



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

**GRANT OF CITIZENSHIP TO PERSONS OF
INDIAN ORIGIN (AMENDMENT)
ACT, No. 6 OF 2009**

[Certified on 18th February, 2009]

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 February 20, 2009

PRINTED AT THE DEPARTMENT OF GOVERNMENT PRINTING, SRI LANKA
TO BE PURCHASED AT THE GOVERNMENT PUBLICATIONS BUREAU, COLOMBO 5

Price : Rs. 4.00

Postage : Rs. 5.00

*Grant of Citizenship to Persons of Indian Origin
(Amendment) Act, No. 6 of 2009*

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L.D.—O. 62/2007.

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

BE it enacted by the Parliament of the Democratic Socialist
Republic of Sri Lanka as follows :—

1. This Act may be cited as the Grant of Citizenship to Persons of Indian Origin (Amendment) Act, No. 6 of 2009. Short title.

2. Section 2 of the Grant of Citizenship to persons of Indian Origin Act No. 35 of 2003 (hereinafter referred to as the “principal enactment”) is hereby amended — Amendment of section 2 of Act, No. 35 of 2003.

(1) by the substitution for the words “shall be granted the status of a citizen of Sri Lanka” of the words “shall have the status of a citizen of Sri Lanka”; and

(2) by the repeal of the proviso thereof, and the substitution therefor, of the following :—

“Provided however, where on the date of the coming into operation of this Act, a permanent resident referred to above, holds an Indian Passport or other similar document, such person’s status of a citizen of Sri Lanka 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.”.

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Insertion of section 2A in the principal enactment.

3. The following new section is hereby inserted immediately after section 2 of the principal enactment and shall have effect as section 2A of such enactment :—

“Grant of Citizenship to certain persons.

2A. Notwithstanding the provisions of section 2, any person who was a permanent resident of Sri Lanka with Indian Origin since October 30, 1964 or a descendent of such person, who due to circumstances beyond the control of such person—

(a) was compelled to leave Sri Lanka; and

(b) thereupon took up residence in India;

and who consequently had as at the day immediately preceding the date of the coming into operation of this Act, been unable to comply with the requirements of section 2, shall, if such person is able to submit proof that such person was a permanent resident of Sri Lanka with Indian Origin since October 30, 1964 or is a descendant of a person who has been a permanent resident of Sri Lanka with Indian origin since October 30, 1964, have the status of a citizen of Sri Lanka with effect from the date of commencement of this Act and shall be entitled to all the rights and privileges to which a citizen of Sri Lanka is entitled to by law:

Provided however, where on the date of the coming into operation of this Act, any person referred to above, holds an Indian Passport or other similar document, such person's status of a citizen of Sri Lanka, shall be effective only on his forwarding to the Commissioner a Declaration in the special form of Declaration

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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.”.

4. Section 4 of the principal enactment is hereby amended in subsection (1) thereof—

Amendment of section 4 of the principal enactment.

- (1) by the substitution for the words and figures “by virtue of the provisions of section 2”, of the words and figures “by virtue of the provisions of section 2 or 2A”; and
- (2) by the substitution for the words “Form set out in the same Schedule.”, of the words and figures “Form set out in the same Schedule :

Provided however, any person who is entitled to the status of a citizen of Sri Lanka under the provision of section 2A, shall apply for a Certificate of Citizenship under this Act, only upon his arrival in Sri Lanka with the intention of permanently residing in Sri Lanka.”.

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

Sinhala text to prevail in case of inconsistency.

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