

India-Sweden Collaborative Industrial Research & Development Programme 2020

Application Guidelines

Name of the Programme	<p>India-Sweden Collaborative Industrial Research & Development Programme- Request for Proposal (RFP) 2020</p> <p>[Between Department of Science & Technology (DST), Government of India and Swedish Energy Agency, Sweden]</p>
Important Dates	<p>Announcement Date of Request for Proposal (RFP): November 27, 2020</p> <p>Closing date of RFP : May 20, 2021</p> <p>For Swedish Energy Agency, before 24:00:00 CET</p> <p>For DST, before 24:00:00 IST</p> <p>Announcement of Results: During November 2021</p>
Who Can Apply?	<p><u>Eligible Indian Applicants</u></p> <ul style="list-style-type: none"> • The Indian Project Coordinator (IPC) must be a commercial (for profit) company under the Indian Companies Act 1956/2013, which operates in and is headquartered in India. The Indian Project leader must be employed at the IPC. • At least 51% stake of the IPC Company must be owned by Indian citizens. • The IPC should have the required expertise and team capacity to manage the proposed project. • Sole proprietors and partnership firms are not eligible for support under this programme. • Companies headquartered and owned outside India and their subsidiaries in India, or vice versa, are not eligible to apply as Indian applicant and/ or receive funding from DST under this programme. • IPC should lead the project from Indian side and if required bring in other Industry Partners and/or Academic/R&D Institutions (including not-for-profit research institutes recognised by DSIR/ registered at DARPAN portal) as Consortium Partner. <p><u>Eligible Swedish Applicants</u></p> <ul style="list-style-type: none"> • The Swedish Project Coordinator (SPC), must be a company. SPC is responsible for the application submission in Sweden and towards the Swedish Energy Agency. • The Project Leader must be employed at the SPC. • SPC shall be a company that operates in Sweden and registered in the country. • Swedish research performing institutions (universities, colleges and research institutes) as well as test beds, public organisations, and other companies with operations in Sweden are encouraged to actively participate in the consortium. <p>For each project there should be at least one Indian applicant (representing the team) and one Swedish applicant (representing the team). These are referred as IPC and SPC.</p> <p><i>[Refer Annex-1: Eligibility Criteria and Annex-2: Project Requirements for more details]</i></p>
Eligible technology sectors	<p>The collaborative projects should be innovative and focussed on creating possibilities for future new technologies, services or processes that will eventually lead to commercialization.</p> <p>(1) This RFP 2020 is open to the applied R&D projects in the area of: Smart Grid</p> <p><i>[Refer Annex-3: Eligible Technology Sectors for more details]</i></p>



Project
funding
support

Funds will be provided in accordance with the national laws, rules, regulations and procedures established by each organization, and/or each jurisdiction/country.

Funding for R&D Project Participants in India

Department of Science & Technology (DST), Government of India, will fund the successful projects, as follows:

- Department of Science & Technology will finance this call with a total amount of maximum Rs 18.0 Crore for the support of Indian partners.

- **Case-I: Support for Consortium led by Private Sector Industries**

DST will support up to 75% of project cost for joint consortium led by private Sector Industry. This will be subject to the following ceilings

- Funding support up to 50% of eligible costs for private sector Industries and Private R & D organisations as grants.
- Indian Public Sector R&D organisation/academic institution may receive up to 100% of their costs as grants.
- Funding support up to 75% for other non-economical organisations (such as voluntary organizations etc) as grants.
- Funding support up to 75% of eligible costs for public sector Industries as grants.

- **Case-II: Support for Consortium led by Public Sector Industries**

In the case of joint consortium led by public industries, up to 90% of support, will be admissible under applicable State Aid regulations as grants. This will be subject to the following ceiling:

- Funding support up to 80% of eligible costs for public sector Industries as grants.
- Indian Public Sector R&D organisation/academic institution may receive up to 100% of their costs as grants.
- Funding support up to 75% for other non-economical organisations (such as voluntary organizations etc) as grants.
- Funding support up to 50% of eligible costs for private sector Industries/ R & D organisations as grants.

- Indian industry and other non-economical organisations (such as voluntary organizations /NGOs etc) may receive their part of the eligible costs on a “**Reimbursement Basis**”, for costs already incurred on a proportionate basis.
- The maximum funding support for Industry will not exceed investment in plant & machinery for manufacturing sector and investment in equipment for Service Sector (MSMED Act 2006 or any embedment from time to time).
- Funding from other sources will be considered into account when awarding grant, and applicants will be asked to declare funding from other sources in the application.

Funding for R&D Project Participants in Sweden

- Swedish Energy Agency will finance this call with a total amount of maximum 25 million Swedish Krona for the support of Swedish partners.
- Swedish Energy Agency will provide funding to Swedish participants as Grant under applicable State Aid regulation
- Grants are only given to organizations with operations in Sweden. The maximum aid



	<p>intensity (funding levels, depends on type of research and size of company) which apply in this RFP are:</p> <ul style="list-style-type: none"> • Up to 45% of eligible costs for commercial entities/companies, • Up to 100% of eligible costs for research organisations, public sector, other non-economical organisations <p>The project activities approved shall be covered by Industrial Research and/or Experimental Development definitions in State Aid Rules (EU General Block Exception Rules, GBER)</p> <p style="text-align: center;"><i>[Refer Annex-4: Project Funding Support for details]</i></p>
Finding a Partner	<ul style="list-style-type: none"> • SEA/DST can support Swedish/Indian organisations regarding facilitating contacts and information about Indian/Swedish stakeholders. Please contact SEA/DST for further information. Both Parties will organise activities for potential applicants to meet physically or virtually, understand each others demand and expertise and match together for project formulation.
Types of projects to be supported	<p>The following types of projects will be considered for programme funding:</p> <ol style="list-style-type: none"> 1. R&D Projects, focused on co-development of new technologies, services or processes. <p><u>Note:</u> The project partners should agree in advance on the IP rights and on the commercialization strategy of possible future products or processes.</p> <p style="text-align: center;"><i>[Refer Annex-5: Application Submission Process and General Guidelines, Annex – 7- General Guidelines on Intellectual Property Rights (IPR) and Commercialisation plan for more details]</i></p>
Selection Criteria	<ol style="list-style-type: none"> 1. Projects must be innovative and market-driven, leading to the proposed development of a new technology, or process or new/improved services, leading to future possible commercialisation. 2. Proposals must demonstrate the joint India-Sweden project teams' capacity to manage the proposed project in their respective countries, and jointly with the counterpart project team.
Project Duration	<p>The maximum duration for project support will be 2 years within the co-operation period between DST and SEA. Projects can start earliest January 1, 2022 and must end at latest December 31, 2023.</p>
Project Evaluation stages and process	<p>Projects will be evaluated according to the standard evaluation processes of Swedish Energy Agency (SEA) and DST in Sweden and in India, respectively. The final selection of the proposals will be through joint process mutually agreed by DST and SEA.</p> <p style="text-align: center;"><i>[Refer Annex-6: Project Evaluation & Pre-Commencement Process for more details]</i></p>



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important Note:

Please do not leave your submission to the last minute.

If any technical difficulties arise or if you identify any errors in your submission, we will not be able to grant an extension to the above deadlines.

It is your responsibility to ensure you follow the competition guidance rules and in doing so allow sufficient time to complete all of the competition requirements described in this document.



SUMMARY

This Request for Proposals (RFP) is open for Indian and Swedish companies who jointly aim to develop new innovative technologies, processes and advanced or technology-based services which will in subsequent steps generate sustainable solutions for society coupled with market potential. The cooperation should be led by a commercial company in the respective country and the consortium could in addition include research performing organisations such as universities, research institutes or other similar entities.

The RFP closes on May 20, 2021. Projects can commence beginning of January 2022. Maximum 2-year projects, ending latest at December 31, 2023.

In this RFP, the partners in Sweden apply for funding from Swedish Energy Agency and Indian partners from Department of Science & Technology (DST). Accordingly, the respective national funding guidelines and terms and conditions are applicable, i.e. with respect to eligibility, approved costs and budget lines, reporting and other requirements (see the respective country-specific information below and in the respective funding body's guidelines, terms and conditions).

This document can be referred by the applicants for the following annexures in-line with the application guidelines:

1. **Annexure 1** – Eligibility Criteria
2. **Annexure 2** – Project Requirements
3. **Annexure 3** – Eligible Technology Sectors
4. **Annexure 4** – Project Funding Support
5. **Annexure 5** – Application Submission Process
6. **Annexure 6** – Project Evaluation & Pre-Commencement Process
7. **Annexure 7** – General Guidelines on Intellectual Property Rights (IPR)



Annexure 1: ELIGIBILITY CRITERIA FOR APPLICANTS

IN INDIA

The Indian Project Coordinator (IPC) must be a commercial company that operates in and is headquartered in India. (Researchers or managers of these companies should be nominated as project coordinators).

Specific criteria for eligible applicants are as follows:

1. The Indian Project Coordinator (IPC) company applying for the project must be incorporated in India under the Companies Act 1956/2013.
2. At least 51% stake of the IPC Company must be owned by Indian citizens.
3. The IPC should have the required expertise and team capacity to manage the proposed project¹.
4. For each project at least one Indian & one Swedish applicants. If there are more than one applicant then one of them represent them as IPC/SPC.

Please note for Indian applicants:

- IPC should lead the project from Indian side and bring in other Industry Partners or Academic/R&D Institutions (including not-for-profit research institutes recognised by DSIR/ registered at DARPAN portal) as Consortium Partner.
- Academic institutions, other R&D institutes (including not-for-profit research institutes recognised by DSIR/ registered at DARPAN portal) that are headquartered and operate in India are encouraged to participate in the projects as co-investigators/partners.
- Sole proprietors and partnership firms are not eligible for support under this programme.
- Companies headquartered and owned outside India and their subsidiaries in India, or vice versa, are not eligible to receive funding from DST under this program.
- All partners must be legal entities

¹Where business entities are participants in a project, but with no initial involvement in R&D activities, the project must show a plan of how capabilities are going to be developed in the business entity in the following years in order to:

- perform future R&D projects
- develop the human resource capability within the business
- take technologies that are being developed to market
- develop new intellectual property, and
- enhance the Indian technology-based companies ecosystem.



IN SWEDEN

- The Swedish Project Coordinator (SPC) – On the Swedish side, a company with operations in Sweden, must be the main applicant and the Project Coordinator.
- The Project Coordinator must be registered in Sweden with the Swedish Companies Registration Office (Bolagsverket). It is desired that the company's operation in Sweden performs relevant R&D activities.
- We strongly encourage other organisation registered in Sweden to participate to bring in relevant expertise needed to execute the project. Participants on the Swedish side may come from different sectors such as public research organisations (university, colleges and institutes), test beds, private companies, public sector and/or non-profit organisations, providing they bring relevant expertise to the consortium.
- All participants must be legal entities.



Annexure 2: PROJECT REQUIREMENTS

A consortium of Indian and Swedish participants proposing an R&D project that meets the requirements in this section is eligible to apply to this RFP and does so in accordance with the national laws, rules, regulations and procedures of their jurisdiction or country.

Any team proposing an R&D project that addresses the requirements detailed below is eligible to apply to this RFP:

- An Indian registered company Project Coordinator (**IPC**), responsible for the Indian application submission, leading the Indian part of the project and communicating with the Swedish Project Coordinator. Project Investigator (PI) will be an individual duly authorised by IPC to this project.
- A Swedish registered company Project Coordinator (**SPC**), responsible for the Sweden application submission, leading the Swedish side of the project and communicating with the Indian Project Coordinator.
- For the Swedish and Indian side, a well-balanced input from the participants is desired.
- The project budget should be balanced between the Swedish and the Indian partners.
- Cost estimates must be congruous with the planned activities. The planned activities in the project should thus be clearly presented in the proposal.
- From the Swedish side, projects must be in conformance with the definitions of 'industrial research²' and/or 'experimental development³' of the General Block

²**'Industrial Research'** means the planned research or critical investigation aimed at the acquisition of new knowledge and skills for developing new products, processes or services or for bringing about a significant improvement in existing products, processes or services. It comprises the creation of components parts of complex systems, and may include the construction of prototypes in a laboratory environment or in an environment with simulated interfaces to existing systems as well as of pilot lines, when necessary for the industrial research and notably for generic technology validation.

³**'Experimental Development'** means acquiring, combining, shaping and using existing scientific, technological, business and other relevant knowledge and skills with the aim of developing new or improved products, processes or services. This may also include, for example, activities aiming at the conceptual definition, planning and documentation of new products, processes or services. Experimental development may comprise prototyping, demonstrating, piloting, testing and validation of new or improved products, processes or services in environments representative of real-life operating conditions where the primary objective is to make further technical improvements on products, processes or services that are not substantially set. This may include the development of a commercially usable prototype or pilot which is necessarily the final commercial product and which is too expensive to produce for it to be used only for demonstration and validation purposes. Experimental development does not include routine or periodic changes made to existing products, production lines, manufacturing processes, services and other operations in progress, even if those changes may represent improvements.



Exemption Rules, article 25, of EU and have a good potential to be commercialised after the completion of the project.

- Projects must be innovative and market-driven, leading to the proposed development of a new technologies or processes or new/improved services, with a strong potential to future commercialisation.
- On the Indian side, the projects should be committed in advancing the Technology Readiness Levels (TRL) between 5-8 for the products. However, for new processes or technologies, the project should be capable for creation of low-cost alternatives of an existing technology.
- On the Indian/Sweden side, should there be any change in the Project Investigator (PI) of the IPC/SPC, liability on account of the project will continue to rest with the IPC/ SPC. The IPC/SPC shall ensure that the project is staffed with personnel of relevant qualification, experience and capability, as required, till project completion, so that the project execution is not impeded.
- Proposals must demonstrate the joint India-Sweden project team's capacity to manage the proposed project in their respective countries and the modes for coordination between the two sides. The participants shall have an organisation appropriate to ensuring effective implementation of the project.
- Although it is not mandatory, projects that engage an end-user/first customer are strongly encouraged on either side of the consortium.



Annexure 3: ELIGIBLE TECHNOLOGY SECTOR

Department of Science & Technology (DST) India and Swedish Energy Agency (SEA) Sweden, invite proposals in collaborative industrial research and development projects in the area of Smart Grid. The call includes applied R&D projects focused on co-development of new technologies, services or processes to address challenges within the context of electrical smart grid.

A digitalized, flexible and interactive power system will make it possible to use energy more efficiently. It will also enable integration of an increased share of renewable energy production, including small scale production. Smart grids empower consumers and give all stakeholders in the electricity market the opportunity to contribute to a sustainable energy system.

The electrical system will play a key role in creating a carbon neutral society. The electrical smart grid is needed to cope with an increased need for energy and power from new and existing sectors, but also support increased flexibility such as the possibility of storing surplus energy. At the same time, a high security of supply needs to be ensured.

The challenge is how we can carry out the development and transformation of the power system from a holistic perspective so that it not only enables, but also facilitates, changes in the transport sector, building sector, industry and other sectors prioritized by both countries. Critical aspects are integration of renewable energy, grid security, flexibility, digitalization, integration of local systems together with national grids, end users including “prosumers” and integration to other systems such as the building sector, transport sector and industry. All these aspects and perspectives related to smart grids can be in focus, in various combinations, for applications within this call.



Annexure 4: PROJECT FUNDING SUPPORT

DST and the Swedish Energy Agency will implement a joint, merit-based project evaluation and selection process using their respective assessment processes.

Funds will be provided in accordance with the applicable laws, rules, regulations and procedures established by each organisation, and/or in each jurisdiction/country.

IN INDIA

Department of Science & Technology (DST), Government of India, will fund the successful projects, as follows:

- Funding support for the project must be balanced by Indian Industry and other partners. The share of Indian Public Sector R & D Organisation /Academic Institution/Other Non-economical organisation could be up to 50% (maximum) of the total Indian project cost.
- The funding award will be basis appropriate due-diligence and expert evaluation.
- Funding from other sources will be considered into account when awarding grant, and applicants will be asked to declare funding from other sources in the application.
- Following award notification, DST will advise the IPC of all administrative and legal requirements to be addressed prior to the start of the project and the release of funds. The general guidelines on intellectual property rights (IPR) is enclosed at Annexure - 7, which will be discussed with consortium partners.

IN SWEDEN

Swedish Energy Agency will provide funding to Swedish side participants as grants. Grants are only given to organizations with operations in Sweden.

Swedish Energy Agency funding is through grants and thus subject to certain regulations. These regulations control, among other things, the types of costs that may be covered and aid intensity. Eligible costs are described in “Swedish Energy Agency General Terms and Conditions for Grants”, as applicable on the date of decision. The rules are elaborated in more detail in “Swedish Energy Agency” Guide to Terms and Conditions for Eligible Costs”⁴. The documents can be accessed from the Swedish Energy Agency website. The General Terms and Conditions also contain regulations concerning project agreements, reporting, follow-up, auditing, handling of project results IP, conditions for payment and more.

Grants issued to businesses and other organizations that conduct commercial activities are provided in accordance with the Regulation on State Aid for Research and

⁴



Development and Innovation (2008:761) and under which Swedish Energy Agency provides grants covering a certain percentage of recipients' eligible costs. Guidelines on this is found at Swedish Energy Agency website⁵.

The types of project activities approved in this RFP shall be covered by Industrial Research (Industriell forskning) and/or Experimental Development (Experimentell utveckling) definitions, see Annex 2.

In addition to the General Terms and Conditions, Specific Terms and Conditions may be applied. For this RFP, the following Specific Terms and Conditions applies:

- No later than at the time of the first progress report to Swedish Energy Agency, the Swedish Project Coordinator must be able to verify the existence of a Consortium agreement (referred to as a Project agreement in the General Terms and Conditions) signed by all project partners. No grants will be payed before the consortium agreement has been approved by the Swedish Energy Agency.

Additional specific terms and conditions may also be imposed. Any such terms and conditions will be specified by Swedish Energy Agency in its decision.



Annexure 5: APPLICATION SUBMISSION PROCESS & GENERAL GUIDELINES

IN INDIA

1. The application must reflect collaborative, synergised and a balanced effort from both the IPC and SPC, be written in English, and submitted using the prescribed process.

2. Registration and submission of application

- The Indian Project Coordinator (IPC) need to visit the DST “DST e-PMS Portal” website <https://onlinedst.gov.in/>.
- Log on onlinedst.gov.in to access the home page of the “DST e-PMS Portal” and register. After registration, log in and submit the joint project proposal in prescribed Format.
- Before filling up the form, Indian applicants are advised to carefully go through the Relevant Advertisement published at the DST Website (<https://dst.gov.in/>) and also available under Proposal Formats in the e-PMS Portal after logging in the portal site.
- To save time and avoid data loss, please download the appropriate proposal format and fill all the information required as per the format as a Word and PDF file and then keep it ready for upload during submission of mandatory documents.
- Click on “**Submit proposals**” link which would take to a page seeking multiple information starting with – General information, Principal investigator etc.:
- After filling all above particulars, there is provision for preview your details before final submission of application form on clicking on “Preview” button. Preview page will display all facts/particulars that have mentioned on entry time. If the applicant is sure with filled details then click on “Submit” button to finally push data into server.

Applicants are advised to carefully fill in and verify the details required for the online application themselves, as no change will be possible/ entertained after clicking the **FINAL SUBMIT BUTTON**.

3. Indian Partners also requested to go through the **Guidelines for Indian participants attached with this document for additional requirement for online submission** at DST e-PMS.

4. **Mandatory attachments:**

- Joint Application Form (pdf), filled in according the instructions here and in the form and identical to the one submitted by the Sweden side to SEA. The application form must reflect collaborative, synergised and a balanced effort from both the SPC and IPC and be written in English.



- CV – Appendix: Shall include relevant information for project leader and key personnel on the Indian side of the consortium, including those in consultant roles.
- Last three-year annual (technical & financial) report, from the company acting as Project Coordinator and other private sector non-academic participants on the Indian side.

5. Formal requirements

DST will only assess proposals that meet the following formal requirements:

- The participants seeking grants from DST must be legal entities registered in India.
- The Indian Project Coordinator must be regular employee of IPC.
- The proposal follows the requirement for this RFP and contains all the mandatory attachments requested.
- The application must have been submitted online within the specified deadline of this call. After deadline of the submission process, no modifications to the proposal can be made. It is the responsibility of IPC to submit the proposal well in advance of stated deadline. Request to accept the proposals due to inability to submit the proposal in time due to last minute server issues will not be entertained.

Please note that the proposal may be assessed by both DST and international evaluators. Therefore, the proposals should be written in English.

6. Who can read the application?

The proposal can be read by DST staff and by DST external evaluators appointed for the RFP. They all work under the obligation of professional secrecy.

7. Follow-up and reporting

The reporting to DST shall be made in accordance with DST instructions. Participants shall also after the end of the project provide information in accordance with DST instructions.

8. Only online mode of submission of application will be considered. Nophysical applications will be entertained.

IN SWEDEN



1. Submission of application

A person who submit the application must be authorized to do so on behalf of the applying organisation.

To apply for a grant, you fill in web-based form in Swedish Energy Agency e-services portal E-kanalen. Only the Swedish participants should be included in the on-line application form with, for example, contact information and budgets.

You will also upload the following required documents. The documents must be written according to the instructions.

Mandatory attachments:

- Joint Application Form (MS Word document), filled in according the instructions here and in the form and identical to the one submitted by the Indian side to DST. The application form must reflect collaborative, synergised and a balanced effort from both the IPC and SPC and be written in English.
- CV – Appendix: Shall include relevant information for project leader and key personnel on the Swedish side of the consortium, including those in consultant roles.
- Latest annual report, registered at “Bolagsverket”, from the company acting as Project Coordinator on the Swedish side. Contact Swedish Energy Agency if you have any questions concerning this.
- One document in 12 pt Times Roman, presenting:
 - A table with an overview of personnel resources involved, gender distribution within the team on the Swedish side, including a presentation of how much men/women contribute to the work and their roles to the project (as Full Time Equivalents). A possible imbalance in this regard should be explained in a credible way.

2. Formal requirements

Swedish Energy Agency will only assess proposals that meet the following formal requirements:

- The participants seeking grants from Swedish Energy Agency must be legal entities registered in Sweden
- The Project leader (projektledare) is employed by a company that is Project Coordinator
- The proposal follows the requirement for this RFP and contains all the mandatory attachments requested
- The application must have been sent in within the specified deadline of this call.

Please note that the proposal may be assessed by both Swedish and international evaluators. Therefore, the proposal should be written in English.



Proposals should be submitted to Swedish Energy Agency before the deadline of this call. When the proposal submission period has expired, any addition to the proposal can only be made at the request of Swedish Energy Agency.

3. Who can read the application?

The proposal can be read by Swedish Energy Agency staff and by Swedish Energy Agency external evaluators appointed for the RFP. They all work under the obligation of professional secrecy.

4. Public access and Secrecy at Swedish Energy Agency

Applications related to this RFP are public documents. As a rule, in accordance with the principle of public access to official records, the public has the right to access these documents. This also applies to applications that are rejected or withdrawn. Swedish Energy Agency decisions and the reasons for its decisions are also public information. More detailed information about confidentiality rules apply to documents submitted to us can be found on the Swedish Energy Agency website.
<https://www.energimyndigheten.se/en/>

5. After the Project has been approved for funding

No later than at the time of the first progress report to Swedish Energy Agency, the Swedish Project coordinator must be able to verify the existence of a Consortium agreement (referred to as a Project agreement in the General Terms and Conditions) signed by all project partners.

6. Follow-up and reporting

The reporting to Swedish Energy Agency shall be made in accordance with Swedish Energy Agency decision and instructions. Participants shall also after the end of the project provide information in accordance with Swedish Energy Agency instructions and requests.

Annexure 6: PROJECT EVALUATION AND PRE-COMMENCEMENT PROCESS



Evaluation criteria:

1. How well the suggested project corresponds to the defined theme of the call
2. Is there a clear future market need for the intended technology, product or service
3. Novelty of Technology in relation to state of the art
4. Novelty of process / functionality /integration/service in relation to state of the art
5. Technology maturity stage / proof of concept
6. Technical Capability (team, infrastructure etc.)
7. Ability to deliver/complete the project
8. Financial Capability/Health of the project, including possible ways to fund the project to market entry
9. Project Balance in terms of costs and efforts between the IPC & SPC
10. Commercialisation potential.
11. How well the team (key persons) is composed regarding gender distribution, including how power and influence between women and men is distributed. Any imbalances need to be commented on and goals related to gender equality should be described

Evaluation and Pre-Commencement Process

STAGE 1

Eligibility check of the IPC/SPC and their Partners based on published eligibility criteria of this call by DST and SEA respectively. The eligible projects will move to the next stage.

STAGE 2

Projects will be peer reviewed and ranked independently by the Indian/ Swedish expert panel.

STAGE 3

DST-SEA Joint committee to make collective recommendation on projects selected for award.

STAGE 4

Announcement of awarded projects for funding.

STAGE 5

Signing of Memorandum of Understanding (MOU) between consortium partners of awarded projects.

IN SWEDEN

Swedish Energy Agency will only assess proposals that meet the **formal requirements** (Annexure 5). Projects will be evaluated according to the evaluation criteria in the call.

Annexure 7: GENERAL GUIDELINES ON INTELLECTUAL PROPERTY RIGHTS (IPR)

The regulation of ownership and access rights to Background and Foreground shall be entered into the Consortium Agreement and include provisions regarding inter alia:



- (i) The Participants in a project shall ensure appropriate protection of Intellectual Property Rights (“IPR”) generated from cooperating pursuant to the joint project approved under India-Sweden Request for Proposals (RFP) consistent with their respective laws, rules and regulations.
- (ii) “Background” means any data, know-how or information whatever its form or nature, tangible or intangible, including any rights such as IPR, which is:
 - a) held by Participants prior to their accession to the action,
 - b) needed for carrying out the action or for exploiting the results of the action, and
 - c) identified by the Participants.
- (iii) Each Participant is and shall remain owner of its Background.

The Parties shall declare that to the best of their knowledge and belief, that the use of the Background or Foreground in connection with the cooperation does not infringe any third party’s valid Patent Right/Intellectual Property Rights. The validation and verification in context of the project, is to be carried out with much sensitivity and precaution by Parties to avoid all kinds of infringements of rights. The Parties will be jointly responsible for the Joint Foreground and each Participant is responsible for their own respective Background and/or Foreground. Each participant is responsible for any kind of legal implications emanating from infringement by it, as set forth in the Consortium Agreement.
- (iv) A Participant that holds Background is, until the signing of the Project Agreement, or by special agreement with the Participants, entitled to exclude Background from a Participant’s right pursuant to this section as per mutual agreement.
- (v) “Foreground” means any tangible or intangible output of the action, such as data, knowledge or information, that is generated in the action, whatever its form or nature, whether or not it can be protected, as well as any rights attached to it, including IPR, as a result of performing the activities under the Consortium Agreement.
- (vi) If, for the implementation of the project, a Participant needs access to or use of another Participant’s Foreground, that Participant shall be entitled thereto to the extent necessary without paying compensation. If, for the implementation of the project, a Participant needs access to or use of another Participant’s Background, that Participant shall be entitled thereto to the extent necessary.
- (vii) Unless otherwise agreed, if a Participant, in order to use its own Foreground (also including jointly owned Foreground), needs access to or use of another Participant’s Foreground or Background, that Participant shall be granted such rights to the extent necessary.
- (viii) Unless otherwise agreed, Foreground shall be owned by the Participant generating it.



Where Participants in an action have jointly generated Foreground, and where their respective contribution to the joint Foreground cannot be ascertained, or where it is not possible to separate such joint Foreground for the purpose of applying for, obtaining or maintaining the relevant IPR protection, they shall have joint ownership of that Foreground. In case of Joint Foreground, the Participants should apply as co-applicants, unless otherwise agreed, for the protection of intellectual property rights in accordance with the terms and conditions of the Consortium Agreement and in accordance with their obligations under Grant/Funding Agreements with the respective funding organisations.

The non-exclusive licenses to third parties to exploit the jointly owned Foreground, without any rights to sub-license, can be granted subject to the following conditions:

- a) Agreement between the Join owners,
 - b) prior notice shall be given to the other joint owners;
 - c) fair and reasonable compensation shall be provided to the other joint owners. If employees or any party working for a Participant are entitled to claim rights to the Foreground generated, the Participants concerned shall ensure that it is possible for those rights to be exercised in a manner compatible with its obligations under the Grant/Funding Agreement with the respective funding organization. The Participants shall use the Foreground in accordance with a plan for use. Use means, for example commercialization, licensing and publication. In case of publication consideration shall be taken to a Participant's need of protecting intellectual property and trade secrets.
- (ix) Commercialization: The Parties shall agree in advance on the ownership, management and commercialization strategy. License rights, manufacturing rights, marketing responsibilities, ownership of technology and other related commercial strategies for the outcome of this joint project.

Confidential Information:

- (x) All information and documents exchanged between the Participants shall be kept confidential by the Participants and shall be used subject to such terms as each Participant may specify, subject to the Participants respective applicable laws, regulations, rules and procedures.
- (xi) The Participants shall not use the information for purposes other than those specified, without the prior written consent of the other Participant.
