APPENDIX 4


Article 1

With effect from 1 November 1954 the Government of India shall take over the administration of the territory of the French Establishments in India. These Establishments will keep the benefit of the special administrative status which was in force prior to the de-facto transfer. Any constitutional changes in this status which may be made subsequently shall be made after ascertaining the wishes of the people.

Article 2

The municipal regime in the communes of the Establishments and the regime relating to the Representative Assembly shall be maintained in their present form.

Article 3

The Government of India shall succeed to the rights and obligations resulting from such acts of the French Administration as are binding on these establishments.
Article 4

Questions pertaining to citizenship shall be determined before de-jure transfer takes place. Both the Governments agree the free choice of nationality shall be allowed.

Article 5

With effect from the date of the de facto transfer the Government of India shall take in their service all the civil servants and employees of the Establishments, other than those belonging to the Metropolitan Cadre or to the General Cadre of the France d' outre-Mer Ministry. These civil servants and employees including the members of the public forces shall be entitled to receive from the Government of India the same conditions of service, as respects remuneration, leave, and the pension, and the same right as respects disciplinary matter or the tenure of their posts, or similar rights as changed circumstances may permit, as they were entitled to immediately before the date of the de facto transfer. They shall not be dismissed or their prospects shall not be damaged on account of any action done in the course of duty prior to the date of the de facto transfer.

French civil servants, magistrates and military personnel born in the Establishments or keeping their family links shall be permitted to return freely to the Establishments on leave or on retirement.
Article 6

The Government of France shall assume responsibility for payment of such pensions as are supported by the Metropolitan budget. The Government of India shall assume responsibility for the payment of pensions, allowances, and grants, supported by the local budget. The system of pensions according to the rules of the various local Retirement Funds shall continue to be in force.

Article 7

Nationals of France and the French Union born in or domiciled in the Establishments on the date of the de facto transfer and at present practising their professions therein shall be permitted to carry on their professions in these Establishments without being required to secure additional qualifications, diplomas or permits, or to comply with any new formalities.

Article 8

The administration’s charitable institutions and loan offices shall continue to operate under their present status, and shall not be modified in the future without ascertaining the wishes of the people. The present facilities granted to the private charitable institutions shall be maintained.

Article 9

Properties pertaining to worship or in use for cultural purpose shall be in the ownership of the Missions or of the
institutions entrusted by the French regulations at present in force with the management of these properties.

The Government of India agree to recognize as legal corporate bodies, with all due rights attached to such a qualification, the "Conseils de fabrique" and the administration boards of the missions.

Judicial Matters - Article 10

Judicial proceedings instituted prior to the de facto transfer shall be continued, until a final decision has been reached, in conformity with the laws and regulations in force at the time of institution of such proceedings.

To this end and up to the final settlement of such proceedings the existing courts in the Establishments shall continue to function. Officers of the courts shall be law graduates, habitually domiciled in the Establishments, honourably known, and selected after consultation with the Consul General of India before the date of the de facto transfer, in accordance with the French regulations governing the designation of temporary judicial officers.

The interested parties shall be entitled, if so they decide by common agreement, to transfer to the competent Indian courts, the said proceedings as well as proceedings which, though already open, are not yet entered with the Registrars of the French courts, and also proceedings which constitute an ordinary or extraordinary appeal.

Judgements, decrees, and orders, passed by the French
court prior to the de facto transfer, which are final or may become so by expiration of the delays of appeal, shall be executed by the competent Indian authorities. Judgements, decrees, and orders, passed after the date of the de facto transfer in conformity with the first paragraph of the present article shall be executed by the competent Indian authorities irrespective of the court which exercised the jurisdiction.

Acts and deeds constitutive of rights established prior to the date of the de facto transfer in conformity with French law shall retain the value and validity conferred at that time by the same law.

The records of the French courts shall be preserved in their entirety during a period of twenty years and communication of their contents shall be given to the duly accredited representatives of the French Government whenever they apply for such communication.

Article 11

The records of the Registrars' Offices shall be preserved and copies or extracts of the proceeding shall be issued to the parties or the authorities concerned.

The third copies of each of the Registrars' Offices books of every commune shall be handed over to the French representative on the de facto transfer.

As regards, records of the year 1954 copies shall be forwarded at the end of the year to the Ministry of French Overseas Territories (Service de l'Etat Civil et des Archives).

The personal judicial records of the Courts' Registries
shall be preserved and copies or extracts of these records shall be issued to the French authorities upon their application.

Article 12

The provisions of Article 10 of this agreement shall apply to the proceedings which the Conseil du contentieux administratif is competent to deal with.

Temporary magistrates and local civil servants selected in accordance with the principles of the said Article shall compose this body.

Economic and Financial Matters - Article 13

Nationals of France and the French Union belonging by birth to the Establishments or domiciled therein on the date of the de facto transfer, shall, subject to the laws and regulations in force, enjoy in these Establishments the same freedom of Establishment, movement and trade as the other inhabitants of the Establishments.

Article 14

In respect of taxes and duties, other than customs duties and excises, Nationals of France and the French Union belonging by birth to the Establishments or domiciled therein on the date of the de facto transfer, shall, up to the date of the de jure transfer, be subjected in regard to their persons, properties, and enterprises to the same laws and regulations as are at present in force.
Article 15

All persons or corporate bodies who leave or have already left the Establishments permanently shall be permitted freely to repatriate their capital and properties over a period of 10 years from the date of transfer.

Article 16

With effect from the date of the de facto transfer, goods exported from a port of the Establishments to France or the French Union or imported through the same ports from France or the French Union, shall be accorded most favoured nation treatment in respect of customs duties and other formalities.

Article 17

All orders placed outside the Establishments and finalised through the grant of a licence by competent authorities in accordance with the laws and regulations in force prior to the date of the de facto transfer, shall be fulfilled and the necessary foreign currency granted, provided that the goods are imported within the period of validity of the relevant licence. The goods shall, however, be liable to customs duty and other taxes normally leviable at Indian ports. The same rule will apply to goods destined for export for which a licence has been granted, and which will be in stock in the Establishments on the date of de facto transfer. Their exports shall be permitted without restriction; but they shall become subject to the normal excise or export duty.
Article 18

The Government of India with a view to ensure the normal operation of the textile mills of Pondicherry agree to facilitate the allotment of quotas from Indian sources corresponding to the normal supply requirements of the mills. They will also supply the necessary amount of foreign currency required by the mills to carry out orders passed under previous regulations.

The French Government on their part agree to maintain to the benefit of these mills for a period of six months with allocation of foreign currency, and under the same conditions as existed prior to the de facto transfer, entry into the French Union of the goods produced by the said mills.

Article 19

On the date of the de facto transfer local public accounts shall be closed in the Establishments Treasurer and Paymaster’s books.

Article 20

The Government of India shall take the place of the French Government in respect of all credits, debts, and deficits of the various accounts in the care of the local administration. The Government of India shall reimburse to the French Government the amount of treasury loans and various funds placed by the latter at the disposal of the Establishments with the exception of sums remitted as grants.
Article 21

Stocks built by the local authorities and paid for out of the Metropolitan budget or Treasury in order to ensure normal supplies to the population will be re-purchased by the Government of India.

Article 22

The French Government will place a power station at the disposal of the Government of India. The conditions of the purchase shall be examined by the competent authorities.

Article 23

The Government of France shall reimburse the Government of India within a period of one year from the date of the de facto transfer the equivalent value at par in £ sterling or in Indian Rupees of the currency withdrawn from circulation from the Establishments after the de facto transfer.

Cultural Matters - Article 24

The Indian Government agree to the continuation of the existing French institutions of a scientific or cultural character and by agreement between the two Governments to the granting of facilities for the opening of Establishments of the same character.

Article 25

The "College Francais de Pondichéry" shall be maintained in its present premises as a French educational establishment of
the second degree with full rights. The French Government shall assume the charge of its functioning as well in respect of the selection and salaries of the staff necessary for management, teaching, and discipline, as in respect of the organization of studies, syllabi, and examinations, and the charge of its maintenance. The premises shall be the property of the French Government.

Article 26

Private educational institutions at present in existence in the French Establishments shall be allowed to continue and shall preserve the possibility of imparting French education. They shall continue to receive from the local authorities subsidies and other facilities at least equal to those which have been granted up-to-date.

Article 27

French diplomas and degrees awarded to persons belonging to the French Establishments viz., 'baccalaureat', 'brevet elementaire', 'brevet d'études du premier cycle' shall be examined by a joint educational committee set up by the two Governments with a view to establishing their equivalence with diplomas and degrees awarded by Indian Universities. Degrees in Law and Medicine awarded in French Establishments shall be examined similarly.

Article 28

The French Government or French recognized private
organizations shall be allowed to maintain and to create by agreement between the two Governments in the former French Establishments in India Establishments or Institutions devoted either to higher studies leading to diplomas or French language, culture, and civilization, or to scientific research or to the spreading of French culture in the Science, Arts, or Fine Arts. The Indian Government shall grant facilities in accordance with their laws and regulations for entry into and residence in India to French scholars officially sent by the French Government for a period of study in India.

Article 29

Studies leading to the local diploma of "Licence en Droit" shall be continued in Pondicherry until the examinations sessions of 1955. Scholarships for the completion of their studies in France shall be granted on request to the students of the Law College in order to prepare their "Licence en Droit". Law studies shall be directed by men of law residing in Pondicherry and nominated to the post of Dean and to each chair by administrative decision prior to the de facto transfer.

Degrees of a purely local character shall be recognized under usual conditions.

Article 30

Medical students at present engaged in the course of their studies shall have the possibility either of obtaining a scholarship for studies in France for the completion of the
course of studies leading to the French M.D. Degree or to be admitted into Indian Medical College after being given due credits for the previous medical studies. This question shall be considered by the Joint Educational Committee to be set up under Article 27, the students concerned being given in any case a possibility of option for either of the above mentioned solutions.

The possibility of establishing a Medical College in Pondicherry shall also be examined by the Joint Educational Committee.

The Government of India shall maintain the General Hospital, Pondicherry, as well as the Pharmaceutical Department attached to it. The Government of India shall request the French Government to place at their disposal such experts as required for these institutions.

Article 31

A French representative shall be established in Pondicherry. The payment of the pensions which are the responsibility of the metropolitan budget and the financial operation of the Military Bureau in respect of allowance to the families of military personnel shall be dealt with by the representative.

Article 32

The French Government shall transfer to the Indian Government all property owned by the local administration of the Establishments with the exception of such property as, by
agreement between the two Governments is retained by the Government of France for the accommodation of the French Consulate, the CollegeFrancais and the Institute to be set up in the future. Properties which are at present in the possession of the religious authorities shall be retained by them and the Government of India agree, whenever necessary, to convey the titles to them.

Article 33

The French Government shall keep in their custody the records having an historical interest, they shall leave in the hands of the Indian Government the records required for the administration of the territory.

Article 34

The French language shall remain the official language of the Establishments so long as the elected representatives of the people shall not dispose otherwise.

Article 35

The question pending at the time of de facto transfer shall be considered and settled by a French-Indian Commission composed of three representatives of the French Government and three representatives of the Government of India. All difficulties which might arise as regards the rights and obligations to which the Government of India succeed according to Article 3 shall be settled by the said commission.
AGREED PROCESS - VERBAL

A delegation representing the Government of France led by His Excellency Mr Jean Paul Garnier, Ambassador, Extraordinary and Plenipotentiary of the Republic of France in India, discussed in New Delhi from the 13th of November 1962 to the 15th of March 1963 with a delegation representing the Government of India led by Mr Rajeshwar Dayal, Special Secretary, Ministry of External Affairs, various matters concerning certain provisions of the Treaty of Cession of the French Establishments of Pondicherry, Karaikal, Mahe, and Yanam, concluded on the 28th of May 1956 in New Delhi between the French Republic and the Republic of India.

The two delegations reached the following conclusions:

ADMINISTRATIVE AND SOCIAL QUESTIONS

1. Situation of persons domiciled in the former French Establishments in India on the 1st of November 1954

A. Establishment and Exercise of their Activities

The Indian delegation stated that the Government of India had taken steps to ensure that the provisions of Articles 11 and 17 were observed. If new laws or regulations were promulgated, it would be ensured that the provisions of Articles 11 and 17 were not infringed.

In the special case of Article 17, the existing laws and regulations are, according to the Indian delegation, adequate for the purpose, except in the case of certain requirements such as...
as registration and residential permits which apply to all foreign nationals. The Government of India exempt French nationals domiciled in the former French Establishments from these requirements.

In answer to an enquiry made by the French delegation, the Indian delegation stated that the above mentioned persons shall be in a position to undertake the following activities in the same manner as other inhabitants of the former French Establishment:

a) setting up of industrial, commercial, agricultural or handicraft enterprises;

b) setting up of companies according to the laws in force in the Establishments and acquiring interest in companies functioning in other parts of the Indian Union;

c) taking part in activities of bodies representing economic interests;

d) carrying on wage-earning activities.

They shall also enjoy:

a) private rights, particularly the right of purchasing owning, managing or renting movable and immovable assets, rights and interests, using them and disposing of them;

b) judicial protection: free and easy access to courts at every level of jurisdiction, for the purpose of asserting and defending their rights and interests,
benefit of judicial assistance and exemption from the provision of security for costs in accordance with laws and regulations in force;

c) social protection: benefit of the advantages granted by legislation in regard to labour and social security participation in trade union activities.

The vested rights of private persons or corporate bodies will be respected.

The French delegation asked that the benefits of Articles 11 and 17 be extended to French nationals who had elected their domicile in the former French Establishments after the 3rd of November 1954 and up to the 16th of August 1962 and who continued to maintain their domicile there.

The Indian delegation agreed.

B. Right to return to the Establishments

The French delegation requested that the provisions of paragraph 2 of the Article 9 be extended to all French nationals born in the Establishments. The Indian delegation pointed out that Article 9 specified certain categories of persons. If, however, other categories of persons, born in the Establishments or keeping their family links in the Establishments, desired to return to Pondicherry, their applications would be considered sympathetically. As a rule, such persons would be granted the necessary visas except in the case of persons considered "undesirable".
C. Right of property

The Indian delegation confirmed that Indian laws did not prohibit foreigners from owning real estate.

D. Payment of pensions, allowances and grants

The Indian delegation stated that French nationals, including those who would establish their domicile outside India, would be granted by the Government of India their due pensions, allowances and grants which are the responsibility of the territory as contemplated in Article 10 of the Treaty. They further explained that:

a) pensions shall be paid in rupees to persons who had their domicile in Pondicherry, their remittance abroad being subject to the relevant Exchange Control Regulations in force. Pensions of retired persons having their domicile outside India shall be payable through their banks in India, in the money of the country where such persons shall have elected their domicile:

b) The payment of the indemnity of 75% paid to the pensioners of the "Caisse de la France d'Outre-Mer" will be continued but will not be extended to new beneficiaries i.e., to persons having elected their domicile in Pondicherry after the 16th of August 1962. Persons who reside in Pondicherry for less than six months during any financial year will not be entitled to such payment.
2. Situation of the "Renonçants"

It was agreed that the "Renonçants" will continue to be
governed in respect of personal laws like those relating to
marriage, divorce, adoption, succession etc., by the relevant
Articles of the French Civil Code dealing with these matters.

3. Future of the judicial professions and
   maintenance of the acquired rights
   of its members

The Indian delegation stated that the Government of India
did not contemplate any sudden reform of the judicial
organization in Pondicherry. Changes which would be necessary
to bring the system in Pondicherry in harmony with that
prevailing in the rest of India, will be introduced gradually
allowing a reasonable period of transition.

III. Judicial Questions

Proceedings pending on August the 16th, 1962, before local
courts and before the "Conseil du Contintieux Administratif" in
the Establishments will be continued and completed till their
final settlement, in accordance with the substantive laws in
force in the Establishments on the above mentioned date.

Cases in the "Cour de Cassation", the Conseil d'Etat and
the "Cour Superieure d' Arbitrage" pending on August the 16th,
1962, will be transferred to the competent Indian Courts.

The French delegation proposed that judgements, decrees,
and orders, passed by local courts as well as by French Supreme
jurisdiction should be executed by the Indian Authorities.
The Indian delegation agreed to this proposal stating that they had been informed that no execution was necessary on their part in respect of any decision rendered during the last two and a half years or so by any court in France in any case in which respondent had no opportunity to appear.

Acts and deeds constitute of rights established in conformity with French law will accordingly retain the value and validity conferred on them by the same law.

III. Economic and Financial Questions

1. Fiscal Regulations

The conclusion of a convention in order to avoid double taxation is under discussion between the Governments of India and France. The fiscal system applicable to French nationals will be determined by the entry into force of the said convention.

2. Repatriation of Capital and of Properties

The Indian delegation agreed that the provisions of Article 18 of the Treaty will be extended by a further period of three years so as to enable repatriation of capital and of properties upto the 31st of October 1967.

IV Cultural Questions

1. Equivalence of Diplomas

The Indian delegation will recommend to appropriate authorities to recognize the following equivalences:

a) Brevet d'Etudes du Premier Cycle and Brevet Elementaire to be equivalent to Matriculation.
b) first part of Baccalaureat to be equivalent to Pre-University Certificate
c) holders of the second part of Baccalaureat to be eligible for admission to the second year of B.A./B.Sc.
d) in individual cases, holders of French Baccalaureat to be admitted in classes higher than the second year of B.A./B.Sc., after special examination.

2. Medical Diplomas

The Indian delegation explained that the Diploma granted by the Medical School in Pondicherry was already officially recognized.

The holders of this Diploma are eligible for registration as medical practitioners all over India on the same terms as the holders of similar diplomas granted by other Medical Institutes in India.

In regard to higher education, the Diploma of the Medical School in Pondicherry is equated to medical qualifications such as the "Licentiate of the Medical Faculty of West Bengal, the "Licentiate of the Medical Faculty" of Punjab, "Membership of College of Physicians and Surgeons" (M.C.P.S.) of Bombay, "Membership of the State Medical Faculty" (M.M.F.) of West Bengal and similar diplomas. If the holders of the said French Diploma wish to acquire the M.B.B.S. degree, they can do so after taking a condensed two years' course for which facilities are available at five places in India.
3. Teaching of French

The Indian delegation confirmed that teaching of French be maintained and encouraged in the educational institutions of Pondicherry and Chandernagore.

4. Sisters of Saint-Joseph de Cluny

The Indian delegation stated that all possible facilities for grant of visas will be extended to Sisters of Saint-Joseph de Cluny wishing to come to India for teaching at the School of St. Joseph de Cluny in Pondicherry till progressive Indianisation of the religious communities permits the replacement of French by Indian Sisters.

V. Miscellaneous Questions

1. The French delegation pressed forward a request for extension of the powers of the commission provided for in Article 29 of the Treaty in order that it could deal with, effectively and without delay, minor difficulties particularly of a private character, which might arise in the future concerning the implementation of the Treaty.

The Indian delegation pointed out that Article 29 of the Treaty provided for the establishment of the proposed commission to deal only with questions pending at the time of ratification of the Treaty. Other questions were therefore beyond the competence of this commission. The Indian delegation appreciated, however, that it should not be necessary to take up at the diplomatic level all minor difficulties relating to the implementation of the provisions of the Treaty and that a
suitable local machinery might be useful for the purpose.

It was agreed that such a machinery will be provided in Pondicherry by entrusting the Chief Secretary of the Administration on the Indian side and the Consul General on the French side with the task of dealing with complaints and difficulties of a minor nature. This will not preclude recourse to normal diplomatic channels, when necessary, either initially or afterwards. It was hoped that the above machinery in Pondicherry would be able to settle the issues referred to it without recourse to higher authorities.

2. The Indian delegation agreed that the Government of India will continue to lease to the Associations of War Veterans the building located in No.10, rue de Lauriston on payment of a nominal rent as hitherto. They hoped that the building will also be used for other activities of Indo-French cultural co-operation.

3. The French delegation asked that in case the Indian Authorities wished to remove the statue of Deupleix from its present site, the latter should agree to a request of the French Government to have the statue back in France or transferred to one of the premises in Pondicherry belonging to the French Government. The Indian delegation agreed and added that the Indian Authorities had at present no intention of removing the statue from its present site.

4. The Indian delegation agreed that necessary steps will be taken to ensure that French tombs in the former
Establishments are maintained in proper condition.


On behalf of the
Government of India,

(Rajeshwar Dayal)
Special Secretary to the
Government of India,
Ministry of External Affairs.

On behalf of the
Government of the
French Republic,

(Jean-Paul Garnier)
Ambassador Extraordinary
and
Plenipotentiary of France
in India.
DE JURE TREATY

Article 1

France cedes to India in full sovereignty the territory of the Establishments of Pondicherry, Karaikal, Mahe, and Yanam.

Article 2

These Establishments will keep the benefit of the special administrative status which was in force prior to the 1 November 1954. Any constitutional changes in this status which may be made subsequently shall be made after ascertaining the wishes of the people.

Article 3

The Government of India shall succeed to the rights and obligations resulting from such acts of the French administration as are binding on these Establishments.

Article 4

French Nationals born in the territory of the Establishments and domiciled therein at the date of the entry into force of the Treaty of Cession shall become nationals and citizens of the Indian Union, with the exceptions enumerated under Article 5 hereafter.
Article 5

The persons referred to in the previous Article may, by means of a written declaration drawn up within six months of the entry into force of the Treaty of Cession, choose to retain their nationality. Persons availing themselves of this right shall be deemed never to have acquired Indian Nationality.

The declaration of the father or if the latter be deceased, of the mother and in the event of the decease of both parents, of the legal guardian shall determine the nationality of unmarried children of under 18 years of age. Such children shall be mentioned in the aforesaid declaration. But married male children of over 16 years of age shall be entitled to make this choice themselves.

Persons having retained French nationality by reason of a decision of their parents, as indicated in the previous paragraph, may make a personal choice with the object of acquiring Indian nationality by means of a declaration signed in the presence of the competent Indian authorities, within six months of attaining their 18th birthday. The said choice shall come into force as from the date of signature of the declaration.

The choice of a husband shall not affect the nationality of the spouse.

The declarations referred to in the first and second paragraphs of this Article shall be drawn up in two copies, one in French, the other in English, which shall be transmitted to the competent French authorities. The latter shall
immediately transmit to the competent Indian authorities the English copy of the aforesaid declaration.

Article 6

French nationals born in the territory of the Establishments and domiciled in the territory of the Indian Union on the date of the entry into force of the Treaty of Cession shall become nationals and citizens of the Indian Union. Notwithstanding, they had their children shall be entitled to choose as indicated in Article 5 above. They shall make this choice under the consideration and in the manner prescribed in the aforesaid Article.

Article 7

French nationals born in the territory of the Establishment and domiciled in a country other than the territory of the Indian Union or the territory of the said Establishments on the date of entry into force of the Treaty of Cession shall retain their French nationality with the exceptions enumerated in Article 8 hereafter.

Article 8

The persons referred to in the previous Article may, by means of a written declaration signed in the presence of competent Indian authorities within six months of the entry into force of the Treaty of Cession, choose to acquire Indian nationality. Persons availing themselves of this right shall be deemed to have lost French nationality as from the date of the
entry into force of the Treaty of Cession.

The declaration of the father, or if the latter be deceased, of the mother and in the event of the decease of both parents, of the legal guardian shall determine the nationality of unmarried children of under 18 years of age. Such children shall be mentioned in the aforesaid declaration. But, married male children of over 16 years of age shall be entitled to make this choice themselves.

Persons having acquired Indian nationality by reason of a decision of their parents, as indicated in the previous paragraph, make a personal choice with the object of recovering French nationality by means of a declaration signed in the presence of the competent French authorities within six months of attaining their 18th birthday. The said choice shall come into force as from the date of signature of the declaration.

The choice of a husband shall not affect the nationality of the spouse.

The declarations referred to in the first and second paragraph of this Article shall be drawn up in two copies, the one in French, the other in English and shall be signed in the presence of the competent Indian authorities who shall immediately transmit to the competent French authorities the French copy of the aforesaid declaration.

Article 9

With effect from 1 November 1954 the Government of India shall take in their service all the civil servants and employees
of the Establishments, other than those belonging to the metropolitan cadre or to the general cadre of the France d'Outre-Mer Ministry. These servants and employees including the members of the public forces shall be entitled to receive from the Government of India the same conditions of services, as respects remuneration, leave and pension, and the same rights as respect disciplinary matter or the tenure of their posts or similar rights as changed circumstances may permit, as they were entitled to immediately before 1 November 1954. They shall not be dismissed or their prospects shall not be damaged on account of any action done in the course of duty prior to 1 November 1954.

French civil servants, magistrates, and military personnel, born in the Establishments or keeping their family links shall be permitted to return freely to the Establishments on leave or on retirement.

Article 10

The Government of France shall assume responsibility for payment of such pensions as are supported by the metropolitan budget, even if the beneficiaries have acquired Indian nationality under Article 4 to 8 above. The Government of India shall assume responsibility for the payment of pensions, allowances, and grants, supported by the local budget. The system of pensions of the various local Retirement Funds shall continue to be in force.

Article 11

The Government of India shall take the necessary steps to
ensure that person domiciled in the Establishments on the 1 November 1954 and at present practising a learned profession therein shall be permitted to carry on their profession in these Establishments without being required to secure additional qualification, diplomas or permits or to comply with any new formalities.

Article 12

The administration's charitable institutions and loans offices shall continue to operate under their present status and shall not be modified in the future without ascertaining the wishes of the people.

The present facilities granted to the private charitable institutions shall be maintained and shall be modified only after ascertaining the wishes of the people.

Article 13

Properties pertaining to worship or in use for cultural purposes shall be in the ownership of the missions or of the institutions entrusted by the French regulations at present in force with the management of those properties.

The Government of India agree to recognize as legal corporate bodies, with all due rights attached to such a qualification, the "Conseils de fabrique" and the administration boards of the missions.

Article 14

Legal proceedings instituted prior to the 1 November 1954
shall be judged in conformity with the basic legislation and procedure in force at that time in the Establishment.

To this end, and up to final settlement of such proceedings, the existing courts in the Establishments shall continue to function. Officers of the court shall be law graduates, habitually domiciled in the Establishments honourably known and selected in accordance with the French regulations governing the designation of temporary judicial officers.

The interest parties shall be entitled, if they so decide by common agreement, to transfer to the competent Indian courts, the said proceedings as well as proceedings which, though already open, are not yet entered with the Registrars of the French Courts, and also proceedings which constitute an ordinary or extraordinary appeal.

Judgements, decrees, and orders, passed by the French courts prior to the 1 November 1954 which are final or may become so by expiration of the delay of appeal, shall be executed by the competent Indian authorities. Judgements, decrees, and orders, passed after the 1 November 1954 in conformity with the first paragraph of the present Article shall be executed by the competent Indian authorities, irrespective of the court which exercise the jurisdiction.

Acts or deeds constitutive of rights established prior to the 1 November 1954 in conformity with French law, shall retain the value and validity conferred at that time by the same law.

The records of the French courts shall be preserved in accordance with the rules applicable to them on the date of
cession and communication of their contents shall be given to the duly accredited representatives of the French Government whenever they apply for such communication.

Article 15

The records of the Registrars Offices up to the date of cession, shall be preserved in accordance with the rules applicable to them on that date and copies of extracts of the proceedings shall be issued to the parties or the authorities concerned.

The personal judicial records of the Courts Registries up to the date of cession, shall be preserved in accordance with the rules applicable to them on that date and copies or extracts of these records shall be issued on request to the French authorities and likewise to the persons concerned in accordance with that legislation in force prior to the 1 November 1954.

The said request on the part of the French authorities and likewise the copies addressed to them shall be drawn up in the French language shall entail no reimbursement of cost.

The French and Indian authorities shall mutually inform each other of penal sentences involving registration in the record of convictions of their own territory and pronounced either by French judicatures or by judicatures sitting in territories ceded to India concerning nationals of the other country born in the aforesaid territories. Such information shall be sent free of charge through diplomatic channels either in French or together with a translation into French.
Article 16

The provisions of Article 14 of this Treaty shall apply to proceeding which the "Conseil due Contentieux Administratif" is competent to deal with.

Temporary magistrates and local civil servants selected in accordance with the principles of the second paragraph of the said Article 14 shall compose this body.

Article 17

Nationals of France and of the French Union, domiciled in the Establishments on the 1 November 1954 shall subject to the laws and regulations in force for the time being in the Establishments enjoy in these Establishments the same freedom of residence, movement, and trade, as the other inhabitants of the Establishments.

Article 18

All persons of French nationality acquired under Article 4 to 8 or in any other manner and all French corporate bodies shall be permitted to repatriate freely their capital and properties over a period of 10 years from the 1 November 1954.

Article 19

The Government of India takes the place of the territory, with effect from the 1 November 1954 in respect of all credits, debts, and deficits, in the care of the local administration. Therefore, the Government of India shall immediately reimburse to the French Government the amount of Treasury loans and...
various funds placed by the latter at the disposal of the territory, as well as advances made by the "Caisse Centrale de la France d'Outre Mer", with the exception of sums remitted as grants. In addition to, Government of India shall pay the indemnity agreed upon by the two Governments for the purpose of the Pondicherry power station.

Simultaneously, the French Government shall reimburse to the Indian government the equivalent value at par in sterling or in Indian rupee of the currency withdrawn from circulation from the Establishments before the 1st November 1954.

Article 20

The Indian Government agree to the continuation of the French institutions of a scientific or cultural character in existence on 1 November 1954 and by agreement between the two Governments to the granting of facilities for the opening of Establishments of the same character.

Article 21

"The College Francais de Pondichéry" shall be maintained in its present premises as a French education establishment of the second degree with full rights.

The French Government shall assume the charge of its functionment as well in respect of the selection and salaries of the staff necessary for management, teaching, and discipline, as in respect of the organization of studies, syllabi, and examinations, and the charge of its maintenance. The premises shall be the property of the French Government.
Article 22

Private educational institutions in existence on the 1st of November 1954 in the French Establishments shall be allowed to continue and shall be permitted to preserve the possibility of imparting French education.

They shall continue to receive from the local authorities subsidies and other facilities at least equal to those which were being granted on the 1st November 1954.

They will be permitted to receive without obstruction the aid which the French Government in agreement with the Government of India may desire to give them.

Article 23

The French Government or French recognized private organizations shall be allowed to maintain and they create by agreement between the two Government in the former French Establishments in India, establishments or institutions devoted either to higher studies leading to diplomas of French language, culture and civilization or to scientific research or to the spreading of French culture in the Sciences, Arts or Fine Arts. The Indian Government shall grant every possible facility, subject to their law and regulations in force for entry into and residence in India to members of French Universities sent by the French Government for a study visit or a teaching mission to India.

Article 24

The French Institute of Pondicherry get up by an
understanding reached between the two Governments since the 21 October 1954 agreement and inaugurated on the 21 March 1955 shall be maintained as a research and advanced educational establishment. The Indian Government shall provide such suitable facilities to further the development of the activities of the said institute, as agreed upon between the two Government from time to time.

**Article 25**

Equivalence of French diplomas and degrees awarded to persons belonging to the French Establishments viz., Baccalureat, brevet elementaire, brevet d'études du premier cycle with diplomas and degrees awarded by Indian Universities will be accepted by the Indian Government for admission to higher studies and administrative careers. These equivalences will be fixed according to the recommendations of the Joint Educational Committee nominated by the two Governments in accordance with the agreement of the 21 October 1954. This shall apply equally to degrees in law and medicine awarded in the Establishment.

Degrees of a purely local character shall be recognized under usual conditions.

**Article 26**

The French Government cedes to the Government of India all properties owned by the local administration of the establishment with the exception of such property as enumerated in Article 8 of the annexed protocol.
Properties which are at present in possession of the religious authorities shall be retained by them and the Government of India agree whenever necessary to convey the titles to them.

Article 27

The French Government shall keep in their custody the records having an historical interest; the Government of India shall keep in their custody the records required for the administration of the territory. Each Government shall place at the disposal of the other lists of records in its possession and copies of such records as are of interest to the other.

Article 28

The French language shall remain the official language of the establishment so long as the elected representatives of the people shall not decide otherwise.

Article 29

All questions pending at the time of the ratification of the Treaty of Cession shall be examined and settled by a French Indian Commission composed of three representatives of the French Government and three representatives of the Indian Government.

Article 30

Any disagreement in respect of the application or interpretation of the present Treaty which cannot be resolved through diplomatic negotiation or arbitration shall be placed...
before the International Court of Justice at the request of one or other of the High Contracting Parties.

Article 31

The French and English texts of the presented Treaty shall be equally authentic. The present Treaty shall enter into force on the day of its ratification by the Governments concerned. The exchange of instruments of ratification shall take place at New Delhi.

The present Treaty shall be deposited in the archives of the Government of India which shall transmit an attested copy to the Government of the French Republic.

Done in duplicate at New Delhi this twenty-eighth day of May 1956 A.D.

Sd. Jawaharlal Nehru,  
Prime Minister and Minister for External Affairs.  

Sd. S. Ostrorog,  
Ambassador Extraordinary and Plenipotentiary of France in India.