

as to whether we have taken up with all the signatories, except Pakistan.

#### ISLAND OF KACHCHATIVU

\*286. { PANDIT S. S. N. TANKHA:†  
SHRI N. R. M. SWAMY:

Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether any island by the name of Kachchativu exists between India and Ceylon;

(b) whether this island forms part of the territories of India and, if so, on what basis this claim of ownership rests;

(c) whether the Ceylonese Government has made any representation in respect of it to the Government of India and, if so, what are its claims to it; and

(d) whether the Government of India have sent any reply to it had it so, what?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI DINESH SINGH) :

(a) Yes, Sir.

(b) The political status of this island has not been finally determined.

(c) No, Sir, no formal representation has been received from the Government of Ceylon.

(d) Does not arise.

PANDIT S. S. N. TANKHA: May I know, Sir, what is the position under International Law in respect of the ownership of an island belonging to one country falling within the territorial waters of another country, and whether it is not a fact that such a situation is perfectly permissible under the International Law?

SHRI DINESH SINGH: I would not at this stage go into the question of the International Law. We are hoping that the matter will be settled between the two countries.

†The question was actually asked on the floor of the House by Pandit S. S. N. Tankha.

PANDIT S. S. N. TANKHA: Is it also not a fact that the claim of ownership of the island in question will rest upon the proof of the claim and title which may be put forward by the country claiming its ownership and not on the mere fact that the island falls within the territorial waters of the other nation?

MR. CHAIRMAN: No question of International Law comes now. He said negotiations are going on and it will be settled.

PANDIT S. S. N. TANKHA: May I know, Sir, if the hon. Minister has seen a press statement by Mr. B. P. Peiris, former Secretary to the Ceylonese Cabinet, in this behalf as it appeared in the 'Statesman', dated the 12th May, 1966 to the effect—and I quote his words:

"I remember coming across this problem when I was an Assistant Legal Draftsman. I had to deal with a file for the purpose of verifying some of the boundaries of the Northern District."

Northern District here means the Northern District of Ceylon:

"In the process of revising the draft proclamation I had to trace the history of the boundary back over many years and I remember coming across a proclamation in the time of Queen Victoria in which the island of Kachchativu is excluded from the Northern District as it belonged to the Raja of Ramnad."

Has the hon. Minister seen that statement?

SHRI DINESH SINGH: Yes, Sir.

DR. S. CHANDRASEKHAR: I would like to know from the Government whether they are in possession of conclusive evidence that the island of Kachchativu belonged to the zamindari of the Raja of Ramnad?

SHRI DINESH SINGH: It is not a disputed fact. It has been part of the zamindari.

**SHRI B. K. P. SINHA:** In view of the fact that there are close racial and cultural and other ties between India and Ceylon and in view of the fact that the Sinhalese people are really descendants of the Indian people, may I ask whether the Government is in a position to assure us that they will not allow this issue of a small uninhabited island which is supposed to be the nest of smugglers, to embitter the political relations between these two countries, and that it will make every effort to settle it in an extremely cordial and peaceful manner?

**SHRI DINESH SINGH:** As I said at the beginning, we shall settle this matter in a friendly manner. I agree with the hon. Member that we have very friendly relations with Ceylon and we are happy about it and we shall try to strengthen those relations. I cannot say that this island is a nest of smugglers. Just now it is not inhabited at all.

**SHRI D. THENGARI:** Who are the people who go there and what is their language?

**SHRI DINESH SINGH:** Fishermen go there mostly from this country. It is not inhabited, as I have mentioned earlier.

**SHRI N. R. M. SWAMY:** It is not as if Kachchativu is the only island there. There are various other islands, some ten of them and they all did belong to the Raja of Ramnad before the abolition of zamindaris. And the records have been transferred to the Government of Madras. Cannot the Government of India now seek the assistance of the Legal Department of the Government of Madras pertaining to the sovereignty that not only this one island but the other ten islands also once belonged to the Raja of Ramnad?

**SHRI DINESH SINGH:** Zamindari right does not confer sovereignty. The position is that the zamindari right of the Raja of Ramnad has never been disputed. In fact, there was a meeting in 1921 in which there was the representative from the Government of

Madras and they had agreed that while the zamindari rights of the Raja of Ramnad would continue, the island belonged to Ceylon. This fact was not accepted by the Secretary of State for India and since then this dispute has been going on.

#### SEAT IN THE SECURITY COUNCIL

\*287. **SHRI BANKA BEHARY DAS:** Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether Government have decided to contest one of the seats which will fall vacant in the Security Council of the United Nations in the near future; and

(b) if so, what further steps have been taken in the matter?

**THE MINISTER OF EXTERNAL AFFAIRS (SARDAR SWARAN SINGH):** (a) Yes, Sir, India has decided to stand for election to the Security Council at the 21st Session of the General Assembly of the United Nations.

(b) As is customary, India's candidature has been announced in New York and Indian Representatives abroad have sought the support of the Governments to which they are accredited.

**SHRI BANKA BEHARY DAS:** May I know whether Pakistan is a contender for this seat and whether the permanent members of the Security Council, particularly the USA, the USSR and England have been approached and, if so, what is their reaction?

**SARDAR SWARAN SINGH:** Pakistan also has announced her candidature. We have sounded the three countries which have been mentioned by the hon. Member. We have sounded several other countries also. The reply generally in all these cases is that they will indicate their position a little nearer the time of the election.

**SHRI BANKA BEHARY DAS:** May I know whether the Afro-Asian nations, particularly the UAR, have been approached and whether some of those nations are also supporting us?