

Shri Aladi Gurusamy
2/115, Chittoor Post, Thirumangalam (TK),
Madurai,
PIN - 625707

27 January 2015

Please refer to your RTI Application No. MOEAF/R/2015/80009 dated 09.01.2015 and received in this Ministry on 12 January 2015.

2. The applicant has requested for the following information:

Question:

I want a detail about of Katchatheevu whose the real owner of this island India or sri lankan and do you have any written documents of the ownership please send all above the details sir..

3. With respect to this Division of the Ministry, the responses available for the information sought by the applicant is as follows:

Katchatheevu Island lies on the SL side of the India-Sri Lanka IMBL that was delineated by the 1974 Agreement demarcating it in the Palk Straits and a subsequent 1976 Agreement demarcating it in the Gulf of Mannar and Bay of Bengal. This did not involve either acquiring or ceding of territory belonging to India since the area in question had never been demarcated. Under the Agreements, the Island of Katchatheevu lies on the Sri Lankan side of the India-Sri Lanka International Maritime Boundary Line.

1974 and 1976 Agreements are at the Annexure of this letter, for the reference of the applicant.

4. In case you prefer to appeal, you may write to Smt. Suchitra Durai, Joint Secretary (SM & IOR) & Appellate Authority, SM & IOR Division, Ministry of External Affairs, South Block, New Delhi – 110011 within a month from the date of receipt of this letter.

Rajeev Ranjan
Dr Rajeev Ranjan

Under Secretary (Sri Lanka) & CPIO,
Room No. 40C,
Ministry of External Affairs,
South Block, New Delhi - 110011
Ph: 23013036
Fax: 23014717

Copy to:

1. US (RTI). W.r.t. RTI Application Registration No. MOEAF/R/2015/80009 dated 09.01.2015

No. 15802

SRI LANKA
and
INDIA

Agreement on the boundary in historic waters between the two countries and related matters (with map). Signed at Colombo on 26 June 1974, and at New Delhi on 28 June 1974

Authentic text: English.

Registered by Sri Lanka on 19 July 1977.

SRI LANKA
et
INDE

Accord relatif à la détermination des limites dans les eaux historiques entre les deux pays et aux questions connexes (avec carte). Signé à Colombo le 26 juin 1974, et à New Delhi le 28 juin 1974

Texte authentique : anglais.

Enregistré par Sri Lanka le 19 juillet 1977.

AGREEMENT¹ BETWEEN SRI LANKA AND INDIA ON THE BOUNDARY IN HISTORIC WATERS BETWEEN THE TWO COUNTRIES AND RELATED MATTERS

The Government of the Republic of Sri Lanka and the Government of the Republic of India,

Desiring to determine the boundary line in the historic waters between Sri Lanka and India and to settle the related matters in a manner which is fair and equitable to both sides,

Having examined the entire question from all angles and taken into account the historical and other evidence and legal aspects thereof,

Have agreed as follows:

Article 1. The boundary between Sri Lanka and India in the waters from Palk Strait to Adam's Bridge shall be arcs of Great Circles between the following positions, in the sequence given below, defined by latitude and longitude:

Position 1:	10°05'	North,	80°03'	East
Position 2:	09°57'	North,	79°35'	East
Position 3:	09°40.15'	North,	79°22.60'	East
Position 4:	09°21.80'	North,	79°30.70'	East
Position 5:	09°13'	North,	79°32'	East
Position 6:	09°06'	North,	79°32'	East

Article 2. The co-ordinates of the positions specified in Article 1 are geographical co-ordinates and the straight lines connecting them are indicated in the chart annexed hereto, which has been signed by the surveyors authorized by the two Governments, respectively.

Article 3. The actual location of the aforementioned positions at sea and on the seabed shall be determined by a method to be mutually agreed upon by the surveyors authorized for the purpose by the two Governments, respectively.

Article 4. Each country shall have sovereignty and exclusive jurisdiction and control over the waters, the islands, the continental shelf and the subsoil thereof, falling on its own side of the aforesaid boundary.

Article 5. Subject to the foregoing, Indian fishermen and pilgrims will enjoy access to visit Kachchativu as hitherto, and will not be required by Sri Lanka to obtain travel documents or visas for these purposes.

Article 6. The vessels of Sri Lanka and India will enjoy in each other's waters such rights as they have traditionally enjoyed therein.

Article 7. If any single geological petroleum or natural gas structure or field, or any single geological structure or field of any other mineral deposit, including sand or gravel, extends across the boundary referred to in Article 1 and the part of such structure or field which is situated on one side of the boundary is exploited, in

¹ Came into force on 10 July 1974, by of the exchange of the instruments of ratification, which took place at New Delhi, in accordance with article 8.

whole or in part, from the other side of the boundary, the two countries shall seek to reach agreement as to the manner in which the structure or field shall be most effectively exploited and the manner in which the proceeds deriving therefrom shall be apportioned.

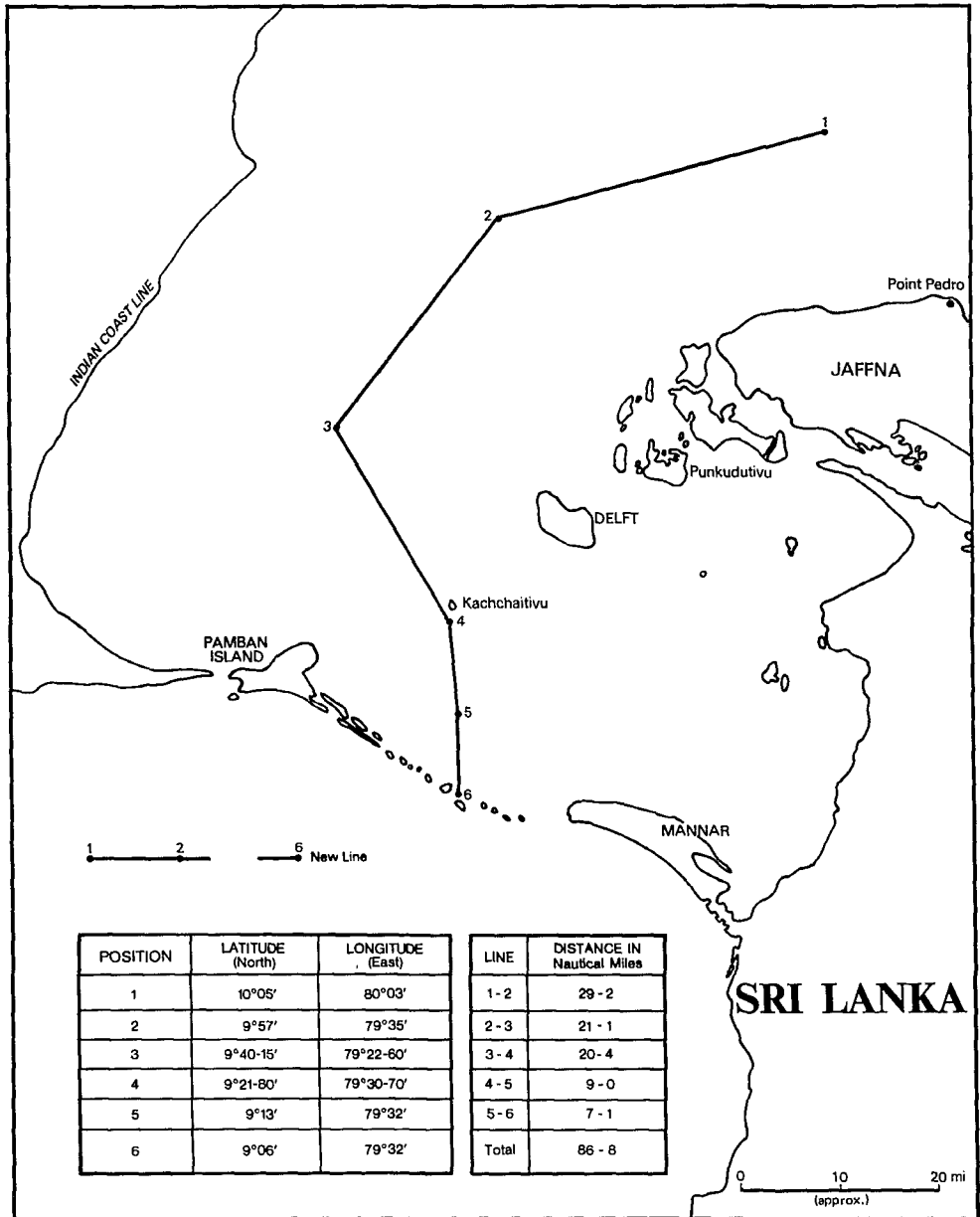
Article 8. This Agreement shall be subject to ratification. It shall enter into force on the date of exchange of the instruments of ratification which will take place as soon as possible.

For the Government
of the Republic of Sri Lanka:

SIRIMAVO R. D. BANDARANAIKE
Colombo, 26th June, 1974

For the Government
of the Republic of India:

INDIRA GANDHI
New Delhi, 28th June, 1974



3263.1x

Prepared by Survey Dept. Sri Lanka
Treaty No. 1-15802 (Vol.1049)

No. 15804

SRI LANKA
and
INDIA

Agreement on the maritime boundary between the two countries in the Gulf of Mannar and the Bay of Bengal and related matters (with map). Signed at New Delhi on 23 March 1976

Supplementary Agreement to the above-mentioned Agreement on the extension of the maritime boundary between the two countries in the Gulf of Mannar from position 13 m to the trijunction point between Sri Lanka, India and Maldives (point T) (with annexes). Signed at Colombo on 22 November 1976

Authentic texts: English.

Registered by Sri Lanka on 19 July 1977.

SRI LANKA
et
INDE

Accord relatif à la détermination des limites maritimes entre les deux pays dans le golfe de Mannar et le golfe du Bengale et aux questions connexes (avec carte). Signé à New Delhi le 23 mars 1976

Accord supplémentaire à l'Accord susmentionné sur l'extension des limites maritimes entre les deux pays dans le golfe de Mannar de la position 13 m au point de jonction des limites maritimes entre Sri Lanka, l'Inde et les Maldives (point T) [avec annexes]. Signé à Colombo le 22 novembre 1976

Textes authentiques : anglais.

Enregistrés par Sri Lanka le 19 juillet 1977.

AGREEMENT¹ BETWEEN SRI LANKA AND INDIA ON THE MARITIME BOUNDARY BETWEEN THE TWO COUNTRIES IN THE GULF OF MANNAR AND THE BAY OF BENGAL AND RELATED MATTERS

The Government of the Republic of Sri Lanka and the Government of the Republic of India,

Recalling that the boundary in the Palk Strait has been settled by the Agreement between the Republic of Sri Lanka and the Republic of India on the Boundary in Historic Waters between the Two Countries and Related Matters, signed on 26/28 June, 1974,²

And desiring to extend that boundary by determining the maritime boundary between the two countries in the Gulf of Mannar and the Bay of Bengal,

Have agreed as follows:

Article I. The maritime boundary between Sri Lanka and India in the Gulf of Mannar shall be arcs of great circles between the following positions, in the sequence given below, defined by latitude and longitude:

Position 1 m:	09°06'.0 N	79°32'.0 E
Position 2 m:	09°00'.0 N	79°31'.3 E
Position 3 m:	08°53'.8 N	79°29'.3 E
Position 4 m:	08°40'.0 N	79°18'.2 E
Position 5 m:	08°37'.2 N	79°13'.0 E
Position 6 m:	08°31'.2 N	79°04'.7 E
Position 7 m:	08°22'.2 N	78°55'.4 E
Position 8 m:	08°12'.2 N	78°53'.7 E
Position 9 m:	07°35'.3 N	78°45'.7 E
Position 10 m:	07°21'.0 N	78°38'.8 E
Position 11 m:	06°30'.8 N	78°12'.2 E
Position 12 m:	05°53'.9 N	77°50'.7 E
Position 13 m:	05°00'.0 N	77°10'.6 E

The extension of the boundary beyond position 13 m will be done subsequently.

Article II. The maritime boundary between Sri Lanka and India in the Bay of Bengal shall be arcs of great circles between the following positions, in the sequence given below, defined by latitude and longitude:

Position 1 b:	10°05'.0 N	80°03'.0 E
Position 1 ba:	10°05'.8 N	80°05'.0 E
Position 1 bb:	10°08'.4 N	80°09'.5 E
Position 2 b:	10°33'.0 N	80°46'.0 E
Position 3 b:	10°41'.7 N	81°02'.5 E
Position 4 b:	11°02'.7 N	81°56'.0 E
Position 5 b:	11°16'.0 N	82°24'.4 E
Position 6 b:	11°26'.6 N	83°22'.0 E

¹ Came into force on 10 May 1976, by the exchange of the instruments of ratification, which took place at New Delhi, in accordance with article VII.

² See p. 25 of this volume.

Article III. The coordinates of the positions specified in Articles I and II are geographical coordinates and the straight lines connecting them are indicated in the chart annexed hereto,¹ which has been signed by the surveyors duly authorised by the two Governments respectively.

Article IV. The actual location at sea and on the seabed of the positions specified in Articles I and II shall be determined by a method to be mutually agreed upon by the surveyors authorised for the purpose by the two Governments, respectively.

Article V. (1) Each Party shall have sovereignty over the historic waters and territorial sea, as well as over the islands, falling on its side of the aforesaid boundary.

(2) Each Party shall have sovereign rights and exclusive jurisdiction over the continental shelf and the exclusive economic zone as well as over their resources, whether living or non-living, falling on its side of the aforesaid boundary.

(3) Each Party shall respect rights of navigation through its territorial sea and exclusive economic zone in accordance with its laws and regulations and the rules of international law.

Article VI. If any single geological petroleum or natural gas structure or field, or any single geological structure or field of any mineral deposit, including sand or gravel, extends across the boundary referred to in Articles I and II and the part of such structure or field which is situated on one side of the boundary is exploited, in whole or in part, from the other side of the boundary, the two countries shall seek to reach agreement as to the manner in which the structure or field shall be most effectively exploited and the manner in which the proceeds deriving therefrom shall be apportioned.

Article VII. The Agreement shall be subject to ratification. It shall enter into force on the date of exchange of instruments of ratification, which shall take place as soon as possible.

[Signed]

W. T. JAYASINGHE
For the Government
of the Republic of Sri Lanka
New Delhi, 23rd March 1976

[Signed]

KEWAL SINGH
For the Government
of the Republic of India

¹ See insert in a pocket at the end of this volume.

**SUPPLEMENTARY AGREEMENT¹ BETWEEN SRI LANKA AND INDIA
ON THE EXTENSION OF THE MARITIME BOUNDARY BETWEEN
THE TWO COUNTRIES IN THE GULF OF MANNAR FROM POSI-
TION 13 m TO THE TRIJUNCTION POINT BETWEEN SRI
LANKA, INDIA AND MALDIVES (POINT T)**

The Government of the Republic of Sri Lanka and the Government of the Republic of India,

Recalling the Agreement between Sri Lanka and India on the Maritime Boundary between the two countries in the Gulf of Mannar and the Bay of Bengal and related matters, which was signed in March 1976² (a copy of which is annexed hereto marked Annex I), and which, in Article I, provides that "the extension of the boundary beyond position 13 m will be done subsequently",

Recalling the Agreement between Sri Lanka, India and Maldives concerning the determination of the trijunction point between the three countries in the Gulf of Mannar, which was signed by the representatives of the three Governments in July 1976³ (copy of which is annexed hereto marked Annex II),

And desiring to extend the maritime boundary between Sri Lanka and India in the Gulf of Mannar from position 13 m to the trijunction point (point T),

Have agreed as follows:

Article I. The maritime boundary between Sri Lanka and India in the Gulf of Mannar beyond position 13 m, defined in the Maritime Boundary Agreement of March 1976 (Annex I), up to the trijunction point (point T) defined in the trilateral agreement of July 1976 (Annex II), shall be arcs of great circles between the following positions, defined by latitude and longitude:

Position 13 m:	05°00'.0N	77°10'.6E
Point T:	04°47'.04N	77°01'.40E

Article II. The provisions of Article III to Article VII of the Maritime Boundary Agreement of March 1976 (Annex I) shall apply, *mutatis mutandis*, to this Agreement, as if this Agreement were supplementary to and an integral part of that Agreement.

W. T. JAYASINGHE
For the Government
of the Republic of Sri Lanka

B. M. OGA
For the Government
of the Republic of India

Place: Colombo

Date: 22nd November, 1976

¹ Came into force on 5 February 1977, by the exchange of the instruments of ratification, which took place at New Delhi, in accordance with article II.

² See p. 44 of this volume.

³ See p. 53 of this volume.

ANNEX I

AGREEMENT BETWEEN SRI LANKA AND INDIA ON THE MARITIME BOUNDARY BETWEEN THE TWO COUNTRIES IN THE GULF OF MANNAR AND THE BAY OF BENGAL AND RELATED MATTERS

[Not published herein. For the text, see p. 44 of this volume.]

ANNEX II

AGREEMENT BETWEEN SRI LANKA, INDIA AND MALDIVES CONCERNING THE DETERMINATION OF THE TRIJUNCTION POINT BETWEEN THE THREE COUNTRIES IN THE GULF OF MANNAR

[Not published herein. For the text, see p. 53 of this volume.]

No. 15803

**SRI LANKA
and
INDIA**

**Exchange of letters constituting an agreement on the Wadge
Bank Fisheries (with annex and map). New Delhi,
23 March 1976**

Authentic text: English.

Registered by Sri Lanka on 19 July 1977.

**SRI LANKA
et
INDE**

**Échange de lettres constituant un accord relatif à la pêche
dans le banc de Wadge (avec annexe et carte). New
Delhi, 23 mars 1976**

Texte authentique : anglais.

Enregistré par Sri Lanka le 19 juillet 1977.

EXCHANGE OF LETTERS CONSTITUTING AN AGREEMENT¹ BETWEEN SRI LANKA AND INDIA ON THE WADGE BANK FISHERIES

I

MINISTRY OF EXTERNAL AFFAIRS
NEW DELHI

23 March, 1976

Excellency,

An Agreement has been concluded between India and Sri Lanka on Maritime Boundary between the two countries in the Gulf of Mannar and the Bay of Bengal and Related Matters which was signed on 23 March 1976.² Our two Governments have also exchanged views on the substance of our proposed maritime legislation. With the establishment of the exclusive economic zones by the two countries, India and Sri Lanka will exercise sovereign rights over the living and non-living resources of their respective zone. The fishing vessels and fishermen of India shall not engage in fishing in the historic waters, the territorial sea and the exclusive zone of Sri Lanka nor shall the fishing vessels and fishermen of Sri Lanka engage in fishing in the historic waters, the territorial sea and the exclusive economic zone of India, without the express permission of Sri Lanka or India, as the case may be. In this connection, the following understanding has been reached between our two Governments in respect of fishing in the Wadge Bank:

(1) The Wadge Bank which is located near Cape Comorin, the general description and outline of which is given in the enclosed note and chart, lies within the exclusive economic zone of India, and India shall have sovereign rights over the area and its resources.

(2) The fishing vessels of Sri Lanka and persons on board these vessels shall not engage in fishing in the Wadge Bank. However, at the request of the Government of Sri Lanka and as a gesture of goodwill, the Government of India agrees that Sri Lanka fishing vessels duly licensed by the Government of India may engage in fishing in the Wadge Bank for a period of three years from the date of establishment by India of its exclusive economic zone. It is agreed that the number of Sri Lanka fishing vessels shall not exceed six, and their fish catch in the Wadge Bank shall not exceed two thousand tonnes, in any one year. At the expiry of this period, Sri Lanka vessels shall cease to fish in the Wadge Bank.

(3) The fishing by Sri Lanka vessels in the Wadge Bank shall be subject to the terms and conditions, including the fees to be charged, specified by the Government of India and to inspection and control by the Indian authorities. The Sri Lanka fishing vessels shall comply with these terms and conditions.

(4) If the Government of India decides to explore the Wadge Bank for petroleum and other mineral resources during the period mentioned in sub-paragraph (2), the Government of India shall notify to the Government of Sri Lanka the zones reserved for such exploration and the date of commencement of exploration. Sri Lanka fishing vessels shall terminate fishing activity, if any, in these zones with effect from the date of commencement of exploration.

¹ Came into force on 23 March 1976, the date of the letter in reply, in accordance with the provisions of the said letters.

² See p. 43 of this volume.

(5) The facility allowed to the Sri Lanka fishing vessels and persons on board those vessels is restricted to the fishing vessels owned by the Government of Sri Lanka or by a Sri Lanka company or its nationals. This facility shall not be transferable to any other State or its vessels or nationals.

(6) At the request of the Government of Sri Lanka, the Government of India agrees to provide annually to Sri Lanka two thousand tonnes of fish of the quality and species and at the price to be mutually agreed upon between the two Governments, for a period of five years with effect from the date of cessation of fishing activity by Sri Lanka vessels in the Wadge Bank as stipulated in sub-paragraph (2).

(7) The Government of India agrees to make available to the Government of Sri Lanka, upon terms and conditions to be agreed upon between the two Governments, technical assistance for the development of Sri Lanka's fisheries arising from the diversion of Sri Lanka's fishing vessels from the Wadge Bank.

I shall be grateful if you kindly confirm that the above sets out correctly the understanding reached between our two Governments. On receipt of your letter confirming this understanding, the understanding embodied in this letter shall constitute an agreement between our two Governments.

Accept, Excellency, the assurances of my highest consideration.

[Signed]

KEWAL SINGH
Foreign Secretary
to the Government of India

His Excellency Mr. W. T. Jayasinghe
Secretary in the Ministry of Defence
and Foreign Affairs
Government of Sri Lanka

II

New Delhi, March 23, 1976

Excellency,

I have the honour to acknowledge receipt of your letter of 23rd March 1976 which reads as follows:

[See letter I]

I have the honour to confirm that the above correctly sets out the understanding reached between our two Governments. Your letter and my reply thereto shall constitute an agreement between the Government of Sri Lanka and the Government of India which shall come into force with effect from today the twenty-third day of March nineteen hundred and seventy-six.

Accept, Excellency, the assurances of my highest consideration.

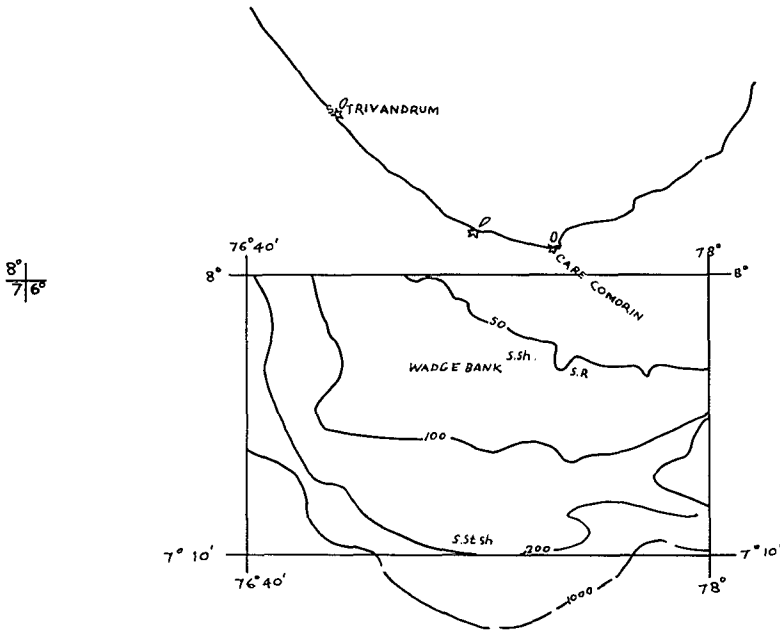
W. T. JAYASINGHE

His Excellency Mr. Kewal Singh
Foreign Secretary to the Government of India

A N N E X

GENERAL DESCRIPTION OF THE WADGE BANK

The Wadge Bank is situated to the South of Cape Comorin and lies generally between latitudes 7°10'N and 8°00'N and longitudes 76°40'E and 78°00'E, but outside the territorial waters of India. The Bank shelves gradually up to 200 metres depth with its most extensive flattening in an East-West direction between the 50 metres and 100 metres contours. The sea-bed consists of sand and shell and is rocky in places.



J. L. Fraser
 Commodore I.N.
 Chief Hydrographer to the
 Government of India
 23 March 1976

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Treaty No. I-15803 (Vol. 1049)