

and was also a Member of the Constituent Assembly.

In Captain Awadhesh Pratap Singh's passing away, the country has lost one of the devoted workers in the cause of our political emancipation.

I would request the Members to rise in their seats and observe one minute's silence as a mark of respect

(b) if so, whether the employers have asked for any time limit to implement the said recommendations; and

(Hon. Members then stood in silence for one minute.)

I shall ask the Secretary to convey to the members of the bereaved family the sense of grief and profound sympathy of this House.

CALLING ATTENTION TO A MATTER OF URGENT PUBLIC IMPORTANCE

DEMANDS OF CIVIL SERVANTS AND EMPLOYEES OF ERSTWHILE FRENCH ESTABLISHMENTS IN INDIA FOR REVISION OF PAY, DEARNESS ALLOWANCE, ETC.

SHRI BHUPESH GUPTA (West Bengal): Sir, I beg to call the attention of the Minister of Home Affairs to the demands of the civil servants and employees of the erstwhile French establishments in India for revision of their scales of pay and dearness allowance, and in respect of certain matters relating to their service conditions, etc.

One thing I want to say here. I gave this notice specifically for Pondicherry. Anyway, it refers to Pondicherry.

THE DEPUTY MINISTER IN THE MINISTRY OF HOME AFFAIRS (SHRI K. S. RAMASWAMY): According to Article 9 of the Treaty of Cession with France, a permanent ex-French employee of Pondicherry is entitled to retain the conditions of service which he enjoyed before November, 1954. The scales of pay of the ex-French employees were generally higher than those applicable to the post-merger employees who are on the Madras Government scales of

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tTransferred from the 12th June, 1967.

pay. The ex-French employees are not entitled to Dearness Allowance although they were entitled to children's allowance under the ex-French conditions of service. However, Government sanctioned *ad-hoc* grants of compensatory allowance on three occasions, once in 1961 and subsequently twice in 1965. These rates of compensatory allowance are not equal to those in Madras, mainly because the basic scales of the ex-French employees are generally higher and the intention was that there should not be a large disparity between the emoluments of persons doing the same type of work as that will create heart-burning amongst employees on post-merger scales.

The ex-French employees were given the option to come over to the Madras scales of pay. They were at the same time assured that in the event of their exercising their option their present emoluments would be protected. A number of employees did not exercise this option. The Government have offered another concession to the ex-French employees, *viz* that they could have the option to retain the ex-French pension rules even if they opt to come over to post-merger scales of pay. The ex-French employees are, however, demanding the best of both the worlds *i.e.*, upward revision of their existing ex-French scales of pay and also allowances given from time to time to post-merger employees. This is an unjustifiable position and cannot be acceded to.

SHRI BHUPESH GUPTA: Sir, first of all I should like to know from the Government—and the Government will have to explain here—whether they received any memorandum from those employees or on behalf of those employees. Sir, the position has to be explained by the Government. Before the merger when these people were under the French authorities there used to be periodic

revisions of their pay scales. Actually three revisions took place before merger and after the War, in 1946 1949 and then again in 1951. And then, Sir, there was an agreement. These periodic revisions are not taking place with regard to these ex-French Government employees, as they are called. I should like to know the reason why there is no such revision. Yet in Madras State, for example, since 1954 as many as eight revisions have taken place whereas in this neighbouring place with regard to these employees no revision has taken place although a certain small compensation has been given. Now, Sir, it appears—and we all know it—between 1951 and now prices have risen at least by six times, that is to say there is a rise of 600 per cent, and this compensation which is given is extremely meagre. It is not a question of their having the best of both the worlds. I would like to know whether it is not a fact that these Government employees demanded that the procedure adopted by the French Government of revising the scales of pay of the Government employees to meet the rise in the cost of living and to uphold their standard of life should be followed. May I know why this is considered to be an unjust demand? Also, they demanded dearness allowances.

They demanded that in the absence of these revisions at least the dearness allowance should be linked with the Madras scale, that the pre-merger employees shall also be paid what the post-merger employees are being paid in Madras State. That also has not been sanctioned. Now I should like to know whether it has not been pointed out in their memorandum that it is a tragedy that notwithstanding the revision of the scales of pay and dearness allowance of the employees of the Government of Madras, the salaries of the ex-French Government employees were frozen at the 1951 level? That is the crux of the problem and they want a remedy of the situation.

[Shri Bhupesh Gupta] tion there.
Therefore, in their memorandum they have pointed out:

"It may be stated that the scales of pay of the pre-merger employees were fixed in 1951. In these last 15 years the cost of living has enormously increased and it is six times what it was in 1951. But no revision of pay has been given and proper dearness allowance has been granted. Only a meagre sum ranging from Rs. 25 to Rs. 55/- was given as compensatory allowance. This allowance is neither corresponding to the cost of living nor to the rate of dearness allowance applicable to the post-merger staff."

I should like to know also from the Government whether it is not a fact that several resolutions had been passed in support of the case of the ex-French employees or these pre-merger staff, as they are called, in the Pondicherry Legislative Assembly. These resolutions were passed in 1963, so early as 1963. Resolutions with regard to their D.A. and pay-scales were passed. That is to say the authorities there want the Central Government to consider this matter sympathetically¹ with a view to removing and redressing their legitimate grievances.

Sir, 1,500 ex-French Government employees, or you may call them premerger employees, are involved in this matter.

And then, Sir, there is an agreement, the Merger Agreement. Mr. Chavan must be knowing about it. In that - agreement, particularly under article 9 of that agreement, they are under an obligation to meet the requirement and the demands of the employees. Even that Agreement which was signed, I think, in 1954, particularly article 9 of that Agreement, is not *being properly* implemented. As a result of this a lot of discontent is there and the issue has been hanging for so many years. All sections of public opinion in Pondicherry have

taken it up. I met the local MLA's there and they have told me that the situation is like that. In these circumstances I would like to ask the Government of India, particularly the hon. the Home Minister, why attention has not been paid to this matter with a view to removing all these grievances. He will kindly explain here. After hearing him I may ask something again but before I sit down I want to say this. It is stated in the Memorandum: "In this connection it will be relevant to quote here the solemn assurances given by the Government of India under Article 9 of the Treaty of Cession made between the Government of India and the Government of France in 1954." Then they give this thing. There is another paragraph but I do not wish to read it. If you read this particular Article in the Treaty you will find that the Government is under a solemn obligation to meet the demand which has come from these ex-French employees or pre-merger employees. I should like to know why this matter is being ignored in this manner when so many people are involved and many of them are really suffering very much on account of the very inadequate emoluments which they are receiving and owing to the fact that there has been neither adequate grant of dearness allowance nor revision of the scale of pay which they were getting periodically from time to time under the French authorities,

MR. CHAIRMAN: Would you like to answer now or would you like to hear others too and then answer?

THE MINISTER OF HOME AFFAIRS (SHRI Y. B. CHAVAN): I would like to hear them first.

SHRI A. P. CHATTERJEE (West Bengal): Sir, assuming that the premerger employees were getting some greater or better privilege than the post-merger employees, may I know what stands in the way of the Government giving them these privileges

like house rent, allowance, provident fund, gratuity, earned leave? Why should these pre-merger employees be denied these things? Secondly, will the Minister kindly say why in the matter of promotions also these persons are being discriminated against when these people are in service longer than the post-merger employees? It is quite obvious that they are in service longer than the post-merger employees and may I know why they should be discriminated in the matter of promotion? And the third thing which the hon. Minister will kindly answer is this. Some fifty employees were recruited on a temporary basis by the French Government before the merger. Why are these fifty employees, even after several years have passed, still being compelled to continue on a temporary basis on the same salary without being offered any permanent prospects or without being brought on to a regular scale of salary? These are the three questions which I want the hon. Minister to kindly answer.

SHRI MULKA GOVINDA REDDY (Mysore): I would like to know from the hon. Minister whether it is a fact that the pre-merger employees got compensatory allowance ranging from Rs. 35 to Rs. 55 only whereas the post-merger employees have got dearness allowance ranging from Rs. 70 to Rs. 120 and why is there this discrepancy? Secondly, I would like to know whether the post-merger employees are getting house rent allowance, reimbursement of medical expenses, free treatment in Government hospitals, reimbursement of children's school fees, earned leave, gratuity on the eve of retirement and provident fund. And when the post-merger employees are getting all these benefits, why should not the pre-merger employees also get them? I should also like to ask the Home Minister whether it is not desirable to appoint a pay Commission to rationalise the pay-scales without prejudice to the benefits that the pre-merger employees are entitled to under the Merger Agreement.

SHRI CHITTA BASU (West Bengal): Sir, there are other problems also. These ex-French employees, whose number is about 1500, are facing certain difficulties in the matter of regular promotion. It has been noted that these persons who have got longer periods of service are being promoted to better places whereas new recruits who have been taken into jobs in the post-merger period are being given due consideration for promotion. Will the hon. Home Minister kindly say what is the reason for not giving equal opportunity to those pre-merger employees in regard to promotional facilities? There has been a certain amount of money given to them by way of compensatory allowance but there has never been an occasion when that compensatory allowance exceeded from Rs. 35 to Rs. 55 and this compensatory allowance is never linked up with the cost of living index. As such this compensatory allowance has got no relation with the increase in the cost of living index and therefore it cannot replace the principle under which D.A. is granted to other categories of Government employees. Why should there be this disparity? If they are not given D.A., why should not the compensatory allowance, which ranges only from Rs. 25 to Rs. 55, be linked up with the increase in the cost of living?

Then there is another question. Some of the ex-French employees who opted to accept the French citizenship are having some extra benefits while those who did not opt for French citizenship are being put to hardship. Why should those who did not opt for the French citizenship be put to such hardship?

These three questions I want to be clarified.

SHRI Y. B. CHAVAN: Sir, I would try to explain some of the basic facts. This whole problem of the integration of the Services is a very tricky problem as such. The agreement between the Government of India and the French Administration was to protect the pay-scales of

MR. CHAIRMAN: Since you have raised this matter, I would give you an opportunity.

SHRI BHUPESH GUPTA: Mr. Chavan has said they cannot claim, on the one hand, the pre-merger French pay-scales and, on the other hand, the post-merger Madras dearness allowance. Ostensibly he seems to be very logical, but that is not so. Now, Sir, as I pointed out, the pre-merger French pay-scales were fixed in 1951. Due to certain developments they could not have usual periodic revision. Between 1946 and 1951 there were three periodic revisions. It stands to reason that if conditions remained what they were from their point of view there would have been several periodic revisions. No revision has taken place since 1951. I am not talking about their DA. Their pay remains the same as it was in 1951. Then, Mr. Chavan should also take note of what they are getting after twenty or thirty years of service. These are earned. Therefore, you cannot just dispose of it in this manner. Then, Sir, with regard to dearness allowance in Madras, again between 1954 and now there had been seven or eight revisions, but that kind of thing has not taken place here. He himself has said, only three times compensatory allowance has been given. Once in 1961 compensatory allowance was granted and twice later. Now, all these things do not bring up their emoluments to the level to which they should brought. As far as the-is concerned, officials of the Finance Ministry and the Home Ministry, it seems from my report which has come from the Legislators there, right from the beginning when they went there, they took an unsympathetic view of the matter. This is the impression they gave to the employees and the Opposition MLAs there, that they did not go there with an open mind to reconsider their case. They came there somehow or other to foist upon them what had already been de-

cided more or less by the Central Government. Now, Mr. Chavan is talking to Mr. Morarji Desai. I am sure his advice would be very valuable. When you two talk, between Finance and Home, I know what would happen.

SHRI Y. B. CHAVAN: I can listen and talk at the same time. If I can do that, what is wrong with it?

SHRI BHUPESH GUPTA: Nothing, but I am a little apprehensive because when two great minds meet, poor fellows like us will feel frightened. One is good enough for us. Now, even after that you have got a memorandum. Have you not received the memorandum sent by the employees to the President of India, dated 9th May? Later on also you have got it or you are getting it. Nobody is satisfied. In view of these things, may I suggest to the Home Minister, before I sit down, that he should call a meeting of the representatives of these employees and also Members from both sides of the Pondicherry Assembly? Sit with them here or if he goes anywhere there either in Madras or Pondicherry and settle, this issue once and for all. The problem has not been settled. You are under an obligation. Article 9, he says. I never took Mr. Chavan to be a lawyer. He said under that article he was not obliged to increase their wages, but under that article you are obliged to give them a proper living wage and all that. If prices go up, natural justice and equity demands that this particular article should be so interpreted as to give them a corresponding rise in their wages or salary. That was what the French Government was doing. Therefore, it is no use saying that you are under no obligation to meet it. You are under an obligation, under an open commitment to improve their wages in view of the rise in prices. Not only that you are not debarred, but you have an added obligation to see that it is done. Therefore, it is a gross case of injustice done to 1,500 ex-French employees now with us as a part of the Indian Union. I think

this matter should be gone into thoroughly by the Home Minister and I am sure our friend, Mr. Morarji Desai—he is here—will not grudge some little money for this kind of thing. I hope you will not mind.

THE DEPUTY PRIME MINISTER AND MINISTER OF FINANCE (SHRI MORARJI R. DESAI): You minded my taking to him and so I have to mind what you have said.

SHRI BHUPESH GUPTA: I am glad that Mr. Morarji Desai is here, because the Home Minister is the "Danda" Minister and the Finance Minister is the cash Minister. Therefore I say that he should find the necessary fund. It is a very small amount which is involved. Why cannot you pay the very small amount involved? It is a solemn obligation of the Government of India. For goodness sake implement it faithfully, honestly, generously. Equitable justice should be meted out to them.

MR. CHAIRMAN: A very rare sweet speech.

SHRI Y. B. CHAVAN: Sir, I do not think I need add very much to what I have said, because he has repeated the same point. It is not a question of any lack of sympathy on our part. I have myself discussed this with the Chief Minister of Pondicherry when he came to Delhi and when he met me at Ootacamund also. I have discussed this matter with him.

SHRI BHUPESH GUPTA: What did he say?

SHRI Y. B. CHAVAN: I explained to him that it is normal that they get pressurised when there is an agitation from the employees-----

SHRI BHUPESH GUPTA: The Chief Minister is pressurising you?

SHRI Y. B. CHAVAN: Now, he did not pressurise me. They get pressurised themselves by the employees.

SHRI BHUPESH GUPTA: What did you tell the Chief Minister?

SHRI Y. B. CHAVAN: The Chief Minister wanted to understand the policy of the Government of India about it.

SHRI BHUPESH GUPTA: It is not fair. I want to know what the Chief Minister told you. Surely the Chief Minister did not talk to you only to understand the policy of the Centre. He is not such a fool. He must have told you something.

SHRI Y. B. CHAVAN: He said that the employees were rather agitated and that they should be given a fair deal.

SHRI BHUPESH GUPTA: Very good. Then, come out.

SHRI Y. B. CHAVAN: Quite right. I told him that we are already giving a fair deal and he was satisfied.

SHRI BHUPESH GUPTA: No. Did he say after that that he was satisfied? No, he did not say that. How did you infer that he was satisfied?

SHRI Y. B. CHAVAN: Normally, when I am talking to you, you may not feel satisfied but I get that impression.

SHRI BHUPESH GUPTA: Do I take it that you got the impression that the Chief Minister was satisfied? No, no. I put it to you, Mr. Chavan, that the Chief Minister was not satisfied.

SHRI AWADHESHWAR PRASAD SINHA (Bihar): Why is this dialogue going on?

SHRI Y. B. CHAVAN: Even if he is not satisfied, the point is that our reasonableness must be satisfied. I am personally convinced that in a small district like Pbindicherry, you cannot have two or three pay-scales running. If they have any feeling that the post-merger pay-scales are better, we have given them the option to come on to it, retaining their pre-merger

pension rules. What is wrong about it? I would request the hon. Member, Mr. Bhupesh Gupta, to take this reasonableness to those persons and convince them.

PAPERS LAID ON THE TABLE

ANNUAL REPORT (1965-66) OF THE INDIAN INSTITUTE OF TECHNOLOGY, BOMBAY

THE MINISTER OF EDUCATION (DR. TRIGUNA SEN): Sir, I beg to lay on the Table a copy of the Annual Report of the Indian Institute of Technology, Bombay, for the year 1965-66. [Placed in Library. See No. LT-611/67].

ANNUAL REPORT (1965-66) OF THE EMPLOYEES' STATE INSURANCE CORPORATION.

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR, EMPLOYMENT AND REHABILITATION (SHRI L. N. MISHRA): Sir, I beg to lay on the Table, under section 36 of the Employees' State Insurance Act, 1948, a copy of the Annual Report of the Employees' State Insurance Corporation for the year 1965-66. [Placed in Library. See No. LT-610/67].

THE ALL INDIA SERVICES (MEDICAL ATTENDANCE) AMENDMENT RULES, 1967.

THE DEPUTY MINISTER IN THE MINISTRY OF HOME AFFAIRS (SHRI K. S. RAMASWAMY): Sir I beg to lay on the Table, under subsection (2) of section 3 of the All India Services Act, 1951, a copy of the Ministry of Home Affairs Notification G.S.R. No. 824, dated the 24th May, 1967, publishing the All India Services (Medical Attendance) Amendment Rules, 1967. [Placed in Library. See No. LT-618/67].

ENQUIRY RE. CALLING ATTENTION NOTICES

SHRI A. M. TARIQ (Jammu and Kashmir): Sir, I have given a Calling Attention Notice about the C.I.A.