

The SEARCHLIGHT

36th YEAR OF ESTABLISHMENT

VOL 36 NO 10

COLOMBO

15th June, 1957

A CLOSE CALL FOR NATIONALISM

INDEPENDENCE has brought about a strong sense of Nationalism. This is an admirable spirit. Nationalism fostered in its natural sphere attains the glory of a virtue. On the other hand if Nationalism is nurtured in the vicious bowl of individualism and arrogance, we turn our eyes away from it in dismay or disgust.

In essence, Nationalism is a love for one's country for its own sake. Hence any outpourings of love for individual glory or the glory of any political party are to say the least unworthy of the name Nationalism.

That this untrue aspect of Nationalism is attempting to sow seeds of an unreal unity within us is a factor we should unhesitatingly deplore. This unhealthy spirit will gradually eat into the very core of our existence and will eventually make the vital bonds of harmony which had prevailed for so many years rot and decay.

MINORITIES UNDER FOREIGN RULE

An elementary essential of Nationalism is pathetically misdirected were it to cause embarrassment, inconvenience or hardship to the least of its citizens.

Under foreign rule the minorities enjoyed sufficient tolerance and recognition so as to make them alive to their responsibilities and take a live interest in the social and political welfare of the country. Evidence of such interest was unmistakably displayed during the period when Ceylon was agitating for Reforms, Dominion Status and ultimate Independence. This freedom and Independence was won by a new national compact of all different racial and religious units that together compose the population of this Island. Thus those who raise racial bitterness, communal antagonism or religious passions are attempting to destroy

(Continued on page 16)

"The Greatest Constitutional Hoax perpetrated on this Country"

'Pick-Pockets' who functioned as members of the Public Service Commission in the Donoughmore Era

By C. M. Edwin de Silva

Secretary Public Services Aid Association
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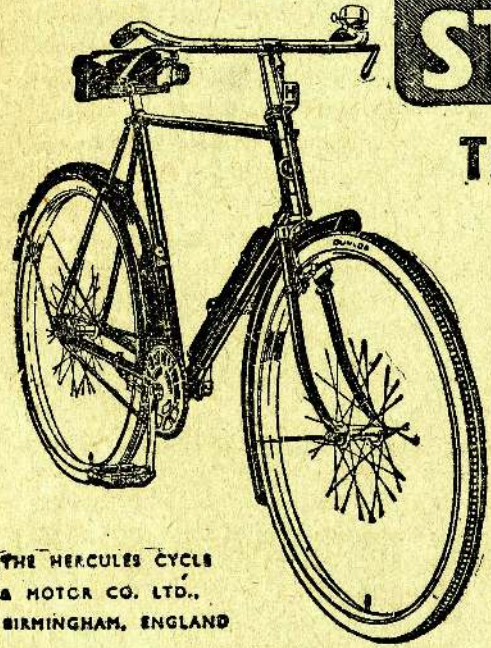
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Vol. 36 No. 10

COLOMBO

JUNE 15th 1957

IS CEYLON HEADING FOR ANARCHY? Article No. 2

WHERE THE TROUBLE BEGAN

IN passing the "Singhala Only" Bill the Singhalese community seem to have forgotten the great past. The "avalanche" did occur at the Elections of 1956, the elements in charge of the electors spared no pains to bring about results which the U.N.P. even in its wildest dreams, did not expect. The leaders of the U.N.P. did not fail to use unguarded language (on and off occasions) when the Buddhist clergy, who acted in opposition to U.N.P.'s wishes, used to be castigated by the use of those memorable words, which would shame the conscience of even a layman. Bitterest emotions were roused under the U.N.P. regime. Revenge, on the part of those who had been suborned, appeared sweet. The Singhalese were roused to a state of frenzy to overthrow the Government of the U.N.P. that sought by use of words to belittle the Buddhist priesthood. Buddhist priests strained every nerve to become politically-minded.

Mr. Bandaranaike our very learned, able and stout hearted champion of the S.L.F.P. its veritable King, a distinguished son of the soil, a lawyer and astute master of eloquence, a profound thinker and an indefatigable worker felt the call of the Singhalese nation to lift the country to its pristine glory. His voice

reverberated in every nook and corner of Ceylon to stimulate the masses that it was time the U.N.P. was defeated and there sprang up the resurgent spirit of the Sri Lanka Freedom Party. It had the power to restore the Singhalese language and Singhalese culture to its earlier glory among the nations of the world. Mr. Bandaranaike was one of the ablest of the educated sons of Ceylon and rightly or wrongly, consciously or unconsciously, he pledged his word to the Singhalese people, that given the opportunity to form a Government he would make Singhalese the State Language.

SIR JOHN'S TALK OF PARITY

U.N.P. stalwarts were divided on this language issue. The leader went to appease the Jaffna people, his very good friends, that he would subscribe to a policy which would afford parity of status to both the Singhalese and Tamils. The disgruntled elements, however, of the U.N.P. could not subscribe to this manifesto of their leader. The Sri Lanka Freedom Party saw in this chaos a golden opportunity to widen the rift between the U.N.P. and the people of this country, the Electors. The mass of the Buddhist priesthood stung by insults to their had firmly united together with the

voting elements to bring the downfall of the U.N.P. on an unprecedented scale. The unexpected 'avalanche' came.

Mr. Bandaranaike was rightly acclaimed as the Prime Minister. Despite his resounding victory, Mr. Bandaranaike, who at heart is a great and undoubted humanitarian and a pacifist to boot, notwithstanding all his trenchant criticisms of the earlier Government whereby he had scored many points for his party with always a feather in his cap, adopted the Buddhist policy of humility. In all humility he undertook the reins of office. He had to bring to bear in the formation of his Cabinet signal foresight, and the most anxious and careful considerations. He knew the conditions under which he had come to power. He knew the promises he had given to the country. He was in a state of ferment to establish the Sinhalese language as a State Language. In this agitated frame of mind he was goaded on to his task by many others, who consistently held the view that the Sinhalese language shall be the one and only state language. Mr. Bandaranaike had all along visualised the unrest this move was going to create, but he had no alternative left open to him, once he took office as Prime Minister.

He had however in his vast vision and foresight kept a door open through which he could make every possible compromise with

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his Tamil friends viz the reasonable use of the Tamil language.

The sudden turn of events upset the Tamils. On the flag issue they had fought and fought very hard to yield no ground to the Sinhalese. With the Parity question thrown to the winds by the Party in power, the Tamils began to find ways and means of uniting all Tamil bodies and elements to one ideal solution. Here, too, the unfortunate canker of Power in politics, that breeds contempt between father and son, brother and brother, resulted in divergent policies as outlined by the very learned Tamils. The wise and most thoughtful leaders among the Tamils tried their hardest to solve the riddle, but the Federal Party would never subscribe to the views of the others.

In the end the Federal Party has triumphed as the master spokesman of the Tamil cause in taking upon himself the responsibility for its action on behalf of the Tamil cause, although

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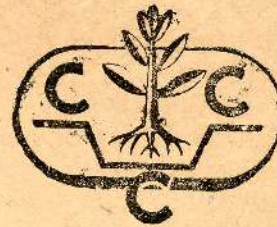
there are other eloquent men among the Tamils who have unhesitatingly thrown in the gauntlet and prefer to resign from the already laid down precipitate and dangerous course of the Federal Party.

"SRI" SIGN A HIGHLY PROVOCATIVE STEP

The Singhalese have not only gone ahead with the language question, but have quite unfortunately and deliberately sought to appease a diehard section of their community by getting the number plates of new motor vehicles (after the E. N. Series) marked with a Singhalese letter "Sri." In the name of all that is sensible, honest and straightforward, one may well ask why this dangerous and highly provocative step had to be taken, so precipitately by the Government, in the teeth of grave opposition that faced it from the Tamils on the language issue. It is possible to feel that there was clear contempt for the Tamils in this move. Was this justice, was this fair play? was it an honest action on the part of the Cabinet? The present Government has been put in power and it elects to force its will on the subjects. The subjects can only voice their sentiments constitutionally, even though they see that their concerted opinion as representing the voice of the public is going to be of no avail to the Cabinet in Power.

The voice of the public correctly expressed in a legitimate and orderly fashion can do a great deal in any country. A defiant Cabinet can always be made to see reason by public sentiment properly created. But no one can dare to involve a blessed country like ours into a state of anarchy or into an orgy of violence of any kind by the perpetration of any act calculated to achieve a purpose considered beneficial to a section of the public, however large or small. Such an attitude of mind on the part of any member or members of any party or caucus must result in the severest condemnation, however deserving the cause at the bottom of it all may be.

I now ask the reader in all reasonableness whether the Cabinet members did not possess the common sense to think that the number plate of a motor vehicle which was desired to be marked with a Singhalese character "Sri" could with equal competence be marked by any Tamil (who desired so to have it) by the letters corresponding to the same character "Sri." What on God's earth was going to be



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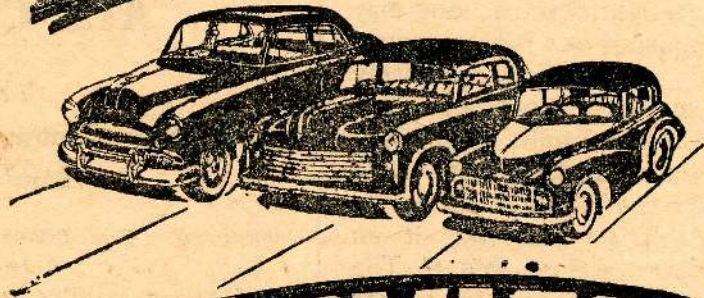
P. O. BOX 33, COLOMBO.

the difference in regard to this little compromise if the Cabinet desired to do away with English letters, altogether, for any reason. Was this compromise going to effect the "Sinhala only" resolution prejudicially? Was it going to rob the Sinhalese culture of its rightful place in Ceylon? Was this trifling courtesy towards the Tamils going to add prestige to the Tamil language, which mischief-makers and a highly propaganda-minded section of the Sinhalese elements are most anxious to down, if not to destroy it lock, stock and barrel.

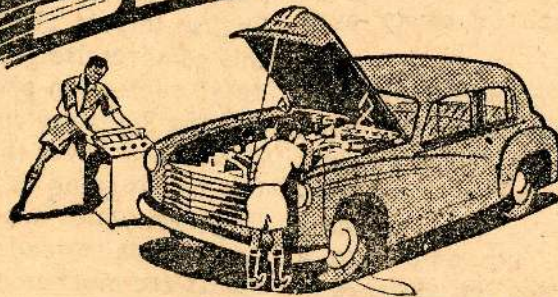
IT WAS A SORDID MOVE

It was this singularly offensive and sordid move to thrust the Sinhalese letter "Sri" down the throats of Tamil people that has resulted in the chaos which confronts the Cabinet and the entire public of Ceylon today. I go one step further and boldly state that the distinguishing mark or character on the number plate of a motor vehicle could have even been placed in English, without the slightest prejudice to the Sinhalese language, its race, or its culture. The English equivalent for Sri could have been achieved in one single letter form, as a monogram is perfected. Reason was flouted, a deliberate defiance and truculent attitude was thought fit to be adopted by the Cabinet in power, an ar-

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rogant, hostile section of our countrymen. Was this done to help the Cabinet return in power at the next elections?

The Prime Minister is great, honourable, sagacious and masterful in situations such as these, but when pressure is brought to bear on him by the members of the Cabinet, or from the power behind the throne, it is never possible for the Prime Minister to go on contrary to the majority decision of his Cabinet Ministers. We all know that the Prime Minister has his best friends among the Tamils. He would never tolerate injustice of any kind. The country now appeals to him for his ablest decisions along the path of reason and fair-play. The Tamils showed their very legitimate resentment in more ways than one in regard to the letter "Sri" but the Cabinet was not backward to follow up its original section with another resolve to thwart the formented opposition. The Tamils of Ceylon now have to take perforce, what comes their way in a reasonable frame of mind. Cabinet decisions can never be reversed by open rebellion in the form of a so called 'Satyagraha' Movement—Peaceful indeed, so long as stones begin to be pelted and a right royal battle begins.

The Ceylon Satyagrahists will have to be born over and over again, baptized by the fiery spirit of Godliness before they dare to use the name of 'Satyagraha' for a movement fraught with violence under the shadow and spectre of 'non violence' of Abimsa. We may honestly tell our friends the Federalists: 'Live to learn and learn to live.'!

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The leaders who were responsible for the black flag demonstration in Mannar are all to blame for the mischievous, wrongful, illegal, revengeful act of stoning the vehicles of Ministers who proceeded in a peaceful way without the slightest demonstration of violence or truculence on their part to discharge their duties by a number of residents of Mannar, that invited them to view certain shortcomings on the part of Government.

I candidly admit that the Tamils have had grave cause to make their black flag demonstrations. I candidly acknowledge that the leaders of the demonstration also firmly believed that whatever demonstration took place the same would be definitely non-violent, but if any one single unruly member of the mob resorted to violence not one member

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of the demonstrating party could claim an excuse for himself in respect of the act of the mischievous man from among the mob. To incite a section of the people against the authority by law established, is a traitorous act of any citizen. Such an act calls for the the severest condemnation and penalty provided in law.

If one single highly placed Tamil among the so-called peaceful demonstrators can escape the rigour of the law, for the mischief done on the occasion of the visit of the Ministers to Mannar, then it is no wonder if the very large section of the Singhalese takes the law similarly into their own hands to do bodily harm to the Tamils in any particular district. What would such unruly actions result in? Would not incendiarism and all the

other appalling acts occur? What are our good Tamil friends, the Federalists, heading for? What do they expect by way of safety for the unfortunate women and children? If a situation like a riot takes place in Mannar or any other place, its repercussions in all parts of the Island will be almost instantaneous. Do the leading lawyers of the Federal Party make light of this matter? It will be a case of internecine warfare among the two communities. What happens in Ceylon did take place in India before the partition. Inflammable literature, teeming with hatred for one section of the Indian population by another, was published and spread from country to country. When the time came for murder, massacre and tyranny, thousands upon thousands were ruthlessly mowed down in an orgy

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of murder, loot and rapine. The grim reminder of those fateful days serves as a bulwark at the present moment for any conflagration between the Indians and Pakistanis. A Merciful Providence guides and guards the destinies of two independent nations armed to the teeth and with daggers drawn at each other. Perhaps the soul force of the departed Mahatma is at work in the land of his birth in a mysterious ununderstandable way, to thwart a calamity of dire tribulation.

If such a cataclysmic upheaval were to start with a projected dangerous violent movement under the pseudonym of 'Satyagraha,' can our Army and Police, with Naval Reserves and other volunteers, ever succeed in quelling the disturbances and in saving the lives that are at stake? Nothing short of anarchy is looming large. I marvel if such a contemplated course of action, leading to ruin, can ever be thought of or launched by any leader of a party?

GOVERNMENT IN PANIC

We already see the Cabinet is in a panic. The measures suggested to the Prime Minister to prevent people from leaving the Island is one clear instance of what the Government thinks of the matter.

The other parties opposed to the M. E. P. regime may well carry on their propaganda of abuse and vilification of M.E.P. policy, but it must be remembered that even the U.N.P., if it had been returned to power, would have been compelled to bring in the "Sinhala Only" bill into Parliament with the grim alternative of being censured for promises made which were not being kept. The Prime Minister's present difficult dilemma is exactly this. He has tried to fulfil every promise he gave his constituents and to the people of the country who returned him into power. He works most assiduously and at the risk of his personal health for the welfare of his country and the people. He is a very reasonable soul with a broad mind capable of grappling each and every problem. If

Cabinet decisions do not meet with the approval and approbation of all persons the as Prime Minister is not to blame personally.

THE NEED FOR WISE COUNSEL

Our Prime Minister is all too human and will never lend himself to injustice. In all reasonableness, the people of this country should vie one with another to remove the grim outlook that faces our country. I am positive that if the Prime Minister can be persuaded to see that the mischievous meaningless compulsion brought to bear upon the people of this country, in regard to the compulsory use of the Singhalese letter "Sri" is removed, the whole of the Language Problem can be adjusted to the ultimate satisfaction of all communities.

The Singhalese and Tamils are races that have lived side by side for many centuries without a conflict, but the few mischief-makers are egging the members of the Cabinet to a policy of wanton disregard of the wishes and views of the Tamils. I do not refer to a panicky suggestion brought forward by the Prime Minister to raise an Army of Volunteers to assist in the preservation of law and order. The subject has met with adequate condemnation from many sources. I pray that better counsel will prevail and panic-stricken advisers of the Prime Minister will have the wisdom to guide our Prime Minister in the right course where by he could establish right relations between all sections of the public. If the Prime Minister speaks of Ceylon being a free country not allied to any Power block pursuing its own legitimate aspirations, I am convinced that this our own great and astute diplomat means every word of what he says. He is not doing lip service to high-sounding ideas. Our Prime Minister has shown his mettle in dealing with many problems with consummate wisdom, and I am sure he will not fail his country in the wisest course he should take to remedy the singular ills that obscure the vision, both inner and outer, of our countrymen.

I say this of our Prime Minister not, because he feeds me with hoppers and pittus or the promised chicken curry for the U.N.P. stalwarts. I have tried to see through the gloom that seeks to overshadow our dear Lanka, which certainly must have a place of pride in the innermost sanctuary of every heart, Singhalese, Tamil, Muslim Burgher or Parsi.

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V.I.P.'s alleged to be involved in the Business

WHAT A COLOMBO JEWELLER SAYS

SMUGGLING appears to be fast becoming a fashionable enterprise and also a major industry in Ceylon. This, perhaps, is in keeping with the policy of the M.E.P. government of "increasing the national wealth of the country." At one time, smuggling was confined to certain coastal villages in the arid North, somewhere in the neighbourhood of Velvetithurai, Point Pedro and K.K.S. With the coming of Independence, and with the development and expansion of the means of communication, it has spread to the metropolis where the 'Big Shots,' official and unofficial, are spoken of as having a hand in the new smuggling business which yields large and quick returns. It is somewhat of a risky enterprise, it is true; but when the keymen of the Government services and their satellites are well roped in, the risk is reduced to a minimum. This cannot be allowed to happen.

What perhaps will surprise the readers to hear, is that even our so called society women, who are much in evidence at cocktail parties in Colombo hotels and indulging in Buchananian revels in the company of foreign men and women, are requisitioned for the purpose. In this manner tremendous business is done in smuggled gold, jewellery, diamonds and even dope.

It is believed that Government is not unaware of what is going on, but the difficulty is that it has to contend against a net-work of its own men who are said to be aiding and abetting the smugglers in their nefarious schemes by keeping them well-informed through society women who are in the smugglers pay.

So successfully have these smuggling operations been carried on, that recognised diamond merchants in the city, who supply local Jewellers with parcels of diamonds from time to time, find, like Othello, their occupation gone. In fact, it is the view of these Jewellers that of late, they don't need to place orders or indents for their requirements because local V.I.P.s, especially women folk, bring packets of brilli-

ants for sale to their establishments and which they buy much cheaper than it would be to import. Inquiries made have elicited the information that the persons who offer these brilliants are not recognised importers holding Government license. Now that seems conclusive proof that smuggling is going on.

In view of these facts, it is up to Government to give the matter careful consideration and adopt stringent measures to put an immediate stop to the smuggling that is alleged to be going on both at the Colombo Port and at the Airport at Ratmalana. It would be a wise step to permit Customs officers on duty at the airport, to examine any plane that arrives and after the passengers have landed and departed. At present this is not done. For it is likely that contraband sought to be smuggled being secreted in the plane and which can be removed later when the government sleuth-hounds on duty at the Airport had left.

THE DOPE TRAFFIC IN THE NORTH

THE setting up of a Central Narcotics Bureau to effectively curb the activities of the Island's dope 'mudalalis' is suggested by the Excise Commissioner. It seemed desirable, he says, that the Government should have the services of such an organisation, with resources to match those of the dope-dealing gangs, if the problem is to be tackled successfully.

Opium continues to be smuggled into the island in fair quantities, despite the vigilance of the Customs and coastal guards—and particularly along the Northern Coast.

Various ruses to the authorities were adopted by dope-dealers to transport their drugs to Colombo and urban areas. Fast moving cars were used and often dope was concealed in consignment of cigars, tobacco, vegetables etc. according to the Excise Commissioner's Administration Report for the past year.

"The Greatest Constitutional Hoax perpetrated on this Country"

'Pick-Pockets' who functioned as members of the Public Service Commission in the Donoughmore Era

By C. M. Edwin de Silva

Secretary Public Services Aid Association

THE letter of Mr M. W Silva which appeared in a local paper of 27 5. 57 is quite an interesting one, coming at a time when a motion is pending in Parliament



Mr. C. M. Edwin de Silva

to revise the Ceylon Constitution and Independence Orders-in-Council 1946 and 1947 in respect of the Public Service Commission and other matters. While agreeing with many of the valuable suggestions made by Mr. de Silva in his letter to lighten the onerous duties of

the present members of the Public Service Commission and also to ensure a square deal to all Public Servants pertaining to appointments, transfers, dismissal and other disciplinary action which may be taken against them, I would like to point out that the first Public Service Commission came to be established as the result of a recommendation made in the Report of the Donoughmore Commission in order to

inspire in the Public Services a confidence that appointments and promotions will be decided on the strict merits of the case without regard to the vicissitudes of political life or the fluctuations of communal sentiments' (Vide Page 138.)

Although the composition of the Public Service Commission was laid down in this

report and it was also ordained that it should be a permanent body, for some mysterious reason the complexion of the Public Service Commission which the Donoughmore Com-

mission envisaged was given a different colouring when the Ceylon (State Council) Order-in-Council of 1931 appeared in print. In fact it existed only on paper and during the whole period of the Donoughmore era from 1931 - 1946 it functioned with-



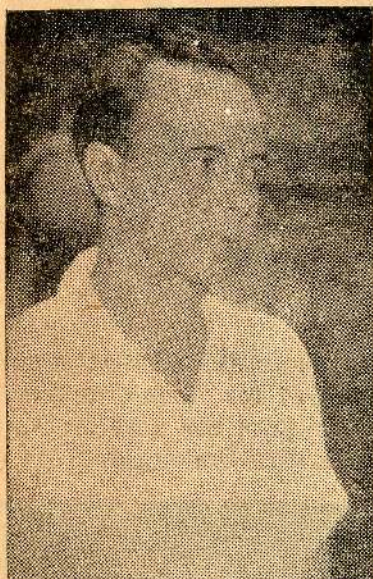
Sir Herbert Jansz
Chairman P.S.C., Since 1955

out any personnel. The following comments made in this connection by the Soulbury Commission (in Para 324 of their Report) are very interesting.

"The Donoughmore report sets out in detail the various functions which the Commissioners recommended should be assigned to the Executive Committees and to the Officers of State. These functions were laid down in the Ceylon (State Council Order in - Council 1931 (First and Second Schedules) with certain departures from the Donoughmore recommendations **not in our opinion entirely justified in the light of subsequent experience.**"

What really happened was that although the Donoughmore Commission designed a

Constitution on the lines indicated in their report the framing of the Constitution was



PIETER KEUNEMAN M. P.

done by certain high-ups in the Public Service who gave a different twist to it so as to keep all the power to themselves, with the result the State Council was virtually reduced to a Government Department under the Chief Secretary, the Legal Secretary and the Financial

Secretary, who without having retired from the Public Service as required by Articles 4 (a) 9 (c) and 91 of the Order-in-Council of 1931 read in conjunction with the recommendation laid down on Page 146 of the Donoughmore Report, performed both Ministerial and Executive functions.

A JEKYLL AND HYDE BUSINESS

The failure or the omission to have designated the Three Officers of State who were the three appointed Ministers as Political Adviser, Financial Adviser and Legal Adviser as indicated in the first para on Page 150 of their report so as to distinguish them from Chief Secretary, Treasurer and Attorney General, who were the Executive Heads in charge of the Secretariat, Treasury and the Attorney General's Department respectively, for the administration of which they were responsible to the Three Officers of State, led to much confusion. With the result each of the Three Officers of State performed the functions of three persons and the three of them performed the functions of nine persons, both Ministerial and Executive functions combined viz: when they came to the State Council they functioned as the three appointed Ministers, when they went back to their separate secretariats they were Heads of Department and when they went

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elsewhere they passed off as members of the Public Service Commission. That the Chief Secretary, Treasurer and Attorney General were the respective Heads of Department under the Three Officers of State, is clearly shown in the second Schedule on Page 51 of the Donoughmore Report and the Departments under the Executive Committees in charge of the elected Ministers are defined in the first schedule on Page 49 of the report. The three Officers of State or the three appointed Ministers with the seven elected Ministers constituted the Board of Ministers, the Chairman of which was the Senior Minister who should have been designated as the Chief Political Adviser. On this point the Donoughmore Report on Page 66 states thus:-

The Senior Officer of State, second only to the Governor and called upon to administer the Government during the Governor's absence or incapacity, he will naturally occupy the position of Senior Minister. But he will in no sense be a Prime Minister. Though Chairman of the Minister's Committee, his duty will be to act in common with the other Officers of State in an **advisory** rather than in an **executive** capacity."

A PARADOX

The nomenclatures Financial Secretary and Legal Secretary find no place in any part of the Donoughmore Report and with whose authority they came to be included in the Order-in-Council of 1931 is as paradoxical

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as is the omission of all reference therein to the Treasurer and the Attorney General, the two Executive Heads answerable to the Financial and Legal Advisers who were the other two Officers of State.

There was also no provision whatsoever in the Donoughmore Report for a Deputy Chief Secretary and a Deputy Financial Secretary. These designations applied to two senior Public Servants in the Secretariat and the Treasury who also sat in the State Council during the absence of the Chief Secretary or the Financial Secretary. There was, however, no official bearing the designation of Deputy Legal Secretary. Why is that? Because that would have necessitated the abolition of the post of Attorney-General

How did all this confusion occur? It is well to remember in this connection that under the old Legislative Council Order-in-Council there were three high officials known as the Colonial

(Continued on page 17)

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What People Say

WHO is going to buy John Bass's photographs printed on Government account?

THAT Barty and P. O. are to be the President and Vice President of the Social Service Organisation Committee.

THAT the Turf Club will throw in a few Treble Tickets

THAT Christy had his best Aberdeen Smile in the photograph published in a morning paper.

THAT Banda had nearly settled with Nad inspite of the U. N. P. vapourings

THAT the Island is in for record taxation inspite of the Sugar from Gal Oya and Donovan's Egg Hoppers

THAT Aubrey of the Zoo has come back with full of his doings abroad

THAT Aubrey from Australia has become an Agriculturist.

HE will guide the Burghers to prosperity.

THAT the Southern Province is full of Karakkan Pittu, curd and wild-honey and Crocodile tears from Matara.

THE slump in Rubber, Coconut and Tea will continue and Perera will have to pay for the price of Sugar & Flour

THE ordinary man will be satisfied even with Kiributh and Lunumiris.

THAT the Tamils should watch Ponna who is getting very large holdings in Colombo and may do a somersault.

THAT Razik has already turned his hat twice.

THAT if looting and trouble start in August the Kayman's Gate Belfry should be made use of.

THAT public hanging is the best cure.

CAN any one of our old Historians tell us who is the last who was hanged there?

THAT dinner to John Bass at the G. O. H. was not a success somebody did not pay for the champagne.

THIS is in keeping with what the V.I.P's do today? Isn't it a Shame?

THAT the redoubtable Vimala (Health Minister) has opened an office at the General Hospital

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WHEN she actually listens to complaints.

SHE even sends for Hospital Nurses, Attendants and Kitchen mates and makes enquiries.

THAT there is a limit to things.

BUT this is going too far—a bit too far.

WHAT is the Superintendent-in-Charge there for, if Vimala is going to have her own way?

THAT the Hospital Staff with the Physicians and Surgeons resent this unwarranted interference with their duties and discretion.

THAT it will not be a matter of surprise if the Doctors walk out one of these mornings.

FOR there is a talk about that already.

New Colonial Hotel

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ROTARY

WITH reference to the letter which appeared on page 20 of The Searchlight of the 31st May, signed "Jack of Diamonds" the writer has done much good in general by exposing the conditions prevailing in the Colombo Rotary Club.

I am also a Rotarian and hope that the Club will take note of what the writer says: We have recently got into Rotary many men who should not have been admitted to the Club.

The trouble with the senior members is that when they are appointed to a Committee and when they become Chairman of that Committee, they make it a life time job not having the grace to give up after a year or 2 years service and make room for younger and more capable Rotarians [Isn't "Service Before Self" the motto of Rotary? Editor]

The Club is also lax regarding members who do not maintain the principles of Rotary and attend the Club Luncheons, only when it suits their convenience.

I hope "Jack of Diamonds" letter will wake up the members of the Rotary Club of Colombo to a sense of their duties.

Yours,

Colombo 7

"ACE OF CLUBS"

(Any future letters regarding Rotary must be duly authenticated by the writers signing their name, not necessarily for publication but to prove their bona fides and for our information - Editor)

What People Say

THAT is it fair for one member of a family to take up where the other left off knowing full well that a grievous wrong had been perpetrated on the latter?

That the talk of the town is that grave injustice has been done

That what are the essential qualifications for Distinguished Citizenship Rights in Ceylon?

THAT a certain Indian resident in Ceylon who was granted Distinguished Citizenship Rights quite recently went to Bombay on the pretext of something or the other and quietly got married to an Indian woman

WAS this gentleman waiting till he got his Citizenship Rights to perform the matrimonial ceremony—

Why could he have not done it earlier?

THAT the Shoe Trade comprising of all Ceylonese in the Pettah is much perturbed that this self-same distinguished Citizen has been granted a quota to import 10,000 pairs of shoes under two different firms, which are one and the same and under his proprietorship

HOW came the appropriate Minister to give this large quota to a non-Ceylonese who only the other day got his Citizenship Rights?

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THAT all sorts of ruses are adopted by quick witted people to enrich themselves under the guise of patriotism.

THAT Ceylonese on their staff have been promoted Directors, only in name to get their full quota, and when it comes to a question of paying them their dues, lame excuses are put forward to get over their obligations.

THAT this Distinguished Citizen has the effrontery to tell some of the dealers in the Shoe Trade that they are only Ceyloni while he is a Distinguished Ceyloni

THAT the Ceylon Hotels Co. Ltd, was floated with only seven Ten Rupee Shares

THAT the Balance was subscribed capital

THAT Mr Donovan Andree is the fittest person to be appointed Chairman of the Tourist Development Board

THAT the whole country will be filled with joy should this well known entrepreneur and journalist be called upon to assist and help in the advance-

ment and progress of Tourist Trade

THAT the W.V.P. Parade at the Cenotoph was a wash-out

HOW many of those who attended had any War Service?

The Colombo Rotary Club has come in for honest criticism

WILL Directors take notice of "Jack of Diamonds letter"

THAT Rotary is not meant to push one's mango friends up.

Good young Rotarians should get a chance of showing their worth

HOW much money was lost over the Hospital Sweep scandal

IS the matter ever going to be solved?
THAT Perky and Dick are getting too thick.

THAT the Rotary Dinner was a real Indian Show

NO Champagne was served

WHY did the big V.I.P.'s not attend the function

Chandi, Billy and Soma were in their element.

THE NATION

LETTERS in the name of language have poured in from all sides fanning the air of racial rancour. We are quite aware of the bloody scenes that were enacted by the linguistic lunatics of Mother India. The human spirit is trampled down. The voice of reason is hushed. The shouts of intolerance are heard.

If we are to exist as a nation the brotherhood of man must triumph. There is no room for selfishness of any kind "Wherever the carcass is the eagles gather together." So the language cry is exploited by the politicians to gain their own selfish ends.

Fear plays a large part. The fear of extinction through invasion haunts one section, fear of economic disadvantages another, and so on. The Government fears that the UNP is lurking in every bush just as the UNP in its day feared the communists. So the language cry has become an outward and external expression of an inward and invisible fear. If the Government acts in such a way as to command the confidence of the people, all will be well for Lanka. Let us each sacrifice something for the greater good of the nation. Let us all from the North or South East or West march forward to a common goal.

Mahatma Gandhi has said that Lord Buddha is the greatest Hindu. So why should not the followers of Hinduism and Buddhism, whatever their race, work for the cause of one nation. Ethnically the bond is too strong for a two nation theory.

Colombo 4

C. DE SARAM

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 For the cause that needs assistance
 For the future in the distance
 For the good that we can do

JUNE 15th 1957

On the Brink of a Precipice

NEVER in its history spread over eighty years had the Colombo Municipal Council been driven to such a desperate and critical situation as it finds itself today. The Council is faced with bankruptcy. This has happened because misfits have been thrust into positions which they were not competent to fill and the ratepayers must take upon themselves the blame for so doing. They have allowed their commonsense and judgment to be over-riden by the importunities of persons who sought to help themselves. In fact the ratepayers have allowed nincompoops to trifle with the city's interests.

Time was when men of outstanding ability were sent to Council; men who knew how to safeguard the civic interests, administer its affairs and fulfil their responsibilities in a manner that won them public approbation. But with the march of time those of inferior calibre hardly able to look after their own personal affairs, have managed to creep into Council with the aid of the party system which, as everybody knows, cast individual merit aside for political expediency. It is such a class of men who are responsible for bringing the Municipal Council of Colombo to the unhappy pass it finds itself in. When we refer to the misfits and men of inferior calibre, we don't mean to suggest that all councillors are such. There are exceptions. For the last three councils composed of able men such as R.F.S. de Mel, S. Sellamuttu, Dr. N. M. Perera and T. Rudra, whose intimate and profound knowledge of municipal government and problems connected with them, was unmatched for sanity of view, sound judgment and arround ability.

Going through our files and also the Administration Reports of the respective Mayors, we have been much impressed with the contributions they have made as shown by the splendid record of work well and truly performed. We are inclined to the view that if the other members had accepted the advice, guidance and the constructive proposals which they have invariably been known to tender for the consideration of the Council on various matters, we feel certain that the present impasse would not have arisen. Taking a dispassionate view of the unfortunate situation that has been precipitated by the orgy of squandermania and mismanagement indulged in by the Council of late and for which the present Mayor is held accountable. For as the Member for Borella Ward declared that the Mayor was responsible for bringing the Council to bankruptcy by committing it to heavy expenditure by laying a series of foundations stones." That seems a terrible accusation. It is a direct charge viewed in the light of the revelations made by Mr. T. Rudra, Member for Wellawatte South, the most vigilant member of the Council, who showed the gravity of the situation when he stated "What was left of the Council's finances was just enough to pay the salaries and wages of the Municipal employees for one month." And what after that? The financial Deluge, we suppose.

It is clear that nothing short of a miracle can save the Council. But since the days of miracles are past, the next best thing for the council to do is to approach one of the local banks for a loan to help get over the difficulty. For this purpose the annual rates and taxes will have to be hypothecated to the bank and that should be sufficient security. As for expecting the Government to give the Council a loan, the chances of obtaining such a loan is remote because Government too is chronically hard-up. We are however happy to note that in the distressing circumstances the Council finds itself, the Government has, at long last, agreed to pay up certain dues to the Council which had been unjustifiably withheld for an inexplicably long duration.



A CLOSE CALL FOR NATIONALISM

(Continued from cover page)

— x —

the very foundations on which rest the security and prosperity of this land.

OPPRESSIVE OR INTOLERANT MEASURES

The Sinhala Only Bill though admirable in design, content and purpose has brought the country in a direct conflict with the legitimate rights of the minorities, particularly with those of the Tamil Community. Other oppressive or intolerant measures have seriously grieved the other minorities. In the interests of inter-communal peace and harmony and in justice to the fair name of Sri Lanka the causes of these conflicts need forthright removal considering that the Minorities are integral members of this new Nation.

The grievances that have been aired, the assertions and allegations that have been made, and the claims that have been put forward should be carefully examined in the light of history, reason and common sense. This is an uphill task, but a task that cannot be shirked if we love our motherland. This is a time when that love of Truth, sense of Justice and Fairplay and above all that amiable spirit so innate in the great mass of the Sinhalese should prevail and ultimately score a peaceful victory.

Such a desirable achievement is not possible unless the Tamil Community is prepared to abandon its aggressive measures. Strikes of a formidable nature and an island-wide civil disobedience campaign may be effective to achieve a set purpose. Such an attempt when everything else had failed may be tolerated or even encouraged. But organisers of such campaigns cannot enlist the sympathy, far less the support of intelligent people, unless they are prepared to declare clearly their claims, aims and the scope and extent of their undertakings.

Though the cause of the intended Federalist campaign are many and varied, the campaigners have not definitely declared their designs and the scope of their activities. This is the main reason that inclines average persons to view the contemplated Satyagraha Movement of the Federalists with grave apprehension and suspicion. The reasonable use of Tamil so reasonably conceded by the Prime Minister is in itself sufficient to minimise the fears of the Tamil Community regarding the Language Issue. The other demands such as granting of a Federal Constitution, Colonisation of Tamil Districts and a solution to Indian Citizenship are all beset with such intricacies that the chances of a ready solution are complicated and remote.

Thus at a time when the majority of the people are in favour of a friendly approach

and avert a major calamity, it would be senseless and lacking finesse should the Tamil Community precipitate matters by selfish motives and in an attempt to safeguard themselves in order to friendly relations and the peaceful composure of others.

As a result of adverse rumours, moves and counter moves on either side there is a feeling of tension, of unrest and of insecurity ever in increasing in magnitude and intensity. This undesired tension should be eased at once. But how, That is the vital query. That situation is grave is no idle fancy. The suggested feasibility of recruiting a private Army or Volunteer Force adds a certain amount of colour to the general belief that the confidence the State has of our Police Force, the Army and Navy is not of a sufficiently high degree. This no doubt is an incongruous situation and that there is danger in it does not escape serious reckoning.

J. A. DE ANDRADO

The Bristles
won't come
out...!



Harris...
the paint brush with
a name to its handle

"THE GREATEST CONSTITUTIONAL HOAX PERPETRATED ON THIS COUNTRY"

(Continued from page 11)

Secretary, The Treasurer and the Attorney General, who were responsible for the administration of the Public Services and were only responsible to His Excellency the Governor. They were men of mature experience in Public Service administration and the Donoughmore Commission decided that by de-centralising the Colonial Secretary's Department, which controlled the largest number of Government Departments, for the purpose of transferring responsibility to the Seven Elected Ministers who were to be saddled with a number of Departments under the Executive Committee system, the Colonial Secretary, the Treasurer and the Attorney General should retire from the Public Service with the dissolution of the Legislative Council and be appointed as Officers of State when the Donoughmore Constitution was inaugurated and were to be known as Chief Political Adviser, Financial Adviser and Legal Adviser and that they should act in an advisory capacity to the Seven Elected Ministers while the activities of the departments under the Officers of State will be complementary of the decisions of the Council.

Based on these principles the new constitution was designed by the Donoughmore Commission. It was also decreed that when the Donoughmore constitution was inaugurated the Executive functions performed by the Colonial Secretary under the old Legislative Council should be performed by an official known as the Chief Secretary whose political head was the Senior Officer of State or the Chief Political Adviser. With regard to the Executive Heads of



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the Treasury and the Legal Department, these Heads of Departments were to bear the same designations as their counterparts who functioned under the old Legislative Council system of Government as Treasurer and Attorney General. (Vide Page 51 of the Donoughmore Report.)

"SACROSANCT BEINGS"

From the above circumstances it is evident that the real mischief-makers responsible for twisting liberal terminology to serve illiberal ends were the stalwarts of the Ceylon Civil Service who considered themselves as sacrosanct beings.

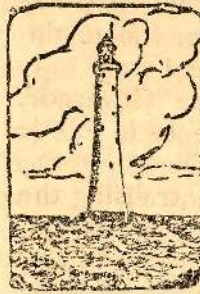
In a memorandum dated 8-1-45, and in a supplementary memorandum dated 28-2-45, which were submitted by me to the Soulbury Commission, in my capacity as the General Secretary of the Public Services Aid Association, all the existing anomalies in the Order-in-Council of 1931 were brought to its notice. The fact that the previous Officers of State who had already left Ceylon had drawn large sums of money as commuted pensions and were yet drawing monthly pensions, based on special allowances fixed for them by special legislation in linking up all their past services under the Crown

as Public Servants with the period of service as Officers of State, which they were not legally entitled to draw by reason of the fact that they should have retired from the Public Service prior to being appointed as Officers of State, were also brought to the notice of the authorities.

Copies of these memoranda were also forwarded to the Rt. Hon. Mr. Tom Williams, P.C. M.P., a member of the British Cabinet at that time, with the request that these facts may be brought to the notice of the Secretary of State for the Colonies in order that such anomalies may not occur in any future constitution that the Soulbury Commission may recommend for Ceylon. In these representations special emphasis was laid on the fact that the Secretary of State may be requested to appoint a special tribunal to review all cases of disciplinary action taken against Public Servants as NO DULY CONSTITUTED Public Service Commission had functioned during the era of the Donoughmore regime.

The Right Hon. Mr. Tom Williams, in reply to these representations of mine, informed me by his letter of 14.5.45 that he had forwarded all my representations to Mr. Creech Jones, M.P., who then used to deal with all Colonial problems for the Labour Party for necessary action.

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By Article 84 of the Soulbury (Constitution) Order-in-Council 1946 which was published as a Gazette Extraordinary on 17-5-46 the last three Officers of State were indemnified as having retired on abolition of office. These officers had nothing to do with the manipulation of the Donoughmore recommendations.

CHARGE OF EMBEZZLEMENT OF PUBLIC FUNDS

In 1948 when the Keuneman Bribery Commission was appointed a charge of embezzlement of Public Funds was preferred by me against all the previous Officers of State for having drawn commuted pensions and monthly pensions over and above the amounts which they were legally entitled to draw. What followed thereafter is not known but the fact that all of them had to REFUND several thousands of rupees which they had drawn in excess as pensions etc. is now an open secret.

This long drawn out battle between my Association and the Public Service Commission whose members also functioned as Officers of State under the Donoughmore era, was brought to a close when the following letter was addressed to the Hon. Mr. T. B. Illangaratne, Min-

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ister of Labour and Social Services requesting him to recommend to the Hon'ble the Prime Minister the appointment of a Select Committee of the Parliament to review cases of disciplinary action taken against former members of the Public Service as all such cases of dismissals were "ultra vires" in view of the fact that a duly constituted Public Service Commission did not function during this regime, a fact which has been borne out by para 324 of the Soulbury Report. Hence it follows that all orders of dismissals should be declared null and void.

But for a review of all past cases it is imperative that the present constitution should be amended.

The following is the letter addressed to the Hon'ble the Minister of Labour:-

Colombo, 7. 3. 57

Sir,

The cause of Ex-Public Servants and the dishonourable conduct of former members of the Public Service Commission who also functioned as Officers of State

I am forwarding for your information and necessary action copies of memoranda submitted by this Association to the Soulbury Commission, The Right Hon'ble Mr. Tom Williams, P.C., M.P., a former member of the

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British Government, and the Keuneman Bribery Commission, in which the HONESTY of the members of the Public Service Commission which functioned under the Donoughmore Constitution has been impeached.

A charge of embezzlement of Public Funds was preferred against them and I understand that when this charge was found to be true they were merely ordered to refund all such excess amounts which they had surreptitiously drawn by way of commuted pensions and monthly pensions without having them dismissed them for DISHONESTY.

I do not propose to dilate on this matter as the facts set out in the memoranda will speak for themselves. It would be seen from these facts that the three Officers of State who were the appointed Ministers, like all the other elected Ministers, were governed by the cardinal rule in the Donoughmore Constitution that no member or Minister of the State Council could be a Public Servant and as such could not have performed any executive functions. As you will see the three Officers of State being the three appointed Ministers were only entitled to non-pensionable allowances as in the case of all elected Ministers who came to function under the Donoughmore Constitution. But the three Officers of State in addition to their Ministerial functions also performed other executive functions as Heads of Departments and members of the Public Service Commission. In fact each of them performed the functions of three persons and the three of them performed the functions of nine persons, i.e. when they came to the State Council they were Ministers, when they went back to their separate secretariats they were Heads of Departments, i.e. as Chief Secretary he was the Head of the Public Service, the Legal Secretary was the Head of the Legal Department and the Financial

Secretary was the Head of the Treasury. In fact these were their substantive posts in the Public Service. Then when they went elsewhere they passed off as members of the Public Service Commission. In fact this was the greatest constitutional hoax ever perpetrated on this country by the then stalwarts of the Ceylon Civil Service, one of whose members by the name of T. Reid was the framer of the Donoughmore Constitution. In fact some of the clauses of this Constitution had been framed quite contrary to the original recommendations of the Donoughmore Commission.

As you once had the honour to belong to the Public Service of this country, I would earnestly appeal to you to make a thorough study of these papers and recommend to the Honourable the Prime Minister to appoint a Select Committee of the Parliament to review all cases of Public Servants who were dismissed under the era of the Donoughmore Constitution as such dismissals were all "ultra vires" in view of the fact that a properly constituted Public Service Commission did not function during this regime.

Yours faithfully

Sgd. C. M. Edwin de Silva
General Secretary P. S. A. A

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S de Silva's Interest Tables.

Copy of reply received from the Ministry of Finance:-
April 9, 1957.

Sir,
The cause of Ex-Public Servants and the dishonourable conduct of former members of the Public Service Commission who also functioned as Officers of State.

I have the honour to acknowledge receipt of your letter dated 7-3-57 addressed to the Hon. the Minister of Labour, Housing and Social Services and which has since been forwarded to this Ministry, and to state that it has been forwarded to the Deputy Secretary to the Treasury for necessary action.

Further correspondence on this subject may be addressed to the Deputy Secretary to the Treasury direct.

I am, Sir,
Sgd.....

for Permanent Secretary
to the Minister of Finance

C. M. Edwin Silva,
The Hony. Secretary,
The Public Services Aid Assocn:
118, Santiago Street,
Colombo.

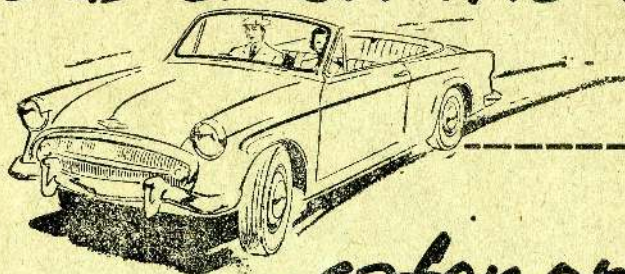
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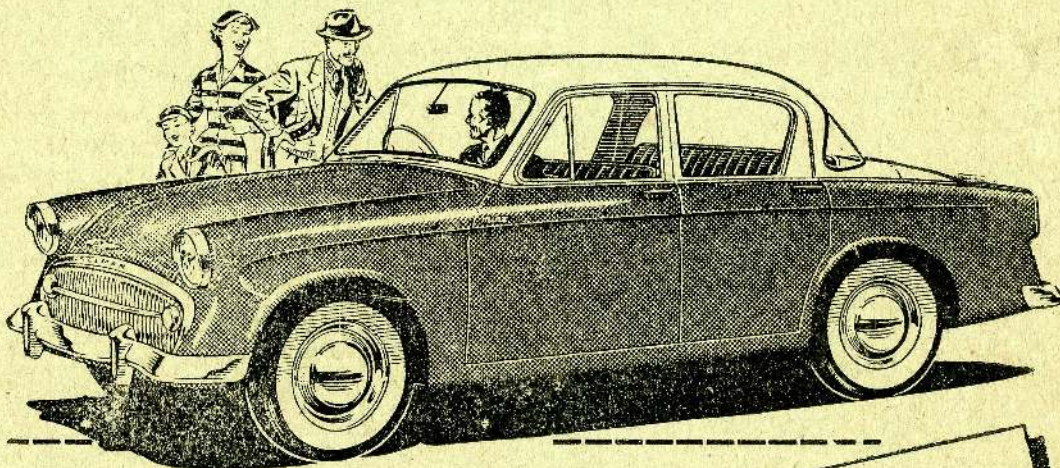
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