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The Indo-Ceylon Agreement

BROADCAST SPEECH

BY THE PRIME MINISTER

THE HON. SIR JOHN KOTELAWALA

on March 1, 1954



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MY FRIENDS,

I want to speak to you tonight on a matter of national importance. It is something that intimately concerns all of you, and not only you but your children and your chi'dren's children. I want to talk to you about the Agreement which we have concluded recently with the Government of India regarding matters connected with people of Indian origin in Ceylon. I may say at this point that the discussions between Mr. Jawaharlal Nehru, Prime Minister of India, and myself on these matters took place in an atmosphere of the greatest friendliness. It always seemed to me that Mr. Nehru was as anxious as I was to reach a settlement which could further strengthen the traditional ties of kinship which have existed between our two countries.

It is no fault of the people of Ceylon, and perhaps not of the people of India, that a problem of this kind should have arisen at all. The Indian residents with whom we are now concerned were brought into the Island for the purpose of developing the plantation industry. That was at a time when both India and Ceylon were part of Britain's Colonial Empire and when both Indians and Ceylonese were what were termed "British Subjects". To Britain, Indians who were imported to Ceylon to work on the tea and coffee estates were just so many other "British Subjects", and what their presence meant to the legitimate inhabitants of the country was of little consequence to the alien ruler. In bringing in and sending out as she liked large masses of Indians she only acted in the interests of capitalists of her own race, and she gave no thought to the troubles she was storing up not only for Ceylon but for India. The result is that, a hundred years later, we find today in our midst in Ceylon a million Indians amidst a total population of eight million. They swamp the countryside in the Kandyan Districts, and stand in the way of our own people, both in the political and the economic field.

We do not regard these Indians as part of our people, and we think we are right in doing so. On the other hand, India has maintained that they are Ceylon's responsibility.

These are irreconcilable viewpoints, and in the meanwhile both India and Ceylon have regained their independence and have passed their own citizenship laws. Quite clearly, therefore, the problem I was called upon to settle with India was one which could not be settled by each side digging its toes in and refusing to budge. It was one which had to be settled in an atmosphere of mutual understanding and goodwill, and my first endeavour was to establish this atmosphere. I am glad I succeeded in doing so.

I spoke of a million Indians resident in our midst. This million is being added to not only by natural increase, but by illicit entry from India. You will realise how serious the menace of illicit entry had latterly become when I tell you that, although in 1950 the number of illicit immigrants arrested was just 900, the number had increased more than ten-fold to nearly 10,000 in 1952 ; I might also tell you that for every illicit immigrant caught it has been estimated that three get in. One of the most important matters therefore that I had to discuss with India was the question of illicit immigration into Ceylon. India has now promised to give us the fullest co-operation on her side of the Palk Straits in dealing with this trouble, and I am assured of the whole-hearted support of the Indian High Commissioner in Ceylon, in sending back illicit immigrants who manage to evade all safeguards and come in.

One safeguard that no illicit immigrant will ever in future be able to evade is the new register for non-nationals that we are going to start in terms of the Agreement now concluded. This is a register of people whose names are not on the Electoral Register, and you may call it an "Aliens' Register" for convenience. Any person whose name does not appear in this "Aliens' Register" will, if his mother tongue is an Indian language, be presumed to be an illicit immigrant from India and will be liable to instant deportation back home.

You have seen the great gain we have achieved in the Agreement as regards the prevention of more Indians coming into Ceylon by illegal means. Turning now to the million Indians who are already with us, my first object was to arrive at a means of sorting out those

Indians who would have no right as such to remain in Ceylon from those who would.

Once this was done the rest of the action would be simple enough. Previous attempts to settle this matter had not been successful. There was one unsuccessful attempt in 1941, and after Ceylon became independent, the Indian and Pakistani Residents (Citizenship) Act was passed as a result of talks which the late Mr. D. S. Senanayake had with Mr. Nehru. The question at that time was one of citizenship, and the new Act divided Indians resident in Ceylon into those who acquired Ceylon citizenship and those who did not. But the Indian Government was anxious to know what would be the future of Indians in Ceylon who failed to acquire Ceylon citizenship. Negotiations between the two Governments were therefore resumed, and Mr. Dudley Senanayake had talks with Mr. Nehru in London when they were both there for The Queen's Coronation. These negotiations, however, ended without result because Mr. Nehru was not able to agree to some of the demands made by Mr. Senanayake. When I became Prime Minister I was pressed by the Indian Government to resume the negotiations, and on Mr. Nehru's repeated invitation I went to Delhi, with three of my Cabinet colleagues in January.

There we discussed matters thoroughly and the two sides agreed upon certain proposals which I placed before Parliament today. They were, as you know, *ratified* by the two countries on February 13th and are in force as from that date.

Under these proposals our great achievement has been that we shall soon be in a position to determine who the Indians are who are entitled to remain in Ceylon and who the others are who will continue to be Indian nationals. The Constitution of India contains a provision under which any Indian resident abroad can register as an Indian national, provided that *either of his parents* or any one of his *grand-parents* has been born in India. This privilege had apparently not been widely enough known amongst Indians in Ceylon, but the Indian Government has now promised to make it known as widely as possible and to undertake the registration of Indian residents in Ceylon as Indian nationals under Clause 8 of the Constitution of India.

We have next to find out how many Indians will become Ceylon citizens, and we will go on with the work of registering those Indians

who have applied for citizenship under the Indian and Pakistani Residents (Citizenship) Act. The law will be applied strictly and impartially, but those who may be eligible for registration as Ceylon citizens but now wish to remain Indian citizens will not only be allowed to *renounce* their claim for Ceylon citizenship but encouraged to do so. We will in fact offer special inducements to all Indians to seek registration as Indian citizens. For instance, only Indian citizens will be permitted to send money to their kith and kin in India. *Compensation* and other inducements of various kinds may also be offered in order to stimulate Indians to go back to India.

I must also mention that in future any Indian who goes from Ceylon to India will be able to go only on a Passport. Nobody will hereafter be able to go to India on a mere travel permit, as many thousands of Indian labourers do today. If a person is an Indian citizen, he will travel on an Indian Passport granted by the Indian Government. If he is a Ceylon citizen he will travel on a Ceylon Passport. To be able to obtain a Ceylon Passport the applicant must have become a Ceylon citizen, and he can become a Ceylon citizen only if he has satisfied the Indian and Pakistani Act. To obtain an Indian Passport he must have seen to it that he has been recognised as an Indian national by his own Government.

The whole object of the scheme, as I have said, is to find out who are entitled to remain in Ceylon and to distinguish them from those who may only be *allowed* to remain. Once this has been done the rest of the action, as I have also said, will be simple enough. Those who are allowed to remain with us can do so only so long as employment is available to them in this country. We may take action to enlarge economic opportunities for our own nationals, and if such action restricts employment for non-nationals they will have to leave us and go away. I should also like to say that the Cabinet has just appointed a Sub-Committee of five Cabinet Ministers to go into the whole matter of the action necessary for dealing with the Indian question. This Sub-Committee is expected to put forward comprehensive and co-ordinated recommendations.

There is an important feature in the present proposals which I should like to stress. I do not know how many Indians will ultimately qualify to be Ceylon citizens. I hope the number will not be such as to deny to a large section of the Kandyan population a

say in the Government of their country. For ten years at least this risk will be avoided. Indians who are registered as Ceylon citizens will be in a special electoral register, with separate seats, for a period of ten years. This interval of time will be used to examine the problem again and make any adjustments that may appear necessary. It will also give an opportunity to Indians who become Ceylon citizens to be assimilated into their environment.

In this connection I observe that the reference to the language of the area in the proposal concerning a separate electoral register appears to have been misunderstood in some quarters. I should like to emphasise again that the reference does not imply that Indian people should stop speaking Tamil. It only means that they should, amongst other things, make an effort to learn the language of the people with whom they live.

I think I have now told you enough about the new Indo-Ceylon Agreement. It is an Agreement that has at least the merit of setting out the problem in relief, defining the issues clearly and suggesting the long-term remedies. My two predecessors, the late Mr. D. S. Senanayake, and Mr. Dudley Senanayake, had before me striven to bring about a just and enduring settlement between us and India. It has been my good fortune to offer to my country a complete Agreement, freely negotiated and freely agreed to by the two Governments concerned. I do not know whether any one else could have done better, but I am proud to have been able to do what I have done. There are some who say that I have sold the country and betrayed my people. It is not in my nature or in my blood to betray, and the charge comes ill from the mouths of the persons who make it. You, my fellow-countrymen, are the best judges of what I have done and I am content to leave the verdict in your hands and the hands of posterity.

