Company/Entity shall have the nominee of the Scientific Establishment as non-executive director on the Board of Directors;
- ii) the Company/Entity shall not use/involve the name of the Scientific Establishment without its express permission;
- iii) the Company/Entity shall make all reasonable efforts in translating the knowledge base into a commercial product/process;
- iv) upon receiving communication from the Scientific Establishment of its willingness to invest knowledge base as Equity, the Company/Entity shall pass a board resolution to that effect indicating the number of equity shares it would be allotting to the Scientific Establishment;
- v) mere participation in the equity by the Scientific Establishment does not construe that the Company/Entity is part of the Scientific Establishment;
- vi) the Company/Entity shall not directly or indirectly influence the Scientific Establishment in purchase or hiring of any goods and services from the company;
- vii) the Company/Entity shall inform in advance the Scientific Establishment of any acquisition, merger or IPO.

Signature of the Authorized Representative of the company

Name and designation _____

Witnesses (signature with complete address):

1. _____

2. _____

Company Seal

Form-3

Application for seeking permission of the iBRIC for utilizing the Mobility scheme

1. Details of the Scientist / Engineer:

- I) Name:
- II) Designation:
- III) Division in which he or she currently working:
- IV) Date of joining the Scientific Establishment /iBRIC:
- V) Date of superannuation:
- VI) Address for communication including Telephone, mobile, fax and email (office):
- VII) Residential address including Telephone, mobile, fax and email:
- VIII) Proposed period of mobility: From _____ To _____
- IX) Give details of study leave/lien, if any used by the applicant:
- X) Give details of the mobility used by the applicant:

2. Details of the Scientific Establishment where the applicant proposed mobility

- I) Name of the Scientific Establishment/Industry /SIRO:
- II) Department/Division where the applicant proposes to work:
- III) Address of the Scientific Establishment/industry/SIRO with telephone, mobile, fax and email:
- IV) Brief profile of the Scientific Establishment and the division/department where the applicant proposes to work:
- V) Objective of the proposed mobility:
- VI) Define the area of work and the benefits that are expected to accrue to the parent institution
- VII) Attach a acceptance letter from the Accepting Scientific Establishment /industry /SIRO
- VIII) Details of remuneration being offered by the Accepting organization
- IX) Any other relevant information:

3. Associated Information:

- I) Does the applicant wish to retain the official accommodation?

II) Does the applicant intend to utilize the medical facility (from the parent institute) for his family members:

Signature of the applicant

Witnesses (signature with complete address):

1. _____

2. _____

Deliberations held for drafting Operational Guidelines for Implementing Scientific Entrepreneurship and Research Commercialization at iBRIC

S.No.	Meetings	Dates
1.	Discussion held in ' <i>Chintan Shivir 4.0</i> ' Secretary, DBT; iBRIC+ Directors; DBT Officials	28 th Sept, 2024
2.	Committee constituted a) Prof. Chandrabhas Narayana, Director, RGCB b) Prof. Maneesha S. Inamdar, Director, inStem c) Prof. G. Karthikeyan, Executive Director, THSTI d) Dr. Kalaivani Ganesan, Scientist 'F', DBT (Member Secretary) e) Dr. Shingar Sharma (Consultant, BRIC Secretariat)	28 th Sept, 2024
3.	Discussion meetings of Committee	24 th Oct, 2024 - 07 th Nov, 2024
4.	Discussion held with iBRIC+ Directors in ' <i>Pre-GB meeting</i> ' chaired by Secretary, DBT/DG BRIC	10 th Nov, 2024
5.	Guidelines shared with iBRIC+ Directors for institutional comments	12 th Nov, 2024
6.	Guidelines presented during the <i>second meeting of the BRIC Governing Body (GB)</i> held under the Chairmanship of Secretary, DBT/ DG, BRIC	18 th Nov, 2024
7.	Suggestions received from the Committee members and other iBRIC+ Directors compiled and discussed with the Committee	18 th Dec, 2024
8.	Suggestions incorporated and final Guidelines submitted for the approval of Hon'ble Minister of Science and Technology	27 th Dec, 2024
9.	Approval received from Hon'ble Minister of Science and Technology	20 th Jan, 2025

Staff Welfare Fund Rules of BRIC/ Research Institutes under BRIC

1. **These Rules shall be called as Staff Welfare Fund Rules of BRIC / Research Institutes under BRIC.**
2. **Members:** All regularly appointed/contractually engaged employees shall be members of these Staff Welfare Fund.
3. **Managing Body:** The Staff Welfare Fund shall be managed by a body of not more than 06 members to be nominated by DG BRIC for BRIC HQs and by Director of the Research Institutes.
4. **Credits to the Staff Welfare Fund: shall comprise of all such amounts as detailed under:**
 - a. 10% of any award money won by the Institute or Group of Employees of the Institute.
 - b. Member Contribution on monthly basis: shall be as under:
 - i. Regular Employees
 - a) In Level 14 and above: Rs 200/-
 - b) In Level 10 and above: Rs 150/-
 - c) In Level 6 and above: Rs 75/-
 - d) In Level 5 and below: Rs 50/-
 - ii. Contractual Employees:
 - a) Remuneration $\leq$ Rs 50000/-: Rs 75/-
 - b) Remuneration $>$ Rs 50000/-: Rs 150/-.
5. **Debits to the Fund:** shall comprise as under:
 - a. **Financial assistance to bereaved family members of deceased employee in service: Rs 7500/-** (may be decided by Chairman/SWF as per prevailing circumstances to be valid for single financial year). To be made available within 10 days of bereavement.
 - b. **Funeral Grant:** Rs 1500/- per death. To be made available immediately
 - c. **Medical Assistance:** Rs 5000/- per case of emergency life situations. Chairman/SWF to decide increase or decrease in the amount which shall remain valid for single financial year. To be made available immediately.
 - d. **Damage to property due to natural/man-made disasters like earthquake, floods, fires, etc:** To be decided by the Chairman/SWF taking into account the number of affected families and the finances of the fund. To be made available within 48 hrs of the disaster.
 - e. **Recreation/Sports Events/Employee Camps for BRIC/Research Institutes employees:** the amount of debit shall not exceed Rs 5.0 Lakhs in a financial year with employees contributing 50% of the cost of the camp/recreation and 50% of the cost is borne from SWF subject to annual ceiling limits.

- f. **Staff farewell upon superannuation/voluntary retirement:** Rs 1500/- for Gift to the superannuating/voluntary retiring employee and Rs 50/- per head for refreshments.
- g. **Honorarium:** to staff engaged in managing the affairs of the fund who are in non gazetted level: to be decided by the Chairman with the opinion of at least 30% of the members of the SWF. Not more than 03 staff to be employed to initiate to affairs/proceedings of the fund.
- h. **Any other Head:** subject to approval of all the members of the fund in its Annual meeting.
- i. **Periodic review of Debits:** There shall be annual review of the rates debited under each Head which shall be effective from the next financial year taking into account the financial health of the fund.
- j. **No unauthorized or unapproved Debit:** No debit shall be made from the fund unless the same is sanctioned by the Chairman for items detailed at Clause (a-h).

6. Meetings :

- a. **General Meetings:** All the members shall meet at least once during the financial preferably by 30 September, wherein the details of expenditure incurred and future expenditure to be incurred shall be laid for information and approval of the members. 40% of the members present shall comprise the quorum for the meeting to be held and deliberated upon.
- b. **Special meeting:** shall be convened by the Chairman on the behest of at least 50% of the members requesting and 50% of these present during the meeting. The special meeting may be convened to seek approval for incurring expenditure not classified under any head and the extent to which the same is required to be concurred. Decision of the Chairman/SWF shall be final.
- c. **The Managing Body:** shall meet once in a quarter the date of which shall be fixed by the Chairman. Secretary/SWF to initiate file in this regard.

7. Maintenance of Bank Account:

- a. SWF will explore the feasibility of managing its credits and debits through a current account in a nationalized bank.
- b. **Drawal of Amount:** The account shall be jointly held in the name of Secretary/SWF and Treasurer/SWF.
- c. **Auditing of account:** Secretary/SWF shall get the annual accounts audited by the Head of the Finance which shall be duly certified by the Institute's Chartered Accountant before the same is displayed on the Institute Noticeboard for at least 07 days by 15th April of the Next Financial Year.

8. Powers to amend, relax, modify any of the provisions:

shall rest with the RI-SWF with at least 51% of the members present in the meeting voting in favour of the motion for amendment.

9. Any other specific welfare measures proposed to the employees of BRIC will be finalized with consultation of Department of Expenditure.