

DEBATES

IN THE

LEGISLATIVE COUNCIL OF CEYLON,

On Thursday, April 2, 1925.

Pursuant to notice the Honourable the Members of the Legislative Council met at the Council Chamber at 2.30 P.M. this day.

PRESENT :

- THE HONOURABLE MR. JAMES PEIRIS, VICE-PRESIDENT (COLOMBO TOWN, SOUTH).
- THE HONOURABLE COLONEL H. W. HIGGINSON, C.B., D.S.O., A.D.C., OFFICER COMMANDING THE TROOPS.
- THE HONOURABLE MR. E. B. ALEXANDER, ACTING COLONIAL SECRETARY.
- THE HONOURABLE MR. L. H. ELPHINSTONE, ATTORNEY-GENERAL.
- THE HONOURABLE MR. H. W. CODRINGTON, ACTING CONTROLLER OF REVENUE.
- THE HONOURABLE MR. W. W. WOODS, TREASURER.
- THE HONOURABLE MR. F. A. STOCKDALE, DIRECTOR OF AGRICULTURE.
- THE HONOURABLE SIR PONNAMBALAM RAMANATHAN, Kt., K.C., C.M.G. (NORTHERN PROVINCE, NORTHERN DIVISION).
- THE HONOURABLE MR. L. MACRAE, DIRECTOR OF EDUCATION.
- THE HONOURABLE MR. H. A. LOOS (NOMINATED UNOFFICIAL MEMBER).
- THE HONOURABLE MR. W. DURAISWAMY (NORTHERN PROVINCE, WESTERN DIVISION).
- THE HONOURABLE MR. D. H. KOTALAWALA (PROVINCE OF UVA).
- THE HONOURABLE MR. E. W. PERERA (KALUTARA REVENUE DISTRICT).
- THE HONOURABLE MR. E. R. TAMBIMUTTŪ (BATTICALOA REVENUE DISTRICT).
- THE HONOURABLE MR. E. J. HAYWARD, C.B.E., V.D. (COMMERCIAL MEMBER).
- THE HONOURABLE MR. W. L. KINDERSLEY, GOVERNMENT AGENT, CENTRAL PROVINCE.
- THE HONOURABLE MR. C. W. W. KANNANGARA (SOUTHERN PROVINCE, WESTERN DIVISION).
- THE HONOURABLE MR. W. T. SOUTHORN, PRINCIPAL COLLECTOR OF CUSTOMS.
- THE HONOURABLE MR. M. T. AKBAR, SOLICITOR-GENERAL.
- THE HONOURABLE MR. C. E. VICTOR COREA (COLOMBO TOWN, NORTH).
- THE HONOURABLE MR. C. H. Z. FERNANDO (NORTH-WESTERN PROVINCE, WESTERN DIVISION).
- THE HONOURABLE MR. H. R. FREEMAN (NORTH-CENTRAL PROVINCE).
- THE HONOURABLE MR. T. B. JAYAH (THIRD MUSLIM MEMBER).
- THE HONOURABLE MR. D. B. JAYATILAKA (COLOMBO DISTRICT).

- THE HONOURABLE MR. H. M. MACAN MARKAR (FIRST MUSLIM MEMBER).
- THE HONOURABLE MR. G. E. MADAWALA (NORTH-WESTERN PROVINCE, EASTERN DIVISION).
- THE HONOURABLE MR. A. MAHADEVA (WESTERN PROVINCE, CEYLON TAMIL).
- THE HONOURABLE MR. A. F. MOLAMURE (KEGALLA REVENUE DISTRICT).
- THE HONOURABLE MR. A. H. E. MOLAMURE (RATNAPURA REVENUE DISTRICT).
- THE HONOURABLE MR. F. A. OBEYESEKERE (SOUTHERN PROVINCE, CENTRAL DIVISION).
- THE HONOURABLE MR. S. RAJARATNAM (NORTHERN PROVINCE, CENTRAL DIVISION).
- THE HONOURABLE MR. D. S. SENANAYAKE (NEGOMBO DISTRICT).
- THE HONOURABLE MR. M. M. SUBRAMANIAM (TRINCOMALEE REVENUE DISTRICT).
- THE HONOURABLE MR. S. R. MOHAMED SULTAN (SECOND INDIAN MEMBER).
- THE HONOURABLE MR. V. S. DE S. WIKREMANAYEKE (SOUTHERN PROVINCE, SOUTHERN DIVISION).
- THE HONOURABLE MR. G. A. H. WILLE (FIRST BURGHIER MEMBER).
- THE HONOURABLE DR. G. THORNTON, ACTING PRINCIPAL CIVIL MEDICAL OFFICER.
- THE HONOURABLE MR. A. H. F. CLARKE, ACTING DIRECTOR OF PUBLIC WORKS.
- THE HONOURABLE SIR J. THOMSON BROOM, KT. (EUROPEAN URBAN MEMBER).
- THE HONOURABLE MR. W. A. DE SILVA (CENTRAL PROVINCE, URBAN).
- THE HONOURABLE MR. P. B. RAMBUKWELLE (CENTRAL PROVINCE, RURAL).
- THE HONOURABLE MR. T. M. SABARATNAM (NORTHERN PROVINCE, EASTERN DIVISION).

Mr. J. A. MAYBIN, *Clerk to the Council.*

Minutes confirmed.

The Minutes of the Meeting of March 26, 1925, were confirmed.

Swearing-in.

The Hon. Mr. E. B. Alexander and the Hon. Mr. H. W. Codrington subscribed to the oath of allegiance.

Papers tabled.

THE HON. THE ACTING COLONIAL SECRETARY:—I beg, Sir, to lay on the table the following papers:—

Message of His Excellency the Governor dated March 31, 1925.
Administration Reports, 1924:—

Part III., Judicial: Reports of the Registrar-General on Trade Marks and Designs and Companies and Societies.
Part V., Public Works: Report of the Inspector of Mines.

Sessional Paper XII. of 1925.—Investigations into the Plumbago Industry in Madagascar.

Minutes of the Meeting of the Standing Committee on Finance held on March 27, 1925, regarding Supplementary Expenditure.

Minutes of the Meeting of the Finance Committee dated March 27, 1925, regarding the Allocation of Surplus Balances.

Report of the Select Committee of this Council on Rubber Restriction.*

Statement showing number of Indians participating in Urban Council Administration, Road Committees, &c.

Statement showing (1) Government buildings leased to private persons, &c., and (2) Government offices on leased premises in Galle.

* To be printed as a Sessional Paper.

NOTICE OF QUESTIONS.

The Allai Irrigation Scheme.

THE HON. MR. M. M. SUBRAMANIAM (Trincomalee Revenue District):—I give notice, Sir, of the following questions:—

Will the Government be pleased to furnish a statement showing the different works (including the construction of roads and bungalows) done in connection with the Allai Irrigation Scheme from the time the Irrigation Department took charge, and the sums of money spent on such works from time to time?

Cases in the Trincomalee Courts.

Will the Government be pleased to furnish a statement giving the number of cases instituted in the Police Court, Court of Requests, and District Court, Trincomalee, for the last ten years, making special reference to those instituted by the Assistant Government Agent, or by him in any other capacity, or by his subordinate officers, including headmen and police?

The Trincomalee-Batticaloa Road.

Will the Government be pleased to state what amount has been spent on the repair and reconstruction of the Trincomalee-Batticaloa road between the 72nd milepost and Mutur for the last ten years necessitated by sea erosion, &c., and what steps it proposes to take to prevent the recurrence of such expenditure?

Assistant Railway Storekeeper.

THE HON. MR. C. H. Z. FERNANDO (North-Western Province, Western Division):—I give notice, Sir, of the following questions:—

1. Is it a fact that the post of Assistant Railway Storekeeper is to be filled by a Railway Officer who was retired from service some years ago owing to ill-health?

2. Would not such an appointment be in direct violation of the recommendations of the Retrenchment Committee and of the two Public Service Commissions?

3. Was not the present Second Assistant Railway Storekeeper seconded for service in 1921 for a training as Assistant Railway Storekeeper with a view to his subsequent appointment as Assistant Railway Storekeeper and his eventually filling the post of Railway Storekeeper?

4. Was not the officer confirmed as Second Assistant Railway Storekeeper in October, 1924, on the recommendation of the Railway Storekeeper?

5. Will the Government be pleased to state its reasons for not appointing this officer to the vacant post of Assistant Railway Storekeeper?

Burial of Paupers.

THE HON. MR. C. H. Z. FERNANDO (North-Western Province, Western Division):—I also give notice, Sir, of the following questions:—

1. Is it a fact that corpses of non-paying patients who die in Government hospitals and which are not claimed by relatives are buried without coffins?

2. What is the number of pauper patients thus buried during last year?

3. Is Government aware that the Colombo Municipality provides coffins for the burial of paupers found dead in the streets?

4. What would be the approximate cost of providing coffins for non-paying patients who die in Government hospitals and whose bodies are not claimed by relatives ?

5. Is Government not prepared to undertake the expense of providing coffins in such cases ?

NOTICE OF MOTIONS.

The Supreme Court Bench.

THE HON. MR. D. S. SENANAYAKE (Negombo District):—At a subsequent meeting of this Council, Sir, I shall move the following motion :—

This Council is of opinion that the restriction of the number of Ceylonese that may be appointed to seats on the Supreme Court Bench to two is contrary to the public interest. It resents the racial discrimination involved in the practice, and declares that at least three of the Judgeships should always be filled by members of the Ceylon Bar with knowledge of local conditions and experience in the application of local laws, but regardless of race.

Proposed Sale of Bandarawela Hotel.

THE HON. MR. E. R. TAMBIMUTTU (Batticaloa Revenue District):—At a subsequent meeting of this Council, Sir, I shall move the following motion :—

That the papers in connection with the proposed sale of the Bandarawela Hotel be placed on the table, and further action be stayed until the matter is considered by this Council.

Muslims in the Public Service.

THE HON. MR. T. B. JAYAH (Third Muslim Member):—At a subsequent meeting of this Council, Sir, I shall move the following motion :—

That in the opinion of this Council Muslims in the public service should be granted leave on Fridays between noon and 2 P.M. to enable them to attend Jumma.

QUESTIONS.

THE HON. THE ACTING COLONIAL SECRETARY:—The answer to question No. 41 is not yet ready.

Unclaimed Loan Board Deposits.

THE HON. MR. H. R. FREEMAN (North-Central Province):—I rise, Sir, to ask—Will the Government be pleased to say from which Kacheheri or Court the largest amount of unclaimed Loan Board deposits, under No. 8 of Draft Estimates, was received ; how much that amount was, and what was done in the Kacheheri or Court to find out who was entitled to the money before it lapsed to Government ?

THE HON. THE ACTING COLONIAL SECRETARY:—The largest amount of unclaimed deposits during the year 1923-24 was received from the Colombo Kacheheri, which remitted Rs. 34,875·27.

No action was taken at the Kacheheri to find out who was entitled to the money before it lapsed to Government. As the Honourable Member is doubtless aware, the object of crediting these sums to revenue after the lapse of ten years is, as stated in Ordinance No. 4 of 1865, to avoid the inconvenience of retaining such sums in the

books and accounts of the Board for long periods. The rights of any person to put forward a just claim to such amounts are in no way annulled thereby, but continue in force until the lapse of one-third of a century from the date of original deposit.

THE HON. THE ACTING COLONIAL SECRETARY :—The answer to question No. 46 is not yet ready.

Compulsory Elementary Education for Estate Children.

THE HON. MR. S. R. MOHAMED SULTAN (Second Indian Member) :—I rise, Sir, to ask—Will the Government be pleased to state whether it is not high time to consider the feasibility of adopting compulsory elementary education for the estate children as is indirectly suggested as an effective alternative for regular attendance of pupils by the Director of Education in his Administration Report ?

THE HON. MR. L. MACRAE (Director of Education) :—Provision exists in Ordinance No. 1 of 1920 for the compulsory attendance of children at estate schools. In view of the fact that all estates are not yet provided with schools, it is not possible to bring the provisions of the Ordinance fully into force.

Government Offices in Galle.

In the absence of the Hon. Mr. C. W. W. Kannangara (Southern Province, Western Division), the Hon. Mr. F. A. Obeyesekere (Southern Province, Central Division) asked—What are the Government offices in Galle that are housed on leased premises, and what is the rent annually paid for each of them ? What are the Government buildings that are leased out to private persons or institutions, and what rent is obtained for each of them ?

THE HON. THE ACTING COLONIAL SECRETARY :—A statement giving the desired information is laid on the table.

Infectious Diseases.

THE HON. MR. S. R. MOHAMED SULTAN (Second Indian Member) :—I rise, Sir, to ask—Will the Government be pleased to state, having regard to the disclosures in the recent action for damages against the Municipal Bacteriologist to institute an open inquiry into the matter, and in view of the possibility of similar cases in the past and future, whether the Government does not consider the desirability of providing adequate safeguards for people suspected of infectious diseases ? What is the total number of persons (suspected of infectious diseases) taken to the Infectious Diseases Hospital last year ? How many of them were diagnosed and treated for infectious diseases ? How many were taken to the hospital under suspicion and how many were discharged as free from infectious symptoms, after diagnosis ? How many died after being admitted ?

THE HON. DR. G. THORNTON (Acting Principal Civil Medical Officer) :—(a) It is understood that the case referred to is the subject of appeal in the law courts ; in any case Government does not

propose to hold any inquiry. It is not quite understood what is meant by providing adequate safeguards for people suffering from infectious diseases. Cases admitted to the Infectious Diseases Hospital are admitted on the recommendation of a qualified medical practitioner, except in a few cases, such as patients suffering from chickenpox, where patients sometimes seek admission of their own accord.

(b) The total number of admissions to the Infectious Diseases Hospital in 1924 was 928. Of these, 833 were recognized to be suffering from some infectious disease and 95 were considered not to be suffering from any infectious disease. Out of the 833 cases referred to above 100 died, and out of the 95 cases referred to 10 died. The other 85 were discharged.

Salaries of Teachers of Aided Schools.

THE HON. MR. C. W. W. KANNANGARA (Southern Province, Western Division):—I rise, Sir, to ask—When was the report of the Sub-Committee of the Board of Education on the question of the salaries of teachers of aided schools submitted to Government? When will Government take action thereon?

THE HON. THE ACTING COLONIAL SECRETARY:—The report was received by Government on February 19 last, and it is now under the consideration of the Executive Council.

THE HON. THE ACTING COLONIAL SECRETARY:—The answer to question No. 60 is not yet ready.

Revenue from the Indian Community.

THE HON. MR. S. R. MOHAMED SULTAN (Second Indian Member):—I rise, Sir, to ask—Will the Government be pleased to state the amount of aggregate revenue through direct or indirect taxation recovered last year from the Indian community in the Island, and the average incidence of the same per head of Indian population?

THE HON. THE TREASURER:—It is regretted that the information sought cannot be supplied. The various items making up the Colony's revenue from taxation are not classified according to the various communities or races from whom they are derived, and in the case of many items it is not known by whom they are paid.

THE HON. THE ACTING COLONIAL SECRETARY:—The answers to the remaining questions are not yet ready.

Standing Committee on Finance.

THE HON. THE ACTING COLONIAL SECRETARY:—I move, Sir, "That the report of the Standing Committee on Finance dated March 27, 1925, be adopted."

THE HON. THE TREASURER seconded.

THE HON. MR. E. W. PERERA (Kalutara Revenue District) :—
 Sir, I have to make a few remarks on one of the items involved in this motion. I have to call the attention of the House to the note regarding the reorganization of the Medical Department being a copy of the minutes of the meeting of the Standing Committee on Finance held on March 27, 1925. The note runs as follows :—

“ Reorganization of the Medical Department.—The Colonial Secretary intimated that Government had been in correspondence with the Secretary of State for the Colonies regarding the change of designation of the Head of the Medical Department and of the higher officers of the Department. The Colonial Advisory Medical and Sanitary Committee had proposed that the higher staff of the Department should consist of—

“ The Director of Medical and Sanitary Services.

“ A Deputy Director of Medical and Sanitary Services.”

This is most important, “ A Deputy Director of Medical and Sanitary Services.”

“ An Assistant Director, Medical Service

“ An Assistant Director, Sanitary Service.

“ Government agreed to these proposals, and the Secretary of State for the Colonies approved.”

So far as I understand the situation, this scheme, which is projected from on high and descends to us with the sanction and benediction of the Secretary of State, makes provision for the new appointment of Deputy Director of Medical and Sanitary Services. I should like to know from the head of the Government whether that appointment was contained in the recommendation made by this Government to the Secretary of State. Then comes the question with regard to salaries. The reorganization of the Medical Department has always been a sore and thorny point with the people of the country. Its establishment, its anomalies, and the methods of appointments have always been viewed with suspicion, and in a great many instances have caused heartburning in the past. I therefore say that when a matter of this kind is brought forward the fullest opportunity for examination should be given to the people of the country and to this Council, and that it should not be brought in the form of a postscript as it were in the minutes of the Finance Committee. I made certain objections when the matter came up in Finance Committee, and I do not think that the Finance Committee of this House, when they approved of the vote so cursorily, realized what the full scheme, with its incidence of sterling salaries, would involve.

The note then goes on to give the salaries of the officers :—

“ The Director of Medical and Sanitary Services, £1,600—1,750/50. The Deputy Director of Medical and Sanitary Services, £1,200—1,400/50. The Assistant Director, Medical Service, and the Assistant Director, Sanitary Service, £1,000—1,200/50. These proposals were agreed to.”

That is what I strongly object to. You will see the note which I afterwards appended to the minutes, and you will also see the note which my honourable friend on my left (the Honourable Member for Colombo District) appended to the minutes. My honourable friend wrote : “ I object to the passing of the vote for the Medical Department without giving the Council an opportunity to discuss the scheme for its reorganization in all its aspects.”

I had the opportunity of speaking about this matter to the leader of the House, who is now occupying a more exalted position, and I think the advisability will not be denied of publishing a Sessional Paper on the subject, and having the whole matter thoroughly considered and threshed out before we commit ourselves to this vote. If the scheme is necessary, just, equitable, and in the best interests of the public and the profession, there is no doubt that this Council will approve of it. What I object to is that just because this scheme comes to us with the benediction of the Secretary of State we should be expected to pass it. Ours being the responsibility, we having to pay the piper, I think that it is only fair and just that the matter should be brought before the people, after which, if the scheme is a good and necessary one, I have no doubt that provision will be freely, frankly, and willingly made. But if it is intended that the scheme, with all its implications of sterling salaries, should be pushed through without opportunity being given to the public to discuss and analyse it and for this Council to carefully consider it, I shall feel it my duty—my very unpleasant duty—to oppose this motion and call for a division.

THE HON. MR. D. B. JAYATILAKA (Colombo District) :—
I have great pleasure in seconding the amendment.

THE HON. THE VICE-PRESIDENT :—Is it the amendment, that this matter be deferred for further consideration ?

THE HON. MR. E. W. PERERA (Kalutara Revenue District) :—
That is so, Sir.

THE HON. THE TREASURER :—May I point out something that appears to be overlooked ? The motion moved by my honourable friend the Colonial Secretary was that the report of the Finance Committee dated a certain date be adopted. What the Honourable Member for the Kalutara Revenue District is drawing attention to is the minutes of the meeting of the Finance Committee. Those minutes do not commit this Council to anything at all. This matter of the reorganization of the Medical Department was brought up in Finance Committee, and the position was explained by the Honourable the Colonial Secretary, but the provision for the higher salaries will have to be made in the next Budget, and when they are brought up with the next Budget there will be ample opportunity again to discuss the merits of the proposals if Honourable Members wish to go over the same ground. I do not therefore see any necessity to make any modification in the motion of my honourable friend, which is simply to approve of the supplementary provision contained in the report. The document to which the Honourable Member for the Kalutara Revenue District refers does not commit the whole Council. What is in the minutes of the Finance Committee's proceedings commits that body only. If those minutes are not considered to be correct, I suggest that the proper place to bring the matter up would be the Finance Committee.

THE HON. MR. E. W. PERERA (Kalutara Revenue District) :—
Sir, "Will you walk into my parlour," said the spider to the fly. The Honourable the Treasurer begs the question in his explanation.

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He says that the matter will be brought up in connection with the Budget; that is, after we have committed ourselves to this scheme. That is the effect of our certifying that those minutes are correct. The Honourable the Treasurer says that it is only binding on the Finance Committee. He knows that the Finance Committee consists of all the Elected Members of the House, and he knows that the words "These proposals were agreed to" appear at the foot of the note. That is just the implication that we do not want to have, and for him to so innocently and blandly suggest that these minutes should be referred back to the Finance Committee is very disingenuous. The details of the scheme, the full implication of which were not known at the time, were perhaps not heard except by one or two of us, including my honourable friend on my left, who happened to be at the top of the table. The legal and constitutional effect of our passing these minutes as a record of what the Finance Committee approved of and agreed to will be to commit this House to the scheme. I am not prepared to admit that this House has committed itself to the scheme. When the Estimates are brought up, it will be said that the scheme was passed by the Finance Committee and that it came before the Legislative Council, and we will be asked whether we are going to cut out the vote. I feel compelled, Sir, to call for a division.

THE HON. THE VICE-PRESIDENT:—May I ask whether Government is prepared to allow this matter to be considered later on before the Budget is introduced.

THE HON. THE ACTING COLONIAL SECRETARY:—I can give the assurance that that particular item will be considered again. It is entirely apart from the Message, and it really does not form part of the Message.

THE HON. THE VICE-PRESIDENT:—There is the assurance that Government will bring the matter up again.

THE HON. MR. E. W. PERERA (Kalutara Revenue District):—Does the Government agree to delete in the note "Reorganization of the Medical Department" in the minutes of the meeting of the Finance Committee that the scheme has been agreed to and passed by the Committee?

THE HON. THE ATTORNEY-GENERAL:—I cannot help thinking that there is some misunderstanding about this. The motion was that the report of the Finance Committee dated March 27 be adopted. I have a copy of the report in my hands, and I find that it begins as follows: "The Standing Committee on Finance, having considered the items of supplementary expenditure (No. 61 to No. 117) specified in the attached Messages of His Excellency the Governor dated March 14 and 24, 1925, recommend that they be authorized," and so on. If you examine the report and the Messages, you will find that they have nothing whatsoever to do with the reorganization of the Medical Department. They have certainly nothing to do with these salaries. The supplementary estimates are in connection with the Legal Department, Education, the Railway, Public Works Annually Recurrent, Public Works Extraordinary, Colombo Port Commission, and so on, but there is nothing about the reorganization of the Medical Department. The Honourable Member for the Kalutara Revenue

District appears to be under a misapprehension. The minutes of the Finance Committee are not confirmed by this Council. Even assuming for the moment that this recommendation on the reorganization of the Medical Department was approved by the Finance Committee, well, it was approved, and there is an end of it. It does not follow that this Council will accept the recommendation of the Committee; but for the moment the recommendation is not before the Council. I submit on a point of order that my honourable friend's speech is out of order.

THE HON. MR. E. W. PERERA (Kalutara Revenue District):—Replying on the point of order, I think that the argument of the Honourable the Attorney-General, despite his great position in this House, is mutually destructive of the argument of the Honourable the Treasurer and the motion brought before Council by the Honourable the Acting Colonial Secretary. He says it is not necessary to bring up the minutes of the Finance Committee for adoption by this House. If it is not necessary to do this, then the whole motion must go, namely, "That the report of the Standing Committee on Finance dated March 27, 1925, be adopted." His explanation is as clear as mud. The Honourable the Treasurer says, to begin with, that if the minutes of the Finance Committee are inaccurate it is the business of the Finance Committee to correct them. Accepting that argument, what business has this Council with them?

THE HON. THE VICE-PRESIDENT:—I take it that the report only is before the Council and that the minutes do not form part of the report. They have been signed separately, and they are laid on the table.

THE HON. MR. E. W. PERERA (Kalutara Revenue District):—Yes, but still the document dated March 27 includes the minutes of the meeting of the Finance Committee.

THE HON. THE VICE-PRESIDENT.—My ruling is that the minutes are not included in the report. Further, I have the assurance of the Government that this matter will be brought up for consideration before a vote is asked from this Council. I think that ought to satisfy the Honourable Member. However, it is distinctly understood that these minutes are not passed by this Council.

The motion was adopted.

Supplementary Expenditure.

THE HON. THE ACTING COLONIAL SECRETARY:—I move, Sir, "That items No. 118 to No. 125 of supplementary expenditure annexed to the Message of His Excellency the Governor dated March 31 be referred to the Finance Committee."

THE HON. THE TREASURER seconded, and the motion was agreed to.

Proposed University of Ceylon.

THE HON. THE ACTING COLONIAL SECRETARY:—I move, Sir, "That in addition to the sum of Rs. 3,000,000 already set aside and temporarily invested to form a building and equipment fund for the proposed University of Ceylon, this Council resolves to

sanction an additional expenditure of Rs. 1,500,000 to be voted when and as required." Sir, as Honourable Members are aware the Government was anxious that this Rs. 1,500,000 should be set aside from the surplus balances and invested, and that the money should earn interest until it had to be spent. If that had been done, the financial side of the project of building and equipping the University would have been completely assured against every possible contingency. What the Government felt was that if this money was spent now, it would introduce an element of hazard in the provision of this amount later on. However, Sir, a large majority, if not all the Unofficial Members, was opposed to the Government locking up this money, and they appealed strongly to the Government to spend it on works of pressing importance, particularly on minor roads. In view of the financial outlook Government acceded to that request. The Council has already authorized the Government to spend up to Rs. 3,000,000. Further reports received recently from the Director of Public Works show that the expenditure is likely to be in the neighbourhood of Rs. 4,500,000. I have been instructed to bring forward this motion for the authority of the House to spend ultimately up to Rs. 4,500,000. This motion was considered in Finance Committee and had the unanimous approval of members.

THE HON. THE TREASURER seconded, and the motion was agreed to.

Expenditure from the Surplus Balances.

THE HON. THE ACTING COLONIAL SECRETARY:—With respect to the next motion, Sir, I must acknowledge my gratitude to the Hon. Mr. Canagaratnam for pointing out that it requires amendment in the largest item, namely, Rs. 1,000,000. It should read "Grants to Provincial Road Committees for District Road Committees for minor roads." Because the money is intended to go to District Road Committees it has to go through the Provincial Road Committees. Subject to that amendment, I beg to move the motion, which is as follows:—

That the following expenditure from the Surplus Balances of the Colony be authorized:—

	Rs.
Loan to the Colombo Municipality in connection with the Kochchikade Slum Scheme ..	500,000
Approach road to Chilaw station ..	25,000
Improvement of Royal College playing ground ..	8,000
Additions and improvements to District Court, Kegalla	4,000
Grants to Provincial Road Committees for District Road Committees for minor roads ..	1,000,000
Grant to District School Committees ..	400,000
	1,937,000

THE HON. THE TREASURER seconded.

THE HON. MR. E. W. PERERA (Kalutara Revenue District):—I have an amendment to move with regard to the loan of Rs. 500,000 to the Colombo Municipality in connection with the Kochchikade slum scheme. New developments have arisen since this vote was put through the Finance Committee. The matter was discussed by the Municipal Council, and the preponderating view of the elected

members was that the voting of the sum was premature. No doubt, in the Council as at present constituted the dice is very heavily loaded on the official and nominated side; but so far as I am concerned, and many of my colleagues are concerned, the views of the elected members will be taken to represent public opinion on a matter of this kind. So far as the question of the improvement of slums is concerned, I believe that every member of the public and of this Council is in hearty and entire accord, but it is the question of detail that troubles us. For instance, I understand—if my figures are wrong I hope the Honourable Member who represents the District of Chilaw and also a ward in this city will correct me—the total slum area is something like 166 acres, and that a block of 25 acres is necessary to be acquired for the slum area at Kochchikadde. In connection with that a sum of Rs. 1,125,000 is the amount to be paid for about 7 acres, which will work out at about Rs. 4,000,000 for 25 acres, and for the whole slum area of 166 acres Rs. 26,000,000. The position of the elected members of the Municipal Council, I take it, is that the reform of the Municipal Council, which has been waiting for the last three years, should first be brought about, and that a proper Council representing the views of the ratepayers ought shortly to be established; and that it would be very harsh and unfair to the ratepayers to dump down such a large scheme as this, with its implications of further taxation and the payment of larger interest, without its being carefully gone into.

With regard to the question of Municipal reform, I might say that for the last three years the matter has been hanging fire. The question of an elected majority was unanimously approved by the Municipal Council. It has been the subject of question in this Council, and the stock answer of Government was that Government was awaiting the report of the Committee with regard to the financial relations between the Central Government and local governing bodies. That was said about twelve months ago, but nothing has been done to expedite the matter of local self-government in the metropolitan town, although Urban District Councils have an unofficial majority of about two-thirds. In those circumstances I think that the matter, which is a very important one, should be considered in all its aspects when the new Council comes into being, when, perhaps, even a larger sum will be approved, with a full sense of responsibility. Honourable Members of this House who sat in the last Council will remember that during the last stages of that Council, before it was dissolved, they were anxious not to commit the House to any large financial undertakings until the Council was made thoroughly representative and the verdict of the people was taken. In these circumstances I move that the loan of Rs. 500,000 to the Colombo Municipality in connection with the Kochchikadde slum scheme be deferred until the Municipal Councils Ordinance is passed and the proposal is approved by the reformed Municipal Council of Colombo.

THE HON. MR. D. B. JAYATILAKA (Colombo District):—When this question of a loan to the Municipal Council came up in the Finance Committee, I remember that there was a certain amount of objection raised to it on the ground that the Municipal Council had not prepared any considered scheme. From the discussion which took place in the Municipal Council yesterday, it is quite clear that the members are not quite

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agreed in regard to this loan. Though it is unfortunate that if this amendment is adopted there may be some delay in starting on the scheme, yet, I think that delay will be better both for this Council and also for the Municipal Council. It may hurry up the proposed Ordinance to amend the Municipal Councils' Ordinance, which is a very desirable thing. With the interposition of this delay the reformed Municipal Council will be able to have placed before it and the ratepayers a considered scheme in regard to the slum areas. The present proposal deals with only 7 acres of the slum area of Colombo. This is indeed a very small part of the problem. It is desirable that the whole question of the slum areas should be considered together, and that a definite scheme to deal with the whole problem should be placed before this Council as well as the public. I beg to second the amendment.

THE HON. MR. C. H. Z. FERNANDO (North-Western Province, Western Division):—I was one of the two elected members in the Municipal Council yesterday who supported this proposal for a loan of Rs. 500,000 to be asked from Government. It is incumbent on me, therefore, to express my views on this matter. The figures which have been given by the Honourable Member for the Kalutara District are not quite correct. It is proposed to spend a sum of Rs. 1,125,000 not only in clearing the slums, but also in constructing 348 houses which are to accommodate over 2,500 persons. Out of the sum of Rs. 1,125,000 it is proposed to pay Rs. 350,000 as compensation for the land to be acquired. Nothing whatever is to be paid as compensation for buildings, as the area will be dealt with under the Housing Ordinance, and the owners of the properties will be noticed to demolish the houses as unfit for human habitation. The sum of Rs. 750,000 is to be spent on buildings, and a return of 4 per cent. is anticipated. There is a cut and dry scheme. It was taken up by the Committees in January. A letter was written by the Chairman to the Colonial Secretary embodying the whole scheme, and that was done after the Chairman had consulted all the Committees. In March the Chairman once again placed the matter before the four Standing Committees, and brought it up in Council in the same month. The whole scheme was passed unanimously by the Municipal Council on March 4.

For some reason or other the proposal was objected to yesterday, and four of the members who supported the proposal at the meeting in March opposed it yesterday. I was present all throughout and took part in the proceedings, but was unable to follow their line of reasoning. Their only argument seemed to be that the extra half per cent. asked for would cripple the Municipality, which has an income of fifty-five lakhs of rupees. Another argument which seemed to carry weight was that the propaganda about slums which was conducted recently in one of the evening papers and the morning papers was inspired by those who wanted to get rid of their properties. These were the only two arguments adduced. I heard no other sensible argument. The Chairman's letter to the Members of this Council states that these slums are the worst in Colombo. Their demolition was advised by Mr. Skelton, the late Municipal Engineer, in 1914. In 1916 the Board of Improvement, which was established the previous year, took up the question of slums and drew up an extensive scheme for slum development, and this scheme was placed first in order of priority.

In 1915 and 1916, when the Board of Improvement dealt with this subject, the death-rate of infants was 332 per 1,000 in those 7 acres. To-day the death-rate is 652 per 1,000, which is an appalling figure, and which is the highest mortality rate in any part of Asia—in fact, I think in the world. The death-rate of adults is also appalling. These facts had been considered by the Committees, and the matter was introduced into Council, this scheme being placed in the forefront in the order of priority. Subsequently, certain of the members of the Council who supported the scheme seemed to feel that the slum schemes should be taken in their order. I am certain that when other schemes are suggested by the Municipality, and the Municipality comes before this Council for a further loan, such a loan will be sympathetically considered by this Council. This Rs. 500,000 is being given as a loan, not on the security of any scheme which the Municipality has drawn up, but on the finances of the Council, which are in a sound condition.

Coming to the subject of Municipal reform—it was I who brought forward a motion for the reform of the Municipal Council. In spite of almost unanimous opposition from my nominated colleagues, and also from certain elected members, my scheme was passed, and the report has been before Government for some considerable time. I would be very sorry to see my honourable friend's amendment succeeding to-day, but if the result of his merely moving the amendment but not pressing it is to induce Government to hurry on with the reform of the Municipal Council, I shall consider that he has done a service to the country.

THE HON. MR. G. A. H. WILLE (First Burgher Member) :—I should like to say a word on this question. Government has delayed its aid towards the solution of the slum problem too long, and it is hardly fair for us, after having given almost a definite promise to the Municipality, now to withdraw. The amendment goes upon the supposition that a scheme can be framed to deal with the whole of this formidable slum question. There are many large questions which are never tackled, because they are always put off to a remote future in the hope that they can be tackled as a whole. The future is notorious for its abortions, and if we wait to deal with the whole slum scheme nothing practical will be done. A very hopeful and practical beginning is now to be made by the Municipality, which is going to take up a slum area which calls for most urgent attention. I do not see at all why we should refuse to allocate this sum of Rs. 500,000. As the Honourable Member for Chilaw has pointed out, we are not relying on the security of any particular scheme, but on the whole of the Municipality's finances. That was made very clear in Finance Committee, and the Mayor also explained to us that certain details would come before this Council for sanction, so that there is nothing to fear in regard to the details of the scheme. Speaking for myself, I attach no importance to the details, because really we are not concerned with them. All that Government has been asked to do is to come to the aid of the Municipality in solving this question; and Government, I think, has gone too far in exacting such a high rate of interest as 4 per cent. However, that rate was agreed to, and there is now not the slightest reason why we should withhold the sum promised. A beginning requires to be made at once, and if we withdraw this sum, I am afraid that no beginning will be made, because the question taken as a whole is too formidable to be tackled, except piecemeal.

Once this scheme is successfully tackled, I have no doubt that other areas will be taken up. There is no reason whatsoever why if this area is successfully tackled some other area should not be taken up and Government be asked to allocate a further sum from surplus balances. I think Government has been very niggardly towards the Municipal Council in this matter, and I do not wish to see any further niggardliness just because certain members of the Municipal Council are not agreed on this scheme. After all, you cannot expect the whole Council to be agreed on all the details. The scheme will afford valuable experience, and I have no doubt that when this vote is passed and the work carried out those members of the Municipal Council who are not in agreement with the scheme will be the first to appreciate the benefits of it to the poor.

THE HON. MR. A. MAHADEVA (Western Province, Ceylon Tamil):—I wonder whether the Member for the Chilaw District has faithfully represented the opposition made to the scheme in the Municipal Council yesterday. As I understand it, the chief objection to it is that this only forms part of a very much larger scheme, and that although this part of the scheme is to cost Rs. 1,125,000, it will only tackle 7 acres out of an area of nearly 166 acres of slum land. Very rightly, in my view, a majority of elected members of the Municipal Council objected to this liability being placed on a Council which the opinion of elected members themselves has condemned as inadequate in its constitution. This scheme was put forward, and the majority of the elected members said, we do not want to saddle the Council with this *damnosa hereditas* when the old Council is due to be dissolved. So I ask, is it fair that we should force our generosity upon the Municipal Council when the elected members by a majority of five to two at yesterday's meeting clearly indicated that they were doubtful whether this assistance from the Legislative Council will be welcomed at all?

I find myself in agreement with the Honourable the Burgher Member when he said that he thought the assistance from Government was entirely niggardly. A problem of this nature should be solved, as it has been solved in other countries, by considerable assistance from the public revenue, and it may be that if the new Municipal Council comes into existence, they would try and prove to the Government that this assistance, which the Government contemplates, should not be in the form of a loan, but in the way of a grant to Municipal funds. In his despatch to the Secretary of State for the Colonies, Sir Henry McCallum said that there were two schools of thought in regard to this question. There was the school of thought that considered that Colombo was merely a parochial city, which should receive no assistance from Government, but manage all its affairs and carry out its improvement schemes from funds to be provided by its own revenues. On the other hand, Sir Henry McCallum said there was the other school which thought that Colombo's position necessitated not merely financial loans, but financial assistance in a generous degree to the revenue of the Municipality if Colombo was to be made a healthy city; and he added in this connection that in this view his Colonial Secretary agreed. The Colonial Secretary he referred to is, I believe, going to be our new Governor.

With this before us, are we correct in fixing heavy liabilities on the Municipal Council when the majority of the elected members

of the Municipal Council do not themselves desire to burden the Council with these liabilities? There was a Board of Improvement which has ceased to function. I hope that that Board will be revived and funds placed at its disposal for tackling some of these important problems; but, at any rate, I submit that the position taken up by the elected members of the Municipal Council who opposed receiving the grant would be accepted at its proper value, that is, not to force liabilities on the new Council which is going to come into existence at an early date. For that reason I myself intend to vote against this grant to the Municipal Council.

THE HON. MR. F. A. OBEYESEKERE (Southern Province, Central Division):—Did I understand from the speech of the Honourable Member who represents the Kotahena Ward in the Colombo Municipal Council that he is agreeable to the amendment proposed by the Honourable Member for Kalutara.

THE HON. MR. C. H. Z. FERNANDO (North-Western Province, Western Division) indicated that he was not in agreement with the amendment.

THE HON. MR. F. A. OBEYESEKERE (Southern Province, Central Division):—Oh! The Honourable Member opposes the amendment to be consistent with his own attitude in the Municipal Council yesterday. By a generous gesture the Municipal Council has committed itself to a scheme with which the incoming Council will have to deal. It is not fair for us to saddle a *damnosa hereditas* on a new Council. I had the advantage of meeting five of the elected members of the Municipal Council who opposed this vote in the Municipal Chamber. Their contention was that, however flourishing the finances of the Municipal Council might be, it was not fair to saddle such a large scheme on the Council by the vote of the official and nominated members. Other matters are held up or withdrawn when large schemes like this are projected. I submit to this Council that we should not in our generosity overlook the claims of those five elected members. It has been urged that the elected majority of the Municipal Council has expressed its desire that this proposed scheme should not be undertaken. I say that we, elected members of the Legislative Council, must adopt that principle, which allows the elected voice to prevail when the rate-payers' interest is involved, and by adopting that principle bring pressure to bear on Government, so that the long delayed schemes for the reform of the Municipal Councils of Colombo and Kandy will be hurried on, thus enabling the incoming Council to deal with the question.

THE HON. MR. H. M. MACAN MARKAR (First Muslim Member):—I rise, Sir, to support the motion. I may say that looking at the question from a business point of view, and in view of the fact that an undertaking of this nature involves over a hundred million rupees, it is necessary to make a beginning on a small scale. This work is both necessary and urgent.

The question of the slum areas is one which affects not only the Municipality of Colombo, but the whole Island. Colombo is a great port of call, there are a large number of vessels passing through, and a large number of passengers arriving, and it is in the interests of the Colony that we should have a clean city. Any

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outbreak of disease of a serious nature invariably starts in a slum area. I would oppose the amendment, because in my opinion the Municipal Council has by a majority very wisely adopted the scheme for making a beginning with the improvement of the slum areas. The present scheme involves only a sum of Rs. 1,125,000. It is always better that a beginning should be made on a small scale. Taking these points into consideration, I am in favour of the motion as it stands.

THE HON. MR. W. DURAISWAMY (Northern Province, Western Division) :—It came as a surprise to me, Sir, to listen to the amendment proposed by the Honourable Member for the Kalutara District. This matter was placed before us in Finance Committee and we considered it at length; and the minutes of the meeting placed before us, though they were not adopted by the Council, state that without a single dissentient this vote, namely, a loan of Rs. 500,000 to the Colombo Municipality, was passed. The Municipality wanted this loan to be given to them at $3\frac{1}{2}$ per cent., if I remember right. The question was decided by a majority of members of the Finance Committee being in favour of the money being lent at 4 per cent. The matter having been passed, it has now come up in the form of a special resolution. Government took particular care to place the matter before us before it brought up a resolution in Council. This is not an item on which the Government is under any obligation to consult the views of the Finance Committee before bringing it up in open Council.

THE HON. MR. E. W. PERERA (Kalutara Revenue District) :—Why not?

THE HON. MR. W. DURAISWAMY (Northern Province, Western Division) :—The Finance Committee is composed of three Officials and all the Unofficial Members of Council, and Government was courteous enough to consult us, and we unanimously agreed to the loan. Is it right that we should now go back on our decision of the other day?

Taking the merits of the question. The slum question is a very urgent one in Colombo, and many Members of this Assembly are interested in it. I have known the locality for some time; and the statistics of death-rate given by the Honourable Member for the North-Western Province, Western Division, are so appalling, that I am sure no Member of this House will hesitate to give the grant asked for to remedy the existing conditions.

THE HON. MR. A. MAHADEVA (Western Province, Ceylon Tamil) :—This is a loan.

THE HON. MR. W. DURAISWAMY (Northern Province, Western Division) :—The greater the reason why we should give the money at once. With regard to the choice of locality to effect remedial measures, that should be left in the hands of the Municipality. They have been functioning for the benefit of the city, and it is not right that the warfare carried on by the members of that Council should be transferred to this House. It has been stated here that because five elected members of the Colombo Municipal Council opposed the receiving of this loan so generously given by the Finance Committee, and that because only two elected members were in favour of it, we should take up cudgels on behalf of the

five elected members. That is wrong. Warfare carried on on the floor of the Municipal Council should not be transferred to the floor of this Council, which should look at the matter in a disinterested way.

Looking at the merits of the question, the Municipal Council asked for this loan for the relief of slums. It is open to the Municipal Council to accept the loan or not. We have given it, and we are not going to take it back. I support the motion of the Government, and oppose the amendment brought forward by the Honourable Member for Kalutara.

THE HON. MR. E. R. TAMBIMUTTU (Batticaloa Revenue District):—I rise, Sir, more especially to contradict a rank heresy uttered by the Honourable Member for the Northern Province, Western Division, when he said that the Government had a right to give this vote, and that it was only through courtesy that it got the sanction of the Finance Committee. That is both a heresy and hypocrisy.

THE HON. MR. W. DURAISWAMY (Northern Province, Western Division):—I rise, Sir, to make a correction. I said that the Government was not bound to consult the Finance Committee on a motion of this kind. The Government cannot give the money without the sanction of the Legislative Council, but they need not consult the Finance Committee.

THE HON. MR. E. R. TAMBIMUTTU (Batticaloa Revenue District):—I challenged that very statement. I do not say that the Government gives away money without consulting us. But that is not the point. It seems to me from what he has told us to-day that he is trying to put back the hands of the clock, I do not know by how many hours.

What is it after all we are proposing to do? We are proposing to set apart Rs. 500,000 to the Municipality as a loan. We are not thrusting this loan upon them. My honourable friend has spoken of the reform of the Municipal Council. He might have done something towards bringing it about if he had supported my motion moved some time ago that the Local Government Ordinance be made compulsory throughout the Island. But what are we doing in the present instance? We are merely earmarking a sum of Rs. 500,000 as a loan to the Colombo Municipal Council. If they do not want the loan they need not take it. I move, Sir, that the motion be now put to the House without further discussion.

THE HON. THE VICE-PRESIDENT:—I cannot allow that. I think Honourable Members would like to have the view of Government on the matter.

THE HON. THE ACTING COLONIAL SECRETARY:—This amendment was rather sprung on me by the Honourable Member for the Kalutara District, and I have not had much time to prepare to state the Government view. Honourable Members will agree with me that this matter of the improvement of our slums is one of the most burning and pressing questions of the day; and I think every one of us has the matter a bit on our conscience. It must be on the conscience of the Municipality, and undoubtedly it is on the conscience of the Government, and the Government will do its best to see that the proposed improvement is carried

through. There is no doubt about it that the matter should not be delayed. It has been argued that we should wait until a new Municipal Council has been established. The papers on that question are being held over till Sir Hugh Clifford arrives. That is no reason why we should not lend the money to go on with this proposed scheme.

If the Municipality knows what money it can expect, it can go on with the work ; but unless it is assured that it will get this money from us it cannot go on. We simply say we will lend them the money ; if they care to take it they can do so. It has been said that the terms are niggardly, but from the business point of view you will find that this is not so. The money is to be free of interest for the first five years, at the end of which time it will carry interest at 4 per cent. The repayment of the loan will begin at the end of ten years at the rate of a lakh a year. The rate of interest is certainly not high, and I do not think that those terms can at all be called niggardly. Until we settle the question of the financial relations between Government and local governing bodies, those are the sort of terms the Government are inclined to adopt in the loans they make.

The matter of the improvement of the slum areas is urgently required for a great number of people whose death-rate is appalling. It is being pressed, not only by the Municipality, but also by the Board of Immigration and Quarantine, particularly on the ground that the area selected is very liable to breed plague. In the interests of the whole Island, I think it is necessary to include this item and pass it at once.

THE HON. MR. E. W. PERERA (Kalutara Revenue District) :— I should like to make a few remarks, Sir, in reply. Certain arguments have been placed before this House urging the rights of the Crown in certain eventualities, which, if the matter was a question of constitutional right, and I was holding a brief for the Crown in a court of law, I should not have dared to put forward. But before going on with the arguments in detail—

THE HON. MR. W. DURAISWAMY (Northern Province, Western Division) :—I rise, Sir, to a point of order, whether the Honourable Member for the Kalutara District has the right to speak. Any Member who moves an amendment has no right to reply. It is only the mover of a motion who has the right to reply. I ask for a ruling whether the Honourable Member has a right to speak.

THE HON. THE VICE-PRESIDENT :—I think we have always treated motions for amendment in the same way as motions. I hope the Honourable Member will not enter into the constitutional question.

THE HON. MR. E. W. PERERA (Kalutara Revenue District) :— The point is a very important one. The Honourable Member for Batticaloa has made the matter clear. The Honourable Member for the Northern Province, Western Division, has explained his position ; but even qualified in that way I am not prepared to agree with him. I maintain that the Unofficial Members have free and inviolate rights over finance. But leaving that vital question for a moment, the opposition to my amendment was under a clear misapprehension. It is my conviction, and I have no doubt that it is the conviction of all my colleagues who supported me, that the question

of opening up slum areas is a most important and vital matter, and that everybody will be willing to vote most generously the money for such a scheme; but the position is this. The Honourable Member who represents the District of Chilaw has not met my argument. I stated categorically and asked whether the sum of Rs. 1,125,000 was not an amount to be spent on seven acres alone. The expenditure was detailed by him—so much for buildings, so much as compensation, &c.—but that did not really meet my argument that the whole of the Rs. 1,125,000 was meant to cover the erection of buildings on seven acres.

Further, Sir, a great deal has been urged with vehemence as to the Municipal Council having previously pledged itself to a particular scheme. If after the Municipal Council had committed itself to a particular scheme and to certain expenditure, five elected members who had carefully gone into the matter revised their estimate, there must have been some very cogent reason for it. Again, it has been said that because certain facts were placed before us in Finance Committee, therefore we should bind ourselves in this Assembly to the particular view to which we were committed. We might as well say, therefore, the moon is made of green cheese. Why the matter is brought here is, because the decision we came to in Finance Committee is only a tentative one, which must be ratified in this Assembly in full, free, and open debate *coram populo*.

Now, it was also stated that in the Municipal Council the matter was passed by a majority. I hold the heresy that the person who pays the piper must be allowed to call the tune, and *vox populi* is *vox dei*, except on a certain memorable occasion, when the *vox populi* was the *vox diaboli*, which the Honourable Member who represents the Burgher community will remember. The views of the nominated members must not be made to tilt up the reasoned and considered opinions of the elected of the people. What I said was that the whole of the slum area must be tackled. The Honourable Member for Chilaw said that there was a scheme, but he did not tell us that the scheme dealt with the whole of the slum areas. That is the important point. He merely says that there must be a beginning.

I take off my hat to the Honourable the First Muslim Member on matters of business, but I must say that it is not sound business to commit ourselves to expenditure without knowing even approximately what the scheme will cost us.

THE HON. THE ACTING COLONIAL SECRETARY:—On that point, we shall not commit ourselves to any expenditure, because this scheme is bound to come before the Legislative Council again. The Council will then have the opportunity of considering it.

THE HON. MR. E. W. PERERA (Kalutara Revenue District):—I am grateful to the Honourable the Colonial Secretary, but the Government always misunderstands me. I say that as a member of this Assembly I am willing freely to vote any sums of money, but the members of the Municipal Council turn round and say: "We must first of all know what the scheme which will benefit the whole city is to cost the Council," because they are responsible for the expenditure, and it may be that they will have to put extra taxes on the people. This is the very cogent reason which they have urged. They want to know what the total expenditure will be before they come with the mandate of the people to this Council and ask for a

first instalment of the money required. At the present rate of expenditure, the elected members of the Municipal Council say that they are not prepared to take upon themselves the responsibility. I do not want to take up the further time of this Council, but I must say that my amendment meets with the wishes of nine-tenths of the ratepayers of the city of Colombo, as expressed by the views of their representatives. It is in keeping with the views of all of us and of the Government. We will vote as large a sum, or even more, but the elected members of the Municipal Council turn round and say that they cannot undertake the responsibility and that the nominated members are forcing this inchoate scheme upon them. The Honourable the Burgher Member stated that the future is notorious for its abortions. I am not prepared to follow the Honourable Member on that subject because I have no knowledge of it.

THE HON. MR. G. A. H. WILLE (First Burgher Member):—I should like to correct the Honourable Member on a question of fact. He said that a large number of members were against the scheme. I think it should be clearly understood that this scheme is the unanimous decision of the Municipal Council arrived at in February last. We are now being made the playthings of the changing moods of some of the members of that Council.

THE HON. THE VICE-PRESIDENT:—I cannot allow the Honourable Member to speak.

THE HON. MR. E. W. PERERA (Kalutara Revenue District):—I do not mind an intermittent reply. I said that the Municipal Council reconsidered the matter yesterday, and there must have been some very cogent reasons why elected members representing nine-tenths of the taxpayers should have asked to be told what the expenditure on the whole scheme would be before they accepted this loan. I move, Sir, as an amendment "That the loan of Rs. 500,000 to the Colombo Municipality in connection with the Kochchikadde slum scheme should be deferred till the new Municipal Councils' Ordinance is passed and the matter is approved by the new Municipal Council of Colombo." This will give a zest to the subject and help to push the new Municipal Councils' Ordinance through. It cannot be imagined, Sir, that any members of the Municipal Council should have objected to propaganda. The power of propaganda is great, and we cannot be sufficiently grateful to public bodies and to the press for bringing this vital matter before the country. I wish the matter to be settled once and for ever in a comprehensive way, so that the whole of the slum areas might by degrees disappear, instead of nibbling at it and starting on an enterprise the extent of which the Council does not know. I move my amendment.

THE HON. THE VICE-PRESIDENT:—I put the amendment to the House, namely, "That the loan of Rs. 500,000 to the Colombo Municipality in connection with the Kochchikadde slum scheme should be deferred till the new Municipal Councils' Ordinance is passed and the matter is approved by the new Municipal Council of Colombo." Those of that opinion say "Aye," those of a contrary opinion say "No."

(After a pause) I think the "Noes" have it.

THE HON. MR. E. W. PERERA (Kalutara Revenue District) :—
Divide.

Council divided as follows :—

Ayes—8.

- The Hon. Mr. E. W. Perera (Kalutara Revenue District).
- The Hon. Mr. C. W. W. Kannangara (Southern Province, Western Division).
- The Hon. Mr. D. B. Jayatilaka (Colombo District).
- The Hon. Mr. A. Mahadeva (Western Province, Ceylon Tamil).
- The Hon. Mr. F. A. Obeyesekere (Southern Province, Central Division).
- The Hon. Mr. D. S. Senanayake (Negombo District).
- The Hon. Mr. M. M. Subramaniam (Trincomalee Revenue District).
- The Hon. Mr. W. A. de Silva (Central Province, Urban).

Noes—32.

- The Hon. the Officer Commanding the Troops.
- The Hon. the Acting Colonial Secretary.
- The Hon. the Attorney-General.
- The Hon. the Acting Controller of Revenue.
- The Hon. the Treasurer.
- The Hon. Mr. F. A. Stockdale (Director of Agriculture).
- The Hon. Sir P. Ramanathan, Kt., K.C., C.M.G. (Northern Province, Northern Division).
- The Hon. Mr. L. Macrae (Director of Education).
- The Hon. Mr. H. A. Loos (Nominated Unofficial Member).
- The Hon. Mr. W. Duraiswamy (Northern Province, Western Division).
- The Hon. Mr. D. H. Kotalawala (Province of Uva).
- The Hon. Mr. E. R. Tambimuttu (Batticaloa Revenue District).
- The Hon. Mr. E. J. Hayward, C.B.E., V.D. (Commercial Member).
- The Hon. Mr. W. L. Kindersley (Government Agent, Central Province).
- The Hon. Mr. W. T. Southorn (Principal Collector of Customs).
- The Hon. Mr. M. T. Akbar (Solicitor-General).
- The Hon. Mr. C. E. Victor Corea (Colombo Town, North).
- The Hon. Mr. C. H. Z. Fernando (North-Western Province, Western Division).
- The Hon. Mr. H. R. Freeman (North-Central Province).
- The Hon. Mr. T. B. Jayah (Third Muslim Member).
- The Hon. Mr. H. M. Macan Markar (First Muslim Member).
- The Hon. Mr. G. E. Madawala (North-Western Province, Eastern Division).
- The Hon. Mr. A. H. E. Molamure (Ratnapura Revenue District).
- The Hon. Mr. S. Rajaratnam (Northern Province, Central Division).
- The Hon. Mr. S. R. Mohamed Sultan (Second Indian Member).
- The Hon. Mr. V. S. de S. Wikremanayeke (Southern Province, Southern Division).
- The Hon. Mr. G. A. H. Wille (First Burgher Member).
- The Hon. Dr. G. Thornton (Acting Principal Civil Medical Officer).
- The Hon. Mr. A. H. F. Clarke (Acting Director of Public Works).
- The Hon. Sir J. Thomson Broom, Kt. (European Urban Member).

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The Hon. Mr. T. M. Sabaratnam (Northern Province, Eastern Division).

The Hon. Mr. P. B. Rambukwelle (Central Province, Rural).

The amendment was accordingly lost.

The original motion was agreed to.

The Public Works Loan Ordinance.

THE HON. THE ACTING COLONIAL SECRETARY :—I move, Sir—That in terms of section 2 of “The Public Works Loan Ordinance, No. 6 of 1921,” this Council approves of the transfer from item 10 of the schedule thereto of a sum of Rs. 80,784 to item 9, “Batticaloa-Maho and Trincomalee Light Railway,” for the construction of a permanent railway station at Eravur.

THE HON. THE TREASURER seconded, and the motion was agreed to.

Foreign Liquor Licenses in the Panadure District Council Area.

The following motion stood in the name of the Hon. Mr. E. W. Perera (Kalutara Revenue District) :—

That this Council recommends to Government that no foreign liquor licenses and foreign liquor bar licenses be issued in the Panadure District Council area after the end of the present licensing year.

THE HON. THE VICE-PRESIDENT :—Does the Honourable Member for the Kalutara District wish to proceed with this motion ?

THE HON. MR. E. W. PERERA (Kalutara Revenue District) :—Let it be deferred, Sir.

The motion was accordingly deferred.

Licenses for Distilling Arrack.

The following motion stood in the name of the Hon. Mr. D. B. Jayatilaka (Colombo District) :—

That in the opinion of this Council no licenses be issued for distilling arrack in areas in which no distilleries existed when the contract-supply system was introduced.

THE HON. THE VICE-PRESIDENT :—Does the Honourable Member for the Colombo District wish to proceed with his motion ?

THE HON. MR. D. B. JAYATILAKA (Colombo District) :—Let it also be deferred, Sir.

The motion was accordingly deferred.

Coconut Experiment Station.

The following motion stood in the name of the Hon. Mr. C. H. Z. Fernando (North-Western Province, Western Division) :—

That the Government be pleased to take steps to introduce in Council at an early date the Bill intituled “An Ordinance to provide for the Establishment of a Coconut Experiment Station,” the second reading of which was on October 30, 1924, postponed for a month.

THE HON. MR. C. H. Z. FERNANDO (North-Western Province, Western Division) :—Some of my unofficial colleagues who are not in support of the motion wish to have a conference at which the

Director of Agriculture will also be present. I would therefore wish the motion to stand over.

The motion was accordingly deferred.

Unemployment.

The following motion stood in the name of the Hon. Mr. A. Canagaratnam (Northern Province, Southern Division) :—

That in view of unemployment and consequent poverty being steadily on the increase among the young men who have received an English education, the Government be pleased to appoint a Committee of this Council to investigate into the subject and recommend remedial measures.

THE HON. MR. S. RAJARATNAM (Northern Province, Central Division) :—As the Honourable Member for the Northern Province, Southern Division, is not present, I move, Sir, that the motion be deferred.

The motion was accordingly deferred.

Water Rate leviable on Irrigable Lands.

THE HON. MR. V. S. DE S. WIKREMANAYEKE (Southern Province, Southern Division) :—I beg, Sir, to move that a Select Committee of this House be appointed to inquire into and advise Government as to water rate leviable on irrigable lands. Some months ago at the discussion of the Budget I reminded this House that Ceylon in the days of the Sinhalese kings was the granary of the East. That, Sir, was not an idle boast, but a fact to which everyone who has studied the subject or has gone about the country and seen the remains of irrigation works will testify. On that occasion I suggested that the village tanks in the different Provinces should be improved because they were situated in populous areas. To-day I bring forward this motion with the same object, namely, the increase of food production in this Island. We know that millions and millions of rupees worth of rice is imported to this Island from outside, and that too not without considerable trouble. There has been for several years an outcry in India against this export of rice, and the day will come when we shall get very little rice from outside. Therefore, I think it is incumbent on us to see that ample provision is made for our rice supply, and to see that the rice produced in this Island is sufficient for the wants of the people. The rice produced, not only in India, but even in Japan and China, is not enough for the needs of those countries, and they will not be able to continue to send us rice.

Now, Sir, instead of trying to increase food production, what has the Government done? There used to be at Peradeniya the ordinary black elephants eating vegetation and doing no damage to the public, but now Government has placed there a white elephant which is eating public revenue and doing no good to the country. That is what Government has done instead of increasing food production. Government ought to improve the position of the peasantry and the paddy cultivator, and of food production in general. They should afford facilities to the paddy cultivator in order that food production may increase. One of the facilities that I would suggest should be afforded to the rice cultivator is that there should be only a small water rate. There has been a water rate of one rupee per acre for a considerably long time, but of late Government has altered the condition of sale by laying down

that land should be sold on the condition that the purchaser should pay four rupees an acre as water rate or irrigation rate. This is one of the reasons why I am bringing forward this resolution. This policy, which it is said is revisable once in four or five years, is working great hardship on the paddy cultivator, who in fact has found it difficult at times to pay even the one rupee. In answer to a question put by me the other day, I was told that an extent in my district of 184 acres 1 rood and $1\frac{1}{4}$ perches had been sold for default of payment of the irrigation rate of one rupee.

The present policy of the Government to increase the water rate in order to make the Irrigation Department a paying department is, I submit, a foolish one. That department should be a spending department for the purpose of increasing food production, and not a money-making department. Lately there has been an attempt in our district to increase this water rate. The result of that attempt was that much suffering has been caused. We had last year a Divisional Irrigation Officer who was I might say a very unsympathetic officer, so much so that when people went to him for water he said: "The owners of the land adjoining yours pay a water rate of four rupees, and I must look after them in particular." The result is that many a man in my district has suffered considerably by this bad policy. I do not see why a man who owns one land should pay one rupee as water rate, whereas the man who buys the adjoining land has to pay four rupees as water rate. I think it would be in the interests of all if a Select Committee is appointed to go into the whole question. So far as I am concerned, I would suggest that there should be a maximum water rate of one rupee all round.

As I said, the condition of the paddy cultivator is very bad. There are many causes for his being in that condition. Some of the ills could not be remedied, and it is too late in the day to remedy them. My suggestion is that Government should reduce the water rate, and thereby afford greater facilities to the paddy cultivator. One of the difficulties of the cultivator is the want of cattle. Cattle play a very prominent part in paddy cultivation, and in that connection I may quote a statement of Dr. Willis from an editorial in the "Tropical Agriculturist." Dr. Willis says:—

From the first operation of ploughing to the last of thrashing the grain the help of cattle is essential. Indeed the cultivator cannot have too many cattle for agricultural purposes; the greater the supply the more thorough will be the cultivation

That was the opinion of Dr. Willis, and those of us who have experience in paddy cultivation know that the more cattle we have the better it is for our work. I can speak with some experience, because I am one of the chief cultivators in my district, and I say that we are greatly hampered for want of cattle. I put a question in this Council some time back with regard to the number of cattle in my district—I think the number of cattle is a safe criterion to go by—and the reply I received to my question was this:—

The approximate extent of paddy lands in West Giruwa pattu is 12,000 acres, and in East Giruwa pattu 7,500 acres. To cultivate these extents simultaneously about 9,600 buffaloes are required in West Giruwa pattu and 7,000 in East Giruwa pattu. A pattu is not dependent only on the cattle belonging to that pattu, buffaloes are moved from one pattu to another, and even from one Province to another, for cultivation purposes. There are 8,562 buffaloes and 23,060 neat cattle in West Giruwa pattu and 5,600 buffaloes and 18,000 neat cattle in East Giruwa pattu. These figures include

she-buffaloes and calves. There are no reserved pasture lands in these two pattus. In 1917 Government offered to give Crown land to the Village Committees of these pattus for grazing grounds and they were asked to select suitable areas. They were however unwilling to avail themselves of this offer on the ground that there were no suitable lands available. Government is making further inquiries into the matter.

It must, however, be remembered that buffaloes in this reply include she-buffaloes and calves. The Honourable the Urban Member for the Central Province, in a paper he read some time back before the Agricultural Society, said that one acre of rice land requires on an average the services of thirty buffaloes; and Dr. Willis has said that one acre of paddy land requires four buffaloes. Even taking this number as correct, we do not have even one-third of the number of cattle required. So that there is a great need for cattle. That need cannot be remedied all at once. There are thousands and thousands of wild buffaloes in reserves and game sanctuaries, and I would make the suggestion that we should make use of these.

THE HON. THE ACTING COLONIAL SECRETARY:—I am sorry to interrupt, but I shall be very much obliged if the Honourable Member confines himself to the question of water rate.

THE HON. MR. V. S. DE S. WIKREMANAYEKE (Southern Province, Southern Division):—The peasantry, I say, are in such a position that they really need help, and that is the reason why I am bringing forward this resolution asking for the appointment of a Committee to inquire into and advise Government as to the water rate leviable.

THE HON. THE VICE-PRESIDENT:—I understand that Government is willing to accept your motion.

THE HON. MR. V. S. DE S. WIKREMANAYEKE (Southern Province, Southern Division):—Yes. But the other day the Honourable the Colonial Secretary contradicted me with regard to paddy cultivation and said that it was a paying thing. I said no, and therefore I think that this is a good opportunity for me to show the difficulty paddy cultivators experience, and thus prove the need for affording the facility that I am trying to get by bringing forward this motion. On the question that paddy cultivation is not paying, it is the experience of us all engaged in paddy cultivation that it is not paying. We who have borne the heat of the tropical sun can more confidently express an opinion on the subject than officials, who express their opinion on second-hand information obtained from Mudaliyars and others. The other day the Assistant Government Agent at Hambantota was approached by villagers on the question of pasture land, and his reply to them was: "Each of you cultivate half your paddy field and tie your cattle in the other half." Then they asked how they were to get food for their cattle, and the reply they received was: "Feed them with poonac." A more silly and unpracticable suggestion was never uttered, because, as everybody knows, among our cattle there are buffaloes and she-buffaloes which when tied in this manner will break the ropes and damage the crop as well as the ridges. And can buffaloes be fed on poonac? I should like to see an official try it. The result as we know would be that the buffaloes would soon die.

THE HON. THE VICE-PRESIDENT :—I must ask the Honourable Member to confine himself more to the motion. I do not think that these matters, although you may touch upon them, pertain to the motion.

THE HON. MR. V. S. DE S. WIKREMANAYEKE (Southern Province, Southern Division) :—Am I out of order, Sir ?

THE HON. THE VICE-PRESIDENT :—No, no.

THE HON. MR. V. S. DE S. WIKREMANAYEKE (Southern Province, Southern Division) :—In that case I think I ought to be allowed to go on.

THE HON. THE VICE-PRESIDENT :—You will be out of order if you deal with matters outside your motion.

THE HON. MR. V. S. DE S. WIKREMANAYEKE (Southern Province, Southern Division) :—The motion, Sir, is as regards paddy cultivation. With regard to pasture land, I put a question in Council, and the reply I received was—

In 1917 Government offered to give Crown land to the Village Committees of these pattus for grazing grounds and they were asked to select suitable areas. They were however unwilling to avail themselves of this offer on the ground that there were no suitable lands available. Government is making further inquiries into the matter.

According to information that has been obtained no suitable land is said to be available. But in East Giruwa Pattu there is suitable land available in the village called Ethbatuwa.

Now, I wish to make a few remarks with regard to the question of appurtenances, and I shall be as brief as possible. The village cultivator has now to go without appurtenances. That is, of course, a difficulty in many Provinces that cannot be remedied as the Settlement Department has sold these appurtenances. The need for appurtenances has been referred to by no less an authority than Dr. Willis. Dr. Willis says :—

There is however a stupendous obstacle in the way of the village cultivator, one which is proving the principal cause of the decadence of rice cultivation. This is the alienation of the high lands attached to the fields.

Then Sir John D'Oyly reported to Government that every paddy field had attached to it a garden and a jungle ground called *hena*, which as a matter of course was inherited with the field.

THE HON. THE VICE-PRESIDENT :—I must really rule that these observations are not to the point.

THE HON. MR. V. S. DE S. WIKREMANAYEKE (Southern Province, Southern Division) :—I was going to refer to the troubles we had, and I was going to consider each one of these and to show that in the face of these difficulties this motion of mine should be accepted. Under the circumstances, without touching on the other points I meant to touch upon, I now move, Sir, the motion standing in my name.

THE HON. MR. C. W. W. KANNANGARA (Southern Province, Western Division) seconded.

THE HON. MR. W. A. DE SILVA (Central Province, Urban) :—Sir, I wish to make a correction. I have been quoted as saying that thirty buffaloes are required for one acre. I thought I said thirty units, that is, thirty days of work for one buffalo per acre.

THE HON. THE ACTING COLONIAL SECRETARY.—Sir, Government accepts this motion. Government has already before it reports from the Government Agent, Eastern Province, and the Director of Irrigation with respect to the revision of irrigation rates under major works in the Eastern Province. It no doubt would be a very good thing to consider the same question in the other Provinces. I am not therefore going to speak at any great length, nor shall I chase his buffaloes or wander among his appurtenances; but there was one remark the Honourable Member made which I must refer to. He said that there was a universal water rate charged by Government of four rupees.

THE HON. THE VICE-PRESIDENT:—I do not think the Honourable Member said that. He said a new water rate of four rupees was charged.

THE HON. THE ACTING COLONIAL SECRETARY:—Yes, but there is no uniform rate. Four rupees is the maximum. I should like to make that clear. I think this Committee will find when they begin to go into the question of irrigation rates that the recovery of these rates in no instance gives the Government any return upon its capital, and that in a great many cases recoveries had not even paid the cost of maintenance. We should all very much like to see the schemes self-supporting, as they are in India. It will be very much better for paddy cultivation if it could afford to pay—they go even up to ten rupees in India, paddy cultivation is so successful there, and the department is looked upon as a revenue earning and spending department. In Ceylon we have never looked upon the department as revenue earning.

I think the honourable mover of the motion stated that His Excellency the Officer Administering the Government, in Finance Committee as Colonial Secretary, stated that rice growing was a paying concern. I did not hear him say so myself, and I asked the Honourable the Treasurer, who tells me that what His Excellency the Officer Administering the Government said was that rice growing was a paying proposition in China.

As regards the constitution of the Committee, His Excellency the Officer Administering the Government should consider it himself. I am sure the honourable mover will agree to that.

The motion was agreed to.

THE HON. THE VICE-PRESIDENT:—The Committee will be appointed by His Excellency the Officer Administering the Government.

Adjournment.

THE HON. THE VICE-PRESIDENT:—That finishes the business for the day. Has the Honourable the Acting Colonial Secretary any suggestion to make as regards adjournment?

THE HON. THE ACTING COLONIAL SECRETARY:—I think it is the unanimous wish of members that we should not sit for the next two months during the hot weather.

THE HON. THE VICE-PRESIDENT:—Council now adjourns *sine die*.