

**AGREEMENT BETWEEN THE GOVERNMENT
OF INDIA AND THE GOVERNMENT OF THE
REPUBLIC OF FRANCE FOR COOPERATION
IN THE FIELDS OF SCIENCE AND
TECHNOLOGY**

New Delhi, 18 July 1978

The Government of the Republic of INDIA

AND

The Government of the Republic of FRANCE,

CONSIDERING the Agreement¹ concerning the Cultural, Scientific and Technical Cooperation signed on the 7th June, 1966,

AWARE of the growing importance of the scientific and technological cooperation between the two countries,

DESIROUS of developing such cooperation on the basis of equality, reciprocity and mutual benefit,

HAVE agreed as follows :

Article I

The Government of the Republic of India and the Government of the Republic of France decide to develop cooperation between the two countries in the scientific and technical fields which are of common interest.

The Contracting Parties agree to promote the development of cooperation in the fields of science and technology between the two countries on the basis of equality and mutual advantage and to define by mutual consent various areas in which such cooperation is desirable, taking into account the national priorities in the matter of scientific and technological development as identified in each country.

1. IBTA Vol. 5 Doc. No. 345.

Article II

Cooperation between the two Contracting Parties in the fields of science and technology may be effected by means of :

- (i) the exchange of scientists, research workers and technical experts in liaison with the scientific establishments of the two countries;
- (ii) the organisation of colloquiums, seminars for defining common programmes of research;
- (iii) the realisation of common programmes of research;
- (iv) the exchange of scientific and technical information between the scientific centres and institutions.

Wherever cooperation between the public enterprises of the two Contracting Parties with commercial vocation is envisaged, the modalities of such cooperation shall be determined by means of appropriate protocols or contracts.

Whenever such cooperation produces results of economic and industrial nature, the two governments will ensure that the advantages are shared on a reciprocal basis between the concerned organisations or enterprises.

Article III

1. The two Contracting Parties will encourage cooperation between the scientific and technical institutions and organisations with a view to conclude, if necessary, appropriate protocols or contracts between such institutions and organisations within the framework of this Agreement. Subject to the laws and regulations in force in the respective countries, such protocols or contracts shall be approved by the two Governments.
2. Such protocols or contracts shall specify :
 - the conditions of acquisition and of submission of the patents relating to common research and development projects;
 - the conditions of exploitation by the Contracting Parties of the know-how and patents jointly acquired or already possessed by one of the two Parties (exchange of patents, granting of licences);
 - the conditions of protection of the inventions and the patentable or non-patentable know-how and to the conditions of their distribution in each country or in a third country;
 - the conditions of payments for the know-how and the patents.

3. Exchange of patents, joint application of patents, based on joint projects of research and collaboration and conditions for their commercialisation, including financial terms and relevant rights, by either Party or jointly by them in a third country, shall be examined by the Indo-French Committee on Economic and Technical Cooperation set up in January, 1976.

Article IV

Scientific and technical cooperation programmes will be drawn periodically with mutual consent. Such programmes shall determine the fields of cooperation, define the objectives, identify the projects, designate the executing agencies and specify the modalities of financing.

Article V

A Joint Committee comprising of representatives of both Governments is set up. It will be in charge of the implementation of the provisions of the present Agreement.

Article VI

The Joint Committee will meet every two years alternatively in India and in France. The terms of reference of this Committee will be :

- (i) to examine, to draw and to approve on behalf of the two Governments the programmes of scientific and technical cooperation;
- (ii) to follow up the execution of the programmes of cooperation;
- (iii) to review the results of cooperation undertaken under this Agreement, or any other related arrangements, and carried out by the scientific and technical institutions and organisations of the two countries;
- (iv) to propose, if necessary, to the two Governments all concrete measures meant to assure the development of the scientific and technical cooperation.

Article VII

Each Contracting Party agrees not to divulge information obtained by it or its personnel under this Agreement to any third party without the specific consent of the other Party.

Article VIII

In between the sessions of the Committee, regular liaison between the two Governments, for the implementation of the present Agreement, will be kept through diplomatic channels.

Article IX

Each Contracting Party shall, subject to its laws and regulations, secure to the citizens of the other Party, who stay on its territory, all assistance and facilities in the fulfilment of the tasks they are entrusted with, according to the provisions of this Agreement.

Article X

Expenses for travel of the scientists and specialists between the two countries shall be borne by the sending country, while the expenses for accommodation, boarding and other expenses, such as pocket money, internal travel, medical facilities, etc., shall be borne by the host country, according to the terms mutually agreed upon between the Contracting Parties.

Article XI

This Agreement shall be subject to approval by the Contracting Parties in accordance with their respective constitutional procedures and shall come into force upon exchange of notes concerning such approval.

This Agreement shall remain in force for a period of five years and shall be automatically extended for further periods of five years, unless one of the Contracting Parties gives notice to the other Party of its intention to terminate this Agreement twelve months before the expiry of the said period.

IN WITNESS WHEREOF, the respective representatives of the two Governments have signed this Agreement.

DONE at New Delhi in duplicate in the Hindi, French and English languages on the Eighteenth day of July in the year Nineteen Hundred and Seventy Eight, all text being equally authentic.

On behalf of the Government
of the Republic of India

On behalf of the Government
of the Republic of France

Sd/-

SAMARENDRA KUNDU
Minister of State for
External Affairs

Sd/-

OLIVIER STIRN
Secretary of State for
Foreign Affairs