

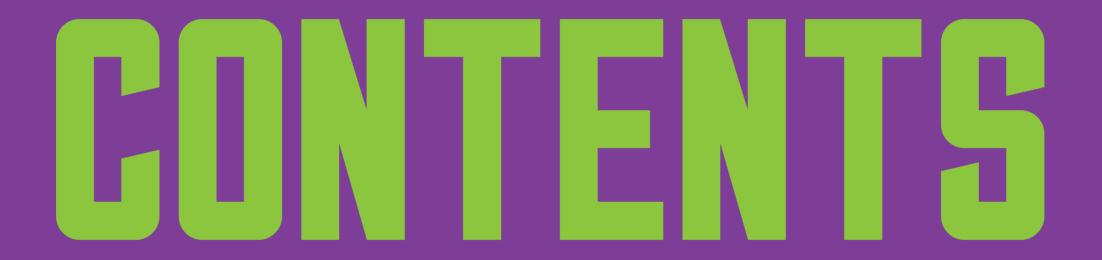
FROM AGRO PRODUCTS TO AUTOMOBILES FROM HARDWARE TO SOFTWARE FROM SATELLITES TO SUBMARINES FROM TELEVISIONS TO MOVIES FROM BRIDGES TO BIOTECHNOLOGY FROM PAPER CLIPS TO POWER PLANTS FROM RORDS TO CITIES FROM FRIENDSHIP TO PARTNERSHIP FROM PROFIT TO PROGRESS WHRTEVER YOU WRNT TO MAKE: MAKE IN INDIA



The Ashoka Chakra is a central element in India's national emblem and also forms the centrepiece of India's national flag. The wheel denotes peaceful progress and dynamism – a sign from India's enlightened past, pointing the way to a vibrant future.

Since time immemorial, the Lion has been the official emblem of India. It stands for strength, courage, tenacity and wisdom – values that are every bit as Indian today as they have ever been.





SECTORS

AUTO COMPONENTS automobiles AVIATION BIOTECHNOLOGY CHEMICALS CONSTRUCTION DEFENCE MANUFACTURING ELECTRICAL MACHINERY ELECTRONIC SYSTEM DESIGN & MANUFACTURING FOOD PROCESSING IT & BPM LEATHER MEDIA & ENTERTAINMENT MINING oil & Gas PHARMACEUTICALS PORTS RAILWAYS ROADS & HIGHWAYS RENEWABLE ENERGY SPACE TEXTILES THERMAL POWER TOURISM & HOSPITALITY WELLNESS

NEW INITIATIVES

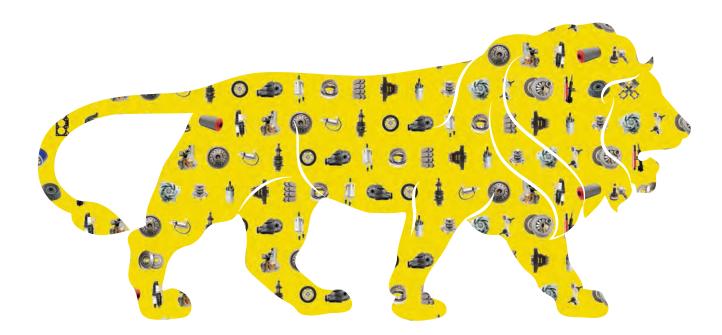
LIVE PROJECTS

INDUSTRIAL CORRIDORS

POLICY DOCUMENTS

FOREIGN DIRECT INVESTMENT POLICY National Manufacturing Policy Intellectual Property fact sheet

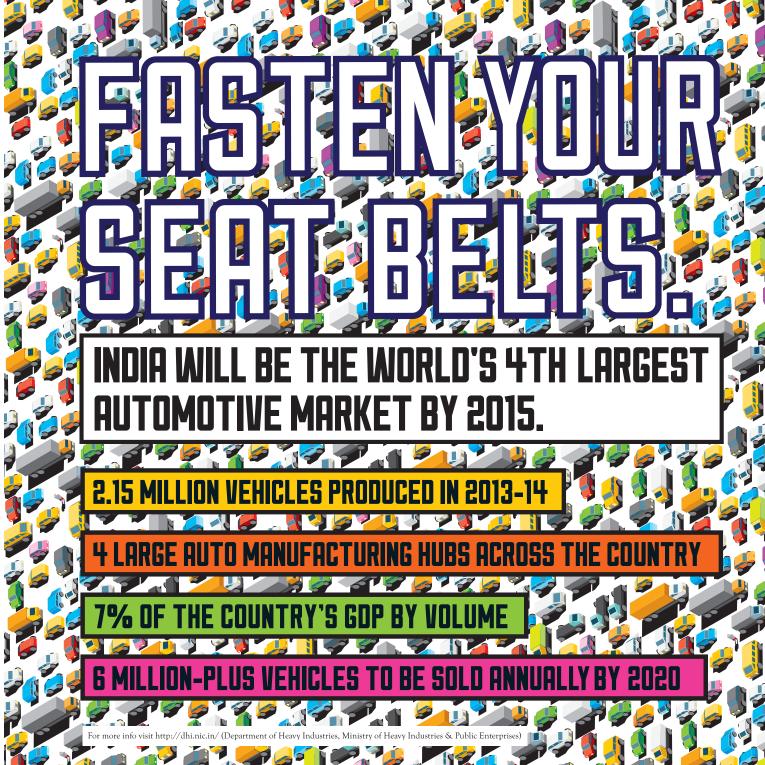
AUTO Components



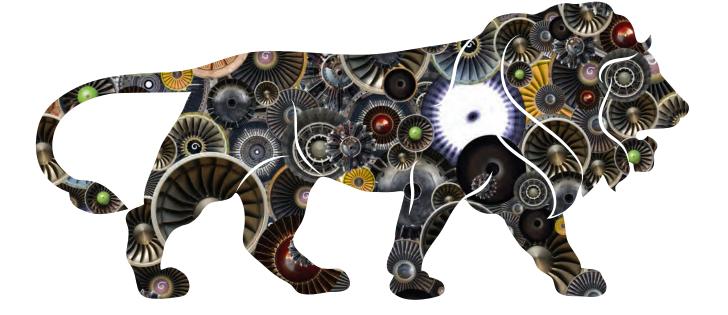


AUTOMOBILES



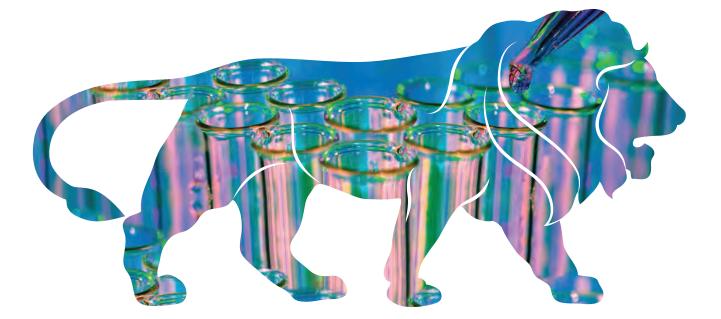


AVIATION





BIOTECHNOLOGY



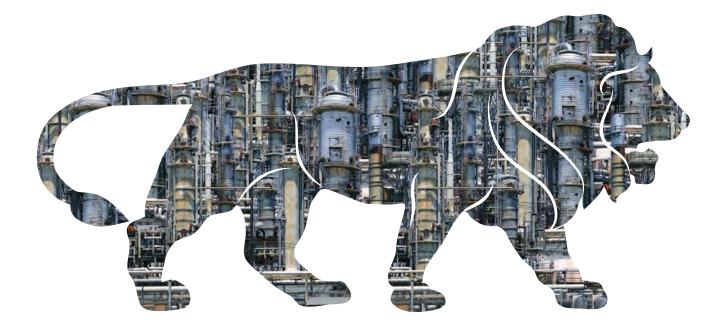
NITH USD 3.81 BILLION IN 2013 REVENUES, INDIA'S

3RD BIGGEST BIOTECH INDUSTRY IN THE ASIA-PACIFIC REGION 2ND HIGHEST NUMBER OF USFDA-APPROVED PLANTS USD 3.7 BILLION TO BE SPENT ON BIOTECHNOLOGY FROM 2012-17 NO. 1 PRODUCER OF RECOMBINANT HEPATITIS B VACCINE USD 4.3 BILLION BIO-ECONOMY BY THE END OF 2013 USD 100 BILLION INDUSTRY BY 2025

For more info visit http://dbtindia.nic.in/ (Department of Biotechnology, Ministry of Science & Technology)

WITH USD 3.81 BILLION IN 2013 REVENUES, INDIA'S BIOTECH SECTOR IS A HEALTHY PROPOSITION.

CHEMICALS

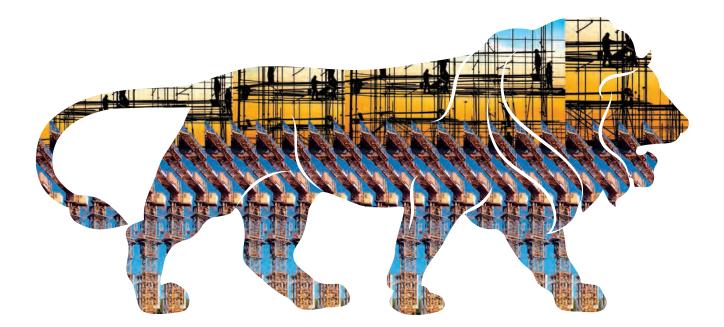


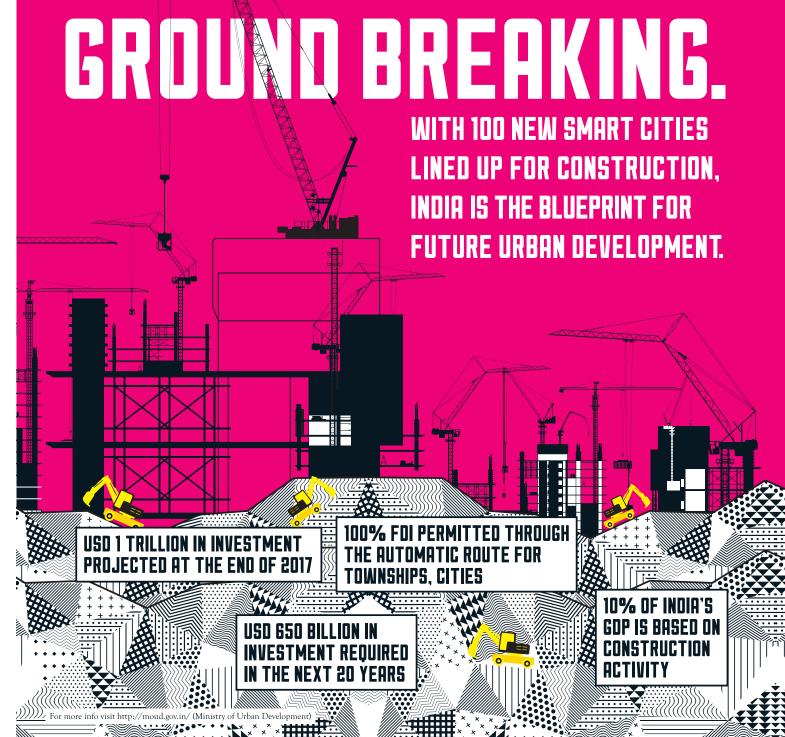
INDIA IS THE WORLD'S LEADING PRODUCER OF DYES, AGROCHEMICALS AND PETROCHEMICALS.

3RD LARGEST PRODUCER OF CHEMICALS IN ASIA 3RD LARGEST GLOBAL PRODUCER OF AGROCHEMICALS 6TH LARGEST PRODUCER OF CHEMICALS IN THE WORLD TOTAL PRODUCTION OF 19,300 THOUSAND METRIC TONNES IN 2013-14 70,000 COMMERCIAL PRODUCTS 16% OF THE WORLD'S DYE PRODUCTION

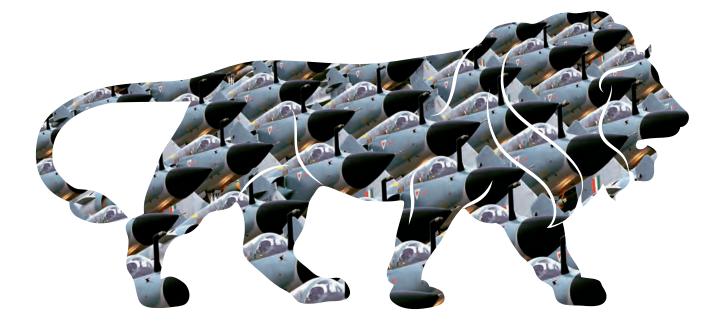
For more info visit http://chemicals.nic.in/ (Department of Chemicals & Petrochemicals, Ministry of Chemicals & Fertilizers)

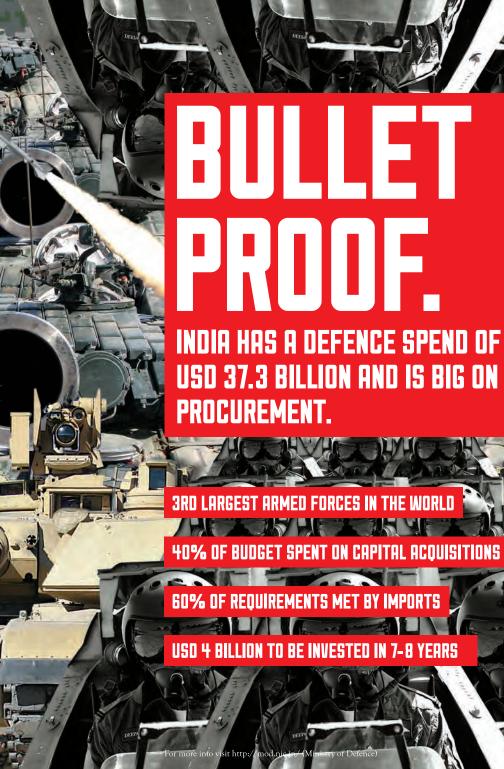
CONSTRUCTION



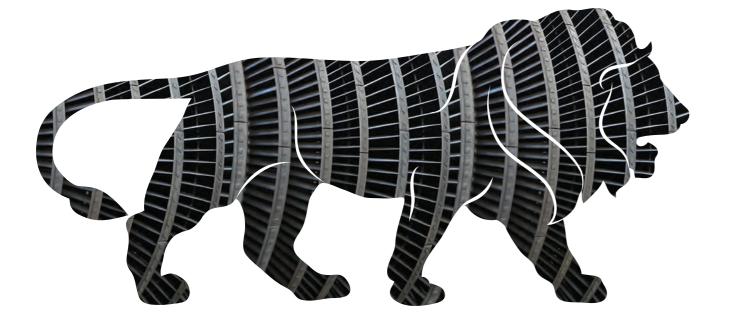


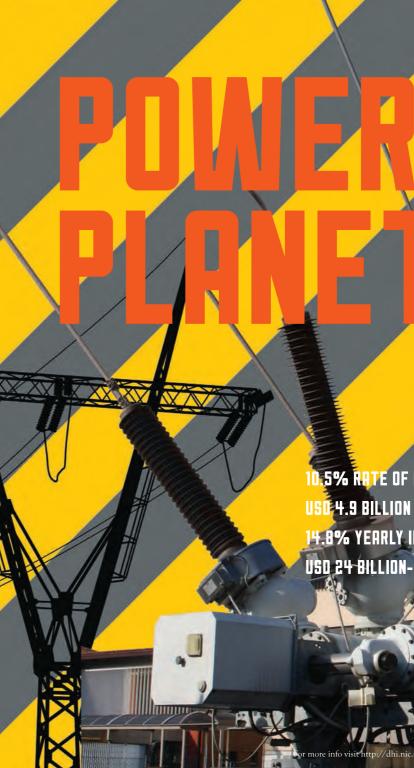
DEFENCE MANUFACTURING





ELECTRICAL Machinery

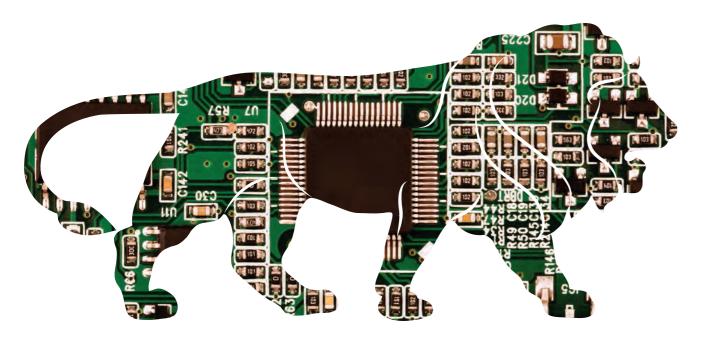




INDIA IS LOOKING AT A USD 100 BILLION INDUSTRY By 2022 and a few Switched-on Partners.

10.5% RATE OF MARKET EXPANSION DURING 2007-12 USD 4.9 Billion in Exports in 2013-14 14.8% Yearly increase in Exports in the last 8 years USD 24-Billion-Sized industry in 2012-13

ELECTRONIC System design & Manufacturing



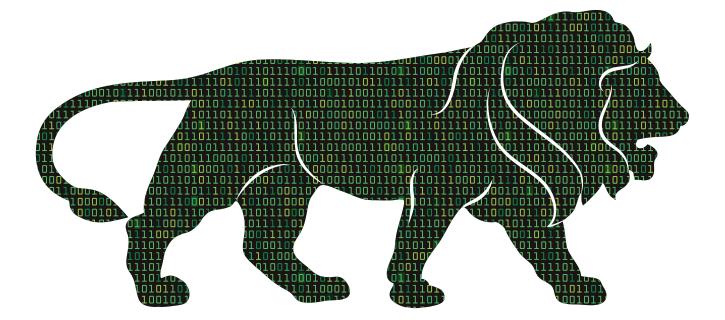


FOOD PROCESSING





IT & BPM



INDIA'S IT & BPM INDUSTRY HAS SAVED COMPANIES

USD 200 BILLION IN THE LAST FIVE YEARS.



LEATHER



WITH ABUNDANT RAW MATERIALS AND A YOUNG WORKFORCE, INDIA IS CENTRAL TO ALL THINGS LEATHER.



24% GROWTH PROJECTED IN THE NEXT FIVE YEARS

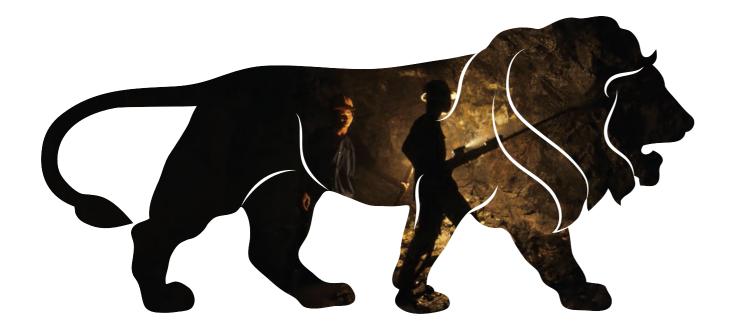
55% OF THE WORKFORCE **BELOW 35 YEARS**

MEDIA & ENTERTAINMENT





MINING



A PORTFOLIO OF 88 MINERALS. NEW INVESTOR-FRIENDLY POLICIES.

20-30 YEAR MINING LEASES 302 BILLION TONNES OF COAL RESERVES 3108 OPERATIONAL MINES 6TH LARGEST BAUXITE RESERVES 5TH LARGEST IRON ORE RESERVES

For more info visit http://mines.nic.in/ (Ministry of Mines)

A PORTFOLIO OF 88 MINERALS. NEW INVESTOR-FRIENDLY POLICIES. India's resources - The Bedrock of Your Mining Strategy.

OIL & GAS



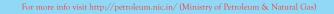
WITH NEARLY 96 TRILLION CUBIC FEET OF SHALE GAS

RESERVES AND CONSIDERABLE OIL AND NATURAL GAS, INDIA IS THE NEW FRONTIER OF ENERGY.

96 TRILLION CUBIC FEET OF ESTIMATED SHALE GAS RESERVES 47 TRILLION CUBIC FEET OF PROVEN NATURAL GAS RESERVES 800 MMT OF PROVEN OIL RESERVES

4TH LARGEST CONSUMER OF CRUDE OIL AND PETROLEUM PRODUCTS IN THE WORLD

2ND LARGEST REFINER IN ASIA



PHARMACEUTICALS

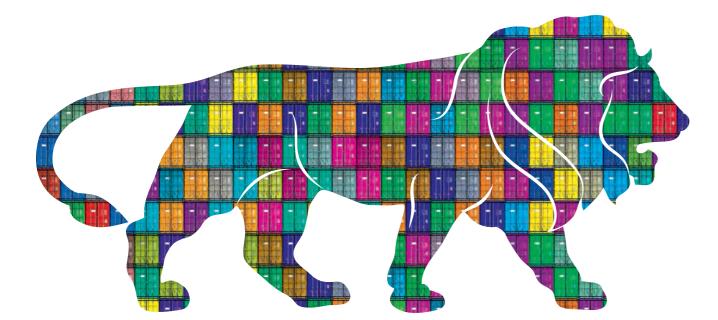




OU THE EDGE IN RESEARCH

- 3RD LARGEST PHARMA MARKET BY 2020
- 20% OF GLOBAL EXPORTS IN GENERICS
- USD 45 BILLION IN REVENUE BY 2020
- USD 26,1 BILLION IN GENERICS BY 2016
- USD 200 BILLION TO BE SPENT ON INFRASTRUCTURE BY 2024
- 49% OF ALL DRUG MASTER FILINGS **REGISTERED IN THE USA**

PORTS



PERFECTLY POSITIONED ON THE WORLD'S BUSIEST TRADE ROUTES, INDIA'S PORTS ARE THE FUTURE OF GLOBAL SHIPPING.

60 OPERATIONAL NON-MAJOR PORTS

12 MAJOR PORTS

800 MILLION METRIC TONNES OF CARGO CAPACITY

USD 6.8 BILLION INVESTED DURING 2010-14

87 NEW PROJECTS APPROVED

73 PUBLIC-PRIVATE PARTNERSHIPS

RAILWAYS





• 4TH LARGEST RAIL FREIGHT CARRIER IN THE WORLD

USD 1000 BILLION WORTH OF PROJECTS TO BE AWARDED THROUGH PUBLIC-PRIVATE PARTNERSHIP JRLD'S LARGEST PASSENGER CARRIER

ROADS & HIGHWAYS



THE WORLD'S END LARGEST ROAD NETWORK **IS FAST-TRACKING EXPANSION PLANS.**

USD 3.8 BILLION OUTLAY PLANNED FOR HIGHWAYS

4.86 MILLION KM OF ROADS AND HIGHWAYS

100 COMPLETED PPP PROJECTS

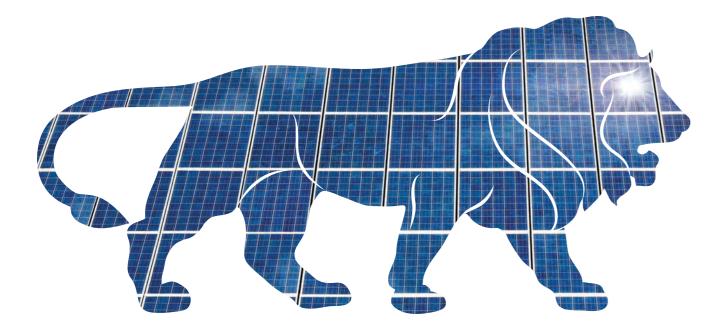




USD 19 BILLION INFRASTRUCTURE DEVELOPMENT DURING 2012-17

100,000 KM OF NATIONAL HIGHWAYS BY 2017

RENEWABLE ENERGY



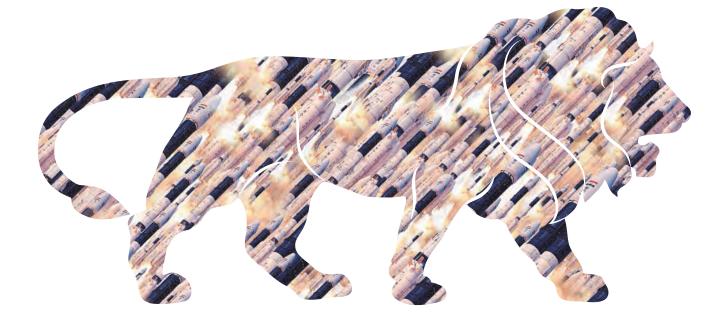
NGLY HIGH RETURNS WITH THE WORLD'S <u>on surprisi</u> **5TH LARGEST PRODUCER OF WIND ENERGY.**



AS OF MARCH

80.000 MW **OF SOLAR POWER** PRODUCTION BX 5055

SPACE



STELLAR ACHIEVEMENTS AT DOWN-TO-EARTH COSTS – INDIA'S SPACE PROGRAM HAS LAUNCHED 40 SATELLITES FOR 19 COUNTRIES AND COUNTING.

INDIA'S SPACE PROBRAM STANDS OUT AS ONE OF THE MOST COST-EFFECTIVE IN THE WORLD

33 COUNTRIES AND 3 MULTINATIONAL Bodies have formal cooperative Arrangements in place with the Indian space research organization

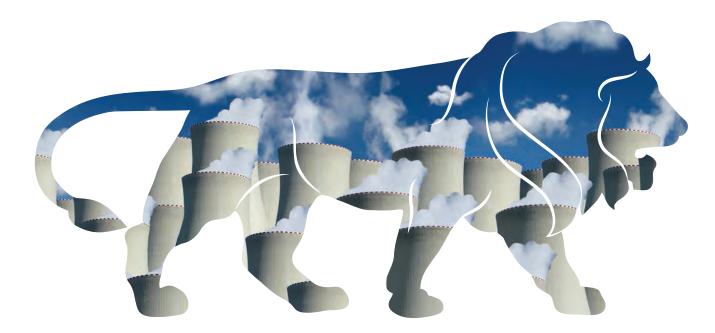
80 SPACECRAFT W DIFFERING Orbital Paths

TEXTILES





THERMAL POWER



SUPER POMER

123 BILLION TONNES OF PROVEN COAL RESERVES 1355 BILLION CUBIC METRES OF PROVEN NATURAL GAS RESERVES **STH LARGEST PRODUCER OF ELECTRICITY** STH LARGEST CONSUMER OF ELECTRICITY 100% FDI PERMITTED UNDER THE AUTOMATIC ROUTE IN THE POWER SECTOR

RESOURCE-RICH INDIA IS THE WORLD'S 5TH LARGEST POWER PRODUCER. INVEST IN THE FUTURE OF ENERGY.

TOURISM & HOSPITALITY





THE INDIAN TOURISM INDUSTRY. 6.97 MILLION FOREIGN TOURISTS. **1 BILLION DOMESTIC TRAVELLERS, SUNSHINE AND SMIL**

For more info visit http://www.tourism.gov.in/ (Ministry of Tourism

78 JOBS WITH EVERY **USO 1 MILLION** INVESTED

21 HOTEL MANAGEMENT INSTITUTES

25 BIOGEOGRAPHICAL ZONES

WELLNESS



2000 YEARS OF YOGA AND AYURVEDIC SCIENCE HAVE BEEN DISTILLED INTO A THRIVING **USD 2.6 BILLION WELLNESS INDUSTRY.**

🔘 20% YEAR-ON-YEAR GROWTH RATE W USD 2.6 BILLION INDUSTRY BY 2014 🗇 USD 7.8 BILLION WELLNESS MARKET 🕸 6600 MEDICINAL PLANTS







- DELICENSING & DEREGULATION



- INDUSTRIAL CORRIDORS
- INDUSTRIAL CLUSTERS
- SMART CITIES
- NURTURING INNOVATION
- SKILL DEVELOPMENT



 OPENING OF CRITICAL SECTORS LIKE DEFENCE. **CONSTRUCTION AND RAILWAYS FOR FOI**



- **INVESTORS FROM TIME OF ARRIVAL**

SPECIAL FOCUS ON EASE OF DOING BUSINESS

O NEW INFRASTRUCTURE

 DEDICATED TEAMS THAT WILL GUIDE AND ASSIST FIRST-TIME FOCUSED TARGETTING OF COMPANIES ACROSS SECTORS

NEW PROCESSES

Doing business in India just got easier – new delicensing and deregulation measures are reducing complexity and significantly increasing speed and transparency

- Process of applying for Industrial Licence & Industrial Entrepreneur Memorandum made online on 24/7 basis through ebiz portal
- Validity of industrial licence extended to 3 years • States asked to introduce self-certification and third-party certification under the Boilers Act
- Major components of Defence products list excluded from industrial licensing
- Dual-use items having military as well as civilian applications deregulated

• Services of all Central Govt. departments and ministries will be integrated with the E-Biz - a singlewindow IT platform for services by 31 Dec. 2014 • Process of obtaining environmental clearances

made online

Following advisories sent to all departments/state governments to simplify and rationalize regulatory environment

• All returns should be filed online through a unified form

- A checklist of required compliances should be placed on ministry's/department's web portal
- All registers required to be maintained by the business should be replaced with a single electronic register
- No inspection should be undertaken without the approval of the head of the department
- For all non-risk, non-hazardous businesses a system of self-certification to be introduced

NEW INFRASTRUCTURE

India's manufacturing infrastructure and capacity for innovation are poised for phenomenal growth: new Smart Cities and industrial clusters are being developed in identified Industrial Corridors having high-speed connectivity, new youth-focused programs and institutions dedicated to developing specialized skills

- Impetus on developing Industrial Corridors and Smart Cities. • A new 'National Industrial Corridor Development Authority' is being created to coordinate, integrate, monitor and supervise development of all Industrial Corridors
- Work on 5 smart cities is in progress as part of the Delhi-Mumbai Industrial Corridor:
- Dholera, Shendra-Bidkin, Greater Noida, Uijain and Gurgaon

• Chennai-Bengaluru Industrial Corridor: master planning for 3 new Industrial Nodes [Ponneri (TN), Krishnapatnam (AP), Tumkur (Karnataka)] in progress

• The East Coast Economic Corridor (ECEC) with Chennai-Vizag Industrial Corridor as the first phase of this project: Feasibility Study commissioned by ADB

• Amritsar-Kolkata Industrial Corridor: DMICDC selected as Nodal

- Agency for doing Feasibility Study, which is being conducted at a fast pace
- North-eastern part of India planned to be linked with other
- Industrial corridors in cooperation with Government of Japan
- New Industrial Clusters for promoting advance practices in manufacturing

Approval accorded to 21 Industrial projects under Modified Industrial Infrastructure Upgradation Scheme with an emphasis on:

- Use of recycled water through zero liquid discharging systems
- Central Effluent Treatment plants

Approval accorded to 17 National Investment and Manufacturing Zones

Nurturing Innovation - approval obtained for strengthening Intellectual Property regime in the country through:

- Creation of 1033 posts
- Further upgradation of IT facilities
- Compliance with global standards
- Application processes made online

An Act recognizing National Institute of Design (NID), Ahmedabad, as an institute of National Importance notified. This will enable NID to confer degrees, promote research and function as an apex body in design education. Four more NIDs are being developed. Major impetus given to skill development through Indian Leather Development Programme:

- Training imparted to 51,216 youth in the last 100 days
- 144,000 youth to be trained annually
- For augmentation of training infrastructure, funds released for establishment of 4 new branches of Footwear Design & Development Institute at Hyderabad, Patna, Banur (Punjab) and Ankleshwar (Gujarat)



Most importantly, the Make in India program represents an attitudinal shift in how India relates to investors: not as a permit-issuing authority, but as a true business partner

- Dedicated teams that will guide and assist first-time investors, from time of arrival
- Focused targetting of companies across sectors



NEW SECTORS

With the easing of investment caps and controls, India's high-value industrial sectors - defence, construction and railways - are now open to global participation

• Policy in Defence sector liberalized and FDI cap raised from 26% to 49%

• Portfolio investment in Defence sector permitted up to 24% under the automatic route

• 100% FDI allowed in Defence sector for modern and state-of-the-art technology on case-to-case basis • 100% FDI under automatic route permitted in construction, operation and maintenance in specified

Rail Infrastructure projects such as:

- Suburban corridor projects through PPP
- High-speed train projects
- Dedicated freight lines
- Rolling stock including train sets and locomotives/coaches manufacturing and maintenance facilities
- Railway electrification
- Signalling systems
- Freight terminals
- Passenger terminals

• Infrastructure in industrial park pertaining to railway line/sidings including electrified railway lines and connectivities to main railway line

- Mass Rapid Transport Systems
- Easing of norms underway for FDI in the Construction Development sector

NATIONAL INDUSTRIAL CORRIDORS

DELHI-MUMBAI INDUSTRIAL CORRIDOR AND OTHER PROJECTS

THE DMIC PROJECT IS FEATURED IN KPMG'S '100 MOST INNOVATIVE **GLOBAL PROJECTS' AS ONE OF THE** WORLD'S MOST INNOVATIVE AND INSPIRING INFRASTRUCTURE PROJECTS.

BACKGROUND

→ The Government of India is developing the Delhi-Mumbai Industrial Corridor (DMIC) as a global manufacturing and investment destination utilizing the 1483 km-long, high-capacity western Dedicated Railway Freight Corridor (DFC) as the backbone. The objective is to increase the share of manufacturing in the GDP of the country and to create smart sustainable cities where manufacturing will be the key economic driver

833.

 \rightarrow The plan is to develop new manufacturing cities, logistic hubs and residential townships along the DFC incorporating the philosophy of sustainability, connectivity and development; each manufacturing city will have world-class infrastructure, convenient public transport, power management and an efficient water and waste management system

 \rightarrow Twenty-four manufacturing cities are envisaged in the perspective plan of the DMIC project. In the first phase, 7 cities are being developed, one each in the states of Uttar Pradesh, Haryana, Rajasthan, Madhya Pradesh and Gujarat and 2 in Maharashtra. The manufacturing cities will provide international and domestic investors with a diverse set of vast investment opportunities. The initial phase of the new cities is expected to be completed by 2019

 \rightarrow Sectors of focus include general manufacturing; IT/ITES; electronics including high-tech industries; automobiles and auto ancillary; agro and food processing; heavy engineering; metals and metallurgical products; pharmaceuticals and biotech; and the services sector

→ DMIC states (Uttar Pradesh, Harvana, Rajasthan, Madhya Pradesh, Gujarat and Maharashtra) account for 43% of the country's GDP; more than half of India's industrial production and exports; over 40% of workers and number of factories across India

 \rightarrow The project has been conceptualized in partnership and collaboration with the Government of Japan and is being implemented by the Delhi-Mumbai Industrial Corridor Development Corporation (DMICDC), an autonomous body with shareholding of Government of India through Department of Industrial Policy & Promotion (DIPP) (49%), Japan Bank for International Cooperation (JBIC) (26%) and Public Financial Institutions (HUDCO - 19.9%, IIFCL - 4.1% and LIC - 1%)

→ The project is featured in KPMG's '100 Most Innovative Global Projects' and is one of the world's most innovative and inspiring infrastructure projects

→ Government of India is building a pentagon of corridors across the country to boost manufacturing and to project India as a Global Manufacturing destination of the world



→ Four other corridors which have been conceptualized are Bengaluru-Mumbai Economic Corridor (BMEC); Amritsar-Kolkata Industrial Development Corridor (AKIC): Chennai-Bengaluru Industrial Corridor (CBIC), East Coast Economic Corridor (ECEC) with the Chennai-Vizag Industrial Corridor as the first phase of the project (CVIC)

 \rightarrow A total of 25 priority projects across various sectors have been identified for de-bottlenecking infrastructure bottlenecks in the CBIC region in the preliminary study conducted by the Japan International Cooperation Agency (IICA)

 \rightarrow The following 3 nodes will be taken up for Master Planning by IICA in the CBIC region: Tumkur in Karnataka, Ponneri in Tamil Nadu and Krishnapatnam in Andhra Pradesh and the Master Planning will be completed by March 2015



DMIC - IMPACT ON INDIA

 \rightarrow The DMIC project seeks to create a strong economic base with a globally competitive environment and state-of-the-art infrastructure to activate local commerce. enhance investments and attain sustainable development

 \rightarrow New DMIC Cities will help to meet pressures of urbanization and also lead India's economic growth for the next 20-30 years

 \rightarrow The project aspires to double employment potential, triple industrial output and quadruple exports from the region in the next 7-9 years

and pedestrian modes \rightarrow Recycling and reuse of water and solid wastes \rightarrow Energy sufficiency through use of renewables

> \rightarrow Conservation of better agricultural land and the protection of a sensitive natural environment (coastal zones, forests, sanctuaries and the like)

DMIC CITIES

Global Regional Cities:

 \rightarrow Benchmarked against the best new generation industrial cities in the world

 \rightarrow Transit-oriented, walkable and liveable cities

 \rightarrow Interconnected roads, rail and communication systems are to provide speed, access and worldwide connectivity

Key sustainable development concepts:

 \rightarrow The reduction of commuting needs for the workforce - multiple Central Business Districts (CBDs) and Industrial zones: integration of land uses encouraging mixed use; affordable housing for workers located near the industrial zones.

 \rightarrow High access to mass transit corridors, the encouragement of cycling

 \rightarrow The integration of existing villages into new cities

 \rightarrow A Smart City - IT-based real-time control and governance



NODES BEING DEVELOPED AND EARLY BIRD PROJECTS DMIC - PHASE 1

NODE: AHMEDABAD-DHOLERA INVESTMENT REGION. GUJARAT

EARLY BIRD PROJECTS:

- → Mega Industrial Park at Dholera SIR
- \rightarrow Greenfield international aviation hub near Ahmedabad
- → Waste Water Recycling Project
- → Six-laning of Ahmedabad-Vataman-Pipli-Bhavnagar road link with specific economic activities (207 km)
- \rightarrow Regional MRTS link between Gandhinagar-Ahmedabad & Ahmedabad-Dholera
- \rightarrow Dahej Desalination Project
- \rightarrow Consultants: consortium led by M/s Halcrow, UK
- \rightarrow Area: 920 square kilometres

NODE: KHUSHKHERA-BHIWADI-NEEMRANA INVESTMENT REGION. RAJASTHAN EARLY BIRD PROJECTS:

- \rightarrow Development of Aerotropolis in Rajasthan
- \rightarrow Road link connecting Bhiwadi and Neemrana
- \rightarrow Development of Knowledge City, Neemrana
- → Artificial Aquifer Recharge & Recovery System
- \rightarrow Solar Project, Neemrana
- \rightarrow Consultants: consortium led by M/s Kuiper Compagnons, Holland

 \rightarrow Area: 165 square kilometres

NODE: MANESAR-BAWAL INVESTMENT REGION. HARYANA

EARLY BIRD PROJECTS:

- → Integrated multi-modal logistic hub near Rewari
- \rightarrow Exhibition-cum-convention centre at Panchgaon Chowk
- → Mass Rapid Transit System (MRTS)
- \rightarrow Consultants: consortium led by M/s Jurong, Singapore
- \rightarrow Area: 402 square kilometres

NODE: PITHAMPUR-DHAR-MHOW INVESTMENT REGION, MADHYA PRADESH

EARLY BIRD PROJECTS:

- → Economic corridor between Indore Airport and the Pithampur Industrial Area
- → Knowledge City, Ujjain
- \rightarrow Multi-Modal Logistics Hub, Pithampur
- \rightarrow Water supply project, Pithampur
- \rightarrow Greenfield Township
- \rightarrow Consultants: consortium led by M/s Lea Associates. South Asia
- \rightarrow Area: 372 square kilometres

NODE: DADRI-NOIDA-GHAZIABAD INVESTMENT REGION, UTTAR PRADESH EARLY BIRD PROJECTS:

- \rightarrow The development of the Greater Noida (Boraki) Railway Station
- → High-tech Integrated Industrial Township
- → The development of Integrated Multi-Modal Logistic Hub in Greater Noida
- → Waste Water Recycling Project
- \rightarrow Consultants: consortium led by M/s Halcrow, UK
- \rightarrow Area: 200 square kilometres

NODES:

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1. DIGHI PORT INDUSTRIAL AREA, MAHARASHTRA 2. NASHIK-SINNAR-IGATPURI INVESTMENT REGION. MAHARASHTRA EARLY BIRD PROJECTS:

- \rightarrow Multi-Modal Logistics Park at Karmad
- → Exhibition and Convention Centre at Aurangabad
- → Dhule Mega Industrial Park
- → Shendra-Bidkin Mega Industrial Park
- → Waste Water Recycling Project
- \rightarrow Transport and telecommunication corridor in region with reference
- to Pune-Nashik and Pune-Aurangabad Highways
- \rightarrow Consultants: M/s AECOM, Hong Kong
- \rightarrow Area: 253 and 84 square kilometres respectively



OPPORTUNITIES ACROSS THE VALUE CHAIN PUBLIC PRIVATE PARTNERSHIP

 \rightarrow The policy and regulatory frameworks (concession agreements) are well established; substantial scale-up in the last 5 years; opportunities for companies to venture as 'Project Developers'

CONTRACTORS/CONSULTANTS

 \rightarrow Opportunities from implementing agencies who will sub-contract construction

O&M OPERATORS

 \rightarrow Substantial requirements of equipment, systems and software

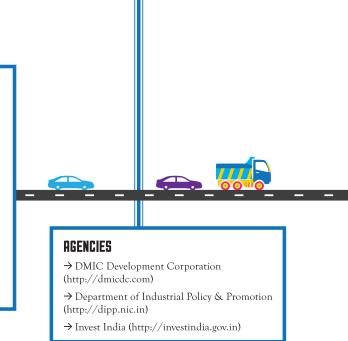
EQUIPMENT SUPPLIERS

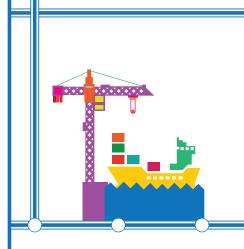
 \rightarrow Consistent demand of equipment due to mega infrastructure development across sectors; huge business potential for overseas players to enter the market

ROLLING STOCK SUPPLIERS

 \rightarrow Increasing demand for various types of passenger and freight rolling stock; attractive opportunity exists for private players FINANCING

 \rightarrow Various financial institutions (FIs) and PE firms have already entered into the development area. Attractive opportunities exist for FIs, PE firms and private investors





FOREIGN DIRECT INVESTMENT POLICY AND PROCEDURES

INDIA HAS ALREADY MARKED ITS PRESENCE AS ONE OF THE FASTEST GROWING ECONOMIES IN THE WORLD. IT HAS BEEN RANKED AMONGST THE TOP 3 ATTRACTIVE DESTINATIONS FOR INBOUND INVESTMENTS, SINCE 1991, THE **REGULATORY ENVIRONMENT IN TERMS OF** FOREIGN INVESTMENT HAS BEEN CONSISTENTLY EASED TO MAKE IT MORE INVESTOR-FRIENDLY.

RECENT POLICY MERSURES

- \rightarrow 100% FDI is permitted in the telecom sector
- \rightarrow 100% FDI is permitted in single-brand retail
- \rightarrow FDI in commodity exchanges, stock exchanges and depositories. power exchanges, petroleum refining by PSUs, courier services under the government route has now been brought under the automatic route
- \rightarrow Removal of restrictions in the tea plantation sector
- \rightarrow The FDI limit has been raised to 74% in credit information and 100% in asset reconstruction companies
- \rightarrow The FDI limit of 26% in the defence sector is raised to 49% under government approval route. Foreign Portfolio Investment is permitted up to 24% under the automatic route. FDI beyond 49% is also allowed on a case-to-case basis with the approval of the Cabinet Committee on Security
- \rightarrow The construction, operation and maintenance of specified activities of the Railway sector opened to 100% foreign direct investment under automatic route

TYPES OF INVESTORS

INDIVIDUAL:

- → FVCI → Pension/Provident Fund
- → Financial Institutions

COMPANY:

- → Foreign Trust
- → Sovereign Wealth Fund
- → NRIs/PIOs

FOREIGN INSTITUTIONAL INVESTORS:

- \rightarrow Private Equity Fund
- → Partnership/Proprietorship Firm
- \rightarrow Others
- Note: Citizen or entity from Bangladesh and Pakistan can invest only under the government route. Also, investors from Pakistan cannot invest in defence, space, atomic energy and sectors prohibited for foreign investment.

SECTORS WHERE FOREIGN DIRECT INVESTMENT IS PROHIBITED

- \rightarrow Lottery business including government/private lottery, online lotteries, etc.
- \rightarrow Gambling and betting including casinos, etc. \rightarrow Chit funds
- \rightarrow Nidhi company (borrowing from members and lending to members only)
- → Trading in Transferable Development Rights \rightarrow Real Estate business (other than construction
- development) or construction of farmhouses → Manufacturing of cigars, cheroots, cigarillos
- and cigarettes, of tobacco or of tobacco substitutes
- → Activities/sectors not open to private sector investment, e.g. Atomic Energy and Railway Transport (other than construction, operation and maintenance of (i) suburban corridor projects through PPP (ii) high-speed train projects (iii) dedicated freight lines (iv) rolling stock including train sets, and locomotives/coaches manufacturing and maintenance facilities (v) railway electrification (vi) signalLing systems (vii) freight terminals (viii) passenger terminals (ix) infrastructure in industrial park pertaining to railway line/sidings including electrified railway lines and connectivities to main railway line and (x) Mass Rapid Transport Systems)
- \rightarrow Services like legal, bookkeeping, accounting and auditing



 \rightarrow Cable networks (49%) subsidiaries (74%) \rightarrow Power exchanges (49%)



SECTORS WITH CAPS

- \rightarrow Petroleum Refining by PSU (49%) → Teleports (setting up of uplinking HUBs/Teleports), direct-tohome (DTH), cable networks (multi-system operators {MSOs} operating at national, state or district level and undertaking upgradation of networks towards digitalization and addressability), Mobile TV and Headend-in-the-Sky Broadcasting Service (HITS) - (74%) \rightarrow Broadcasting content services - FM radio (26%), uplinking of news and current affairs TV channels (26%) \rightarrow Print media dealing with news and current affairs (26%) \rightarrow Air transport services - scheduled air transport (49%), non-scheduled air transport (74%) → Ground handling services - Civil Aviation (74%) \rightarrow Satellites - establishment and operation (74%) \rightarrow Private security agencies (49%) → Private Sector Banking - Except branches or wholly owned \rightarrow Public Sector Banking (20%) → Commodity exchanges (49%) → Credit information companies (74%) \rightarrow Infrastructure companies in securities market (49%) \rightarrow Insurance and sub-activities (26%)
- → Defence (49% above 49% to CCS)





GLOSSARY OF DEFINITIONS

AUTOMATIC ROUTE:

 \rightarrow Under this route, no Central government permission is required

GOVERNMENT ROUTE:

 → Under this route, applications are considered by the Foreign Investment Promotion Board (FIPB). Approval from the Cabinet Committee on Security is required for more than 49% FDI in defence. Proposals involving investments worth more than USD 192 million are considered by the Cabinet Committee on Economic Affairs
 → Indian companies that have received FDI either under the automatic route or the government route are required to comply with the provisions of the FDI policy, including reporting the FDI and the issue of shares to the Reserve Bank of India. More details can be seen from Q.6 of Section I of the following link: http://www.rbi.org.in/scripts/FAQView.aspx?Id=26

SECTORS UNDER AUTOMATIC ROUTE

All the items other than the ones alongside are under the automatic route

SECTORS REQUIRING CENTRAL GOVERNMENT APPROVAL

 \rightarrow Tea sector, including plantations - 100%

 \rightarrow Mining and mineral separation of titanium-bearing minerals and ores, its value addition and integrated activities -100%

 \rightarrow FDI in enterprise manufacturing items reserved for small-scale sector - 100%

→ Defence - up to 49% under FIPB/CCEA approval, beyond 49% under CCS approval (on a case-to-case basis, wherever it is likely to result in access to modern and state-of-the-art technology in the country)
 → Teleports (setting up of uplinking HUBs/Teleports), direct-to-home (DTH), cable networks (multi-system operators operating at National or State or District level and undertaking upgradation of networks towards digitalization and addressability), Mobile TV and Headend-in-the Sky Broadcasting Service(HITS) - beyond 49% and up to 74%

→ Broadcasting Content Services: uplinking of news and current affairs channels - 26%, uplinking of non-news and current affairs TV channels - 100%

 \rightarrow Publishing/printing of scientific and technical magazines/specialty journals/periodicals - 100%

→ Print media: publishing of newspaper and periodicals dealing with news and current affairs - 26%, Publication of Indian editions of foreign magazines dealing with news and current affairs - 26%

→ Terrestrial Broadcasting FM (FM radio) - 26%

→ Publication of facsimile edition of foreign newspaper - 100%
 → Airports - brownfield - beyond 74%

→ Non-scheduled air transport service - beyond 49% and up to 74% → Ground-handling services - beyond 49% and up to 74%

→ Satellites - 74%

- \rightarrow Satellites 14%
- \rightarrow Private securities agencies 49%
- → Telecom-beyond 49%
- ightarrow Single-brand retail beyond 49%
- ightarrow Asset reconstruction company beyond 49% and up to 100%
- \rightarrow Banking private sector (other than WOS/Branches) beyond 49%
- and up to 74%, public sector 20%
- \rightarrow Pharmaceuticals brownfield 100%

ENTRY STRUCTURES

INCORPORATING A COMPANY IN INDIA:

 \rightarrow It can be a private or public limited company. Both wholly owned and joint ventures are allowed. Private limited company requires a minimum of 2 shareholders

LIMITED LIABILITY PARTNERSHIPS:

 \rightarrow Permitted under the government route in sectors where 100% FDI is allowed under the automatic route and without any conditions

SOLE PROPRIETORSHIP/PARTNERSHIP FIRM (UNDER RBI APPROVAL):

 \rightarrow RBI decides the application in consultation with the Government of India

EXTENSION OF FOREIGN ENTITY (LIAISON OFFICE, BRANCH OFFICE or project office):

→ These offices can undertake only activities specified by the RBI. Approvals are granted under the government and RBI route. Automatic route is available to BO/PO meeting certain conditions

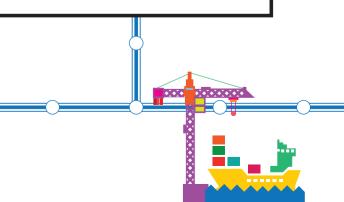
OTHER STRUCTURES:

→ Foreign investments or contributions in other structures like not-for-profit companies, etc., are also subject to provisions of Foreign Contribution Regulation Act (FCRA)



STEPS INVOLVED IN THE INVESTMENT PROCESS:

- \rightarrow Identification of structure
- \rightarrow Central government approval (if required)
- \rightarrow Setting up or incorporating the structure
- ightarrow Inflow of funds via eligible instruments and adherence
- to pricing guidelines
- \rightarrow The meeting of reporting requirements of RBI and respective Act
- \rightarrow Registrations/obtaining key documents like PAN, etc.
- \rightarrow Project approval at state level
- \rightarrow Finding ideal space for business activity based on various parameters like incentives, cost, availability of manpower, etc.
- \rightarrow Manufacturing projects are required to file Industrial Entrepreneur's Memorandum (IEM), some of the industries may also require industrial licence
- \rightarrow Construction/renovation of unit
- \rightarrow Hiring of manpower
- \rightarrow Obtaining licences if any
- \rightarrow Other state and central level registrations
- \rightarrow Meeting annual requirements of a structure, paying taxes, etc.



REPATRIATION OF DIVIDEND & CAPITAL:

1. Repatriation of Dividend: Dividends are freely repatriable without any restrictions (net after-tax deduction at source or Dividend Distribution Tax)

2. Repatriation of Capital: AD Category-I bank can allow the remittance of sale proceeds of a security (net of applicable taxes) to the seller of shares resident outside India, provided the security has been held on repatriation basis, the sale of security has been made in accordance with the prescribed guidelines and NOC/tax clearance certificate from the Income Tax Department has been produced

 \rightarrow Investments are subject to a lock-in period of 3 years in case of construction development sector

3. Repatriation of Interest: Interest on fully, mandatorily and compulsorily convertible debentures is also freely repatriable without any restrictions (net of applicable taxes)

ASPECTS OF TAXATION

DIRECT TAXES:

Investor is required to pay tax on net income earned in India. The rates of taxes differ among structures: \rightarrow Company: The company incorporated in India is required to pay 30% tax+surcharge+education cess on net income earned. It is also required to deduct tax on profits distributed @15.5%+surcharge+education cess → Branch Office/Project Office/Liaison Office or Permanent Establishment: The fixed place of business in India is treated as a permanent establishment and is required to pay tax @40%+surcharge+education cess. There is no tax on profits distributed

 \rightarrow LLPs: LLPs are required to pay tax

@30%+surcharge+education cess. There is no tax on profits distributed

→ Minimum Alternate Tax: 18.5%+SC+EC - Indian tax law requires MAT to be paid by corporations in cases where the tax payable according to the regular tax provisions is less than 18.5% of their book profits. However MAT credit (MAT-actual tax) can be carried forward in the next 10 years for set-off against regular tax payable during the subsequent years subject to certain conditions

Please note: Transactions between associated enterprises needs to follow transfer pricing regulations



INCENTIVES

CENTRAL GOVERNMENT INCENTIVES:

 \rightarrow Investment allowance (additional depreciation) at the rate of 15% to manufacturing companies that invest more than USD 16 Million in plant and machinery available until 31.3.2015

 \rightarrow Incentives available to units set-up in SEZ, NIMZ, etc. and EOUs

 \rightarrow Exports incentives like duty drawback, duty

exemption/remission schemes, focus products and market schemes, etc.

 \rightarrow Area-based incentives like unit set-up in north-east region, Jammu and Kashmir, Himachal Pradesh and Uttarakhand

→ Sector-specific incentives like M-SIPS in electronics

STATE GOVERNMENT INCENTIVES:

 \rightarrow Each state government has its own incentive policy, which offers various types of incentives based on the amount of investments, project location, employment generation, etc. The incentives differ from state to state and are generally laid down in each state's industrial policy

 \rightarrow The broad categories of state incentives include stamp duty exemption for land acquisition, refund or exemption of value added tax, exemption from payment of electricity duty, etc.





SPECIAL DISPENSATIONS HAVE BEEN ENVISAGED FOR NRI INVESTMENT:

2. Ground Handling and air transport services

3. NRI investing on non-repatriable basis

4. FDI from Nepal and Bhutan is allowed in INR





THE NEED TO RAISE GLOBAL COMPETITIVENESS OF THE INDIAN MANUFACTURING SECTOR IS IMPERATIVE FOR THE Country's long-term growth. The national manufacturing policy is by far the most comprehensive and significant policy initiative taken by the government. The policy is the first of its kind for the manufacturing sector as it addresses areas of regulation, infrastructure, skill development, technology, availability of finance, exit mechanism and other pertinent factors related to the growth of the sector.

VISION

- \rightarrow An increase in manufacturing sector growth to 12-14% per annum over the medium term
- → An increase in the share of manufacturing in the country's Gross Domestic Product from 16% to 25% by 2022
- \rightarrow To create 100 million additional jobs by 2022 in the manufacturing sector
- → Creation of appropriate skill sets among rural migrants and the urban poor for inclusive growth → An increase in domestic value addition and technological depth in manufacturing
- \rightarrow Enhancing the global competitiveness of the Indian manufacturing sector
- \rightarrow Ensuring sustainability of growth, particularly
- with regard to environment

STRENGTHS OF INDIAN MANUFACTURING

- ightarrow India has already marked its presence as one of the fastest growing economies of the world
- \rightarrow The country is expected to rank amongst the world's top 3 growth economies and amongst the top 3 manufacturing destinations by 2020
- → Favourable demographic dividends for the next 2-3 decades
 → Sustained availability of quality workforce
- \rightarrow The cost of manpower is relatively low as compared to other countries
- → Responsible business houses operating with credibility and professionalism
- \rightarrow Strong consumerism in the domestic market
- \rightarrow Strong technical and engineering capabilities backed by top-notch scientific and technical institutes
- ightarrow Well-regulated and stable financial markets open to foreign investors



POLICY INSTRUMENTS

FOCUS SECTORS:

 \rightarrow Employment-intensive industries like textiles and garments, leather and footwear, gems and jewellery and food processing industries

- \rightarrow Capital goods industries like machine tools, heavy electrical
- equipment, heavy transport, earthmoving and mining equipment
- → Industries with strategic significance like aerospace, shipping, IT hardware and electronics, telecommunication equipment, defence equipment and solar energy
- \rightarrow Industries where India enjoys a competitive advantage such as automobiles, pharmaceuticals and medical equipment
- → Small and medium enterprises (SMEs)
- \rightarrow Public sector enterprises

NATIONAL INVESTMENT & Manufacturing Zones (NIMZ)

 \rightarrow The National Investment and Manufacturing Zones are being conceived as giant industrial greenfield townships to promote world-class manufacturing activities

 \rightarrow The minimum size is 5000 hectares (50 square kilometres) wherein the processing area has to be at least 30%

→ The Central government will be responsible for bearing the cost of master planning, improving/providing external physical infrastructure linkages including rail, road, ports, airports and telecom, providing institutional infrastructure for productivity, skill development and the promotion of domestic and global investments

→ The identification of land will be undertaken by state governments. State governments will be responsible for water requirement, power connectivity, physical infrastructure, utility linkages, environmental impact studies and bearing the cost of resettlement and rehabilitation packages for the owners of acquired land

 \rightarrow The state government will also play a role in its acquisition if necessary

 \rightarrow In government, purchase preferences will be given to units in the national investment and manufacturing zones



NATIONAL INVESTMENT AND Manufacturing zones identified

NIMZS UNDER DMIC

→ Ahmedabad-Dholera Investment Region, Gujarat → Shendra-Bidkin Industrial Park City near Aurangabad, Maharashtra → Manesar-Bawal Investment Region, Harvana → Khushkhera-Bhiwadi-Neemrana Investment Region, Rajasthan → Pithampur-Dhar-Mhow Investment Region, Madhva Pradesh → Dadri-Noida-Ghaziabad Investment Region, Uttar Pradesh → Dighi-Port Industrial Area, Maharashtra → Jodhpur-Pali-Marwar Region, Rajasthan NIMZS OUTSIDE DMIC → Kuhi and Umred Taluka of Nagpur district, Maharashtra → Tumkur, Karnataka → Chittoor, Andhra Pradesh

- → Medak, Telangana
- → Prakasam, Andhra Pradesh
- → Gulbarga, Karnataka
- → Kolar, Karnataka
- → Bidar, Karnataka
- → Kalinganagar, Jajpur District, Odisha

SIMPLIFICATION OF REGULATORY Environments

 \rightarrow Timelines will be defined for all clearances

- \rightarrow Central and State governments to provide exemptions from rules and regulations related to labour, environment, etc. subject to the fulfilment of certain conditions
- \rightarrow Mechanisms for the cooperation of public or private institutions with government inspection services under the overall control of statutory authorities to be developed
- \rightarrow Process of clearances by Centre and State authorities to be progressively web-enabled
- \rightarrow A combined application form and a common register to be developed
- \rightarrow The submission of multiple returns for different departments will be replaced by one simplified monthly/quarterly return
- \rightarrow A single-window clearance for units in NIMZ
- \rightarrow Ease in environment approvals

THE ACQUISITION OF TECHNOLOGY & Development

 \rightarrow The policy intends to leverage the existing incentives/schemes of government

- → A technology acquisition and development fund has been proposed for the acquisition of appropriate technologies, the creation of a patent pool and the development of domestic manufacturing of equipment used for controlling pollution and reducing energy consumption
- → The fund will also function as an autonomous patent pool and licensing agency. It will purchase intellectual property rights from patent holders. Any company that wants to use intellectual property to produce or develop products can seek a licence from the pool against payment of royalties



INCENTIVES

TRANSFER OF ASSETS:

→ In case a unit is declared sick, the transfer of assets will be facilitated by the company managing the affairs of NIMZ → Relief from capital gains tax on the sale of plant and machinery of a unit located in NIMZ will be granted in case of the reinvestment of sale consideration within a period of 3 years for purchase of new plant and machinery in any other unit located in the same or another NIMZ

GREEN TECHNOLOGY & PRACTICES:

 \rightarrow 5% interest in reimbursement and 10% capital subsidy for the production of equipment/machines/devices for controlling

- pollution, reducing energy consumption and water conservation \rightarrow A grant of 25% to SMEs for expenditure incurred on audit subject to a maximum of INR 100.000
- \rightarrow A 10% one-time capital subsidy for units practising zero water discharge

 \rightarrow A rebate on water cess for setting up wastewater recycling facilities

→ Incentives for renewable energy under the existing schemes → An incentive of INR 200,000 for all buildings which obtain a green rating under the IGBC/LEED or GRIHA systems

TECHNOLOGY DEVELOPMENT:

→ Incentives for the production of equipment/machines/devices for controlling pollution, reducing energy consumption and water conservation

→ SMEs will be given access to the patent pool and/or part of reimbursement of technology acquisition costs up to a maximum of INR 2 million for the purpose of acquiring appropriate technologies up to a maximum of 5 years



SPECIAL BENEFITS TO SMEs:

 \rightarrow Rollover relief from long-term capital gains tax to individuals on sale of residential property in case of reinvestment of sale consideration

- \rightarrow A tax pass-through status for venture capital funds with a focus on SMEs in the manufacturing sector
- \rightarrow Liberalization of RBI norms for banks investing in venture capital funds with a focus on SMEs, in consultation with RBI
- ightarrow The liberalization of IRDA guidelines to provide for investments by insurance companies
- \rightarrow The inclusion of lending to SMEs in manufacturing as part of priority sector lending
- \rightarrow Easier access to bank finance through appropriate bank lending norms
- \rightarrow The setting up of a stock exchange for SMEs
- \rightarrow Service entity for the collection and payment of statutory dues of SMEs

GOVERNMENT PROCUREMENT:

→ The policy will also consider use of public procurement with stipulation of local value addition in specified sectors. These include areas of critical technologies such as solar energy equipment, electronic hardware, fuel efficient transport equipment, IT-based security systems, power, roads and highways, railways, aviation and ports





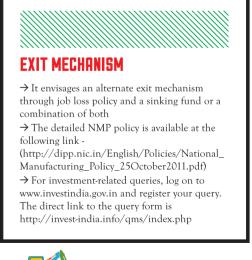
The creation of a multiple-tier structure for skill development: → Skill-building among large numbers of a

minimally educated workforce

 → Relevant vocational and skill training through establishment of ITI in PPP mode
 → Specialized skill development through the

establishment of polytechnics

 \rightarrow Establishment of instructors' training centres in each NIMZ





THE INDIAN GOVERNMENT HAS TAKEN SEVERAL INITIATIVES TO CREATE A Conducive environment for the Protection of intellectual property Rights of innovators and creators by Bringing about changes at legislative AND Policy Level.

IN ADDITION, SPECIFIC FOCUS HAS BEEN PLACED ON IMPROVED SERVICE DELIVERY BY UPGRADING INFRASTRUCTURE, BUILDING CAPACITY AND USING STATE-DF-THE-ART TECHNOLOGY IN THE FUNCTIONING OF INTELLECTUAL PROPERTY OFFICES IN THE COUNTRY. THIS MEASURE HAS RESULTED IN SWEEPING CHANGES IN IP ADMINISTRATION WITHIN THE COUNTRY.

EEE



AIMS OF THE INDIAN INTELLECTUAL PROPERTY OFFICE

→ Establishing a vibrant IP regime in the country → Efficient processing of IP applications by inducting additional manpower, augment IT facilities and automation in Intellectual Property Offices

 \rightarrow Adopt best practices in IP processing

- \rightarrow Strengthening public delivery of IP services
- ightarrow Highest levels of transparency and user-friendliness

STRENGTHS OF The Indian IPR Regime

→ The IPR framework in India is stable and well-established from a legal, judicial and administrative point of view and is fully compliant with the Agreement on Trade-related aspects of Intellectual Property Rights

 \rightarrow India is committed to a wide range of international treaties and conventions relating to intellectual property rights

 \rightarrow Wide range of awareness programs are being conducted by the government

→ During the last few years, Indian IP offices have undergone major improvements in terms of upgradation of IP legislation, infrastructure facilities, human resources, the processing of IP applications, computerization, databases, quality services to stakeholders, transparency in functioning and free access to IP data through a dynamic website

→ State-of-the-art, integrated and IT-enabled office buildings have been created during the last few years in New Delhi, Kolkata, Chennai and Mumbai and Ahmedabad, housing central wings for Patents and Designs and Trademarks and Geographical Indications. The Patent Office is headquartered at Kolkata with branches in New Delhi, Chennai and Mumbai. The Trade Mark Registry, headquartered at Mumbai, has branches in Ahmedabad, Chennai, New Delhi and Kolkata. The Design Office is located in Kolkata and the GI Registry is in Chennai. Separate facilities house the ISA/IPEA in New Delhi and, additionally, there is an Intellectual Property Office Archives in Ahmedabad

 \rightarrow Simplified procedure for filing, e-filing facilities and incentives for SMEs are some of the other initiatives in the area of intellectual property rights in India



IP ADMINISTRATION IN INDIA

PATENTS:

 \rightarrow India has taken strong steps in strengthening the patent system in the country. The government aims at establishing a patent regime that is conducive to technological advances and is in line with its global commitments

 \rightarrow Patent application filing at Indian Patent Office has been increasing consistently over the years which demonstrates the confidence of the global industry in the Indian patent ecosystem

 \rightarrow Filing and processing of patent applications viz. examination, grant and post-grant proceedings are carried out at all the 4 Patent Office locations independently through a virtual network system which links all 4 Patent Offices. However, there is only one virtual Patent Office for the purpose of grant of patents. A patent is granted for a uniform period of 20 years from the filing date of the patent application for inventions in all fields of technology and it is a territorial right

→ The Indian Patent Office has been recognized as an International Searching Authority and an International Preliminary Examining Authority (ISA/IPEA) by World Intellectual Property Organization in October, 2007 under the Patent Cooperation Treaty and has operationalized the status since 15th October 2013, thus joining an elite group of 17 countries

IT ENABLED PROCESSING AND COMPUTERIZED WORK-FLOW:

 \rightarrow All the records are digitized and freely available through the official website, www.ipindia.nic.in. Every document received in the office is scanned and digitized before taking any action on the document and is made available through the official website to the public. The entire processing of patent applications is electronic and information relating to processing is made available on the website in real time, thereby providing valuable information to the applicants

INSTANT ELECTRONIC COMMUNICATION WITH APPLICANTS:

 \rightarrow Consequent to filing of a document, instant e-mail is sent to the applicant at the mail IDs and numbers registered with the office. Such messages are QR-coded to preserve their authenticity

DYNAMIC INFORMATION

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 \rightarrow Dynamic utilities are available on the website which provide useful real-time information such as issue of examination reports in a given month, disposal of applications, information about lapsed and ceased patents, etc.

 \rightarrow The entire record in all matters, which are not prohibited from publication by the statute are made available to the public on the website. All the documents are digitized as soon as they are received in the Office to enable computerized processing of applications and are made available to the public in real time through the official website

 \rightarrow The Patent Office has a strong pool of experts for processing of patent applications. At present it has a strength of 192 Examiners and 89 Supervising Officers. Among them, 42 have Doctorate degree, 75 are Post-Graduates in different branches of science, 25 have Post-Graduate degree in Engineering and 139 have Degree in Engineering/ Technology \rightarrow For patents, complete stock and flow information is available on the website

INDUSTRIAL DESIGNS

 \rightarrow Every design, to be registrable, must pass the universal test of novelty. A registered design is valid for 10 years and can be further extended by another 5 years \rightarrow A design cannot be registered if it is not new or original or has been disclosed to the public in India or anywhere in the world by publication



GEOGRAPHICAL INDICATIONS

→ The Geographical Indications Registry is a statutory organization set up at Chennai for administration of the GI Act with the objective of providing registration and protection of geographical indications (GI) relating to goods

→ Applications for registration of Geographical Indications can also be filed by foreign entities for registration of their GI in India in accordance with the provisions of TRIPS

→ A Manual of Practice and Procedure is in place to ensure uniformity and consistency in practice

TRADEMARKS \rightarrow A trademark is used or proposed to be used to distinguish the goods or services of one person from those of others in the course of trade. Though the registration of trademark is not compulsory, registration is a prima facie proof of the title and it gives the registered proprietor an exclusive right to use the trademark and take legal action in case of infringement \rightarrow If a trademark is not registered and if someone not having the right in the trademark uses that trademark, the proprietor of the trademark can take the common law action of passing off \rightarrow The initial registration is valid for a period of 10 years which is renewable for an indefinite period of time \rightarrow India also acceded to the Madrid Protocol which allows applicants to file in other countries that are members of the Protocol through a simple form and by payment in one currency foreign applicants can also file indicating India as the designated country in forms. This also enables time-bound processing of Trade Marks applications

MADRID PROTOCOL:

 \rightarrow Indian office is receiving applications for protection of trademarks under the Madrid Protocol and making all correspondence relating thereto online through the gateway provided by this office, similarly all communications from the International Bureau regarding international applications or registration under the Madrid Protocol are made by Indian office through electronic means only

 \rightarrow All the functions of the TMR are performed through a Trade Marks System (TMS). The Data Entry of all vital information relation to trademark application or a registered trademark has been done and all available paper records relating to trademark applications or registered trademarks have been digitized and these are linked with the relevant application or registered trademarks, in the system

OTHER INFORMATION:

flow information is also available on the website.



AUTOMATED AND TRANSPARENT FUNCTIONING OF THE TRADE MARKS REGISTRY :

The IPO website contains separate Gateway for E-Filing of trademark applications and free online public search facilities for search of identical or similar trademarks. Trade Mark E-Journal is published every Monday giving the details of accepted applications for registration of trademarks and other information.

Details of all trademark applications or registered trademarks, status of applications/ registered trademarks, public notices, copies of important office orders, circulars and other useful information are available on the website of the Office of the Controller General of Patens, Designs and Trade Marks. The complete stock and

Public can see on real-time basis the details of examination of trademark applications, show cause hearings, publication in the trademark journal, registration of trademarks, disposal of applications by way of abandonment, refusal, etc.



TYPES OF IPR IN INDIA

NAME OF IPR: PATENT

DEFINITION AND SIGNIFICANCE OF IPR:

 \rightarrow A patent is granted for an invention which is a new product or process, that meets conditions of novelty, non-obviousness and industrial use. Inventive step is the feature(s) of the invention that involves technical advance as compared to existing knowledge and that makes the invention not obvious to a person skilled in the art. Industrial use means that the invention is capable of being made or used in an industry

MINISTRY ADMINISTERING THE IPR :

→ Department of Industrial Policy and Promotion, Ministry of Commerce & Industry

CONCERNED IP ACT:

→ The Patents Act, 1970 (as amended in 2005)

NAME OF IPR : DESIGN

DEFINITION AND SIGNIFICANCE OF IPR :

→ A design refers only to the features of shape, configuration, pattern, ornamentation, composition of colour or line or a combination thereof, applied to any article, whether two- or three-dimensional or in both forms by any industrial process or means which, in the finished article, appeal to and are judged solely by the

MINISTRY ADMINISTERING THE IPR :

→ Department of Industrial Policy and Promotion, Ministry of Commerce & Industry

CONCERNED IP ACT:

→ Designs Act 2000

NAME OF IPR : TRADEMARKS

DEFINITION AND SIGNIFICANCE OF IPR :

 \rightarrow A Trade Mark can be a device, brand, heading, label ticket name, packaging, sign, word, letter, number, drawing, picture, emblem, colour or combination of colours, shape of goods, signature or a combination thereof

 \rightarrow A trademark means a mark capable of being represented graphically and which is capable of distinguishing the goods or services of one undertaking from those of other undertakings, shall be capable of constituting a trademark

MINISTRY ADMINISTERING THE IPR :

→ Department of Industrial Policy and Promotion, Ministry of Commerce & Industry CONCERNED IP ACT:

→ Trade Marks Act 1999 (as amended in 2010)

NAME OF IPR : GEOGRAPHICAL INDICATIONS

DEFINITION AND SIGNIFICANCE OF IPR :

→ A geographical indication identifies agricultural or natural or manufactured goods as originating or manufactured in the territory of a country or region or locality in that territory, where a given quality, reputation or other characteristic of such goods is essentially attributable to its geographical origin and in case where such goods are manufactured goods one of the activities of either. The production or of processing of preparation of the goods concerned takes place in such territory, region, or locality as the case may be.

MINISTRY ADMINISTERING THE IPR :

 \rightarrow Department of Industrial Policy and Promotion, Ministry of Commerce & Industry

CONCERNED IP ACT:

→ The Geographical Indications of Goods (Registration & Protection) Act, 1999

NAME OF IPR : COPYRIGHT

DEFINITION AND SIGNIFICANCE OF IPR :

→ Copyright is a right given by the law to creators of literary, dramatic, musical and artistic works and producers of cinematograph films and sound recordings. In fact, it is a bundle of rights including, inter alia, rights of reproduction, communication to the public, adaptation and translation of the work

MINISTRY ADMINISTERING THE IPR :

 \rightarrow Ministry of Human Resource Development The Copyright Act, 1957 **CONCERNED IP ACT:**

 \rightarrow The Copyright Act, 1957 (as amended)

TYPES OF IPR IN INDIA

NAME OF IPR: PLANT VARIETY PROTECTION

DEFINITION AND SIGNIFICANCE OF IPR :

 \rightarrow Protection granted for plant varieties, the rights of farmers and plant breeders and to encourage the development of new varieties of plants

MINISTRY ADMINISTERING THE IPR :

 \rightarrow Department of Agriculture and Cooperation, Ministry of Agriculture **CONCERNED IP ACT:**

→ The Protection of Plant Varieties and Farmers' Rights (PPV&FR) Act, 2001

NAME OF IPR: SEMICONDUCTOR INTEGRATED CIRCUITS LAYOUT-DESIGN Definition and Significance of IPR :

→ The aim of the Semiconductor Integrated Circuits Layout-Design Act 2000 is to provide protection of Intellectual Property Right (IPR) in the area of Semiconductor Integrated Circuit Layout Designs and for matters connected therewith or incidental thereto

MINISTRY ADMINISTERING THE IPR:

 \rightarrow Department of Electronics and Information Technology, Ministry of Communications and Information Technology

CONCERNED IP ACT:

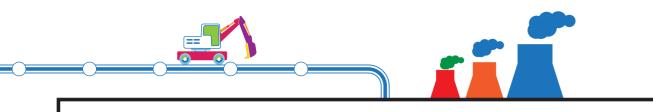
 \rightarrow Semiconductor Integrated Circuits Layout-Design Act, 2000



INTERNATIONAL AGREEMENTS

India is a member of the World Trade Organization and committed to the Agreement on Trade Related Aspects of Intellectual Property, India is also a member of World Intellectual Property Organization, a body responsible for the promotion of protection of intellectual property rights throughout the world. India is also a member of the following important WIPO-administered International Treaties and Conventions relating to IPRs: \rightarrow Budapest Treaty on the International Recognition of the Deposit of Micro-organisms for the Purposes of Patent Procedure \rightarrow Paris Convention for the Protection of Industrial Property \rightarrow Convention Establishing the World Intellectual Property Organization \rightarrow Berne Convention for the Protection of Literary and Artistic Works \rightarrow Patent Cooperation Treaty \rightarrow Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks-Madrid Protocol → Washington Treaty on Intellectual Property in respect of Integrated Circuits \rightarrow Nairobi Treaty on the Protection of the Olympic Symbol \rightarrow Convention for the Protection of Producers of Phonograms Against Unauthorized Duplication of

Their Phonograms



FACILITIES PROVIDED

FACILITIES OFFERED BY THE PATENT OFFICE TO APPLICANTS & STAKEHOLDERS:

Filing applications by foreign applicants claiming priority:

 \rightarrow India, being a member country of The Paris Convention and PCT, provides all the filing facilities as mandated under these arrangements to applicants for filing convention and national phase patent applications

Simplified Procedure for filing of National Phase Applications:

 \rightarrow The procedure for filing a national phase application in India (corresponding to PCT international application) is effortless in that only one form is required to be filed and rest of the contents of the application are obtained by the Patent Office directly from the servers of International Bureau of the World Intellectual Property Organisation

E-Filing Facilities:

 \rightarrow For filing an application for patent or any document in the Patent Office, comprehensive e-filing service is available at the official website with a facility for making e-payment and there is no need to personally visit the office

Incentive for online filing:

→ Indian Patent office offers 10% reduction in fees for online filing of all forms and documents relating to patents, at all stages of processing of an application right from the stage of filing to grant of patent and post-grant processes

Concession for Small Entities:

→ Applicants belonging to the category of micro, small and medium enterprises (SMEs) are required to pay only 50% of the fee payable by other legal entities namely companies, etc. The objective is to encourage the MSMEs to protect their knowledge assets. This facility can be availed equally by foreign applicants

FACILITIES OFFERED BY THE DESIGNS WING TO APPLICANTS & STAKEHOLDERS:

 \rightarrow Manual of Designs Practice and Procedure is in place for processing application for registration of designs to ensure uniformity and consistency in examination. The manual is available at the official website

 \rightarrow Design applications can be filed by foreign applicants taking priority of their foreign applications

 \rightarrow Design registration is granted within 6 months of filing of an application, if all requirements are met

 \rightarrow Search facility in the design database is available in the official website. Design e-Journal is published in the official website on everv Fridav

FACILITIES OFFERED BY THE TRADE MARKS REGISTRY TO **APPLICANTS/STAKEHOLDERS:**

 \rightarrow Comprehensive e-filing services are available for online filing of all Trade Mark related forms at the office website

 \rightarrow Entrepreneurs from all over the world can register their trademarks in India

 \rightarrow The pre-requisites, FAQs, and instructions for e-filing are hosted on the website

 \rightarrow Under the Madrid Protocol, through a single application for registration, facility of online filing of international applications can be availed



GOVERNMENT OF INDIA

Department of Industrial Policy & Promotion Ministry of Commerce & Industry Investor Facilitation Cell

