

Annexure- 40 B  
BOM-55/2018 dated 27.11.2018



**MGM INSTITUTE OF HEALTH SCIENCES**  
(Deemed University u/s 3 of UGC Act 1956)  
Grade "A" Accredited by NAAC

## INCUBATION POLICY



Policy  
Guideline  
Document

Knowledge Partner with Jugaad Funda

Dr. Shashank D. Dalvi  
Vice Chancellor  
MGM Institute of Health Sciences  
Navi Mumbai - 410209

Dr. Rajesh B. Goel  
Registrar  
MGM Institute of Health Sciences  
(Deemed University u/s 3 of UGC Act 1956)  
Navi Mumbai - 410 209

## Table of Contents

References:.....	3
1. Introduction.....	4
2. Eligibility.....	5
I. Section A: Category.....	5
II. Section B: Criteria.....	6
III. Recommendation:.....	7
3. Scope and Operation.....	7
4. Organizational Structure:.....	8
5. Ideation to Graduation Process, Tenure of Incubation and Exit Strategies:.....	9
I. Stage 1: RFR and Feasibility Check.....	9
II. Stage 2: Proof of Concept.....	10
III. Stage 3: Rapid Prototyping.....	11
IV. Stage 4: Pilot Production.....	12
6. Admission Process/ Method of Application.....	13
I. Incubation Plan &/or Business Plan/Pitch.....	13
II. Evaluation Criteria.....	13
III. Presentation to Evaluation Committee of TBI.....	14
IV. Research & Due Diligence.....	15
V. Non-Disclosure.....	15
7. Our Services.....	15
I. Intellectual Property Protection Support.....	15
II. Seed Funding Support.....	16
III. Independent Infrastructure Support.....	17
IV. Common Infrastructure Support.....	17
V. Infrastructure of the Partner Institution.....	17
VI. Mentoring and Advisory Services.....	18
VII. Mentoring Support Groups.....	18
VIII. Other Services.....	19
IX. Periodic assessment.....	19
8. Information Submission.....	21
9. Conflicts of interest and confidentiality of information.....	21
10. Policy for Commercializing Knowledge Services for faculties/employers under MGMIHS.....	22
11. Disclaimer.....	22
12. Agreements.....	23
13. Utility Support.....	24
Appendix A.....	25



Dr. Shashank D. Dalvi  
Vice Chancellor  
MGM Institute of Health Sciences  
Navi Mumbai - 410209

## Table of Figures

Figure 1. Scope and Operation.....	7
Figure 2:Organizational Structure.....	8
Figure 3.RFR and Feasibility Check Flow Chart.....	9
Figure 4.Proof of Concept Flow Chart .....	10
Figure 5.Rapid Prototyping Flow Chart.....	11
Figure 6.Pilot Production Flow Chart.....	12
Table 1:Utility Support .....	24

## 1. Introduction

Mahatma Gandhi Mission Institute of Health Sciences (MGMIHS) Incubator promote innovation and entrepreneurship by converting and translating technology ideas and innovation in various disciplines like arts, commerce, science, technology and engineering into products, processes and services for commercial exploitation and the benefit of society. The goal is to promote technology-based entrepreneurship and thereby facilitate practical application of knowledge for public use. To promote product and services idea that can make change in life of common man to solve real life problems. To accomplish this goal, MGMIHS Incubator runs and manages a Technology Business Incubator (TBI) to facilitate incubation of new enterprises with innovative technologies by admitting them in TBI and providing them physical, technical and networking supports and services. For implementation and execution of said objective Juggadfunda Innovation LLP is extending its support to MGMIHS Incubator through its Incubation and Juddaafunda support portal. This Jugaadfunda Innovations portal is positioning to interconnect academic, institutions, government, industry bodies, corporate, research labs and other business incubators creating a truly unified ecosystem for nurturing entrepreneurs. With thrust area of “Product Design and Manufacturing”, it is positioning strongly to support innovators and SME. To this end, MGMIHS Incubator has adopted this Incubation Policy to provide guidance and management structure to facilitate the development of entrepreneurship.

This document contains policy and procedures for operational matters related to TBI. It covers the following processes:

- I. Eligibility
- II. Scope & Operation
- III. Ideation to Graduation Process, Tenure of Incubation and Exit Strategie
- IV. Admission process
- V. Our Services
  1. Intellectual Property
  2. Seed Loan
  3. Infrastructure
  4. Mentoring and Advisory Services
  5. Other services
  6. Periodic Assessment

- VI. Conflicts of Interest

VII. Disclaimer

VIII. Agreements

IX. Appendix A

The policy is subject to periodical review and amendment for healthy incubation. It will be the responsibility of the companies admitted to TBI to update themselves from time to time on amendments in policy and procedures.

TBI reserves the rights to make an exception of all or any of the terms of policy for a company or a promoter on a case to case basis.

## 2. Eligibility

### I. Section A: Category

- i. Anybody (graduating students, academic experts, group of academic experts and students) from any discipline (arts, commerce, science, technology, engineering), who is in stage of ideation, not confirmed about feasibility, viability of idea and/or new to entrepreneurship can enrol for incubation.
- ii. Anybody (graduating students, academic experts, group of academic experts and students, existing SME's willing to upgrade the business) from any discipline (arts, commerce, science, technology, engineering) who have crossed ideation stage, feasibility report of better chances of viability of product and looking forward for proof of concept and /or rapid prototyping.
- iii. Anybody those who have crossed the ideation stage, crossed proof of concept and rapid prototyping stage, generated funds up to some extent and formed the company through legal compliance but not yet achieved the first success, not yet crossed marketing and branding stage.
- iv. Anybody those who have formed the company through legal compliance, crossed marketing and branding stage, received funds and started with revenue generation up to some extent but business is not yet making profit and/ or need to scale-up the business.
- v. Ventures that qualify as a nursery incubation project initiated by one or more members of the academic experts, students and/or alumni of the premier institutes, or some other

technology promotion agency (government or non-government) with a view to trying out a novel technological idea for up gradation to a commercial proposition, scaling up a laboratory proven concept, and setting up a technology business enterprise.



- vi. A company if promoted by legal entity staff or employee shall be granted incubation only upon submission of 'No Objection Certificate' from the competent authority or employer. However, companies having employees as shareholders are eligible to apply for incubation.
- vii. R&D partners (sponsors of R&D and consultancy projects).
- viii. Incubates from Partner universities/Institutes.
- ix. Legal entities/ agencies associated with TBI research and innovations.
- x. Technology-based start-up company promoted by a 1st. Generation Entrepreneur desirous of R&D partnership with the Institute or company with a view to trying out a novel technological idea for up gradation to a commercial proposition.
- xi. Technology/R&D unit of an existing small/medium size enterprise, industry association or a R&D Company who desires to have close technology interface with TBI.
- xii. Incubation is open to anyone who wants to make a difference. However, students, both past and present will be given a preference in terms of priority of admission into the incubator and charges as running cost of the incubator. The incubator is also open to academic expert subject to 'No Objection Certificate' from Institution (Employer).
- xiii. External start-ups (with strong technology base or affiliation to R&D partners).
- xiv. Proposals with strong social & strategic impact from eligible entities.

## **II. Section B: Criteria**

The proposals for business incubation must meet with one or more of the following parameters:

- i. Proposals with Intellectual Properties (IP) generated within TBI and transferred to the company for a consideration.
- ii. Proposals with IP belonging to academic experts, student or alumni (created outside TBI).
- iii. Proposals with potentials for strong identifiable involvement or interaction with TBI
- iv. Proposals which will have social and strategic impacts.
  
- v. Proposals with potential for large resource generation, impact value and visibility to TBI and incubation activities.

Applications for admission to TBI will be made in the name of registered unlisted companies within the meaning of the Companies Act, 1956. If a company has not been registered, an

application may be made in the names of all promoters/ founders; however, the promoters/ founders ensure that the company is registered within a period of six months from the date of approval of the application for admission in TBI.

### III. Recommendation:

**All new applicants are recommended to go through pre-incubation and skill development program process prior to registration to TBI**

## 3. Scope and Operation

The following diagram illustrates the scope and operation of Incubation flow



Figure 1. Scope and Operation

## 4. Organizational Structure:

Fig.2 shows organizational structure it illustrates the hierarchy and key responsibilities/outcomes from each section. As this is incubation policy, ideation to graduation process is elaborated in detail under Section 5.

The incubation mechanism is handled by incubation centre co-ordinator under Incubation Innovation and Linkages (IIL) Cell proposed under Section 8 Company.

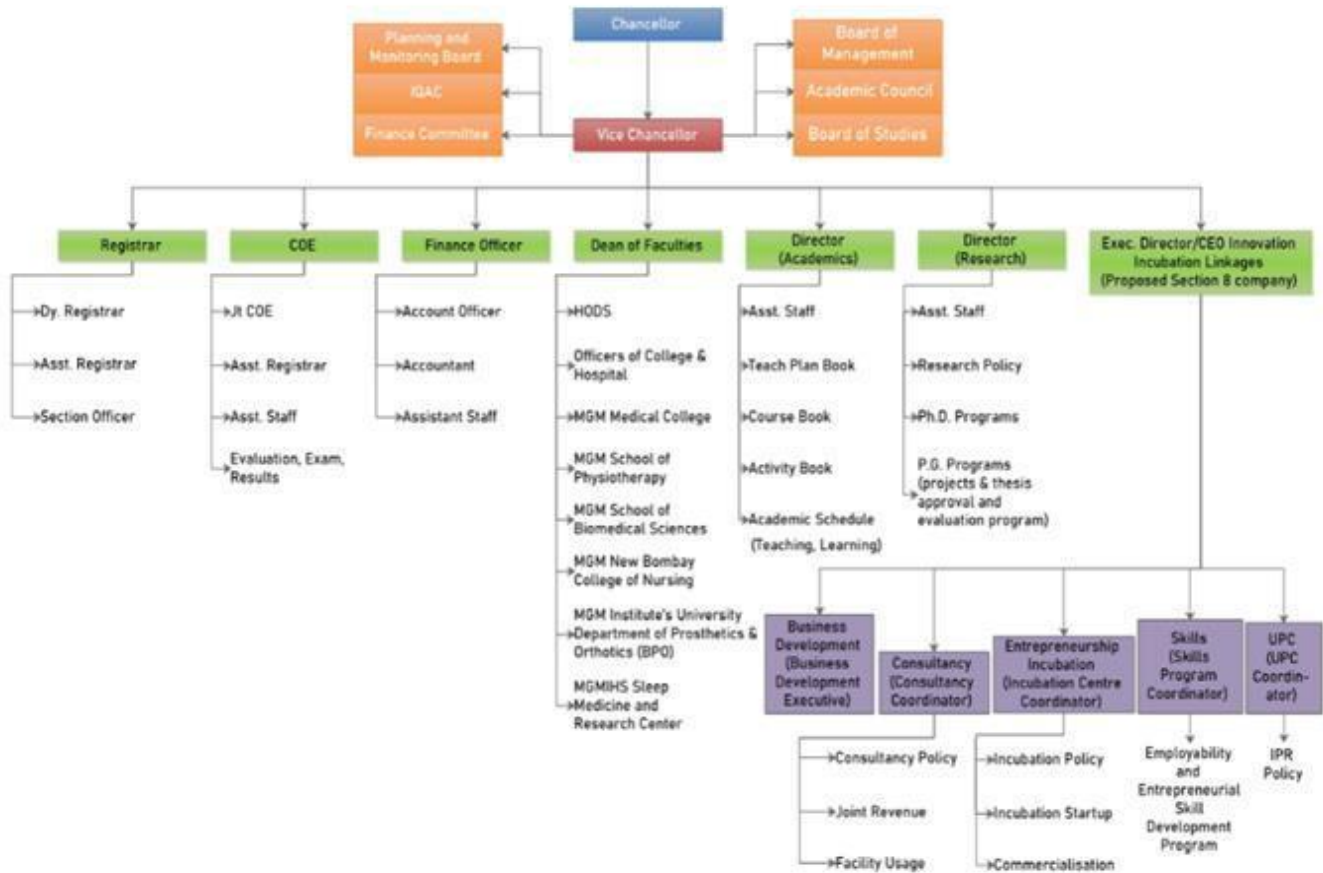


Figure 2: Organizational Structure

## 5. Ideation to Graduation Process, Tenure of Incubation and Exit Strategies:

The following flowchart explains stage wise the entire process from ideation to graduation.



## I. Stage 1: RFR and Feasibility Check

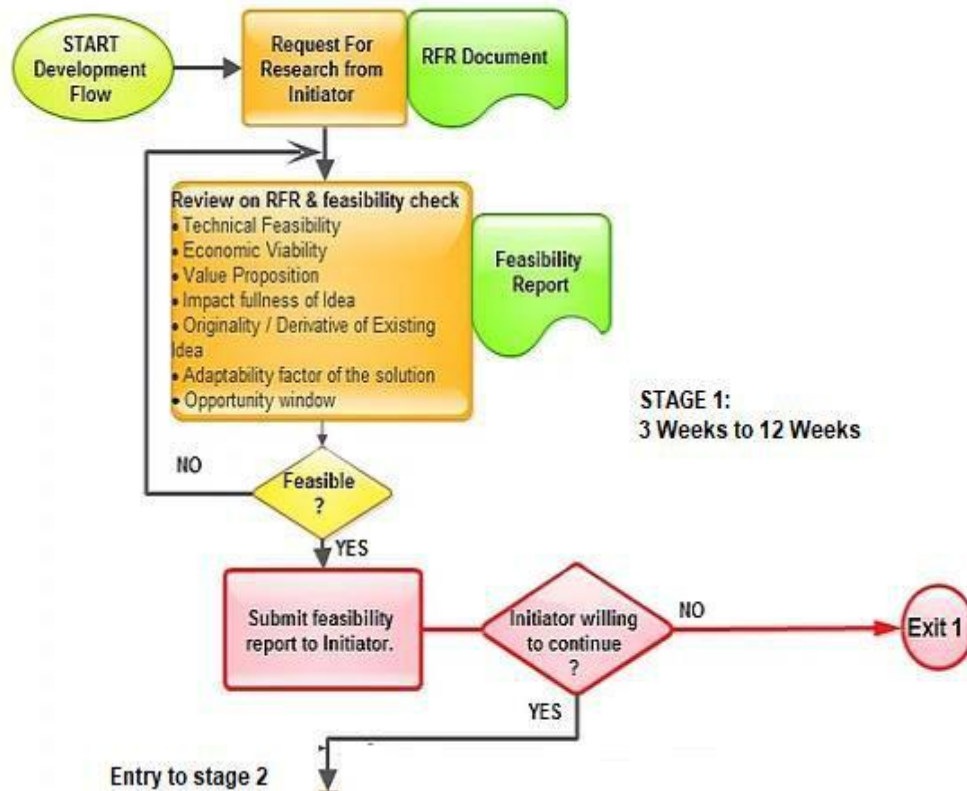


Figure 3.RFR and Feasibility Check Flow Chart

**Eligibility:** Anybody who belongs to criteria (i) mentioned under heading Eligibility Section A

**Tenure of Incubation:** 3 Weeks to 12 Weeks

**Exit Strategies:** If idea is feasible, but not willing to continue applicant can exit.

**Commercials / Service Charges:** No charges applicable for the stage I

## II. Stage 2: Proof of Concept

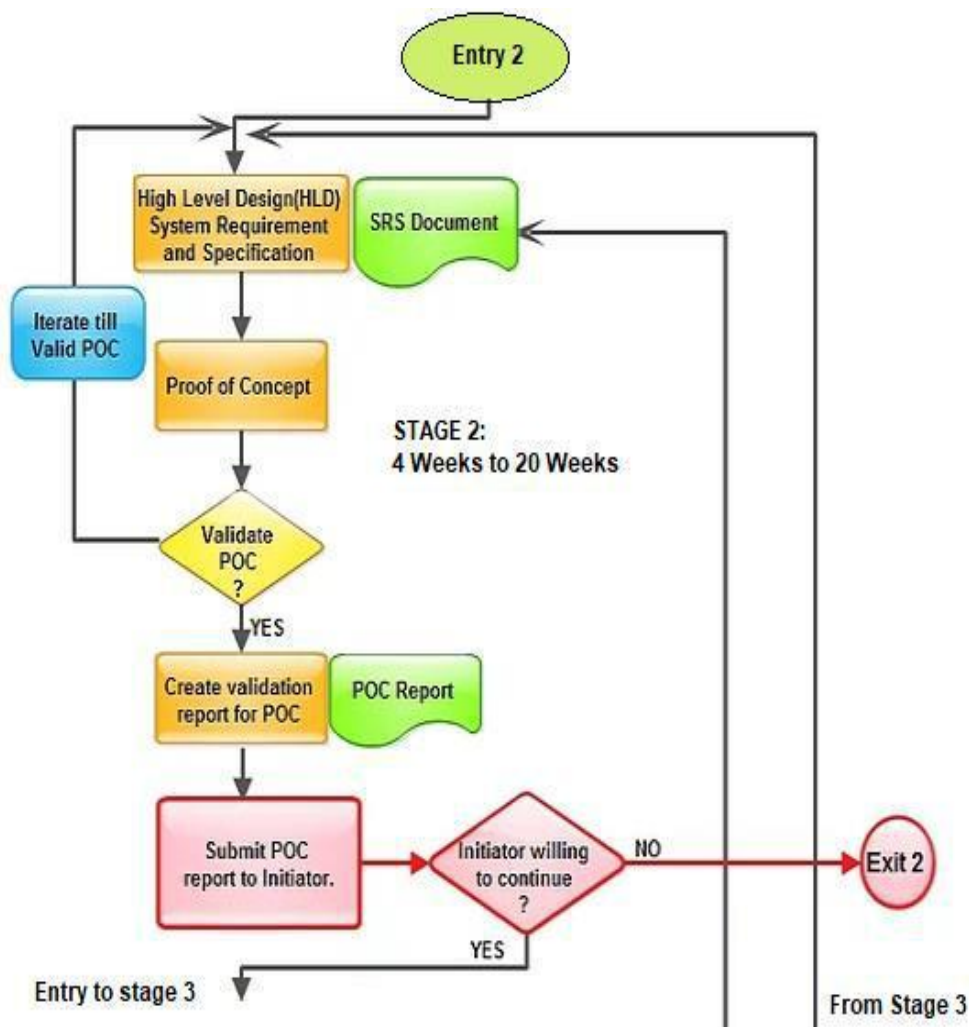


Figure 4. Proof of Concept Flow Chart

**Eligibility:** Anybody who belongs to criteria (ii) mentioned under heading Eligibility Section A

**Tenure of Incubation:** 4 Weeks to 20 Weeks

**Exit Strategies:** If proof of content is validated, but not willing to continue applicant can exit.

**Commercials / Service Charges:**

1. 1.5 % stake to TBI
2. Applicable Service Charges
3. Mentoring Services for committed time duration

### III. Stage 3: Rapid Prototyping

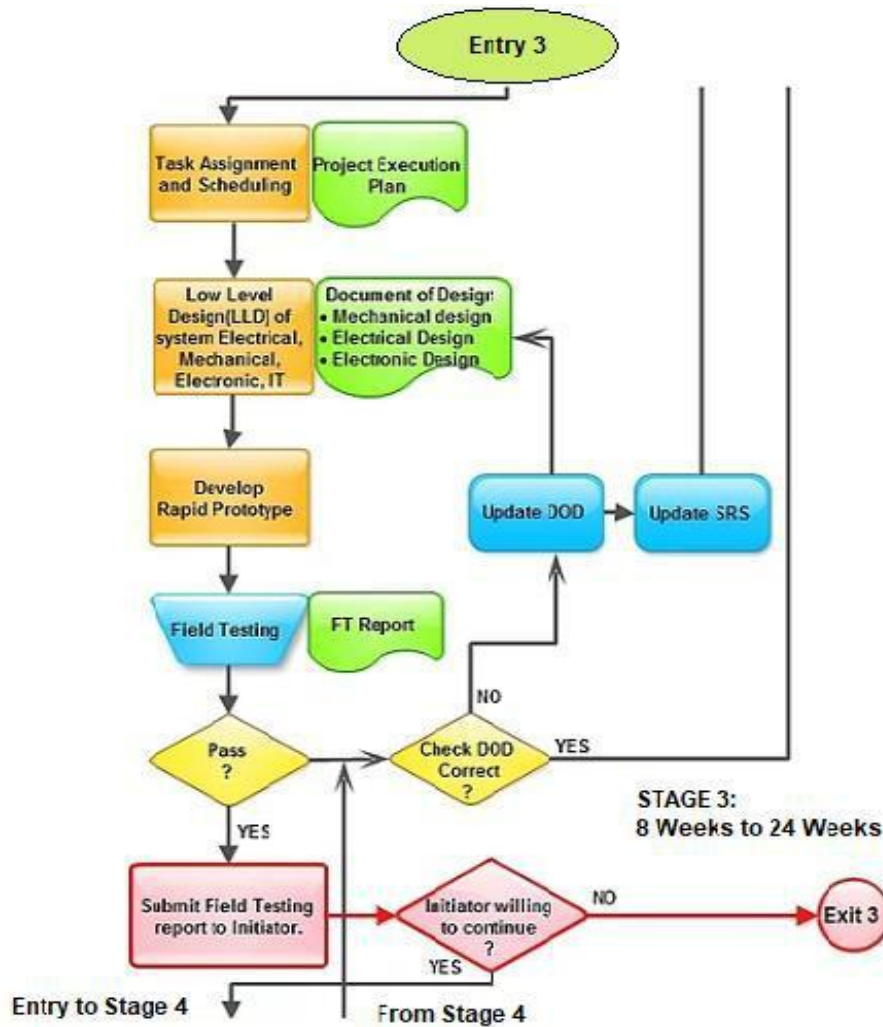


Figure 5. Rapid Prototyping Flow Chart

**Eligibility:** Anybody who belongs to criteria (iii) mentioned under heading Eligibility Section A

**Tenure of Incubation:** 8 Weeks to 24 Weeks

**Exit Strategies:** If proof of content is validated, but not willing to continue applicant can exit.

**Commercials / Service Charges:**

1. 1.5 % stake to TBI
2. Applicable Service Charges
3. Mentoring Services for committed time duration

## IV. Stage 4: Pilot Production

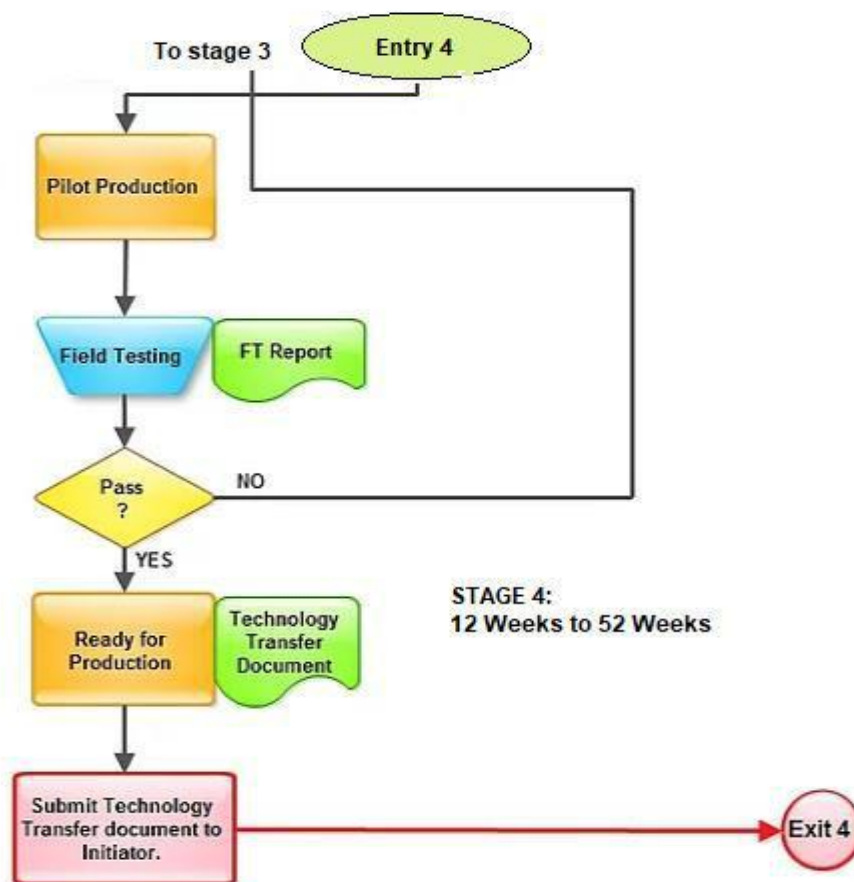


Figure 6. Pilot Production Flow Chart

**Eligibility:** Anybody who belongs to criteria (iv to xiv) mentioned under heading Eligibility Section A

**Tenure of Incubation:** 12Weeks to 52Weeks

**Exit Strategies:** If proof of content is validated, but not willing to continue applicant can exit.

**Commercials / Service Charges:**

1. 1.5 % stake to TBI
2. Applicable Service Charges
3. Mentoring Services for committed time duration

## 6. Admission Process/ Method of Application

Every applicant willing to get admission shall register and enrol through our portal [www.jugaadfunda.com](http://www.jugaadfunda.com). Applicants need to submit Incubation Proposal, Business pitch/plan by duly filling the information in the form available on portal [www.jugaadfunda.com](http://www.jugaadfunda.com).

The incubate shall select MGMIHS as incubation centre/institute and associated SIG while submitting the application.

### I. Incubation Plan &/or Business Plan/Pitch

The Business plan is expected to cover the basics of the Business, namely, value proposition, products and services, market analysis, competition analysis, funding requirements, capital structure, milestones and timelines, development and marketing plan, organizational structure, team, risk analysis and projected financials. Applicants may give such additional information as they think would help in the assessment of their proposal.

**Note: Facility is provided to an applicant to submit incubation plan/business plan/ pitch online on jugaadfunda portal. It shall be evaluated on regular basis by respective (allotted) mentor as per evaluation criteria.**

### II. Evaluation Criteria

Some representative criteria to be applied for evaluation (not limited to these).

1. Strength of the product idea in terms of its technology content, innovation, timeliness and market potential.
2. Profile of the core team/ promoters.
3. Intellectual Property generated and the potential of the idea for IP creation.
4. Financial/ Commercial Viability and 5-year projections of P&L, Balance Sheet and Cash Flows.
5. Funds requirement and viability, you raising finance.
6. Time to market.
7. Break-even period.
8. Commercial potential, demand and requirement in India.
9. Scalability

Based on the information, the Business Plan will be screened by the TBI team for assessing the suitability of the proposal for further evaluation by expert members regarding its potential for incubation. Detailed scrutiny including financial and technical due diligence of the proposal shall

then be carried out by the expert members for evaluation of the proposal. Applicants may be invited with their teams to make a presentation on their proposal. To enable the expert members to take an appropriate decision, members may ask for any additional information from the applicants and/or revision in the proposal.

### **III. Presentation to Evaluation Committee of TBI**

**(Note: Shortlisted ideas need to present power point presentation in front of TBI committee for availing further financial & mentoring support)**

If the initial evaluation of the business plan / executive summary is positive, TBI will arrange a meeting with the company founders/Incubate, during which the company will be expected to present a PowerPoint presentation describing critical aspects of the business plan to the evaluation committee. The presentation will be followed by Q&A session. After the presentation, a final decision will be made regarding the company's entry into the incubator. The company will be informed of the final decision after the presentation. The presentation through video conferencing is also permitted.

Business Plan will be reviewed by experts having technical, Business and financial expertise. These members will be other than TBI employees. The expert members would be invited/identified depending on the nature of the proposal. The proposal will be handled in terms of TBI's Policy on Conflicts of Interests and Confidentiality appended hereto as Appendix A.

Some representative criteria to be applied for evaluation (not limited to these)

1. Strength of the product idea in terms of its technology content, innovation, timeliness and market potential
2. IP already generated and the potential of the idea for IP creation
3. Extent of involvement of TBI Mentors, employees and students
4. Strength of the core Business team
5. Funds requirement and viability of raising finance
6. Break-even period

TBI will have a sole discretion whether to admit or reject a proposal for incubation and the decision of TBI in this regard shall be final. TBI is not bound to give any reason in case a proposal is rejected.



## **IV. Research & Due Diligence**

Throughout the application process, on an as-needed basis, TBI will perform research and due diligence of the company, the management team, the industry, and the current and future competitive elements facing the business. TBI may require further information from the applicant and may ask the applicant to revise the executive summary and/or presentation. TBI may at its discretion seek advice of various government bodies who have sponsored the incubation centre like DSIR, DST, TDB, NSTEDB, TIDE, MCIT, MSME, etc.

## **V. Non-Disclosure**

TBI adheres to strict confidentiality throughout the application process. However, TBI will not sign any 'non-disclosure' agreements.

## **7. Our Services**

Following services will be offered by TBI

### **I. Intellectual Property Protection Support**

Intellectual Property (IP) can be a patent, software code, copyright, design registration, developed product, or alike. IP for incubation purpose will be assessed based on the following details:

1. Whether any seed grant (from public or private sources) has been used in developing the technology which will go into the product(s) of the proposed company.
2. If yes, details of the understanding with the funding agency in terms of sharing of the IP.
3. Whether any person other than the applicants have worked on the technology and if their work will be incorporated in the product(s). If yes, whether such other person has a right in IP ownership.
4. If the IP is developed at TBI, whether any TBI infrastructure (hardware, testing setup, instrumentation, computing resources, processes) has been used in developing the technology that will go into the product(s).
5. If the IP is developed at TBI, whether any consultancy projects were executed in the proposed area.

When IP is developed under point 4 & 5, protection rights will be filed jointly by incubator and innovator but its all commercialization rights will remain with innovator

A statement from the “owners/ innovators/ creators” of IP to the effect that they are the “owners/ innovators/ creators” of IP as the case may be.

IP transfer/ IP licensing/ permission to use IP will be in favour of only the registered companies. The Promoters should fill an IP declaration worksheet at the time of admission and declare the Intellectual Property developed and owned by the incubated company.

1. In case the incubated company is desirous of using the Intellectual Property of TBI like patent, software code, copyright, design registration, developed product, etc. then the company shall make such request in writing to TBI.
2. The company shall inform if any students have worked on the technology and if their work will be incorporated in the product(s).
3. The company shall inform if any IP has been generated as a result of the collaborative work with faculty members (who are not promoters) and is being incorporated into the product(s).
4. The company shall inform if any TBI infrastructure (hardware, testing setup, instrumentation, computing resources, processes) has been used in developing the IP or technology that will go into the product(s).
5. The company shall inform of the agreement, if any, with TBI that the IP has been assigned to the company for commercialization.
6. The entrepreneur would have the option of first purchasing the rights of IP from TBI and then being incubated or assigning equity to TBI in lieu of the direct payments to the TBI.
7. The incubate would maintain a register with the details of any IP (patents, licenses, copyrights, etc.) that has been brought into the company prior or during their stay at TBI. Also, any IP developed during the stay would be maintained in the register.

## **II. Seed Funding Support**

TBI may provide seed loan subject to the availability of funds/ grants/ schemes meant for this purpose. Seed loan will be sanctioned only to the registered companies and shall be based on merits of each company. Promoters/ founders whose companies are not registered at the time of application shall not be eligible to apply for seed loan until their companies are incorporated. Further, admission to TBI shall not automatically entitle the companies to seed loan.

A company desirous of getting seed loan may submit an application for seed fund on admission in TBI. Sanction of seed loan will be decided based on the eligibility criteria as decided by TBI. It would be also subject to the terms stipulated under specific grant or scheme as the case may be.

Though seed loan may be sanctioned, disbursement shall be linked to the milestones. One of the criteria for approval of the seed loan will be to help the company reach a level of maturity in terms of product development or go-to-market stage. Preference will be given to companies with strong commitment and contribution from their promoters. TBI will have sole discretion to sanction or reject an application for seed loan and the decision of TBI in this regard shall be final. TBI is not bound to give any reason in case an application for seed loan is rejected.

### **III. Independent Infrastructure Support**

Upon admission to TBI, the following facilities will be offered to the incubated companies on an individual basis:

- Office space.
- Internet connection.

Apart from company specific infrastructure as stated above, TBI will provide certain facilities be shared by all incubatee companies which would include:

- Computers – As per availability on rental basis. Printer.
- Phone connection - Each company will pay the rentals and bills.
- Standard Furniture as decided by TBI.
- One Accommodation to Director/Promoter depending upon the availability.

### **IV. Common Infrastructure Support**

TBI provides a common pool of hard and soft infrastructure to be shared by all incubated companies. The following resources are provided:

- Fax machine.
- Photocopying machine.
- Document Scanner.
- Library: Management Books, Subscription to IT, Business, Management and Trade journals and newspapers.
- Meeting/Conference room with projection equipment.
- Tele or Video conferencing facilities.

### **V. Infrastructure of the Partner Institution**

Besides, TBI will facilitate the incubatee companies to access departmental laboratories and other resources of TBI or at its Partner Institute for their specific requirements. Access to Institutional resources is possible as per extant rules of the Institutes, after observing necessary formalities and

on payment of required fees. Usage of such resources should be with permission of the concerned department to avoid conflict with departmental activities and objectives. The consideration payable to SRC for usage of departmental resources will generally be in the form of cash (payable by cheque or demand draft), though TBI may recommend to the Institute for acceptance of consideration in the form of equity. However, decision as to whether to accept such consideration in form of equity will be solely rest with the Institute. Augmentation of resources in the department on account of such usage shall be the properties of the concerned department.

Irrespective of requirements of departmental facilities for usage, all incubate companies will primarily locate at TBI.

## **VI. Mentoring and Advisory Services**

- Strategic Check-ups: The TBI Head will meet the company CEOs at least once a month for strategy reviews and discussion of operational issues.
- An incubated company will have to take a faculty advisor as a mentor on technology issues.
- Specialized mentors will also be made available to the companies to assist with particular strategic areas or to provide project-oriented consultation. These arrangements may begin as a voluntarily with an option for both parties to graduate to a paid relationship.
- An incubated company may avail the consulting services by empanelled professionals.

## **VII. Mentoring Support Groups**

- Incubation and SME General Support
  - Techno - Legal Support
  - Technology / R & D Support
  - IT Support
  - Co-working space Support
  - Makers Space / Fab Lab Support
  - Business Plan Support
  - Market Research Support
  - Company Formation Support
  - Funds and Finance Support
  - Accounting and Taxation Support
  - Design Support (Logo, Branding etc)
- Product Testing and Certification

- Stress Management Support
- Product Development Support
- ISO Systems and Certification Support

## **VIII. Other Services**

Apart from infrastructure as stated above, TBI intends to create possible other supports and services which would include but not limited to:

- Pool of mentors, experts in technology, legal, financial and related matters, with or without consideration,
- Organising events to help companies in networking and showcasing their technologies,
- Meetings with visitors of TBI (such as alumni, Venture Capitalists, industry professionals).
- TBI may associate with professionals for accounting, IP, legal and management expertise on a part-time basis.
- TBI will also build up information and knowledge pool to be useful generically for start-up companies.
- TBI will coordinate Skill Development, training programmes designed for start-up companies.

Incubatee companies can avail of the above support and services when offered by TBI. Any direct services provided to an incubate would have to be paid for by the incubate to the service provider.

## **IX. Periodic assessment**

TBI will evaluate the performance of incubatee companies periodically. Incubatee companies will submit information to TBI on quarterly basis in a prescribed format. The companies may also be subject to an annual assessment by a committee comprising of external experts.

A company which has taken seed loan will have to submit additional information as may be asked by TBI. The un-disbursed portion of the seed loan will be adjusted subject to the performance of the company.

Incubate companies will have to submit their annual reports within a period of 7 days from the date of their approval. committee set up by TBI will evaluate the performance of incubatees every 3 months. The emphasis of evaluation will be on checking if the milestones specified in the business plan are met. For a company which has taken seed fund loan, additional checks will be

done on the financial health of the company in terms of its order booking, expenses, profitability, utilization of seed money loan for the specified purposes and its ability to repay the loan. Further seed fund disbursement will be dependent on the progress shown in previous appraisal.

Periodic assessment would vary depending on the stage of incubation the company is in. Some representative criteria for evaluation are:

**A. Ideation / Innovation stage**

- Concept development / Opportunity spotting
- Product Development
- Market assessment / Competition analysis
- First level Business Planning / Business Modeling
- Founding Team
- Intellectual property protection
- Seed Funding

**B. Pre-Market Stage**

- Proof of Concept/ Prototyping
- Product Development and enhancement
- Financial Assistance Required
- Test marketing
- Full scale business planning including production, sales and sourcing

**C. Implementation Stage**

- Full scale Business Planning
- Pitching for Venture Funding
- Scaling up operations
- Large scale commercialization
- Mature Team Formation

**D. Exit stage**

- Going National / Global
- Exit options for TBI
- Full scale business Graduation
- Post incubation Survival

The incubatee may be asked to provide more frequent updates to TBI.



## **8. Information Submission**

Incubatee companies will submit information to TBI about all material changes or developments taking place in their companies from time to time. Such information could be (but not limited to) change in name of the company, change in business or product profile, change in directors, promoters or shareholders, acquisition of a new office, additional equity or debt investments. TBI may require incubatee companies to submit other information as it deems fit. Prior concurrence of TBI should be obtained for effecting such changes.

## **9. Conflicts of interest and confidentiality of information**

When a person plays two separate roles in two different positions and he/ she uses one position for his/ her personal benefit in the other role, a situation leading to conflict of interest arises. TBI endeavours to draw a line between appropriate and inappropriate interactions among its board members, employees, mentors, consultants, affiliates, incubatee companies, their employees, persons connected to them or their promoters, employees and staff, various service providers and suppliers. Conflicts between private interests and official responsibilities of all stakeholders must be handled in a transparent manner, and TBI/ TBI considers the full voluntary disclosure as the best mechanism for managing conflicts of interest.

The policy is not exhaustive, and hence situations having potentials for conflicts of interest though not covered in the policy will nonetheless be subject to the policy. The policy makes all stakeholders related to TBI, TBI and incubatee companies aware that no one should use his/ her position in one role for the personal gains in the other role, and when necessary, explicit permission of relevant stakeholder may be obtained. Appropriate judgement should be applied by all concerned parties while assessing the genuineness of conflicting interests.

This policy also deals with maintenance of confidentiality of proprietary information.

A committee may be set up by TBI to resolve any dispute over such situation causing conflicts of interests.

## 10. Policy for Commercializing Knowledge Services for faculties/employers under MGMIHS

Faculties are encouraged to come up with consultancy, knowledge commercializing proposals by providing training, courses, projects....etc.

Knowledge Services will be categorized as following:

- A. Services/ Consultancy that needs laboratory equipments, materials, infrastructure..etc
- B. Requires only laboratory setup and infrastructure
- C. Requires only knowledge and intellectual
  - i. The cost shall include percentage of infrastructure rent, laboratory resource rent
  - ii. Percentage valuation for knowledge
  - iii. Share for marketing, sales and promotion cost if to be done by external entity
  - iv. Revenue share for department/university
  - v. Profit /Surplus amount

The surplus amount/ profit can be shared in a percentage of 50-50 between University and the proposing entity.

### **Important Note:**

- a) Such services/ consultancy cannot be sold to any admitted students under MGMIHS department
- b) If required Incubation Centre can support commercialization, promotion of such services through its own resources on chargeable basis

## 11. Disclaimer

The incubatee company will understand and acknowledge that TBI intends to provide supports and services to the Company in good faith to pursue its objective to promote entrepreneurship by converting innovative technologies developed in the Institute to commercialization by incubating and supporting new enterprises. It is understood that by agreeing to provide various supports and services, TBI does not undertake responsibility for:

- Ensuring success of an incubatee company, its products/ process/ services or marketability,
- Ensuring quality of support and services provided by TBI and TBI to the complete satisfaction of the incubatee companies or their promoters/ founders.

- Ensuring quality of services of the consultants engaged by the incubatee companies through TBI/ TBI network. Incubatee companies will have to apply their judgements before getting in to a relationship with them.

The incubatee companies agree that TBI/ TBI or their employees shall not be held liable for any reason because of the above.

## 12. Agreements

The following agreements are required to be signed by the incubate companies to the extent applicable:

Service agreement Between TBI & an incubates company for admission of the company in TBI.

Equity agreement between TBI, an incubates company and its Promoters for TBI's equity holding in the incubates company.

Transfer of technology Agreement/ Technology License Agreement Between TBI & an incubatee company for transfer of technology,

Loan Agreement: Between TCGTBI & Incubatee Company on sanction of seed loan to the incubatee company in TBI.

Usage of Facilities at Host / Partner Institute Between Host / Partner Institute & an incubatee company for usage of TBI facilities / resources by the incubatee company as per the prevailing policy of Host / Partner Institute . Incubation Agreement: Contain rules and other incubation norms, consideration, equity holding, etc. (Applicable to all.)

Seed-Fund Agreement Contain rules of disbursement and repayment. (Applicable to incubatees availing seed-fund.)

Technology Commercialization Agreement Applicable to incubates using technology or IP developed by Incubation

Loan Agreement:

Between TBI & incubatee company on sanction of seed loan to the incubatee company in TBI.

Usage of Facility

Between TBI & an incubatee company for usage of departmental resources of TBI by the incubatee company as per the prevailing policy of TBI.

(Copies of Agreement shall be made available as per the need and requirements)

## 13. Utility Support

Following table list the profitable supports extended by jugaadfunda through online seamless portal and offline on submitting required documents.

Sr. No.	Utility Supports	Online Facility	Offline Facility
1	Technical R&D/ Business Mentor	Y	Y
2	Incubation and SME General Support	Y	Y
3	IT Support	Y	Y
4	Techno-Legal Support (IP Protection)	Y	Y
5	Business Plan Support	Y	Y
6	Company Formation Support	Y	Y
7	Co-working Space Support	-	Y
8	Makers Space/ Fab Lab Support	-	Y
9	Market Research support	Y	Y
10	Funds and Finance Support	Y	Y
11	Accounting and Taxation Support	Y	Y
12	Design Support (Logo, Branding, Promotional Material)	Y	Y
13	Product Testing and Certification	Y	Y
14	Stress Management	Y	Y
15	Product Development Support	Y	Y
16	ISO System and Certification Support	Y	Y

*Table 1: Utility Support*

## Appendix A

### Policy on Conflicts of Interests and Confidentiality

#### 1. Introduction:

Samruddhi TBI Foundation (TBI) has been founded to promote innovation and entrepreneurship and to administer a Business Incubator for start-up companies with emphasis on technologies developed. In recent years, TBI has been encouraging faculty, employees and students to convert their technology ideas and innovation in various disciplines of science and engineering into commercial ventures for personal, institutional and social benefits. This process of translating knowledge in various disciplines of science and engineering into products, processes and services for commercial exploitation will also benefit the society.

In this process, however, complexities surrounding actual and potential conflict of interests and commitment are also involved. While TBI supports faculty, non-faculty employees and other members in the commercialisation of technologies developed in various departments and laboratories, there are several key values that call for protection from conflicts that may arise from such activities because of their commitment in TBI to:

- o Student education,
- o Objective research,
- o The society by bringing benefits of knowledge arising out of such research and education

When an individual holds two positions in different roles, and when he/she tries to use one position for personal benefits of his/her aspirations in another, a situation of conflict of interest arises. Certain positions held by employees of TBI which are of trust and confidence owe a fiduciary responsibility to those to whom TBI and its Incubator provides supports and services. Any significant, direct or indirect, financial interests held by TBI employees in any of companies supported by TBI and its Incubator could involve possible conflict of interests. Persons associated with TBI in various capacities other than for employment may also face

situations leading to conflict of interests. The avoidance of such conflict is important to the integrity and philosophy of TBI.

Further during the process of incubation, certain proprietary information may also be exchanged between various parties which are of confidential or sensitive nature. The confidentiality of such information needs to be maintained.

## **2. Policy objective:**

The intent of this document is not to eliminate all possible situations leading to conflict of interests, an obvious impossibility. Rather, it is to enable an interested person to recognise situations that may be subject to question, to take steps to minimise such conflicts and to ensure that such situations are properly reviewed and, if necessary, corrected. All potential conflict of interest situations should be handled in a manner and all relevant activities are conducted in a manner consistent with the values of TBI and public values and interests. This policy makes all stakeholders related to TBI and Incubator aware that no one should use his/her position in one role for personal gains in the other role, and when necessary, explicit permission of relevant stakeholder may be obtained.

Conflict of interest policy and operating guidelines of TBI, if any, must be reviewed and followed by all faculty, employees and students who aspire to set up a company to be incubated in the Business Incubator administered by TBI. A key requirement for them is that care must be taken to separate clearly and cleanly the personal financial aspects of the entrepreneurial activities from their respective roles, duties and responsibilities in TBI. On admission in the Business Incubator, such entrepreneurial activities should not be confused with assigned duties of TBI. The use of TBI facilities and equipment must be free from unauthorised or conflicting uses and must be compensated for as per the policies of TBI. Appropriate judgement should be applied by all concerned parties while assessing the genuineness of conflicting interests.

Also, each party in receipt of confidential information should restrict the use of such information for the purpose for which it is disclosed. Concerned parties should safeguard and protect confidentiality of information by using the same degree of care as they would use to protect their own information of like nature to prevent unauthorised disclosure.



### 3. Definition:

- a. "Associates/ Affiliates"- means any person or entity directly or indirectly controlling or controlled by the other party or two parties are under a common control of one Party.
  
- b. "Confidential information"- means any information, whether in written, visual or oral form, disclosed by a disclosing party to the receiving party based on discussion or understanding between them, and-
  - which is clearly labelled or marked as 'confidential', 'sensitive' or its equivalent if disclosed in tangible form, or
  - which is concerning / provided by the disclosing party and is not known or generally available to the public at large, or
  - the nature of which should reasonably have been understood by the receiving party as being proprietary and confidential to the disclosing party.

Notwithstanding the above, Confidential Information shall not include any information which:

- i. is or becomes publicly known through no wrongful act on the receiving party's part; or
  - ii. is already known to the receiving party at the time of disclosure; or
  - iii. is rightfully received by the receiving party from a third party without breach of obligation to maintain confidentiality by the receiving party, or
  - iv. is furnished to a third party by the disclosing party without a similar restriction on such third party's rights; or
  - v. is independently developed by the receiving party without breach of any agreement with the disclosing party; or
  - vi. is explicitly approved for release by the disclosing party; or
  - vii. is required to be disclosed by the receiving party under any prevailing law or to a court of competent jurisdiction or any appropriately empowered governmental agency.
- c. "Conflict of interest"- in this policy refers to a situation in which financial or other personal considerations compromise or have an appearance of compromising an individual's professional judgement and ability to perform his/ her responsibilities to TBI or Incubatee

companies as the case may be. This also includes certain grey situations or grey areas that might involve the appearance of conflict.

- d. “TBI members”- means Interns, Employees, student and staff of TBI,
- e. “Incubatee company” - means a company admitted to the Business Incubator administered by TBI.
- f. “Interested person”- means any person having any direct or indirect, actual or potential, financial or personal interest because of their relationships with TBI, Business Incubator or Incubatee companies in the Business Incubator.
- g. “TBI associates”- means persons and entities associated with TBI in their respective professional capacities. This will also include board members, mentors, consultants, various service providers and suppliers who are associated with TBI their respective professional capacities.
- h. “TBI employees”- Those who are in employment of TBI or hired by TBI on contractual position.

### **3. Scope:**

This policy applies to all interested persons. This will include:

- TBI members who have actual or potential interest in entrepreneurship activities in the Business Incubator,
- TBI employees and TBI associates who can have actual and potential interest which are conflicting with the activities of the Business Incubator or incubatee companies,
- Incubatee companies, their promoters, employees and staff, or their affiliate or associate company.

### **4. Situations leading to Conflict of Interests:**

Certain situations leading to conflict of interests are explained herein below. However, the list is not exhaustive, and hence situations having actual or potentials for conflicts of interest though not covered in this document will nonetheless be subject to this policy.

- An TBI member is in a position to influence a departmental decision for acquisition of laboratory and other equipment which could benefit an incubatee company in which he/ she is an interested person.

- An TBI member is in a position to circumvent prevailing policies for making use of TBI's various facilities for the benefit of an incubatee company in which he/ she is an interested person.
- An TBI member is in a position to make use of the suppliers and service providers of TBI for undue advantage of an incubatee company in which he/ she is an interested person.
- An TBI member procures consultancy assignments or other business in name of TBI and out sources them to the incubatee company in which he/ she is an interested person.
- When an TBI member or a TBI member is in a position to influence policy decisions of TBI or TBI with an intention to benefit an incubatee company in which he is an interested person.
- Use of TBI students or employees to perform a work for an incubatee company without any compensation when the work is not related in any way for their academic pursuits.
- A person who is interested in one incubatee company and also involved in a decision-making process affecting other incubatee companies leads to situation of conflict of interest.
- When an incubatee company, its promoters, employees and staff or any interested person acts in manner to benefit the incubatee company at the disadvantage of TBI or TBI.
- An incubatee company, its employees and its staff having access to TBI resources are in position to exploit them by bypassing TBI's policies.
- When TBI members, TBI employees and associates, promoters, employees and staff incubatee companies are neglecting their respective commitments to TBI or TBI for their association with incubatee companies.
- TBI employees and associates are in position to use sensitive information pertaining to incubatee companies for their personal advantage.

#### **5. Confidentiality of information:**

TBI members, TBI employees and associates, incubatee companies, their promoters, employees and staff may come in possession of proprietary information which may be of confidential or sensitive nature. Recipients of such information should make all efforts to preserve confidentiality of such information. They should not disclose or use it for their financial or personal benefits without explicit approval of the disclosing party.

#### **6. Management of conflict of interest:**

Since situations leading to conflict of interests are inevitable, it is expected that the interested persons follow transparency in their actions based on full disclosure of relevant information by them. Following guidelines are suggested for management of actual or potential conflict of

interests and to address disputes arising out of conflict of interests and maintenance of confidentiality:

- Appropriate disclosure of the conflicting situations involved in a decision or transaction,
- Abstaining from participating in decision making process or transactions involving such situations,
- Obtaining appropriate approvals to avoid conflicts,  
Reporting of the breach of the policy without deliberate intention or knowledge. If any dispute arises in terms of this policy, the same should be reported to:
  - If it pertains to TBI or Incubate company, it should be reported to the Director/ Executive Director (TBI),
  - If it pertains to TBI, it should be reported to the Head of the concerned department of TBI.

If required, Chief Operating Officer (TBI) or the Department Head of TBI will refer the matter to the Director, TBI or the Executive Director TBI as the case may be, whose decision in the matter shall be final.

## References:

1. Discussion, Visit, Guidelines and Mentoring from renowned Universities:
  - a) Singapore Polytechnic
  - b) Fudan University
  - c) Hong Kong Productivity Council (HKPC)
  - d) Hong Kong Science and Technology Park (HKSTP)
  - e) Michigan Business Incubator Association (MBIA)
2. Incubation reference manuals from:  
Singapore Polytechnic, Fudan University, HKPC, HKSTP, MBIA
3. Incubation Procedure- IIT Kanpur  
<http://www.iitk.ac.in/siic/d/content/incubator-policies-procedures>
4. <https://www.oecd.org/innovation/policyplatform>
5. [www.rtbi.in/index.php/incubation/incubation-process/](http://www.rtbi.in/index.php/incubation/incubation-process/)