परिश्रम
TEXT OF FIRST INDIA–CEYLON AGREEMENT ON IMMIGRATION

( Issued in New Delhi on February 13, 1954 )

whereas certain proposals relating to illicit immigration of Indians into and citizenship rights for persons of Indian origin in Ceylon were made in an instrument signed at New Delhi on the eighteenth day of January in the year one thousand nine hundred and fifty-four by the respective Plenipotentiaries and Representatives of the Government of Ceylon duly authorised for that purpose, which instrument is, word for word, as follows:

"The Prime Minister of Ceylon and India, accompanied by some of their colleagues, met in conference in New Delhi on January 16, 17 and 18, 1954 and considered fully the problems of Indian origin in Ceylon. As a result of these discussions certain proposals were framed by them, which will now be placed before their respective Governments.

These proposals are:

Illicit Immigration

1. Both Governments are determined to suppress illicit immigration traffic between the two countries and will take all possible steps, in close co-operation with each other, towards that end. Periodical meetings between high Police authorities on either side of the Palk Strait
may be held and information relating to illicit movements exchanged.

2. The Government of Ceylon propose to undertake the preparation of register of all adult residents who are not already on the electoral register and will maintain such register upto date. When this registration is completed, any person not so registered will, if his mother-tongue is an Indian language, be presumed to be an illicit immigrant from India and liable to deportation and the Indian High Commissioner will extend all facilities for implementation of such deportation.

3. The Government of Ceylon may proceed with the immigrants and Emigrants Amendment Bill which throws on the accused the onus of proof that he is not an illicit immigrant; but before that the Government of Ceylon will give an opportunity to the Indian High Commissioner to satisfy himself that a prima facie case exists for such prosecution, the final decision being that of the Government of Ceylon.

Citizenship

4. The registration of citizens under the Indian and Pakistani (Citizenship) Act will be expedited and every endeavour will be made to complete the disposal of pending applications within two years.
5. All persons registered under this Act may be placed by the Government of Ceylon on a separate electoral register, particularly in view of the fact that the bulk of the citizens do not speak the language of the area in which they reside. This arrangement will last for a period of only 10 years. The Government of Ceylon agree that in certain constituencies where the number of registered citizen voters is not likely to exceed 230, they shall be put on the national register.

6. Citizens whose names are placed in the separate electoral register will be entitled to elect a certain number of members to the House of Representatives, the number being determined after consultation with the Prime Minister of India. The Government of Ceylon except to complete their action in this respect before the present Parliament is dissolved in 1957.

7. In regard to those persons who are not so registered, it would be open to them to register themselves as Indian citizens, if they so choose, at the office of the Indian High Commissioner in accordance with the provisions of Article 8 of the Constitution of India. It is noted that Ceylon proposes to offer special inducements to encourage such registration and that these inducements will be announced from time to time. The Government of India will
offer administrative and similar facilities to all persons of Indian origin to register themselves as Indian citizens under the Constitution of India, if they so choose, and will also give publicity to the availability of such facilities.

8. Both Prime Ministers are desirous of continuing the present practice of close consultation between the two Governments in matters effecting their mutual interests.

Jawaharlal Nehru
Prime Minister of India

John Kotelawala
Prime Minister of Ceylon

New Delhi
18th January, 1954.
TEXT OF THIRD INDIA-CEYLON AGREEMENT ON STATUS AND FUTURE OF PERSONS OF INDIAN ORIGIN IN CEYLON

( Issued in New Delhi on October 30, 1964 )

The Main heads of agreement are as follows:

1) The declared objective of this agreement is that all persons of Indian origin in Ceylon who have not been recognised either as citizens of Ceylon or as Citizens of India should become citizens either of Ceylon or of India.

2) The number of such persons is approximate 975,000 as of date. This figure does not include illicit immigrants and Indian passport holders.

3) 300,000 of these persons together with the natural increase in that number will be granted Ceylon citizenship by the Government of Ceylon; the Government of India will accept repatriation to India of 525,000 of these persons together with the natural increase in that number. The Government of India will confer citizenship on these persons.

4) The status and future of the remaining 150,000 of these persons will be the subject-matter of a separate agreement between the two governments.

5) The Government of India will accept repatriation of the persons to be repatriated within a period of 15 years.
from the date of this agreement according to a programme as evenly phased as possible.

6) The grant of Ceylon citizenship under paragraph 3 and the process of repatriation under paragraph 3 shall both be passed over the period of 15 years and shall, as far as possible keep pace with each other in proportion to the relative numbers to be granted citizenship and to be repatriated respectively.

7) The Government of Ceylon will grant to the persons to be repatriated to India during the period of their residence in Ceylon the same facilities as are enjoyed by citizens of other states (except facilities for remittances) and normal facilities for their continued residence, including free visas. The Government of Ceylon agrees that such of these persons as are gainfully employed on the date of this agreement shall continue in their employment until the date of their repatriation in accordance with the requirements of the phased programme or until they attain the age of 55 years, whichever is earlier.

8) Subject to the Exchange Control Regulations for the time being in force which will not be discriminatory against the persons to be repatriated to India, the Government of Ceylon agrees to permit these persons to repatriate, at the time of their final departure for India, all their
assets including their Provident Fund and gratuity amounts. The Government of Ceylon agrees that the maximum amount for assets which any family shall be permitted to repatriate shall not be reduced to less than Rs. 4,000.

9) Two registers will be prepared as early as possible, one containing the names of persons who will be granted Ceylon citizenship, the other containing the names of persons to be repatriated to India. The completion of these registers, however, is not a condition precedent to the commencement of the grant of Ceylon citizenship and the process of repatriation.

10) This Agreement shall come into force with effect from the date hereof and the two Governments shall proceed with all despatch to implement this Agreement and, to that end, the officials of the two Governments shall meet as soon as possible to establish joint machinery and to formulate the appropriate procedures for the implementation of this agreement.
TEXT OF INDO-SRILANKA BOUNDARY AGREEMENT SIGNED ON JUNE 28, 1974

"The Government of the Republic of India and the Government of the Republic of Sri Lanka desiring to determine the boundary line in the historic waters between India and Sri Lanka and to settle the related matter in manner which is fair and equitable to both sides."

"Having examined the entire question from all angles and taken into account the historical and other evidence and legal aspects here O.P. "Have agreed as follows:

Article I

The boundary between India and Sri Lanka in the water's from Adam's bridge to Palk Straits shall be adjacent of Great Circles between the following position in the sequence given below, defined by latitude and longitude:

Position 1 : 10.05 North 80.03 East
Position 2 : 09.57' North 79.35 East
Position 3 : 09.40.15'North 79.22.69'East
Position 4 : 09.21.80'North 79.30.70'East
Position 5 : 09.13' North 79.32' East
Position 6 : 09.06' North 79.32 East
Article 2

"The co-ordinates of the position specified in Art. I are geographical co-ordinates and the straight lines connecting them are indicated in the chart annexed hereto, which has been signed and authorised by the two Government respectively."
INDO-SRI LANKA AGREEMENT TO ESTABLISH PEACE AND NORMALCY IN SRI LANKA, 1987

The Prime Minister of the Republic of India, His Excellency Mr. Rajiv Gandhi and the President of the Democratic Socialist Republic of Sri Lanka, His Excellency Mr. J.R. Jayewardene, having met at Colombo on July 29, 1987:

Attaching utmost importance to nurturing, intensifying and strengthening the traditional friendship of India and Sri Lanka, and acknowledging the imperative need of resolving the ethnic problem of Sri Lanka, and the consequent violence, and for the safety, well-being and prosperity of people belonging to all communities in Sri Lanka.

Have this day entered into the following Agreement to fulfil this objective.

In this context,

1.1 desiring to preserve the unity, sovereignty and territorial integrity of Sri Lanka;

1.2 acknowledging that Sri Lanka is a multi-ethnic and a multi-lingual plural society consisting, inter alia, of Sinhalese, Tamils, Muslims (Moors) and Burghers;

1.3 recognising that each ethnic group has a distinct cultural and linguistic identity which has to be
carefully nurtured;

1.4 also recognising that the Northern and the Eastern Provinces have been areas of historical habitation of Sri Lankan Tamil-speaking peoples, who have at all times hitherto lived together in this territory with other ethnic groups;

1.5 conscious of the necessity of strengthening the forces contributing to the unity, sovereignty and territorial integrity of Sri Lanka, and preserving its character as a multi-ethnic, multilingual and multi-religious plural society, in which all citizens can live in equality, safety and harmony, and prosper and fulfil their aspirations;

2. Resolve that:

2.1 Since the Government of Sri Lanka proposes to permit adjoining provinces to join to form one administrative unit and also by a referendum to separate as may be permitted to the Northern and Eastern Provinces as outlined below:

2.2 During the period, which shall be considered an interim period, i.e., from the date of the elections to the Provincial Council, as specified in para 2.8, to the date of the referendum, as specified in para 2.3, the Northern and Eastern Provinces as now constituted, will form
one administrative unit, having one elected Provincial Council. Such a unit will have one Governor, one Chief Minister and one Board of Ministers.

2.3 There will be a referendum on or before 31st December 1988 to enable the people of the Eastern Province to decide whether:

a) The Eastern Province should remain linked with the Northern Province as one administrative unit, and continue to be governed together with the Northern Province as specified in para 2.2, or

b) The Eastern Province should constitute a separate administrative unit having its own distinct Provincial Council with a separate Governor, Chief Minister and Board of Ministers.

The President may, at his discretion decide to abridge violence, or other reasons, will have the right to vote in such a referendum. Necessary conditions to enable them to return to areas from where they were displaced will be created.

2.5. The referendum, when held, will be monitored by a committee headed by the Chief Justice; a member appointed by the President, nominated by the Government of Sri Lanka; and a member appointed by the President,
nominated by the representatives of the Tamil-speaking people of the Eastern Province.

2.6 A simple majority will be sufficient to determine the result of the referendum.

2.7 Meetings and other forms of propaganda, permissible within the laws of the country, will be allowed before the referendum.

2.8 Elections to Provincial Councils will be held within the next three months, in any event before 31st December 1987. Indian observers will be invited for elections to the Provincial Council of the North and East.

2.9 The Emergency will be lifted in the Eastern and Northern Provinces by August 15, 1987. A cessation of hostilities will come into effect all over the Island withing 48 hours of the signing of this Agreement. All arms presently held by militant groups will be surrendered in accordance with an agreed procedure to authorities to be designated by the Government of Sri Lanka.

Consequent to the cessation of hostilities and the surrender of arms by militant groups, the Army and other security personnel will be confined to barracks in camps as on 25th May 1987. The process of surrendering of arms and the confining of security personnel moving back to
barracks shall be completed within 72 hours of the cessation of hostilities coming into effect.

2.10 The Government of Sri Lanka will utilise for the purpose of law enforcement and maintenance of security in the Northern and Eastern Provinces the same organisations and mechanisms of Government as are used in the rest of the country.

2.11 The President of Sri Lanka will grant a general amnesty to political and other prisoners now held in custody under the Prevention of Terrorism Act and other Emergency laws, and to combatants, as well as to those persons accused, charged and/or convicted under these laws. The Government of Sri Lanka will make special efforts to rehabilitate militant youths with a view to bringing them back into the mainstream of national life. India will co-operate in the process.

2.12 The Government of Sri Lanka will accept and abide by the above provisions and expect all others to do likewise.

2.13 If the framework for the resolutions will implement the relevant proposals forthwith.

2.14 The Government of India will under-write and guarantee the resolutions, and co-operate in the implementation of these proposals.
2.15 These proposals are conditional to an acceptance of the proposals negotiated from 4.5.1986 to 19.12.86. Residual matters not finalised during the above negotiations shall be resolved between India and Sri Lanka within a period of six weeks of signing this Agreement. These proposals are also conditional to the Government of India co-operating directly with the Government of Sri Lanka in their implementation.

2.16 These proposals are also conditional to the Government of India taking the following actions if any militant group operating in Sri Lanka do not accept this framework of proposals for a settlement namely.

a) India will take all necessary steps to ensure that Indian territory is not used for activities prejudicial to the unity, integrity and security of Sri Lanka.

b) The Indian Navy/Coast Guard will co-operate with the Sri Lankan Navy in preventing Tamil militant activities from affecting Sri Lanka.

c) In the event that the Government of Sri Lanka requests the Government of India to afford military assistance to implement these proposals, the Government of India will co-operate by giving to the Government of Sri Lanka such military assistance as and when requested.
d) The Government of India will expedite repatriation from Sri Lanka of Indian citizens to India who are resident there, concurrently with the repatriation of Sri Lankan refugees from Tamil Nadu.

e) The Governments of India and Sri Lanka will co-operate in ensuring the physical security and safety of all communities inhabiting the Northern and Eastern Provinces.

2.17 The Government of Sri Lanka shall ensure free, full and fair participation of voters from all communities in the Northern and Eastern Provinces in electoral processes envisaged in this Agreement. The Government of India will extend full co-operation of the Government of Sri Lanka in this regard.

2.18 The official language of Sri Lanka shall be Sinhala. Tamil and English will also be official languages.

3. This Agreement and the Annexure thereto shall come into force upon signature.

In witness whereof we have set our hands and seals hereunto.
Done in Colombo, Sri Lanka, on this the twenty ninth day of July of the year one thousand nine hundred and eighty seven, in duplicate, both texts being equally authentic.

Rajiv Gandhi
Prime Minister of the Republic of India

Junius Richard Jayewardene
President of the Democratic Socialist Republic of Sri Lanka