



**PARLIAMENT OF THE DEMOCRATIC
SOCIALIST REPUBLIC OF
SRI LANKA**

**GRANT OF CITIZENSHIP TO PERSONS OF
INDIAN ORIGIN ACT, No. 35 OF 2003**

[Certified on 11th November, 2003]

Printed on the Order of Government

Published as a Supplement to Part II of the **Gazette of the Democratic
Socialist Republic of Sri Lanka** of November 14, 2003

PRINTED AT THE DEPARTMENT OF GOVERNMENT PRINTING, SRI LANKA

TO BE PURCHASED AT THE GOVERNMENT PUBLICATIONS BUREAU, COLOMBO I

Price : Rs. 6.75

Postage : Rs. 4.50

*Grant of Citizenship to Persons of Indian
Origin Act. No. 35 of 2003*

[Certified on 11th November, 2003]

L.D.—O. 29/2003.

AN ACT TO MAKE PROVISION FOR THE GRANT OF STATUS OF SRI LANKA
CITIZEN TO PERSONS OF INDIAN ORIGIN

WHEREAS the Exchange of Letters between the Government of Sri Lanka and the Government of India relating to the status of persons of Indian origin in Sri Lanka and the future of such persons, was effected in New Delhi on October 30, 1964 (published as Treaty Series No. 5 of 1964) and a further Exchange of Letters between the Government of Sri Lanka and the Government of India relating to the status of persons of Indian origin in Sri Lanka and the future of such persons, was effected in New Delhi on January 27, 1974 (published as Treaty Series No. 1 of 1974) referred to as the Indo-Ceylon Agreement of October 30, 1964 and January 27, 1974 respectively :

AND WHEREAS the Government of Sri Lanka and the Government of India, agreed to solve the problem of statelessness within a period of fifteen years from the date of the said Agreement :

AND WHEREAS the obligation undertaken in pursuance of the aforesaid Agreement, has not been fulfilled, due to certain unforeseen circumstances and notwithstanding the provisions of the Grant of Citizenship to Stateless Persons Act, No. 5 of 1986 and the Grant of Citizenship to Stateless Persons (Special Provisions) Act, No. 39 of 1988, of the 506,000 persons of Indian Origin, some were not granted Indian Citizenship and some were granted citizenship, but continued to reside in Sri Lanka :

AND WHEREAS it is in the national interest that the problem of citizenship of persons of Indian Origin should be solved :

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NOW THEREFORE, be it enacted by the Parliament of the Democratic Socialist Republic of Sri Lanka as follows :—

Short title.

1. This Act may be cited as the Grant of Citizenship to Persons of Indian Origin Act, No. 35 of 2003.

Grant of status of citizen of Sri Lanka to certain persons.

2. Any person of Indian origin, who, on the date of the coming into operation of this Act,—

- (a) has been a permanent resident of Sri Lanka since October 30, 1964 ; or
- (b) is a descendent, resident in Sri Lanka, of a person who has been a permanent resident of Sri Lanka since October 30, 1964,

shall be granted the status of a citizen of Sri Lanka, with effect from such date and be entitled, in like manner and to the same extent, to all the rights and privileges to which a citizen of Sri Lanka is entitled to, by law :

Provided however, the grant of the status of a citizen of Sri Lanka to a permanent resident, who on the date of coming into operation of this Act, holds an Indian Passport or other similar document, shall be effective only on his forwarding to the Commissioner a declaration in the special form of declaration set out in the Schedule, stating his intention to voluntarily acquire citizenship of Sri Lanka, and upon such declaration being acknowledged by the Commissioner in writing.

Rights and liabilities on acquisition of status of citizen of Sri Lanka.

3. Every person, who by virtue of the provisions of section 2, acquires the status of citizen of Sri Lanka, shall—

- (a) in addition to being entitled to the rights and privileges of a citizen of Sri Lanka, as recognised by law, be subject to the provisions relating to deprivation and loss of citizenship and renunciation of citizenship, in like manner and to the same extent as would be applicable to any citizen of Sri Lanka ; and

- (b) from and after the coming into operation of this Act, be deemed to have renounced all rights to the civil and political status which such person may be entitled to, or would have been entitled to, under any law in force in the country of origin of such person or such person's parent, ancestor or husband, as the case may be, but for the promulgation of this Act ; and
- (c) in all matters relating to, or connected with, status, personal rights, duties and holding of property in Sri Lanka, be subject to the relevant laws of Sri Lanka.

4. (1) Any person who becomes a citizen of Sri Lanka by virtue of the provisions of section 2, may if he so desires, apply to the Commissioner for a Certificate of Citizenship, substantially in the Form set out in Schedule A to this Act. Every application shall be accompanied by the general form of declaration made under oath in the form set out in the same Schedule.

Application for
certificate of
Citizenship.

(2) The Commissioner shall within sixty days from the date of receipt by him of an application under subsection (1), issue to the applicant a Certificate, which shall be substantially in the form set out in Schedule B to this Act.

(3) The Commissioner shall issue a Certificate under this section only to persons who have not been issued with a Certificate under the Indo-Ceylon Agreement (Implementation) Act, No. 14 of 1967 and the Grant of Citizenship to Stateless Persons (Special Provisions) Act, No. 39 of 1988.

(4) No person shall be required, other than by a Court of competent jurisdiction, to produce the Certificate issued in terms of subsection (1) for any purpose whatsoever and an affidavit shall be tendered in proof thereof, which affidavit shall be acceptable as *prima facie* proof thereof.

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Act to prevail
over other
laws.

5. This Act shall prevail notwithstanding anything to the contrary in any other law relating to the grant of status of Citizen of Sri Lanka.

Interpretation.

6. In this Act, 'Commissioner' means the Commissioner for the Registration of Persons of Indian Origin appointed under the Indo-Ceylon Agreement (Implementation) Act, No. 14 of 1967.

Sinhala text
to prevail in
case of
inconsistency.

7. In the event of any inconsistency between the Sinhala and Tamil texts of this Act, the Sinhala text shall prevail.

SCHEDULE A

[Sections 2 and 4]

GRANT OF CITIZENSHIP TO PERSONS OF INDIAN ORIGIN ACT, No. 35 OF 2003

APPLICATION FOR A CERTIFICATE OF CITIZENSHIP

1. I..... being the applicant*/a parent* of a minor child hereby apply for a certificate of citizenship for myself*/my child aforementioned,* in terms of section 4 of the aforesaid Act.
2. I hereby declare that I am*/my child aforementioned is*a citizen of Sri Lanka by virtue of the provisions of section 2 of the aforesaid Act.
- 3, I set out below particulars relating to myself*/my child aforementioned*:-
 - (a) Full Name :
 - (b) Address :
 - (c) Sex : Male/Female :
 - (d) Date of birth :
 - (e) Place of birth :
 - (f) If born outside Sri Lanka, place of registration of birth :
 - (g) Particulars of parents—

Father	Mother
Name :	Name :
Whether citizen of Sri Lanka :	Whether citizen of Sri Lanka :

N.I.C No. (if any) :	N.I.C No. (if any) :
Residential Address :	Residential Address
.....
.....
.....

* delete whichever is inapplicable

FORM OF GENERAL DECLARATION

4. I declare that I am*/my child aforementioned is, a resident of Sri Lanka and of no other Country.

I do solemnly, sincerely and truly declare and affirm/swear that the foregoing particulars are, to the best of my knowledge true.

.....
Signature or thumb impression of applicant.

Date :

*Affirmed/*Sworn atthis day of, before me.

.....
Signature of Justice of the Peace or
Commissioner for Oaths.

Name and address of the Justice of the Peace
or Commissioner for Oaths :

Date :

* delete whichever is inapplicable

FORM OF SPECIAL DECLARATION

5. (a) I declare that although I voluntarily acquired citizenship of India, I am and have been a permanent resident of Sri Lanka since October 30, 1964 and of no other country and hereby voluntarily acquire citizenship of Sri Lanka and continue to reside in Sri Lanka.

(b) I declare that I am*/my child aforementioned is a resident of Sri Lanka and of no other country.

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I do solemnly, sincerely and truly declare and affirm*/swear that the foregoing particulars are, to the best of my knowledge true.

.....
Signature or thumb impression of applicant.

Date :

*Affirmed/*Sworn at.....this day of....., before me.

.....
Signature of Justice of the Peace* or
Commissioner for Oaths.

Name and address of the Justice of the Peace*
or Commissioner for Oaths :.....

Date :.....

* delete whichever is inapplicable

SCHEDULE B

[Section 4]

GRANT OF CITIZENSHIP TO PERSONS OF INDIAN ORIGIN ACT, NO. 35 OF 2003

CERTIFICATE OF CITIZENSHIP

By virtue of the powers vested in me by the provisions of section 4 of the aforesaid Act, I, Commissioner for the Registration of Persons of Indian Origin do hereby certify that.....of.....

(State name) (State address)
is a citizen of Sri Lanka by virtue of the provisions of section 2.

PARTICULARS RELATING TO CITIZEN

Name :

Name of Parent (s) who is a citizen*/who are citizens :

(1)

(2)

Date and place of birth :

Sex :

Identity Card No. (if any) :.....

.....
Commissioner for the Registration of Persons of Indian Origin.

Date :

* delete whichever is inapplicable

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