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Author(s): Urmila Phadnis

Source: *Asian Survey*, Vol. 7, No. 4 (Apr., 1967), pp. 226-236

Published by: [University of California Press](#)

Stable URL: <http://www.jstor.org/stable/2642476>

Accessed: 04-06-2015 10:27 UTC

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THE INDO-CEYLON PACT AND THE "STATELESS" INDIANS IN CEYLON

URMILA PHADNIS

When the Indo-Ceylon pact on the future political status of the people of Indian origin in Ceylon was signed in October 1964, it was hoped that an end was in sight to a dispute that had caused much acrimony between the two countries. Two and a half years have gone by, and the Prime Ministers who signed the pact are no longer in office. General elections have altered the political complexion of the parliaments in both countries. In India, the recent elections substantially reduced the Congress party majority at the center. But even more significant for the implementation of the pact was the landslide victory of the Dravida Munnetra Kazhagam (DMK), a consistent opponent of the Indo-Ceylon pact, in Madras. With 138 of the 234 seats in the Madras Assembly, the DMK has formed the government. In the Parliamentary elections, it won all the twenty-five seats it contested against its Congress rivals. In Ceylon, the 1965 elections brought into power a party which was in opposition when the pact was signed. What is even more relevant is the fact that the "National" Government formed by the United National Party (UNP) is composed of parties and groups which opposed the pact in 1964.

It is in these radically altered political circumstances that the Ceylon government has piloted legislation "to enable and facilitate" the Sirima-Shastri pact through the second reading to the committee stage. The debate on the bill in the Ceylon House of Representatives in 1965 indicated that some of the controversies relating to the future political status of people of Indian origin in Ceylon have been resolved, but others still persist. Further, certain new problems directly connected with the actual implementation of the pact have emerged. An attempt will be made in this article to examine some of the issues which have generated controversies in the past and some of the difficulties that would need to be sorted out in the actual implementation of the pact in the future.

HISTORICAL RETROSPECT

The problem of the political status of estate laborers of Indian origin in Ceylon has been a major issue between India and Ceylon for nearly four decades,¹ but it assumed signal importance in 1963 when it was discovered

¹ The advent of plantations in Ceylon in the 1830's and the apathy of the indigenous population to work on them led to the import of laborers from South India. The prob-

that only 134,187 of an estimated 829,619 persons who had applied for Ceylon's citizenship under the citizenship laws of 1948 and 1949 actually qualified.² While the government of Ceylon maintained consistently that the persons rejected were to be repatriated to India as they were *ab initio* its citizens, New Delhi held diametrically the opposite view; it insisted that in view of their long stay in the island, these persons were "really and in fact the residents of Ceylon."³ As early as 1952, Prime Minister Nehru had argued that if Ceylonese citizenship was denied to these people of Indian origin, "they become stateless."⁴ In 1962, when the processing of all the citizenship applications was completed, it was evident that India and Ceylon still had to grapple with the political future of nearly 975,000 persons, categorized as "stateless" by India and as "Indian nationals" by Ceylon.

Although the Indian government disclaimed any legal responsibility for residents of Ceylon of Indian origin, it did not deny a "sentimental" interest in them because of their Indian origin.⁵ On the other hand, the official and unofficial opinion in Ceylon, while admitting this was a "domestic" issue, insisted that the cooperation of the Indian government was needed in repatriating the Indians. Further, the Indian government, while recognizing this issue as an internal problem of Ceylon as well as the right of Ceylon to enact citizenship laws, did deprecate some of the provisions of Ceylon's legislation as "unsatisfactory" and "unfair" and criticized its mode of operation.⁶ Certain economic measures of the Ceylon government aimed at the Indian community also were not appreciated by New Delhi. Thus, the different approaches of India and Ceylon made it difficult for them to draw a line between rights and obligations. Consequently, no solution of the problem mutually acceptable to the parties concerned could be evolved. It is against this background of the controversy between the two governments that the Sirimi-Shastri Pact of 1964 has to be considered.

lem of their political status cropped up about a century later, beginning with the rejection of the Sinhalese to the Donoughmore Commission report.

² India, *Lok Sabha debates* 22 (1958), col. 1447; and *Ceylon Daily News*, July 3, 1964. The figures as provided in the official statement of Mrs. Bandaranaike vary slightly. According to her, 115,135 people of Indian origin had been given citizenship under the 1949 Act and approximately 6,000 under the 1948 Act. *Ceylon Today*, 13:12 (December 1964), 15.

³ Speech of Prime Minister Nehru on March 31, 1955. India, *Lok Sabha debates*, Part II, 2 (1955), col. 3904.

⁴ India, *Parliamentary debates*, Part I, 3 (1952), col. 294.

⁵ India, *Lok Sabha debates*, 56 (1961), col. 13. Nehru reflected this conflict in the Indian mind on March 17, 1953 when he said "there is a history behind this. . . . Because of that history the Government of Ceylon cannot dispose of it merely by saying that it is just their lookout and nobody else's, or by throwing out 100,000 or 200,000 persons, and making them stateless. India, *Lok Sabha debates*, 2 (1953), Part II, col. 2238. Also see *ibid.*, 6 (1957), cols. 11446-8.

⁶ India, *Parliamentary debates*, Part I, 3 (1950), col. 1658; and India, *Lok Sabha debates*, Part II, 7 (1954), col. 3894; 2 (1955), col. 3094; and Part I, 1 (1955), cols. 784-7.

THE SIRIMA-SHASTRI PACT

That the 1964 pact was the result of hard bargaining between both governments is evident from the extension of the Ceylon's premier's stay twice, turning what were to be four-day talks (24–28 October) into six-day round-the-clock negotiations. On several occasions, the talks seemed on the verge of collapse.⁷ However, the negotiations reflected not only a sense of earnestness on the part of both premiers but, what is more, a sense of realism. Mr. Shastri appropriately took into confidence the leaders of Madras⁸ (the area from which most of the plantation laborers in Ceylon had come) and elicited the cooperation of other states on the question of rehabilitation of repatriates. This transformed what had been regarded as a regional issue⁹ into a national one.

The numerical formula: The numerical formula, on which the ten point agreement hinged, provides for the repatriation of 525,000 persons together with their natural increase to India and the absorption of 300,000 as Ceylon citizens, under a 15-year phased program. The political status of the residue of 150,000 other Ceylon residents of Indian origin, it was agreed, would be negotiated later.

This type of formula had been suggested by former Prime Minister Bandaranaike much earlier.¹⁰ The "absorbable maximum" by Ceylon, as perceived by its first Prime Minister, D. S. Senanayake, seemed to be of the order of 50,000. His son and successor as Prime Minister, Dudley Senanayake, placed it at a much higher level. In 1953, during his regime, the numerical formula was clearly spelt out; Ceylon would absorb 400,000 as citizens while the status of another 250,000, who would be given permanent residence permits, would be determined at the end of ten years. "The balance of Indian residents in Ceylon, approximately 300,000 or more, were to be accepted as Indian citizens by the Government of India,

⁷ Mrs. Bandaranaike's delegation included one member who was not known to hold conciliatory views on the question. She also asked the leader of the opposition party, Dudley Senanayake, to join the delegation. While initially agreeing to come, Senanayake finally decided against this. However, Mrs. Bandaranaike continued to be in close touch with him on this issue. *Ceylon today*, 13:12 (December 1964), 14.

⁸ The Chief Minister of Madras was a participant in the parleys. At the last stage of discussions, Kamaraj, the Congress president and a prominent leader of Madras, was also consulted. See "Indo-Ceylon Accord," *Mainstream*, 3:10 (November 7, 1964), 8.

⁹ In 1958, for instance, the Government of India had laid down that as Ceylonese repatriates were neither "destitutes nor homeless" and as they came back with their own savings, the government did not deem it necessary to extend any special assistance to them. [India, *Lok Sabha debates*, 18 (1958), col. 2377.] Again in 1962, Jaipal Singh asked why the Government of India did not consider the matter of repatriation as a Central responsibility, the Deputy Minister of External Affairs simply said that it was a "suggestion for action." India, *Lok Sabha debates*, series 3, 2 (1962), col. 3584.

¹⁰ S. W. R. D. Bandaranaike, *Towards a new era: selected speeches of S. W. R. D. Bandaranaike made in the legislature of Ceylon 1931–59* (Colombo: 1961), p. 595.

and to be compulsorily repatriated, the operation being phased over a definite period of years."¹¹

The discussions ended in failure because of Nehru's willingness to recognize a maximum of 250,000 as Indian citizens. He also objected to the idea of compulsory repatriation,¹² which he feared might serve as a precedent in the case of all Indians overseas.¹³ Nehru preferred to seek solutions in such cases on the basis of political principles which he felt should govern franchise rights. This approach however proved impractical as is evident from the infructuous talks which Nehru had with all five premiers of Ceylon during the 1947–1964 period. Prime Minister Shastri's acceptance of the numerical formula, though a deviation from the Nehru approach, showed a sense of realism in this context.

From the Ceylonese viewpoint, Mrs. Bandaranaike in effect scored over Senanayake, for under the 1964 pact Ceylon was committed to absorb only 300,000 as against the 400,000 Senanayake had agreed to more than a decade earlier. Mrs. Bandaranaike, however, did not remain in power long enough to implement the agreement by introducing new citizenship legislation.

Ceylon Workers' Congress and the Pact: The Ceylon Workers' Congress (CWC), which had been founded by Nehru in 1939 (it was called the Ceylon Indian Congress until it split into two groups—the CWC and the Ceylon Democratic Congress), accepted the numerical formula in principle at a special meeting on 7 November 1964. However, it demanded an unequivocal declaration on the part of both governments that repatriation would neither be compulsory nor under coercion; that persons registered as Ceylonese citizens would be placed on the general electoral register; that those on whom Indian citizenship would be conferred would not, during their stay in Ceylon, be discriminated against or subjected to any disabilities in respect of education, employment and travel facilities; and finally that the repatriates would be permitted to take out their savings.¹⁴

Mrs. Bandaranaike's statement on November 10, 1964, regarding the introduction of a separate electoral register for people of Indian origin registered as Ceylonese citizens as well as compulsory repatriation for Indian citizens, evoked sharp criticism from the CWC. In the debate on the Governor-General's address, labor leader Thondaman deplored the introduction of a separate electoral register and maintained that this provision was a "betrayal" of the settled policies of the late Premier S. W. R. D. Bandaranaike which Mrs. Bandaranaike's government had solemnly pledged to follow.¹⁵

¹¹ John Kotelawala, *An Asian prime minister's story* (London: 1956), pp. 104–5.

¹² *Ibid.*

¹³ *The Hindu*, March 4, 1958.

¹⁴ *Congress News* (Colombo), 2:30 (December 15, 1964), 2. Also see *Times of India* (Delhi) (December 21, 1964).

¹⁵ *Ibid.*, 3.

THE UNP MINISTRY AND THE INDO-CEYLONESE PACT

The leader of the CWC not only contributed to the unseating of Mrs. Bandaranaike's government, but played a significant role in tilting the political balance in favor of the United National Party (UNP) in the elections which followed. The CWC transferred its support to the UNP from the Sri Lanka Freedom Party (SLFP), which it had supported in the 1960 elections. Consequently, in the plantation districts where there is the heaviest concentration of "Indian Tamil" voters, Mrs. Bandaranaike's party suffered major reversals, losing 11 seats to the UNP. With the support of the CWC in the elections and with the other Tamil parties in the formation of the government, Senanayake was able to form a "National Government" on March 22, 1965.

Soon after taking over, the new Ministry asked its legal department to prepare a draft amendment to the citizenship laws. The Governor-General, in his address to Parliament on April 9, 1965, announced that the Senanayake government would resume negotiations with the Indian government "with a view to removing the difficulties" which had arisen in regard to the implementation of the pact.¹⁶ In the debate that followed, Senanayake maintained that these "difficulties" were with regard to the principle of compulsory repatriation, the making of separate electoral register for registered citizens, and Ceylon's Control of Employment Bill,¹⁷ as well as the political status of the 150,000 Indian residents which still remained undecided.

Control of Employment Bill: Mrs. Bandaranaike declared intention to introduce a "Control of Employment Bill" in Parliament had been raised at the Indo-Ceylonese conference of December 1964. The Indian delegation maintained that it was specifically provided in the Sirima-Shastri agreement that those to be repatriated would be guaranteed employment till the date of their repatriation or till they were fifty-five years of age. In this context the proposed enactment constituted a violation of the pact. This controversy, however, disappeared when the new Senanayake government declared that it would not adopt legislation which discriminated against the people of Indian origin in terms of employment. In the debate on the Indo-Ceylon Agreement Bill on February 21, 1967, Senanayake maintained that "there was not a word in the pact about Indians in employment here. They could work till 55."¹⁸ An offshoot of the controversy over compulsory repatriation in the recent debate in the Ceylon Parliament was that the UNP Government lost the support of two M.P.s belonging to the Federal Party from the Tamil-speaking northern provinces.

Separate Electoral Register: The proposal to place on a separate electoral register persons of Indian origin already registered as Ceylon citizens

¹⁶ Ceylon, *Parliamentary debates, House of Representatives* 60 (1965), col. 100.

¹⁷ *Ibid.*, cols. 1163-4.

¹⁸ *Ceylon daily news* (Colombo), February 22, 1967.

under previous citizenship acts as well as those to be accepted under the 1964 agreement, had been probably one of the few decisions by Mrs. Bandaranaike which amounted to a reversal of her late husband's program. The proposal, which had first been muted during Premier Kotelawala's regime in pursuance to the Indo-Ceylon agreement of January 1954, had not been enacted into law then as "the inquiries into the application for registration as citizens under the Indian and Pakistani Residents (Citizenship) Act" were still to be completed.¹⁹

Bandaranaike, who succeeded Kotelawala as Prime Minister in 1956, was a strong opponent of the separate electorate clause of the 1954 Nehru-Kotelawala pact. Soon after coming to power he appointed a Joint Select Committee to revise the constitution. Its recommendation for the abolition of separate electorates through a constitutional amendment bill was approved by the lower house by a 74-7 vote on January 8, 1959. During the debate, Bandaranaike announced that he had already been in touch with Nehru who neither commended nor objected to the abolition of a separate electorate. He noted, however, that the separate electorate clause had been included in the 1954 constitution not at the request of the Indian prime minister but as a "concession reluctantly wrung" from him,²⁰ and concluded that the abolition of this provision was unlikely to offend India.

Nehru later admitted to the Indian Parliament that he had agreed to the provision of separate electorate in 1954 partly because it was an interim measure and partly because the manner in which a particular class of Ceylon citizens should be represented in the legislature was of "domestic concern to the people and Government of Ceylon."²¹ However, when Mrs. Bandaranaike argued in her Senate speech of November 10, 1964, that the proposal for separate electoral registers was not discussed at the Indo-Ceylon parleys of October 1964 because this was a matter solely for "determination by our sovereign parliament," New Delhi not only expressed concern over such "discriminatory treatment" but took the stand that the issue became relevant to the Delhi agreement. In a letter to Mrs. Bandaranaike (November 22, 1964), Prime Minister Shastri maintained that despite the "heavy burden" placed on India by the pact, this had been counterbalanced by "the consideration that those accepted as Ceylon citizens would become full-fledged citizens, and join the main stream of Ceylon's civic life." He feared that a separate electoral register might not only make the assimilation of people of India origin in Ceylon more difficult but might intensify separatist tendencies "giving rise to disunity and conflict. We ourselves have had a sad experience of this in the past." He hoped that the Ceylon government would not impose a separate electoral register and would consider the whole matter in the spirit of the

¹⁹ Statement of premier Bandaranaike. Ceylon, *Parliamentary debates, House of Representatives*, 33 (1959), col. 2483.

²⁰ *Ibid.*, cols. 2747-8.

²¹ India, *Lok Sabha debates*, 27 (1959), cols. 4753-4.

agreement reached between them.²² At the meeting of the Indian and Ceylonese officials in December 1964, the Indian delegation stated that if this issue was not satisfactorily resolved, there was no assurance for the implementation of Sirima-Shastri agreement.²³

The Senanayake government was in a dilemma on this question. It had to satisfy the Indian government as well as the CWC and elicit their help in the implementation of the pact, and at the same time assuage the feelings of the Kandyans who were rightly concerned with the prospect that Ceylon citizens of Indian origin, if they remained on the general electoral register, would affect numerous election results to the detriment of the Sinhalese interests in the up-country plantation areas. Moreover, in his talks with Mrs. Bandaranaike in 1964, Senanayake had agreed to a separate electoral register.²⁴ The Senanayake government therefore decided to employ evasive tactics. In November 1965, it was announced that the government had no intention of putting voters on a separate electoral register "at present," but "as for the future, it is a matter that will be gone into when we come to the implementation of the Indo-Ceylonese Pact of 1964."²⁵

The debate on the Indo-Ceylon Bill, however, made it clear that the opposition parties were not insistent on the separate electoral register. One SLFP member maintained that while the opposition conceded the undesirability of having two types of citizens in the country, at the same time it was necessary to ensure adequate representation to the indigenous population in the Kandyan areas.²⁶ With this in mind, Bandaranaike had in 1959 suggested multimember constituencies as a means of safeguarding the political interests of the minorities. Another much discussed suggestion, which has already been blessed by the leaders of Ceylon estate laborers' organizations, envisages a separate electoral register of the estate laborers on a territorial rather than a communal basis. This proposal to solve the problem on a class basis might also find favor with several other parties.

Repatriation: voluntary or compulsory?: While the debate over a separate electoral register appears to have diminished in importance, the repatriation controversy is still a live issue in India as well as in Ceylon. Mrs.

²² *Indian Express*, March 2, 1967. The text of this letter, marked "secret," was placed on the table of the House of Representatives by Mrs. Bandaranaike during the debate on the Indo-Ceylon Bill.

²³ Speech of Prime Minister Senanayake. Ceylon, *Parliamentary debates, House of Representatives*, 62 (1965), col. 433.

²⁴ e.g., refer to Mrs. Bandaranaike's Senate speech dated November 10, 1964. *Ceylon today*, 13:12 (December 1964), 16-17.

²⁵ *Times of India* (November 6, 1965). While not finding this assurance entirely satisfactory, the Indian Minister of State for External Affairs, Dinesh Singh, hoped that the Ceylon government would honor the agreement both in letter and in spirit and grant citizenship without discrimination. "Our efforts will continue until we receive an assurance and see the provisions incorporated in law. We will keep on pressing." *Hindustan Times* (July 30, 1966).

²⁶ *Ceylon daily news* (February 7, 1967) and *Times of India* (February 8, 1967).

Bandaranaike's recent statement that one of the advances achieved in the 1964 agreement was that India had agreed to the principle of compulsory repatriation was vehemently criticized by the Indian press and political parties. The Indian Foreign Secretary specifically repudiated this assertion in the course of discussions with the officials of Ceylon in which he maintained that the principle of compulsory repatriation had not been mentioned during the discussions and that if it "was highlighted, the chances of smoother implementation of the agreement might be jeopardised from the very beginning."²⁷ His statement, however, was not fully accepted by the opposition parties in Ceylon, who argued that the government of India, in agreeing to the repatriation of 525,000 residents of Ceylon as its citizens, had also by implication agreed that in case this stipulated number was not willing to be repatriated, compulsion would be necessary.

The UNP, however, refused to accept this logic. Prime Minister Senanayake maintained that "the talk about compulsory repatriation went against the whole spirit of the agreement. It was to get them to decide on a voluntary basis, and if there was difficulty about getting the proper numbers, three lakhs on this side and five lakhs on that side, then the two governments will devise ways and means to bring the figure up to the required amount."²⁸ He however made it clear in the debate on this question in the Ceylon parliament on February 21, 1967, that "whether it was compulsory repatriation or not, both governments were under obligation to fulfill taking their numbers—Ceylon its 300,000 and India its 525,000."²⁹

In spite of the Prime Minister's assurances, three members of the (Tamil) Federal Party (FP), a constituent unit of the National government, openly opposed the bill in parliament on the ground that it implied compulsory repatriation, and abstained from voting. On the other hand, the FP president, Dr. E. N. V. Naganathan, declared his party's support for the bill.

Although generating much heat, the controversy currently seems to be more hypothetical than real, for it is only after the repatriation process begins that the question of the requisite number being available for repatriation arises. The Indian government and the leaders of the CWC believe that in view of the report that a large number—perhaps 300,000—are already willing to return to India,³⁰ the controversy may prove to be an academic exercise. It has also been argued that once repatriation begins, the exodus process might in itself set in motion a chain reaction among the rest of the population. This is due to the fact that many families on the estates are related to each other, and the decision of one family could influence the decision of several others.

²⁷ Ceylon, *Parliamentary debates, House of Representatives*, 71 (1967), col. 573.

²⁸ *Ceylon today*, 14:5 (May 1965), 31.

²⁹ *Ceylon daily news* (February 22, 1967).

³⁰ *Times of India* (November 26, 1964 and December 17, 1964).

This optimistic prognosis, however, is likely to be affected by the rehabilitation facilities and employment opportunities provided repatriates on their return to India. The leaders of the Ceylon estate laborers have attempted to impress upon the government of India the employment requirements of the Indian repatriates, most of whom are plantation workers. In Ceylon, they urge the government to expedite legislation specifying the procedures through which Ceylonese citizenship is to be granted to eligible Indian residents. The pact envisages reciprocity in the granting of Ceylonese and Indian citizenship in the proportion of 3:5.25 during a phased period of 15 years. As such, repatriation can commence only after the adoption of the requisite citizenship legislation in Ceylon.

INDO-CEYLON AGREEMENT (IMPLEMENTATION) BILL

The "enabling" legislation³¹ is noteworthy for its simple procedure for the acquisition of Ceylon citizenship, in contrast to the 1948 and 1949 Citizenship Acts. It merely stipulates that people of Indian origin wanting Ceylon citizenship should make an application to the government within a specified period (to be notified later).³² It is interesting that the bill does not set any qualifications for citizenship, and also stipulates that applications of those who had sought and been refused citizenship in 1951 might be given preference. Unlike the earlier legislations, the bill vests exclusive and absolute authority in the Minister to grant or reject applications, and his decision will be final and irrevocable. Thus the ultimate authority lies with the political rather than the legal branch of government as in the past.

Article 11 of the bill ensures the "same rights and same obligations" to citizens by registration under this legislation as to other citizens of Ceylon after they have subscribed to the oath or affirmation of citizenship. Apparently, this was inserted to allay the fear that discriminatory treatment of any type would be meted to those granted citizenship under this legislation. Part III and IV of the bill deal with the controversial question of repatriation of those residents of Ceylon granted citizenship by India. The bill provides for their enrollment on a separate register and maintains that such persons, soon after their registration as Indian citizens, will be issued Temporary Residence permits and will be liable to repatriation at the discretion of the government. The bill, however, does not spell out the period of such permits and it is possible that the question might be examined further by the standing committee. As regards the question of removal of such persons liable to be repatriated, the bill is more emphatic. It makes it obligatory on the captain of any ship or aircraft to carry such persons, failing which the captain is liable to be convicted "of an offence under this Act."

³¹ The bill was introduced by premier Senanayake in the House of Representatives on December 6, 1966, and was referred to a Standing Committee on February 21, 1967 after its Second Reading.

³² Ceylon, *Indo-Ceylon Agreement (Implementation) Bill* (Colombo: 1966), 3.

The bill has been criticized by the opposition primarily for its omissions; in particular, that two essential elements of the Sirima-Shastri pact—reciprocity and length of time (i.e. 15 years) within which the agreement would be implemented—are not mentioned in the bill. In the debate on the bill, the Prime Minister has made it clear that he had no hesitation in incorporating the 3:5.25. ratio stipulated in the 1964 pact. He has, however, pointed out that this ratio would be in relation to the numbers on the two lists of citizens registration maintained by the Indian High Commission in Colombo and the Ceylon government respectively, and should not be construed as a correlation between the number of people who have been granted Ceylon citizenship and who have been repatriated to India. He also expressed himself firmly against embodying a 15 year time limit in the bill because of practical difficulties.

THE OBSTACLES TO IMPLEMENTATION

The major difficulty cited by Prime Minister Senanayake is one which none of the parties in Ceylon can easily ignore, namely, the amount of foreign exchange to be allowed to repatriates. According to Senanayake, the drain on foreign exchange for the repatriation of 125,000 families over the fifteen year period would be around Rs. 500 million (approximately \$100 million). In view of Ceylon's foreign exchange difficulties, this would constitute a serious strain on the country's economy which, the UNP leader indicated, might be more than the country could bear. The implementation of the pact, he concluded, was therefore going to be "conditioned by the availability of foreign exchange."³³

The Standing Committee on the bill will have to find a solution acceptable to both the government and the opposition on this point. In this context, the suggestion of the FP leader merits attention. He proposed that the problem of foreign exchange could be solved and the period of repatriation could be even less than 15 years if Ceylon agreed with the Government of India that the latter would advance the required amount to repatriated persons. This would then be repaid by Ceylon over a period of perhaps twenty five years.³⁴

The feasibility of this suggestion will have to take into consideration the economic and political situation that has emerged in India after the 1967 elections. There is no doubt, however, that party leaders in Ceylon are genuinely concerned with finding a solution of this problem. And if the tenor of the debate on the bill is any indication, it is fairly certain that the bill will become an Act in the near future.

As far as India is concerned, it is obvious that Mrs. Gandhi has chosen to follow Shastri rather than her father on this question. The Nehru approach postulated a solution based on legal principles probably because he thought that any solution would *ipso facto* become applicable to overseas

³³ *Ceylon daily news* (February 22, 1967).

³⁴ Ceylon, *Parliamentary debates, House of Representatives*, 71 (1967), col. 662.

Indians elsewhere. Shastri, on the other hand, was more accomodative and sought a political solution. The Sirima-Shastri pact made it obvious that all overseas Indians could not be dumped in one basket. The issue of Ceylon estate workers of Indian origin had to take into consideration certain exclusive features—namely, its class character, the geographical factors, and the fears and aspirations of the Sinhalese. Further, Shastri did not view the problem as one that concerned only South India, but posed it as a national responsibility and initiated action to rehabilitate the repatriates in other regions. Following the Shastri approach, Mrs. Gandhi's government has been trying to finalize rehabilitation plans in consultation with the parties involved. Meanwhile, India has not only been making elaborate arrangements for the repatriation of those opting for citizenship but, as a gesture of goodwill, has already conferred citizenship on about 9,000 persons.

The landslide victory of the DMK in Madras in the 1967 elections has led some leaders in Colombo to express the fear that the implementation of the pact would run into heavy weather because of the opposition of the DMK to the pact.³⁵ It is possible that these fears may prove false because most of the objections raised earlier by the DMK do not seem tenable now. Finally, there is the question of 150,000 persons of Indian origin in Ceylon whose political future is to be decided in future negotiations. The successful implementation of the pact, however, might very well pave the way for a settlement of this difficulty and potentially controversial question as well.

³⁵ For details of the attitude of the DMK leaders on the pact, see the speeches of K. Manoharan and C. N. Annadurai in the Indian Parliament. India, *Lok Sabha debates*, series 3, 35 (1964), cols. 1521–28 and *Parliamentary debates, Rajya Sabha*, 50 (1964), cols. 4895–4902.