

k. Patents, trademarks, copyrights and designs

Patents: India is not a member of the International Union of the Protection of Intellectual Property. Protection of patents in India is governed by the Patents Act of 1970. Patents are normally granted for a period of 14 years.

Trademarks: The Trade and Merchandise Marks Act of 1958 applies here and only first users may register trademarks. Protection is given for 7 years, renewable indefinitely for periods of 7 years.

l. Foreign Engineers, Technicians and Managers

Indian law permits the employment of foreign technicians on tax-free terms under certain conditions. All expatriates intending to work in India must obtain work permits from the Reserve Bank of India, which will require prior approval from the ministry concerned, generally the Ministry of Industry. These formalities should be completed before the worker arrives in India on contract:

The engagement of foreign technical experts by Indian companies will be subject to the following conditions:

- The total duration of the engagement should not exceed 12 man - months.
- Payment towards fees and remuneration is not to exceed US \$ 500 per day. A company may meet additional expenditure in Rupees towards board and lodging.
- The total payment to a foreign company not to exceed US \$ 50,000 in a calendar year for such services.

The Government of India has decided to permit companies which hold blanket exchange permits issued by the Reserve Bank of India, to use them for meeting the expenditure of engaging foreign experts.

m. Labour costs and unions

India's workforce accounts for about 40% of the total population. The cost of living in India is amongst the lowest in the world. Average wage rate for skilled labour is under \$100 (Cdn) a month & well qualified senior management personnel costs less than US \$25,000 per annum. India has the worlds third largest pool of scientific and technical personnel (after the USA and USSR). This positive factor is nevertheless to be compared with labour efficiency, which tends to be less than in developed countries.

Wages in India are governed by the Payment of Wages Act of 1939 and the Minimum Wages Act of 1948. Most industrial concerns pay wages that are higher than those laid down by law.

Dismissal without notice is permitted only for misconduct. Companies employing more than 300 workers are not permitted to lay off, retrench or close down without government authorisation. Indian workers have the right to form, trade unions, and most large factories have unions which are usually affiliated with national political parties. The trade union movement is more than 50 years old and is frequently militant. There has been a significant improvement in industrial relations which is reflected by a sharp fall in man days lost, a situation which has contributed significantly towards better performance in the industrial sector.