

DEBATES

IN THE

LEGISLATIVE COUNCIL OF CEYLON,

On Friday, July 31, 1925.

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

PRESENT :

- THE HONOURABLE SIR JAMES PEIRIS, Kt. (COLOMBO TOWN, SOUTH),
VICE-PRESIDENT.
- THE HONOURABLE COLONEL H. W. HIGGINSON, C.B., D.S.O., A.D.C.,
OFFICER COMMANDING THE TROOPS.
- THE HONOURABLE MR. E. B. ALEXANDER, C.M.G., ACTING COLONIAL
SECRETARY.
- THE HONOURABLE MR. L. H. ELPHINSTONE, K.C., 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, C.B.E., 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. T. Y. WRIGHT (EUROPEAN RURAL MEMBER).
- THE HONOURABLE MR. H. A. LOOS (NOMINATED UNOFFICIAL MEMBER).
- THE HONOURABLE MR. W. DURAISWAMY (NORTHERN PROVINCE,
WESTERN DIVISION).
- THE HONOURABLE MR. E. W. PERERA (KALUTARA REVENUE DISTRICT).
- THE HONOURABLE MR. E. R. TAMBIMUTTU (BATTICALOA REVENUE
DISTRICT).
- THE HONOURABLE MR. A. C. G. WIJEYEKOON (NOMINATED UNOFFICIAL
MEMBER).
- 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. N. J. MARTIN (SECOND BURGHIER MEMBER).
- THE HONOURABLE MR. J. STRACHAN, DIRECTOR OF PUBLIC WORKS.
- THE HONOURABLE MR. W. T. SOUTHORN, PRINCIPAL COLLECTOR OF
CUSTOMS.
- THE HONOURABLE MR. M. T. AKBAR, K.C., SOLICITOR-GENERAL.

- THE HONOURABLE MR. K. BALASINGHAM (NOMINATED UNOFFICIAL MEMBER).
- THE HONOURABLE DR. J. F. E. BRIDGER, PRINCIPAL CIVIL MEDICAL OFFICER.
- 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. 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. I. X. PEREIRA (FIRST INDIAN MEMBER).
- THE HONOURABLE MR. S. RAJARATNAM (NORTHERN PROVINCE, CENTRAL DIVISION).
- THE HONOURABLE MR. D. S. SENANAYAKE (NEGOMBO DISTRICT).
- THE HONOURABLE MR. S. R. MOHAMED SULTAN (SECOND INDIAN MEMBER).
- THE HONOURABLE MR. V. S. DE S. WIKREMANAYAKE (SOUTHERN PROVINCE, SOUTHERN DIVISION).
- THE HONOURABLE MR. G. A. H. WILLE (FIRST BURGHESER MEMBER).
- 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).

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

NOTICE OF QUESTIONS.

Canal between Colombo and Chilaw.

THE HON. MR. S. R. MOHAMED SULTAN (Second Indian Member) :—I give notice, Sir, of the following questions:—

- (a) Are the Government aware of the fact that the old Dutch canal (running between Colombo and Chilaw) has become perfectly useless for traffic on account of the accumulation, by neglect, of silt and earth?
- (b) Are the Government aware also of the fact that this important commercial highway was used for all kinds of traffic before the opening up of the Colombo-Chilaw railway?
- (c) Is it the intention of the Government to stop the usefulness of the canal by allowing the accumulation of silt and thus diverting the traffic to the railway?
- (d) Are the Government aware of the fact that a large number of labourers, as boatmen, &c., are thrown out of work on this score?
- (e) Do the Government realize that the benefits of the least costly route for the conveyance of goods, as copra, &c., are denied to the merchants as a direct result of this practical closure of the canal, especially between Madampe and Kudawewa?
- (f) Will the Government, having regard to the advantages of this canal as the least costly route, be pleased to immediately provide for the silting-up, and thus give relief to the merchants and the labourers concerned?

Application for Liquor Shop in Kotahena.

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

1. Is the Government aware that an application has been received by the Honourable the Government Agent, Western Province, for the opening of a liquor shop for the sale of Nuwara Eliya beer and stout in Kotahena?
2. In view of the fact that local option rules will shortly be considered in the Legislative Council, will Government direct the licensing authority to withhold action in this connection until the rules are passed?
3. Has the licensing authority taken steps to ascertain the wishes of the people in this connection, and, if so, how?

QUESTIONS.

THE HON. THE VICE-PRESIDENT:—I understand that the answer to only one question is ready, namely, question No. 141.

THE HON. MR. H. R. FREEMAN (North-Central Province):—I rise, Sir, to ask—Will the Government be pleased to consider the application of the old, proposed, fifteen minutes' rule to speeches in this Council.

THE HON. THE ACTING COLONIAL SECRETARY:—The Honourable Member's proposal will be referred for consideration to the Committee appointed to revise the Standing Orders of this Council.

The Supply Bill, 1925–26.

The debate on the Supply Bill, 1925–26, was resumed.

THE HON. MR. T. B. JAYAH (Third Muslim Member):—I desire, Sir, to associate myself with my Unofficial colleagues in all that they have said with regard to the remission of taxes, and to express my deep concern at the attitude of Government in this matter. I would rather have wished, Sir, that a more direct reply came from the Government to the Unofficial demands, which have been so clearly, unmistakably, and unanimously put forward, than the evasive, vague one in the suspicious shape of a Commission. I concede, Sir, that a Commission is certainly necessary to go into the whole question of the incidence of taxation in this country. But where a demand is before the Government—a demand not made for the first time and not made in the heat of debate, but a demand representing the considered views of the representatives of the people—it is regrettable that the Government should speak of the appointment of a Commission to consider the matter. One would have thought, Sir, that with the recurring surpluses and in the absence of disturbing elements on the financial horizon, Government would take the earliest opportunity to remit taxes or to welcome suggestions from every quarter in this direction. It was to me, therefore, a great surprise and disappointment that the Government spokesmen should have belittled the demands so seriously made by my Unofficial colleagues, and that no real endeavour was made by them to meet even half way the wishes of Unofficial Members.

In a matter like this, Sir, the Government should consider the position of the Unofficials in this Council. They are certainly expected to know the wishes of the people, the condition of the people, whether the people are in prosperous circumstances or not,

so that if they come before this Council and put forward certain proposals, it will not do for the Government to say that their views or their proposals cannot at all be entertained. Some of my Unofficial colleagues, Sir, have very effectively dealt with some of the lame excuses urged as powerful arguments. I should like, however, to touch upon one or two points in this connection. I was wondering whether the Government spokesmen were speaking seriously when they said that the taxes complained of were levied more or less in the interests of the indigenous industries. It is certainly gratifying, Sir, that the Officials should preach the cult of Swadeshism to avoid an inconvenient situation. I am sure that if the duties on foodstuffs were imposed in order to encourage home industries, the people of this country would be the first to welcome them. But at the same time the people of this country are not so foolish as to believe that the duties they complain of are levied in the interests of home industries. It was again said that some of the Unofficial Members in their enthusiasm to forward the interests of their respective constituencies had made certain demands entailing heavy expenditure, and under the circumstances the remission of taxes would be out of the question. I believe, Sir, that when my Unofficial friends put forward those demands, or suggested certain schemes of improvement, they did so knowing what the state of the finances would be after the remission of taxes and subject to all possible adjustments under the different heads of expenditure provided in the Budget itself. It is true, Sir, that the expenditure of the country has been rapidly increasing with the increasing development of the country. But at the same time it cannot be denied that the receipts are in excess of our needs, and the Government is not justified in taking from the people over and above what their requirements warrant. So then, Sir, although the Honourable the Principal Collector of Customs and the Honourable the Treasurer have spoken as if my Unofficial colleagues have done something very silly in asking for the remission of certain taxes, I would here repeat the same demand for the remission of taxes on curry stuffs, sugar, and jaggery, and the reduction of railway passenger rates and postal rates, and I would call upon my Unofficial colleagues to stand united and be prepared for all eventualities.

Equally important as the reduction of taxes is the wider employment of the Ceylonese in the public services. As has already been remarked, the higher posts in this country should be thrown open to the Ceylonese, and facilities provided for the youth of this country to qualify themselves for those posts. It is a pity that men of ability and talent and education should be shut out of posts of great responsibility. If Ceylonese can be found who can fill the highest judicial posts with dignity to themselves and honour to their country, and if those who have joined the Civil Service, even through the local examinations, can fill posts of trust at a moment's notice, I do not see how it can be said that Ceylonese of distinguished ability are wanting in those qualities which will enable them to fill with distinction posts in certain departments where the exclusion of Ceylonese has been very admirably carried out.

Equally important and intimately connected with the employment of Ceylonese in the higher branches of the services is the question of how we should secure those moral and material advantages

for the people of this country which the Governments in other countries endeavour to secure. America and Japan have made it their first duty to promote the widest possible diffusion of education, not only on moral, but also on economic grounds. We have a University College which is soon to be converted into a University. I do not know whether this Council has been very wise in voting those large sums of money for the University-to-be without sufficient knowledge of the policy of the University authorities. The University College Council is there to help the University College in a practical way, yet, the College authorities, when they find it convenient, entirely ignore the considered views of that Council and carry out schemes which are not very welcome to the members of that Council. We heard very recently that attempts were made to bring under the direct control of the University College authorities the Superintendent of the Observatory, the Director of the Museum, and the Principal of the Training College. I must say that this combining of posts, that this attempt to entrust to over-worked officials Professorial duties in a young University, should be nipped in the bud. While we should have men connected with the University who will be dedicated to their work, and who will take pleasure in devoting all their energies for the improvement of an institution like the University College, it is not proper, I think, that certain Government officials, who are already burdened with work, should have additional work put on them. The moment they are given these additional duties they might bring forward suggestions as to how the staff of their own departments should be increased. I say that we should make a timely protest against the policy that is being followed in connection with University College.

I should like to say also that where Professors are appointed to the University College it should be the aim of the Government to appoint them for a definite period of time, because there will be after a time Ceylonese of outstanding ability and distinction who might be able to fill some of these posts. The ground, I say, should be prepared, and no permanent barriers should be erected in the way of distinguished sons of the soil filling some of the higher posts connected with the University.

Coming to the question of secondary education, I should like to touch upon the training of secondary school teachers. I find that the highest in the land have on more than one occasion expressed great solicitude for the training of teachers, but unfortunately, where one would have expected that the earliest appointment made in connection with University College would have been that of Professor of Education, to this day no such appointment has been made. I am glad, therefore, that provision is made in this Budget for such an appointment. I may, however, in this connection say that at the very start the College authorities appointed a Visiting Lecturer, and some of those students who thought that they might become teachers readily joined the College with the intention of attending lectures in education. But to their disappointment they found these lectures continued only for a few months, and those students who joined with the intention of becoming secondary school teachers had to leave the College greatly disappointed. In this connection I should also like to say that whatever appointment is made, whoever is appointed, let the best possible man be secured as Professor of Education; and I

would also say that the present Principal of the Training College should be allowed to continue his work in the present College, where I am sure he can be more useful. The present Training College, under its able head, should continue to function as it has been functioning all these days, not under the control of the Principal of University College, but under the control of the Director of Education.

And I would further suggest in this connection, Sir, especially as a large sum of money has been asked for rebuilding the Training College, that it is not necessary for us to spend that amount at all. If the vernacular teachers who are housed at the Training College are sent to more congenial surroundings at Henaratgoda, the students at the Training College will be very well housed. I do not think that it is necessary that the vernacular students who are undergoing training should be in Colombo.

Again, Sir, we all know that primary education is practically compulsory in this country, but the question is how far the Government has carried out its duties in this matter. It is impossible to make primary education compulsory unless the Government is prepared to open schools in every village, in every hamlet, and in every township. So long as that is not done, the kind of primary education which is being given will remain nominal. Honourable Members will find in different parts of the country hundreds and thousands of children still running wild simply because sufficient facilities are not afforded for their education. In some cases, where even the people of the country have come forward and offered building sites for the erection of schools, the Government has been slow in moving. I had the good fortune the other day to visit a certain village in the Matara District with a large Muslim population. I refer to the village of Kirindi. The Muslims of that village have for a long time agitated for the establishment of a vernacular school—a school that will be suited to the genius of Muslim children. The Government was sympathetic at the start, and said that if a site could be acquired Government would put up a school. Although the people of that locality are very poor, they immediately got together and bought a piece of land and offered the site to Government. What did the Government do? How did the Government show their sympathy? They wanted these poor people to put up the building if they wanted the school recognized. It is not right that when the poor people of this country, in spite of their hardships, are endeavouring to get their children educated and in a way are helping the Government to carry on their work, difficulties should be placed in their way and their demand should be brushed aside. In this connection I should like to say that in districts—particularly in Sinhalese-speaking districts where Muslims form a fairly large part of the population, it should be the endeavour of the Government to open schools suited to the genius of the Muslim boy. It is hardly proper to call upon Muslim parents to send their children to schools primarily intended for Sinhalese-speaking boys, and it is hardly fair on parents, if they fail to send their children to such schools, to prosecute them.

In speaking of Muslim schools I am reminded of certain interests that vitally affect the Muslim community. I do not like to touch upon this aspect of the question because we have been dealing with matters of wider importance, but, representing as I do the Muslim community, I feel that I must say one or two words on

this subject, because it is best that these matters are brought to the notice of the Government and of the Territorial Members. I find that in some districts the interests of the Muslims are sometimes ignored and that their religious views are very lightly treated. In Tissamaharama an attempt was made by the few Muslim settlers there to put up a mosque. A Muslim Government servant had the kindness to offer a site and put up a temporary building for the use of the Muslims there; but, unfortunately, the Mudaliyar of the district, on representation made by some Buddhists there that a mosque would be objected to by them at such a place, made representations to the Assistant Government Agent of Hambantota, and used his official influence to get the mosque demolished. I am sure that my Territorial colleagues will be the first to say "Shame that such a thing has happened." A matter of this nature should not be allowed to pass because some Muslims live in isolated spots where they are not in a position to bring their grievances effectually before the public or before the authorities.

Again, there was a good deal of feeling among the Muslims at Matara over the erection of a bus stand opposite the Kotuawagoda mosque. In a body they appealed to the Matara Urban Council that the stand should be removed to another site. Representations were then made to the President of the Local Government Board, and, after persistent agitation, they succeeded in moving the Urban Council to take action. I am told that the Urban Council has decided to remove the bus stand from that site. What I should like to emphasize is that Muslims simply because they are scattered in different parts of the country and live somewhat in isolation should not be treated harshly by petty officials, and even by self-governing bodies who sometimes forget their sacred mission.

I should like to touch upon one other point, and that is with regard to legislation. The Government should not come to hasty conclusions in framing legislation, particularly when it is likely to affect certain communities, at any rate the religious views of certain communities. It may be that the Government in trying to enforce an obsolete or a forgotten law against certain communities is doing so really without knowing that they are actually wounding the religious feelings of the community concerned. In a matter like that it is advisable that even if certain abuses are to be corrected, the wishes of the community should be consulted beforehand. I know even some Judges who in their enthusiasm for the laws and institutions which appeal to them speak lightly of the laws and institutions which certain communities cherish. Whether the Government is contemplating legislation, or whether it is contemplating the enforcement of obsolete laws, especially where they affect communities like the Muslims, I say that Government should consult the people. It may be that the Government is actuated by the best of motives and the best of intentions, but that is no reason why the wishes of the people should not be consulted beforehand.

In conclusion, I should like to make one general observation. The Budget proposals are after all an unerring index of the inner workings of the official mind, and the representatives of the people, however desirous they may be of helping the Government, are bound to be disappointed unless these proposals bear out the declared intentions of the Government. Either the Government says what it does not mean, or means what it does not say. It is

not a question of more experts, or of more hospitals, or of more schemes, or of more Committees. What really matters is a change of heart in the Government, and a change of outlook in the officials. Be it food production, be it agricultural developments, be it the establishment of State banks, be it the extension of railways and roads, be it the reorganization of the education system of the country, it is not only the human factor which counts, it is also the official factor till the Government of the country is the Government of the people for the people. I am expressing, I am sure, the sentiments of the people of the country when I say that the officials of this country in their dealings with the people of the country should always respect the religious sentiments of the people, respect the true needs of the people, and make every endeavour to translate the intentions of the Government in the spirit in which those intentions are expressed by the higher and more responsible authorities of Government.

THE HON. MR. C. W. W. KANNANGARA (Southern Province, Western Division) :—Sir, we have listened during the Budget debate to a large number of speeches, to which will be added mine, but it is not possible not to hold in the highest estimation the great speech of that large-hearted Englishman, the sympathetic official and the doughty champion of the people of that neglected Province, the North-Central Province. Thousands of years ago the principal town of that Province, Anuradhapura, was the capital of this Island. It was a town abounding in prosperity, and every available piece of land was under cultivation. Now it is a desolate waste, the only redeeming feature being the champion of the people there. The speech of the Honourable Mr. Freeman no doubt will go down to posterity as one of the most gallant fights ever put up in this Chamber for the distressed, the poor, and the helpless. When we look into his speech we get an inkling of official working. If you want to learn the real ways of the official, the real work that is done by the administration, then you must, as the Sinhalese saying goes, ask an *ex-official*. And here is an *ex-official* explaining to us and exposing everything that has been done to bring that district down to poverty and shame.

We have heard from the lips of the Principal Collector of Customs that there is great prosperity in the Island. No one will deny that as regards certain classes. If he thinks of the classes that roll about in luxury, in padded motor cars, if he thinks of the people, as the phrase goes, taking the air at Galle Face, there is not the slightest doubt that there is prosperity. But we must realize the meaning of the words of Goldsmith :—

Ill fares the land to hastening ills a prey,
Where wealth accumulates and men decay.
Princes and lords may flourish or may fade,
A breath can take them as a breath has made.
But a bold peasantry, their country's pride,
When once destroyed can never be supplied.

That is the question, Sir. Where is the peasantry of this land? Possession of land is the possession of labour, and the possession of labour is the possession of the fruits of labour. What has happened to the land of the peasant of this country? What has happened to his paddy fields? What has happened to his ancestral land? A part of the lands, perhaps of the peasantry of this country, has been consumed by the Waste Lands Ordinances, and other parts sold up for his debts; and the peasant is hardly to be found. I shall only refer

this House to the Census Report of 1921. There you will find, Sir, that the paddy landowners have considerably gone down in number, and the labour classes have increased. The number of those who have to do menial labour, in other words domestic servants, is very much higher than during the last decade. The people of this country, I am speaking of the masses, are more and more becoming hewers of wood and drawers of water. I do not wish to be misunderstood. Perhaps the people at the top are very much better fed, better clothed, better housed, and perhaps very much better looked after. But what about the peasantry? That is the question, Sir, that deserves our very serious consideration. I may here cite from the words spoken by our Vice-President in this very Council in 1922. He said that "the richer classes pay by way of indirect taxation only about one-third of what the poorer classes pay." In the course of his brilliant speech he proved to the hilt that the rich man in England pays in taxation fifteen times what the poor man pays. We are justified, therefore, in unitedly asking that there should be some remission in the case of taxation which falls on the poor man. Perhaps the Honourable the Official Members may laugh because they are in no mood to reduce taxes. But it has been decided, let me repeat, that the Unofficials stand together in this matter. The Unofficial representatives in this Council, who represent all shades of opinion, all classes and communities, and all religious persuasions, are absolutely united in their request for the remission of some of the taxes. If the united request of the representatives of the people is not granted, we are determined, Sir, to see that every item in this Budget is voted down; and it is up to the Government not to bring us to such a pass, for that will be a very unpleasant duty to most of us.

I cannot allow to pass unnoticed a remark of the Principal Civil Medical Officer. In referring to the hospital at Walasmulla he started theorizing, and spoke about the necessity of hospitals only in places where there are accidents, where there are organic diseases, and where there are difficult labour cases. I say that these are found even in distant Walasmulla. Then, speaking about malaria, he said he had achieved wonderful results in the Mahara jail hospital. Does the Principal Civil Medical Officer expect every malaria-stricken man to get into jail before he can be cured of malaria? That will be a serious state of affairs. I hope the Principal Civil Medical Officer will do something for these people whom, as he says, he sees in the verandahs of hospitals, come there to be cured of malaria; and I also hope that he will redouble his efforts towards relieving all malaria-stricken people.

To come back to the remarks of the Principal Collector of Customs. He said that these taxes do not work great hardship on the poor man, and that the addition of a few cents is nothing much. But I should like to state that the misery of the poor is not due to any one single overwhelming crash, but rather to the small vexations continued and continuous. We must not be so entirely satisfied with the results of taxation as to be utterly indifferent to the means by which they are exacted. When the revenue increases, and when the surplus rises, heads of departments will be given perhaps more money for works for which they were not allowed money at the start. And what is often said to us in the Finance Committee is something like this: "Here is an item for Rs. 10,000. The head of the department says he can carry out the work out of the savings on another

vote." That kind of thing happens very often. It only shows that too much had been asked for. I have got statistics to prove what has been done during the last eight years as regards expenditure approved and expenditure actually incurred; but I hesitate to read them out at this tail end of the debate when everybody is perhaps tired. There is not the slightest doubt that if we work out the proportion we would find at the end of this year approximately a surplus of Rs. 12,000,000.

Then, Sir, coming to the Government proposal that this matter of taxation should be referred to a Commission, I remember the old saying—

Timeo Danaos et dona ferentes.

Taxation is a very easy thing. To reduce taxation is the least difficult thing under the sun. We are only asking for a reduction of taxes that have been imposed as temporary measures. But temporary taxes have got a habit of becoming permanent, and those taxes are permanent to-day. The argument adduced by the Principal Collector of Customs was that last year we asked that certain taxes be reduced, that this year we have forgotten them and are asking for the reduction of others, and that next year we might forget all those and ask for the reduction of some other taxes. That objection reminds me of the story of the man who was held by his feet and hands. He struggles hard and says "Well, let off my right hand," but he is given the reply "No hand or leg of yours shall be released." Next time he says "Let off my left hand," and he gets the reply "Last time you asked for the release of your right hand, and next time perhaps you may ask for the release of your right foot and left foot. Therefore, nothing shall be released." It is absolutely like that. We will never be able to get any kind of taxation reduced if we go on at that rate.

The Honourable the Treasurer in reply to the Honourable Member for the Central Province, Urban Division, said that so far as the Ceylon Government Railway was concerned, the proposals would mean the reduction of Rs. 2,600,000 or so, and that the Honourable Mr. de Silva was wrong in saying the reduction would be Rs. 1,300,000. Well, Sir, I might tell you that we worked out these figures, and that the Honourable the Urban Member for the Central Province is well versed in these matters. He found that Rs. 2,600,000 would be the shortfall, but he went a little further than the Honourable the Treasurer. He said that added custom would follow the reduction and that would reduce the deficit by half, and that was why he gave the figure Rs. 1,300,000.

I must say, Sir—I need not quote the figures—that the greatest sinners in respect of the surpluses are the following departments:—The Survey Department, the Colombo Port Commission, the Medical Department, the Railway Department, and the Public Works Department. Now, as regards these public works, I wish to point out that whenever buildings are required the Public Works Department is entrusted with the construction, and when, say, five buildings are wanted, the department takes them up in turn. This, Sir, in my opinion, is a very bad practice. I do not know any reason why some of these big works should not be given out on contract. If they are given out on contract they will be most speedily executed. They can be done by private companies, and if the Government wants they may get the Public Works Department to supervise. I object to all these works being entrusted to the Public Works Department.

THE HON. THE ACTING COLONIAL SECRETARY :—I may say, Sir, that there are certainly large contracts given to private contractors. The construction of the asylum at Angoda has been handed over to private contractors.

THE HON. MR. C. W. W. KANNANGARA (Southern Province, Western Division) :—Well, I say that a very much larger number of contracts should be given out, for the reason that our works are increasing. If you look at the Budget you will find the following figures. Last year the Director of Public Works got provision for six new appointments, and that for the purpose of supervising new works: one Construction Engineer at a cost of Rs. 15,000; one Engineer (temporary), Rs. 14,000; one Provincial Engineer, Rs. 15,000; one Office Assistant, Rs. 6,300; four District Engineers Rs. 30,000; two District Engineers (temporary), Rs. 15,000; six Assistant Engineers, Rs. 24,000; five Inspectors, Rs. 15,000; three Head Overseers, Rs. 3,600; two Assistant Mechanical Engineers (supernumerary), Rs. 15,000; one Assistant Electrical Engineer (temporary), Rs. 7,500; one Assistant Electrical Engineer, Rs. 4,000; one Electrical Inspector, Rs. 1,500; two Architectural Assistants (temporary), Rs. 15,000. These came to a total annual cost of Rs. 180,900. This amount gets on to the fixed establishment, and this year the department is asking for one Provincial Engineer at Rs. 15,250, five District Engineers at Rs. 38,000, four Inspectors at Rs. 6,000. My contention is that the new works should not have been placed in the hands of the Director of Public Works. The Director of Public Works says that he cannot cope with all the work unless he is given more staff. The result is that the more staff you give to him, the work increases and the cost rises. That is my first objection. The second objection is that the charge becomes a fixed charge on the revenue of the Colony, at so much per year for staff. The further objection is that it becomes a fixed charge by way of pension when the officers retire and go away. Those are the objections I have, Sir, to not giving as much work as possible to outside people on contract rather than give all the work to the Department of Public Works.

I do not want to weary the House at this late hour, and I shall omit most of the points I wanted to deal with. But I cannot allow to pass unnoticed a very candid remark of the Honourable the Attorney-General. I think we should all be thankful to him for making that statement. He said that it is not possible for the Attorney-General to do the work of that high office without gaining a better knowledge of the customs and manners of the people, and that a knowledge of the local conditions was absolutely necessary for the discharge of the highest offices of State. What does that prove? It proves the necessity for the Ceylonization of most of the higher posts rather than spend money on acquiring this knowledge. Why should not some of the highest posts be given to Ceylonese? The other day there was a question asked by the Honourable Member for Negombo about the number of Judges on the Supreme Court Bench, but the reply was not very reassuring. The idea was that there should be some Judges imported from outside. That means that we will get for our Supreme Court Bench very estimable gentlemen, but, perhaps without any knowledge of our local laws, which would have to be learned by them here after spending a good deal of time and money at our expense. Heads

of departments should have knowledge of the people, their ways, customs, and manners, and most of these posts, I submit, should be given to Ceylonese.

Then, Sir, one word more about the statement of the Honourable the Treasurer, that in looking to the expense on personal emoluments certain departments have to be excluded. But he forgot for the moment that if he excluded the personal emoluments of a department like the Railway, he will also have to exclude all loan expenditure. Even then, if the percentages of all the departments are taken you will find that the overhead charges are still high. But the Honourable the Treasurer has not told us what the overhead charges in other countries are. We will have to find out what the overhead charges in other countries are.

Finally, Sir, I wish to say a word about the case of the teacher. It was, I believe, in 1923 that I had the pleasure of moving in this Council a motion for the appointment of a Select Committee. On behalf of the teacher, Sir, I might say that the teachers are thankful to the Director of Education and the Board of Education for bringing out this scheme of salaries. It does not fully satisfy the teachers. I shall read out to you what Viscount Burnham, Chairman of the Committee appointed in England for the same purpose, said. He said :—

Whilst fully recognizing the need for economy in the present embarrassed condition of national finance, economy should not be so exercised as to endanger the maintenance and development of national education in all its branches.

That was soon after the war, when finances were at a low ebb, and teachers were given increments of something like 250 per cent. You do not find anything like that in this present scheme submitted, but teachers will cheerfully accept it. I am sure that what has been provided is subject to the condition that the Select Committee of this House to be appointed will look into the anomalies that exist in that scheme as was done in the case of the Salaries Scheme. The Salaries Scheme for Government servants had to be rectified a number of times. Committees were appointed to go into the question, and a report was placed before the Governor. The Governor made certain alterations, and then the report was sent to the Secretary of State. It came back from the Secretary of State, and it was referred again to what I may call the Woods Committee, which found that there were yet some anomalies. Then it was referred to the heads of departments; and now it is working satisfactorily. So, what teachers ask is that this scheme be referred to a Select Committee of this House for the removal of anomalies. They further point out that Government servants are given certain privileges besides their salaries—three railway passes a year, and certain other facilities on the railway for their children attending schools, as well as certain concessions as regards medical aid. Of course, the teachers will not ask for all these. If they cannot be given all these advantages, at least some might be given to them.

There is further a much more important question to which I wish to draw your attention. Under the present scheme the teachers have no security of tenure. They may be turned out by the manager at any time. They might be given notice to quit in perhaps a month or two months or three months. As things are a manager could tell a teacher at any time: "I do not want your services." I do not want to go into the details of this question. It

is now open to a manager to turn out a teacher holding a special post and get in his place two trained first class teachers. I trust that when the scheme is referred to a Select Committee this question will also be looked into.

Then, Sir, it has been said that there is a very much increased vote on education. I do not deny that. But I wish to point out that in the Philippine Islands the Government there spends between 27 to 30 per cent. of their revenue on education; in the State of Mysore, 17 per cent.; in Japan, 15 per cent.; and in the United States, 17 to 20 per cent. But in Ceylon, with all this generosity that has been referred to, there is the magnificent percentage of 7.

I hope, Sir, that there will be no grudging about spending money on education, so that in the near future it may be said—

You found education dear, and you left it cheap; you found it the patrimony of the rich, and you left it the inheritance of the poor.

THE HON. MR. S. R. MOHAMED SULTAN (Second Indian Member):—Sir, the exclusion of Indians from the State services is a great injustice to that nation, and I may add that the attitude of the Government towards them is, therefore, questionable. My honourable friend the First Indian Member and myself both asked questions in this Council relative to the matter, and the answer received from Government was quite unsatisfactory. “No taxation without representation” is a well-known maxim in politics. Are not taxes paid to the Ceylon Government by Indians in Ceylon to maintain and upkeep the machinery of Government? In view of the fact that India has done so much good for this country our request is, I think, a very reasonable one, *i.e.*, Indians should be allowed to compete for the Ceylon Civil Service. We are not birds of passage; we have a stake in this country. I therefore think that our demand is a very legitimate one, and I hope that it would be acceded to.

Now, with regard to the quarantine camps for Indians, I say that the treatment accorded to them is far from satisfactory. There have been numerous complaints made against the methods adopted at the quarantine camp. The conditions have not improved, and the matter, which is a very important one, requires the serious attention of Government at no distant date.

I am heartily in support of the reduction of rail fares and the remission of taxes, especially those relative to curry stuffs. The Unofficial demand is a unanimous one, and the Government should yield to it. If our demands are not granted the poor will be badly affected and the Government will have to meet a serious crisis.

THE HON. SIR PONNAMBALAM RAMANATHAN, K.T., K.C., C.M.G. (Northern Province, Northern Division):—Sir, those of the speakers who represent the people of this country have, I must say, done very well in putting forward the needs of their respective constituencies. When I consider the state of the Unofficials in early times and their state at the present day, I believe it is the most wonderful thing I have seen in the political life of Ceylon.

I shall not take Honourable Members back to 1866, when all the six Unofficial Members resigned in a body because the Government would not yield to their proposal in a very important matter. When we come down to the year 1912, we have reason to congratulate ourselves on the present state of affairs, for in 1910 and 1911

Governor Sir Henry McCallum used to sit in Council at 2.30 and often rise at a quarter to three—fifteen minutes of sitting! The state of the Unofficials had been reduced to such impotency by ridicule and by intimidation of various sorts that they were all afraid to speak, and Bill after Bill was passed through the Council by that funny expedient of suspending the rules of Council, and so it often happened that in fifteen minutes the Agenda Paper of the Legislative Council of Ceylon was all gone through. Well, Sir, this state of things could not be tolerated, and public opinion grew in volume. You, Sir, the Vice-President of this Council, were amongst the earliest to represent to the Secretary of State, when you were in London, the necessity for reforming the Legislative Council. And here you are, Sir, the Vice-President of the very Council for which you and most of us have fought for many a long year. The fight began as early as 1866, and the fruition of that fight came in the course of time. From impotency we have passed on to potency, and now the complaint of the Unofficial Members is as regards the making up of the Budget.

The Budget represents a series of important and unimportant questions by the hundreds, and, necessarily, when an opportunity is given to those Members to express their opinions on divers matters their speeches have to be many and long. I have had the great happiness of seeing that most of my honourable friends, who belong to a very much later generation than myself, have risen up to the highest expectations. I remember the days when the Planting Members for the European community, Mr. Downall and Mr. Thomas Christie, not to speak of Mr. James Alwis and Sir Muttu Cumaraswamy, stood up to state their views on public questions to a Government which was almighty in the political sense of the term. I find that the Honourable Members who have been returned by discerning electorates to this Council have done as well as any of those old champions, and, in addition to the difficult duty which they have had to perform, they have brought to it a sense of sobriety, seriousness, and kindness which betoken Members of a more mature period of life.

In this respect I think we have to congratulate the country upon the possession of a set of hard-working and efficient Members. I have also to acknowledge fully that the voters who form the electorates have shown sound discernment in returning to Council such Members as these. It was said some fifteen years ago that there was no public opinion in Ceylon, and it was further asked "Who are the men that are going to represent the public of Ceylon"? That was the way of thinking of the Officials of 1910.

Well, Sir, what have Honourable Members complained of mostly about the Budget on this occasion? They say that the Government have not given all the attention they should have given to the needs of the people. I know both Officials and Unofficials, and I must say that this negligence is not due to ill-will. I attribute the negligence to the way in which the Budget has to be made up. There are certain rules to be observed in the making up of the Budget, and those rules must be carried out by the Government. The heads of departments are required by the regulations of the Secretary of State to state all their needs to the Colonial Secretary. Departmental heads have, therefore, one after the other, to submit their views to him, and then the Colonial Secretary studies them carefully and invites the heads of the departments to a personal conference and thus makes up his Budget.

Often there come to the Colonial Secretary's Office in Ceylon men with limited experience, men wanting in knowledge of local conditions, about which very much has been said to-day, and they have to rely on the departmental heads, who are supposed to know their work. All these proposals have then to go before the Governor, and the Governor, who himself is not sufficiently experienced as to the needs of all the communities, has to go through the Budget. The Governor and the European officials know everything about the wants of the European community, but they have not the same knowledge of the needs of the other communities. Well, when the Budget has been prepared in this way, the Governor goes through it and accepts or rejects any of the proposals put forward in it. So it happens that European interests necessarily receive all the attention they deserve. The needs of the other communities, not having been sufficiently pressed before the Government, fail to receive any attention worth mention. Honourable Members will, therefore, see that the way in which the Budget has to be made according to Colonial regulations is really at the bottom of all this trouble.

When I became the leader of the Unofficials in 1886, after Sir James van Langenberg's death, I received a letter from Sir Arthur Gordon asking me to see him at Queen's House. I had been a very out-spoken Member, as unpleasant I suppose as most of my honourable Unofficial friends are said to be, owing to their persistent desire to enlighten the Government as to the respective needs of their constituencies. Because the Government Members did not know the needs of our communities, they thought these Members were wilfully troublesome and impertinent, and that the only thing to be done was for the Government to sit on them. I knew that all this was pardonable in the circumstances, and I never lost my temper. I said to myself: "I must not hold myself at arm's length from the Official Members of Council. I will make it a point to go and visit them in their offices, and I will reason it out with them." For instance, I would tell one of them: "There is a big matter coming up before Council. I have come to ascertain from you what your opinion is." The Official would wriggle in his chair. I would then tell him: "I have been appointed by Letters Patent by Her Majesty to be an Unofficial Member, that is, to be a member of the Government of Ceylon, and you have also been appointed to be an Official Member of the Government. So, we all are the eyes of His Majesty the King. We must do our best to enlighten His Majesty and His Secretary of State, and we should not be afraid to tell them directly what our real views are. I am aware that the Colonial regulations say that every Official Member must strictly obey what the Governor says. That does not mean that you are not to have your private opinions. I have come to ascertain to-day, when possibly your views are already before the Government, what those views are. Otherwise, I cannot perform my duty. We are colleagues now, and must put our heads together and make for the good government of the country, apart from the fact that the Governor is the sole ruler of the country. I promise you that I will not tell a second soul as to what passes between you and me as to your own opinion." I kept my word. I never said what the sources of my information were. I used to labour very hard. It is very difficult for an Unofficial Member of Council to go from place to place, from man to man, and from Member to Member, and to find out what the real facts of the case are. I would sift everything

carefully, and study every paper on the subject, and even then I could not tell conscientiously what my course of action was going to be. How was I to act? This position would drive me to the heads of departments, and lead me to ask them what they knew of the subject. Then they would come out with the truth, feeling that they and we are colleagues, who had the duty of enlightening His Majesty the King and his Secretary of State as to the real state of affairs. Having possession of all the facts of the case, I would sit down and make up my mind upon the subject.

Things were in this state when Sir Arthur Gordon sent for me and said: "Mr. Ramanathan, it is no good your speaking to me in the Legislative Council, whether it is about the alteration of a Bill or the alteration of policy determined by us here at Queen's House long before. If you have anything to tell me, come to me and tell me across this table what your views are, and it is most likely that I may agree with you." It looked such a simple proposal. I asked Sir Arthur Gordon: "How am I to know what subjects are brooding in the bosom of the Government? I know what measures are necessary for our purpose, but you ask me to come some weeks before the Legislative Council sits and explain my views upon a subject of which you may not have heard or I the least suspicion of." He said: "That is true." It then became clear to me that the necessary remedy was to have some well informed Unofficials associated with the Governor in the Executive Council to advise him upon matters in connection with the people of Ceylon.

After that we became very necessary to each other, and we were able to get on very well together, and the man who told me one day in the presence of all the Members of the Legislative Council: "How many soever or brilliant may have been the services of the Tamil Member of the Legislative Council I say that all those services have been wiped out by his action to-day." I said: "Hear, hear! Hear, hear!" Well, Sir, I never altered my conduct through fear of threat or ridicule. I would go straight ahead having studied the subject, and as leader of the Unofficials I found that I could do something to give a turn to public affairs even with six Unofficial Members in Council at the time. That same Governor came to the Legislative Council later and said: "Gentlemen, the influence that you command with the Secretary of State, notwithstanding the small proportion of votes which you command here, is out of all proportion to your numbers. It is so great, that if you are united together he will agree to your wishes." That was a grand victory in those days. So long as we Unofficials pulled together, the Government did its best to accede to our wishes. It was in this happy state of things that I was offered the post of Solicitor-General in 1892 by the Secretary of State. I accepted it and I retired from office in 1905, bent upon educational work, but the people of Ceylon would not let me carry out my wishes, and I came back here as an Elected Member to represent all Ceylon. I came here, and I thought it was my duty to resuscitate the vitality and usefulness of the Unofficial Members of the Council. The state of the Unofficial Members was such that they would not speak, and when I arose in connection with a question relating to the sanitation of Nuwara Eliya, and asked the Colonial Secretary in the sweetest terms possible whether he would give the Council a little more information than was stated in the papers, the Governor and the Colonial Secretary looked at me with eyes that would have quenched many

a man. They said: "What?" I said: "I beg to ask for more information than has been given." The same evening the "Ceylon Observer" announced that when so and so asked this question everyone felt that the walls of the Legislative Council had fallen. The walls of the Legislative Council, Sir, did not fall. It was the hearts of some of those present that quaked through the fear of a coming battle.

Having, Sir, listened to the speeches of my honourable friends on this Budget debate, and comparing them with the speeches of the past, I feel that my honourable friends are trying to perform their duty without fear, favour, or ill-will. I say that this is like the millennium come amongst us, after years of depression and disgust.

Now, Sir, what is the best way out of this difficulty about the present Budget? When the speeches are being delivered it is open to the Official Members to take down the complaints of Unofficial Members and to retire to their chambers and think the matter over. But, I am afraid that after a hard day's work one feels inclined, like the Honourable the Attorney-General, to take some exercise, otherwise one will not be fit for the next day's work. It is a case of putting off from day to day and sliding from month to month. Last year, however, I saw an amazing thing done when the permanent Colonial Secretary (Mr. Clementi) was here. We sat and discussed many things. The reporter was there, and he was asked to take down everything said by Members on Budget questions. The report was agreed to, and we were then given a list of the things suggested by the Members of Council. That was headed "Subjects discussed in the Select Committee on the Budget 1924-25 not immediately affecting the Estimates and not included in the Committee's Report to the Council." We received a nice letter from the Honourable the Colonial Secretary to the effect that those matters were mentioned in Committee, and would Members say if anything was omitted, and if so, to include it, or if anything was incorrectly entered, would they amend it. We all appreciated this excellent step. The printed list of subjects runs into several pages. What I wish to know is whether the Government took the trouble to familiarize themselves with the document that was sent round to us.

THE HON. THE ACTING COLONIAL SECRETARY:—I can certainly say that we have done so.

THE HON. SIR PONNAMBALAM RAMANATHAN, KT., K.C., C.M.G. (Northern Province, Northern Division):—Then, Sir, my judgment must be severer than before. I am afraid that three-fourths of the suggestions made have not been attended to so far as the Unofficial Members are concerned. I remember one matter. When I went to the Northern Province I was asked to visit the islands, and the people there told me that to do a journey of about ten miles of land and twenty miles of sea one had to set apart three or four days. That is impossible in the twentieth century, because all our time is valuable. I thought of a remedy—that a steamboat or a motorboat would solve the problem. There are so many teeming thousands in those islands, and the people there cannot go to the mainland or return except in a boat which plies occasionally. They cried to me for some relief. I wanted to go and see for myself, but I could not. I therefore asked the Honourable Member for the

Northern Province, Western Division, to do the trip, and he very kindly undertook it. On the way, either his boat got stuck in the mud or would not move because there was no breeze, and the trip eventually took him a great deal of time. He now says he will never venture on that trip again. Is it right, Sir, to allow His Majesty's subjects in this exquisite Island to be so isolated as they are? I went to the Director of Public Works and asked him for an estimate for this venture. He is very alert, Sir, he does not go to sleep. He took down my instructions, and the next day came the estimate. I have not brought it with me, but I believe it was something like Rs. 12,000 or Rs. 15,000. This is all that is necessary to help the people of those islands who are dying of inanition. My honourable friend the Acting Colonial Secretary, with his usual frankness, stated that he had studied all the requirements which we had mentioned in connection with last year's Budget.

THE HON. THE ACTING COLONIAL SECRETARY :—We cannot get a contractor.

THE HON. SIR PONNAMBALAM RAMANATHAN, KT., K.C., C.M.G. (Northern Province, Northern Division) :—Walkers would have taken it immediately, or Brown & Co., and the thing would have been an accomplished fact by now. If this is the way in which public work is going to be carried on on behalf of the very poor people of the country or the peasantry—a very fine peasantry—I say “Woe to Ceylon.” We ought to be a little more serious, and I say this, knowing full well what a kind heart our present Acting Colonial Secretary has. It is a psychological problem how the two statements can come out of the same heart and mouth. It is mysterious, but I must say that, according to the ancient doctrines of the Sages, we learn that, just as there is illumination in the heart of man, there is also obscuration. That is what has happened to my honourable friend, and that is also what happens sometimes to other great men.

So far as the Budget is concerned, we Unofficials are confronted with a great difficulty, and that makes us unhappy. Let me refer to the Rules and Orders of Council. In England nobody can introduce a question of expenditure upon anything except it be a Minister of the Crown. Here the Governor is substituted for the Minister. Our Rule 15 says: “No bill, motion, vote, or resolution, the object or effect of which may be to dispose of or charge any part of the public revenue of the Colony or to alter or vary any existing disposition or charge, shall be proposed except by the Governor or with his allowance or by his direction.” The Budget is framed with a statement of the revenue and a statement of the expenditure, and there is a fine point of interpretation regarding this rule. Is this rule to apply to the revenue side, or to the expenditure side? At one time, when Sir Robert Chalmers was Governor of Ceylon, I moved in this Council for an alteration of the revenue gathered from the poll tax. I wanted it to be abolished. Lord Chalmers said I would be out of order if I made the motion, but that as it happened that he was in agreement with me he would allow me to go on with the motion. The question again rose later on when the late Honourable Mr. Sabapathy wanted to move a similar motion. He was told that no motion for the removal of a tax could be allowed except it was moved by the Governor.

THE HON. THE VICE-PRESIDENT :—Or with his consent.

THE HON. SIR PONNAMBALAM RAMANATHAN, KT., K.C., C.M.G. (Northern Province, Northern Division) :—The Legislative Council has been reformed, and power has been given to the Unofficial Members to give effect to their wishes by a majority in the Council, and yet they find this rule staring them in the face. If the Budget, which is prepared without consultation of the Unofficial Members, is to stand, what is the good of asking the Unofficial Members to come and consider it with a view to any alteration ?

THE HON. THE VICE-PRESIDENT :—The Honourable the Unofficial Members can discuss the Budget in Finance Committee, and they can suggest anything to Government.

THE HON. SIR PONNAMBALAM RAMANATHAN, KT., K.C., C.M.G. (Northern Province, Northern Division) :—Yes, they can suggest, but has not the time come for their suggestion to take effect ? Now the constitution of the Government has changed, I say it deliberately that the government of the country has passed into the hands of the people. The only thing that is needed to put ourselves into conformity with Parliamentary rule is this, that instead of the Governor sanctioning such an appropriation, we must have our own Ministers, to be selected out of our own body. We cannot approach the Governor on every occasion we like, and we cannot get from him any direct answer, and how are the wishes of the people to be gratified if these two inconsistent principles face us in the making of the Budget ? It is the duty of the Government, just as it relaxed the rigour of a former rule, hereafter to make up its mind that, when there is a united demand by the Unofficial Members, either on the revenue side or the expenditure side, it must yield gently to our wishes. That, I say, is a necessary result of the changes or modifications which have come into force by the Royal Charter.

My honourable friend the Member for Colombo desired that certain items of revenue should be dropped, and that they should be allowed to balance the expenditure side, by expressing their views in regard to expenditure. They do not want to cut off revenue on one side and tack on expenditure on the other. They are not so foolish as all that. They know what the balancing of a Budget is. They say that it is no good to try our strength. They want to attain their wishes by mutual concessions, by the rule of giving and taking—like a happy family. Well, let us still continue to be a happy family. We can still be that by accepting the inevitable solution that the principles operating in regard to the Budget and the principles of the new constitution formulated in His Majesty's Order in Council shall be worked consistently. That is my suggestion. We need not try our respective strengths. It is far better that the Governor should yield to the wishes of the Unofficial Members, as his officers have yielded in Select Committee before for several decades.

His Excellency the Officer Administering the Government remarked the other day that the chief element in matters of government is the human factor. I agree with him that the spirits and minds and bodies of the people ought to be the chief concern of any

Government. I ask whether the Government has done its very best for improving any of these factors, the health of the people or the knowledge and character of the people? I am afraid it has not done its best. As regards the improvement of the body, my honourable friend who represents Matara has ably dwelt upon the question of hospitals. He said that every group of villages should have a hospital, and it is only after this has been provided should other questions of improvement be taken up. I ask what has the Government done for the sanitation of the people? The other day I was in my college, and a Sanitary Inspector came round and said he wanted to examine the boys and girls of the two colleges. I had a long discussion with him, and I only then knew for certain that important improvements were needed for carrying on the work of the Sanitary Department. That is a matter that might be discussed later on in Select Committee.

I shall now proceed to the question of general education. The Director of Education, who is the ruler of all elementary and secondary schools in our Island, will have for the coming year, October, 1925, to September, 1926, Rs. 7,500,000 given to him for the conduct of this important business. Out of that, I believe Rs. 2,500,000 are assigned to him for the payment of salaries of the Government officers engaged in administration, inspection, and teaching in Government schools. There are about Rs. 4,000,000 reserved for grants to assisted schools, and the rest for some other purposes. I ask, is that sufficient? I have all along said, and many others have said, in Council and out of Council, that that money will not do, that the Director must have much more.

And now that the University College has been established, provision has been made for many hostels for University students. It has been universally admitted that the more residential centres are established, the better it will be in regard to the improvement of character and in regard to other accomplishments which such centres must necessarily give. This system prevailed among us in India and Ceylon centuries and centuries ago. It was called the *guru-kula-vasa*, the teachers and the taught residing in the same place. The boys remained unmarried until they were passed as fit to enter upon the duties of married life. When the pupillary stage was passed, the boy would go out into the world and settle down as a good citizen. The usefulness of the residential system was universally acknowledged. We have now got used to sending our boys for about five hours a day to a college or school, and letting them do what they like for the remaining eighteen hours, of which eight are devoted to sleep. For ten hours out of school they are under the control of nobody, and they do just as they like. This sort of thing was spoken of by a Hebrew prophet of old, when he said "They are all gone like wild asses, alone, to Babylon." These boys go about without the least knowledge of God, thirsting for sensuous pleasures. The remedy is residential schools. Sir Anton Bertram, our Chief Justice, says that there is no college worthy of being called a college unless the boys are made to enter into residence at the college. That is what has made England and other European countries the powerful places they are for good, and also for bad. They are the redeeming features in European civilization. The English boy who has resided for a term of years with self-controlled and wise teachers knows that it is his duty to stand up for what is good, for what is honourable, for what is right and straight.

The Government of the country, I say, must be prepared to give much larger sums of money than they are giving now to other institutions besides the University College for helping the proprietors thereof to run residential colleges for boys and girls. That is a principle which must be established in the hearts of the authorities. We must pinch and save in all directions in order that the cause of education may flourish. Education, including instruction in Godliness, is the only remedy we know of for stamping out evil. In a cause like this, I say we must not stint, we must hurry up. When the age for learning has passed, nothing can be done successfully for our boys and girls.

I commend these opinions to the Government, and I hope that before I retire from this Council I shall have the happiness of seeing ten or fifteen residential colleges established in Ceylon.

Council at this stage adjourned for tea.

After the tea interval—

THE HON. THE ACTING COLONIAL SECRETARY :—Sir, this debate has, I think, proved of great interest and instruction to us all. Speaking for myself, I have listened with attention and with profit to each individual speech, have taken notes of the aspirations of the Honourable Members, and though it will be impossible for me to reply to all the numerous points which have been raised, I have done my best to make sure not to forget them.

In one respect I have added to the length of the debate by calling upon the heads of several Government departments to speak. Heads of departments have a first-hand knowledge of their subjects, and this Council, the press, and the public at large have gained through them a clearer insight into the activities of Government departments than I could have attempted single-handed and with second-hand knowledge to impart. I hope that this procedure has received the approbation of this Council.

The moderate nature of the speeches of Honourable Unofficial Members has been extremely gratifying; and in particular, on behalf of the Official Members, I desire to thank the Honourable the Member for Colombo District for the characteristically courteous manner in which he expressed the friendly feelings which our Unofficial colleagues entertain towards us, even when they are criticising the Government most severely. The Official Members heartily reciprocate those feelings. Sir, the knowledge that there is this friendly sympathy between us, in spite of all our differences of opinion, creates a pleasant atmosphere to live and work in this Council. I hope that pleasant atmosphere will spread throughout the Island and establish similar intimate relations between the Government service and the elected representatives of the people.

I would suggest to the Honourable Member for the Northern Province, Central, that it is an object well worth striving for in his own district, and I am sure that he will meet with a cordial response. The Honourable Member has already been answered by one of his Unofficial colleagues, and I need therefore say no more than that it is within the knowledge of the Government that the officers of the Jaffna Kachchri are at the present time working at high pressure. Equally with the Honourable Member for Colombo District, the Government does not desire this Council to become a mutual

admiration society. It would prefer the frank and candid opinions, which are the privileges of friendship. As I have said before, the Government will always welcome the fullest possible criticism of its proposals. So far from discouraging us such criticisms, to use the words of Sir Hugh Clifford, cheer us on to better effort, especially when they are spoken in the language of strong conviction.

In my opening speech I alluded to the strong family resemblance between this Budget and its predecessor. By a natural consequence the same familiar features reappear in the criticisms upon it. Once more almost all the Unofficial Members have pressed for a reduction of taxation, many have renewed appeals for additional expenditure, not a few have urged both those considerations upon the Government almost in the same breath. But neither Governments nor men can forego a part of their income and at the same time undertake additional expenditure. Arguments asking them to do both are mutually destructive.

I will first deal with the arguments brought forward for the reduction of taxation. They are two in number—

- (1) That there is a lack of prosperity among the masses.
- (2) That the Government cannot spend its revenue, and is in danger of being tempted into extravagant and wasteful expenditure.

In my opening speech I made no reference to the question whether the country was prosperous or not. As, however, the question of its prosperity has been raised by the Honourable the Unofficial Members themselves, I propose to deal with it. It is unquestionably true that there are generally all the signs which usually accompany a condition of prosperity. Trade cannot flourish in practically every branch, as the Honourable the Principal Collector of Customs has proved that it is doing, unless the general public is in a position to buy freely. The deposits of the Ceylon Savings Bank and the Post Office Savings Bank cannot annually increase, as they are doing, unless the middle and the lower middle classes are increasing their savings. They are doing so annually. Capitalists do not patronize the buses, which are to be found plying everywhere along the roads even in remote country districts. The railway receipts, at the same time, contrary to what some Honourable Members appear to think, are showing most satisfactory annual increases. School children cannot look as happy as they do generally unless they are well fed. His Excellency has recently undertaken extensive tours throughout the Island, and has made inquiries among all classes of the community as to the condition of the people. The replies which His Excellency has received cannot all have been manufactured merely to give His Excellency pleasure. Honourable Members of this Council have accompanied His Excellency on his tours through their districts, but nowhere has any actual serious distress been brought to His Excellency's notice except in certain villages of the North-Central Province.

In spite of this the Honourable the Unofficial Members tell us that there is a lack of real prosperity in the villages, and their opinions are entitled to considerable weight in any judgment which the Government may form. In saying this, I am only echoing what I am sure that His Excellency would desire to express as his own views. Now, Sir, I feel compensated for the length of this debate, because it has revealed the opinions of the Honourable Members. I am also assisted by the sympathetic atmosphere of this Council,

and my own—pretty long—experience of the villager enables me to appreciate what I believe to be at the back of the minds of most of the Honourable the Unofficial Members. The correct diagnosis of the complaint is, I think, this, that there are far too many landless villagers in Ceylon, and that the Government cannot expect any real permanent prosperity in the rural districts unless steps are taken to re-settle them upon the land and keep them there. If that is a correct interpretation of the views of the Honourable the Unofficial Members, I fully agree with them. But I am not altogether convinced by the remedies which they propose, because I feel sure that what the landless villager himself would prefer would be to hold his own land and to grow his own food supplies. I will revert again to this important question of the land later.

The second argument for the reduction of taxation has not been seriously pressed. Attention has been drawn to the accumulation of surplus balances, and also to the Government's rate of expenditure, but it has not been proved that the Government will not be in a position usefully to spend more than its revenue as it proposes to do in 1925-26. Heads of departments are confident that they can do so. Nor has it been proved that the Government is embarking on any extravagant or wasteful lines of expenditure. If there are any items to which that condemnation could apply in this Budget they can be cut out in Select Committee. The Government has revised the Estimates with the greatest care, and it is unaware of the inclusion of any items which do not come within the category of necessary and useful expenditure.

I will now deal with the Official view of the question of the reduction of taxation. In the first place, Honourable Members must recognize that the Government, at present, is only what I may term an Acting Government. As such, its duty is to carry on the administration on the lines laid down by the retiring Governor until the arrival of his successor. It is not expected to introduce any new and sudden changes of far-reaching importance.

In the second place, the sanction of the Secretary of State is required before any alteration of the tariff can take place. The matter cannot, therefore, be rushed through immediately as some Honourable Members appear to desire. One thing is certain, that the Secretary of State would require detailed information on many points which have not been touched upon in the course of this debate. If any reduction of duties were ultimately decided upon, it is not improbable that a careful inquiry might reveal that articles other than sugar, dry fish, and curry stuffs ought to be selected in preference to them. The Honourable the Principal Collector of Customs has informed us that sugar for instance pays duty in every civilized country except one. The position requires also to be considered from the point of view of food production. This Council, the Government, and the country are agreed that it is necessary for the salvation of Ceylon that food production in this Island should be fostered in every possible way. It behoves us to pause, therefore, before we lightly assent to the remission of duties which protect our home-grown food supplies, our nascent sugar, and our embryonic fisheries industries.

I would remind Honourable Members that there are other, perhaps even more certain, ways of relieving the poor besides the remission of duties on articles of everyday consumption. So far as

those duties are paid by classes other than the poor their remission would not benefit, but in fact would injure the poor. The Government is just as anxious as any Honourable Member to secure them the relief which they require. In the villages that can best be done by providing holdings wherever possible for the landless, and by the establishment of co-operative societies financed by central societies, types of small banks which will be able to borrow from the Local Loans and Development Funds. Both these matters are engaging the attention of the Government. In the towns schemes for the housing of workmen are a pressing need. Generally, the relief which is required is the cure and prevention of diseases, the spread of education, the granting of facilities in the shape of roads and irrigation, and flood prevention works to make the people more prosperous than they are at present, and to give them a chance of reaching a higher standard of health and comfort. Increased provision is included in the present Budget for all these pressing needs. It will, I think, be found that they will require every penny of our present taxation. Many new proposals for additional expenditure have been suggested by Honourable Members in the course of the debate, and I have stacks of applications for expenditure on works and roads, some of which are urgently required, but for which there was no room in the present Budget. Many of them have been pressed for years. I cannot help feeling that when they examine the expenditure side of the Budget closely, Honourable Members will agree that any serious reduction of taxation would prove an undesirable check on the urgently necessary development of the Island.

It has been fortunate that there has been a pause in this Budget debate, because hasty action is not in the true interests of the country, and that time for reflection has been allowed, both to the Council and the Government.

As already announced by the Honourable the Colonial Treasurer, His Excellency has expressed his willingness to appoint a Commission to inquire into the matter of the reduction of duties immediately. I was instructed to inform this Council that the Government will be willing to accept a motion by an Unofficial Member for the appointment of such a Commission. If this Council expressed a preference for an inquiry by a Select Committee of the Council, I have no doubt that His Excellency would agree. There is no reason why such a Commission or Select Committee of this Council should not get to work immediately, or why its proceedings should take a long time. The machinery of Government will most willingly be lent to it to assist it in obtaining any information which it might require.

On further reflection, I think that this Council will agree that the speeches of Honourable Members have not revealed that this country is passing through any serious crisis or calamity. If it were, I agree that it would be the duty of the Government to take immediate steps for the relief of the poorer classes, as it did during the food crisis. But the times are normal, and I appeal to the good sense of the Council that it is unreasonable to expect the Government to accept the proposals for the reduction of taxation without any inquiry whatsoever.

The report of the Railway Advisory Board is not yet even in the hands of the Government. Honourable Members must perceive that it is quite impossible for the Government to make any promise about the reduction of rates and fares, other than that already made

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by His Excellency, without having even read the report of the Railway Advisory Board. In the last few days the Government has received the report of the Plumbago Industry Committee. That report also recommends certain remissions of taxation, and those remissions also deserve careful consideration.

I do not wish to be understood as in any way slamming the door on the proposals of the Unofficial Members. Another door, the door of the Select Committee, will be opened shortly, when they will have another opportunity for friendly discussion of them when we come to deal with the details of expenditure.

In an earlier part of my speech I said that I would revert to the land question. Owing to its vital importance to the well-being of the country it is necessary that I should do so at some length.

Now, Sir, certain impressions burn themselves into the mind of a young Civil Servant when he first takes up his duties in a rural district in Ceylon. Among them the principal are these: The extreme friendliness of the villagers, and their implicit, sometimes their almost embarrassing, confidence that he will never willingly "let them down." If he will allow me to say so, that explains the self-sacrifice of the Honourable Member for the North-Central Province. Their extraordinary attachment to their land—the ancestral property which links them with the past, and upon which their family system is based. The young Civil Servant will soon observe that a villager who has lost his land has lost the sheet anchor of his respectability. He tends to become a loafer, a vagrant, and eventually, perhaps, a criminal. Such impressions never fade. That is why I agree with the Unofficial Members that permanent prosperity can never be secured in the rural districts until the landless villagers are resettled upon the land. That is why I fully sympathize with the Honourable Member for Negombo District when he describes himself as a villager first and as a planter second. And that is why I am not perturbed by the wrath which the Honourable Member for Kurunegala displayed over my reply to his recent question.

Honourable Members know as well as I do that in districts which are developing, the countryside is infested with speculators in land, land sharks, who are ready to seize upon any Government reply and to turn it to their advantage. These are the very people who are attempting to oust the villagers from their ancestral properties, and the Government's replies on land questions are and will be framed principally with a view to give them no possible encouragement.

The only practical reply to questions about land settlement is that each case must be settled on its merits. And the only way in which a settlement can be satisfactorily conducted is for the Government Agent, or the Land Settlement Officer, as the case may be, to tramp over the ground with the villagers assembled from daylight to dusk in the manner described by the Honourable Member for Kegalla.

Further, it is the presence and the persistence of these numerous land sharks which makes any amendment of the law an extremely dangerous proceeding. The present law is not operated in such a manner as some critics appear to think. Honourable Members may be surprised to hear from me that the Government has written off no less than an additional one million acres of Crown land since

1912, because they have been occupied so long that they are no longer worth settling. Honourable Members will, therefore, perceive that the Government is not exactly pressing its claims against prescription.

It gave me a great deal of pleasure to hear from a number of Honourable Members that the settlements by the Land Settlement Department were generally giving satisfaction. These settlements not only define the position of the Crown and private parties, but they also often help to settle longstanding disputes between the private parties themselves—much to the contentment and peace of the villagers. I cherish strong hopes that the further settlements in the North-Central Province will produce similar beneficial results. The House may be interested to hear that the present Government Agent of that Province is shortly to be appointed head of the Land Settlement Department, and I have no doubt that his experiences in the North-Central Province will be of great assistance to him.

The question of the landless villager is one which is always prominently in the mind of every Government Agent, and from one aspect or another it always finds a prominent place in the agenda of the annual Government Agents' Conference, which I am glad to say is again being held yearly. Honourable Members will be pleased to hear that the General Orders have recently been amended, and that Government Agents have been given power to sell without competition to the villagers such extents of land as they may require for the satisfactory maintenance of themselves and their families. That, I think, is a very excellent advance and will do a very great deal of good.

I am grateful to those Honourable Members who have drawn the attention of the Government to the utility of the issue of food production permits. They have been the means of settling many villagers on the land on easy terms. Unfortunately a great number was issued hurriedly during the food crisis, the plots were far too scattered, and in a great many instances the system was abused. Owing to the initiative of Mr. C. V. Brayne that system has been regularized in the Eastern Province. Under his guidance an experiment is being made over several thousands of acres to provide lands and homes for landless cultivators, and a new system of tenure, which is a modification of the ordinary agricultural lease system has been introduced. The paddy bank in Batticaloa has been of great assistance in that experiment. One of the chief reasons why the villagers lose their lands is because they become indebted. They must be saved from debt, otherwise we shall resettle them in vain. They will again lose their lands, and the prosperity of the villagers—the healthy, happy homes which every right-thinking man has at heart—will not materialize. On the return of Mr. Campbell, and on receipt of his report, the question of the best method of financing the cultivators and keeping them going, especially during the early stages of bringing their lands under cultivation will be vigorously taken up.

The Government has also been moving in another direction. It has recently approved the issue of a set of rules for the restoration of Crown tanks in villages in the tank districts. These rules provide that the restorers shall receive free grants of the irrigable land under the tanks in consideration of their earthwork, and that they shall no longer have to pay even the survey fees.

These activities of the Government—activities which proceed none the less steadily, because they proceed quietly and are not advertised, the appointment of additional Irrigation Engineers, the provision by this Council of funds for the improvement of village irrigation works, for agricultural education, and for paddy and sugar cane experiments, are my replies to the critics who complain, without knowledge of the facts, that the Government, and this Council, are doing nothing to increase food production.

There are many other points about which I have taken notes, but they have been touched upon already by previous Official speakers. It would only weary the Council if I indulged in vain repetitions, and I will therefore studiously refrain from doing so. But I desire to refer to two of them, otherwise some misapprehension may go abroad. I was sorry to interrupt the Honourable Member for the Southern Province, Western Division, in his speech, but it is not a fact that Government is doing most of its construction work on check roll. Nearly all its work is done on contract and agreements. The reason why the Public Works Department requires additional staff is because the volume of work it has in hand at present is much more than it had before. If additional staff is not provided, more money than the cost of such additional staff is likely to be lost by wasteful expenditure.

The Honourable Member for the Southern Province, Central Division, I think, asked this question: "Why did we wait until we lost our railway custom?" That might give an incorrect impression among people outside the Council. If Honourable Members will listen to the figures which I will read, they will see that the railway receipts have been rising. In 1921-22 the receipts were Rs. 19,798,957; in 1922-23 they were Rs. 22,361,349; in 1923-24 they were Rs. 24,747,571; and in 1924-25 Rs. 25,400,000.

THE HON. MR. F. A. OBEYESEKERE (Southern Province, Central Division):—By way of personal explanation I might say that I was only dealing with the passage in His Excellency the Officer Administering the Government's speech, in which he said that it was a very serious question as to whether railway or road transport should be preferred. From that I argued that this question had arisen in the Government mind.

THE HON. THE ACTING COLONIAL SECRETARY:—I admit that there is a danger that custom might be lost, but I have quoted figures to show that custom has not been lost, but that, on the contrary, it has risen.

In conclusion, Sir, we are now approaching that stage—the Select Committee stage—which is the most arduous and the most difficult of all our proceedings. There we shall thrash out in detail the various proposals which have been urged so eloquently and so strikingly by the Honourable the Unofficial Members. Before we do so, I desire to conclude this debate on the same note on which it was begun by the Honourable the Member for the Colombo District, and on which it was left by the last speaker, the Honourable the leader of the Unofficials. I hope we shall carry to that Committee the friendly atmosphere of this Council. If we can attain that level at which we can set the interests of the Island as a whole above those of any particular constituency or community, we shall have

done our best at the conclusion of this Budget to secure a solid advance in the progress of this Island and in the welfare of its inhabitants.

I move, Sir, the second reading of the Bill.

The motion that the Bill be read a second time was agreed to.

THE HON. THE ACTING COLONIAL SECRETARY :—I move that the Bill be referred to a Select Committee of this House to be composed of the Finance Committee.

THE HON. THE TREASURER seconded.

The Bill was referred to a Select Committee.

Alteration of the Official Designation of the Principal Civil Medical Officer, &c.

THE HON. SIR PONNAMBALAM RAMANATHAN, Kt., K.C., C.M.G. (Northern Province, Northern Division) :—There are some other items on the Agenda.

THE HON. THE VICE-PRESIDENT :—I do not know what the feeling of the House is on this matter. Does the House wish to go on with the rest of the Agenda? I shall have to take the motions in the order in which they are placed.

THE HON. THE ACTING COLONIAL SECRETARY :—The next item on the Agenda is the motion to alter the official designations of the Principal Civil Medical Officer and other officers of the medical and sanitary services. I do not know whether it is going to be opposed.

THE HON. THE VICE-PRESIDENT :—It might be moved formally.

THE HON. MR. E. W. PERERA (Kalutara Revenue District) :—Sir, the Bill will have a very important bearing on what takes place hereafter. If this Council were to pass this Ordinance, by implication this House will be committed to changes of a far-reaching nature.

THE HON. THE ACTING COLONIAL SECRETARY :—If the Bill is not going to be agreed to without discussion, we will take it up some other time. With the permission of this House the Principal Civil Medical Officer can bring it up on another date.

It was agreed to postpone the second reading of the Ordinance.

Parameshvara College, Jaffna.

THE HON. SIR PONNAMBALAM RAMANATHAN, Kt., K.C., C.M.G. (Northern Province, Northern Division) :—It is my duty, Sir, to present to Council the report of the Select Committee, and to move that Council do go into Committee to consider the Bill intituled "An Ordinance to declare the Constitution of Parameshvara College, Jaffna, and to incorporate the Board of Directors of the said College."

Council in Committee.

The Clerk read clause 1, which was agreed to.

The Clerk read clause 2.

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THE HON. SIR PONNAMBALAM RAMANATHAN, KT., K.C., C.M.G. (Northern Province, Northern Division):—I move, Sir, that the clause as amended do stand part of the Bill.

The clause as amended was agreed to.

The Clerk read clause 3, which was agreed to.

The Clerk read clause 4.

THE HON. SIR PONNAMBALAM RAMANATHAN, KT., K.C., C.M.G. (Northern Province, Northern Division):—I move, Sir, that the words in the margin of the Bill be added to the clause.

The clause as amended was agreed to.

The Clerk read clause 5.

THE HON. SIR PONNAMBALAM RAMANATHAN, KT., K.C., C.M.G. (Northern Province, Northern Division):—I move, Sir, that the last four lines as they are shown in the Bill be omitted.

The clause as amended was agreed to.

The Clerk read clause 6 of the Bill, which was agreed to.

The Clerk read clause 7 of the Bill, which was agreed to.

The Clerk read clause 8 of the Bill, which was agreed to.

The Clerk read clause 9 of the Bill, which was agreed to.

The Clerk read clause 10 of the Bill.

THE HON. SIR PONNAMBALAM RAMANATHAN, KT., K.C., C.M.G. (Northern Province, Northern Division):—I move, Sir, that the words standing in the margin be inserted after the word "imparted."

THE HON. THE ATTORNEY-GENERAL:—I wish to move a small amendment which I will read out. It is to add at the end of section 10 the following words: "Provided that no pupil shall be refused admission by reason of his not being of the Shaiva faith, and that nothing in this Ordinance shall affect the provisions of sections 13 and 15 of the Education Ordinance, No. 1 of 1920." To put it in a nutshell, these sections of the Education Ordinance confer a right on parents of children attending any assisted school to choose whether their children shall or shall not receive religious instruction. As the clause at present stands it is slightly inconsistent with the Education Ordinance, because it says that the education imparted shall, in addition to the ordinary courses of instruction in English, Tamil, Sanskrit, and Latin, include a careful study of the principles relating to the life eternal or spiritual, as taught in the Vethas, the Shaiva Agamas, the Tharma Shasthras, the Puranas, and the Ithikashas. These religious observances are confined to people professing the Shaiva faith, and it should, therefore, be permissible for a parent to say that although his boy does profess that faith he shall not receive that instruction in college. We do not in any way want to hinder the admirable functions which the college is performing. The amendment I have proposed is in order that Government may be able to continue to assist the school.

THE HON. SIR PONNAMBALAM RAMANATHAN, KT., K.C., C.M.G. (Northern Province, Northern Division):—I understood the Honourable the Attorney-General to say that, although a pupil may belong to the Shaiva faith, yet his parents may object to his receiving teaching on those principles. There are no conflicting sects among the Shaiva community, and the idea of a Shaiva parent objecting to his boy receiving Shaiva instruction is absurd. That is an inconsistent provision. The second objection is this. The Ordinance as proposed to be amended by the Honourable the Attorney-General says: "Provided that no pupil shall be refused admission by reason of his not being of the Shaiva faith." My answer is that the Shaiva religion declares that every religion which invokes God in a personal or impersonal form is akin to Shaivism, and that at present we have Shaiva students, Christian students, Buddhist students, and even Buddhist priests are getting admitted. In the Education Ordinance there is no mention of the Shaiva faith.

THE HON. THE ATTORNEY-GENERAL:—No.

THE HON. SIR PONNAMBALAM RAMANATHAN, KT., K.C., C.M.G. (Northern Province, Northern Division):—I do not want to alter the law. I may say that the late Minister Gladstone once said that amongst the Christians there were as many as six hundred sects, and it is therefore very natural that a member of one sect should not like to be taught the principles of another sect. But amongst the Shaivites there is only one faith. They are one homogenous community, and now the Honourable the Attorney-General wants to add a clause on the supposition that a man who belongs to the Shaiva faith may not want to be taught the principles of that faith.

THE HON. MR. L. MACRAE (Director of Education):—I think there is a little misunderstanding with regard to the law. The law only applies to assisted schools. That is why there is a reference in the proposed amendment to admission not being refused.

THE HON. SIR PONNAMBALAM RAMANATHAN, KT., K.C., C.M.G. (Northern Province, Northern Division):—Section 13 of the Education Ordinance reads: "No applicant shall be refused admission into any assisted school on account of the religion, nationality, race, caste, or language of such applicant or of either of his parents." I may say that this clause was introduced in order to apply principally to Christians—to prevent one denomination teaching the principles of their faith to the children of another denomination who may be attending their schools. But here the school is established for the Hindu community, who are all one-minded and to whom religious instruction is considered to be necessary. The first part of the amendment applies to pupils who are not of the Shaiva faith. That is contemplated in the Ordinance. A boy who is irreligious may tell his father that he does not want to be taught religion. The founder of the school would not have come forward if he knew that religion was to be kept out. I would ask the Honourable the Attorney-General not to press his amendment. Lakhs of rupees have been spent on this college, and the policy of Government is to allow secondary schools to formulate

their policy and to follow that policy. I may say that it was open to my honourable friend to have co-operated with the Select Committee that was appointed to consider the Bill. But he did not. The members of the Select Committee on the Bill unanimously agreed to the clause. I say that the amendment proposed will make it easy for a refractory boy to introduce a contentious spirit among the children, and I therefore appeal to the Honourable the Attorney-General not to press it.

THE HON. THE ATTORNEY-GENERAL :—I need not now deal with the first part of the amendment about no person being refused admission. I am only concerned with "nothing in this Ordinance shall affect the provision of sections 13 and 15 of the Education Ordinance, No. 1 of 1920." Whatever may have been the intention of the Council which passed that Ordinance I do not know, because I was not here. I can only advise the Council as to the meaning of the Ordinance as it stands, and in my opinion there is no doubt that under section 15 the parent of a boy professing the Shaiva faith has the right in an assisted school to say to the schoolmaster "I do not wish my boy to receive religious instruction." Therefore, the position is this. As far as the Government is concerned, as long as section 15 remains on the statute book we are bound to carry it out. It will not, therefore, be possible for Government to give a grant to this school, being an assisted school, the reason being that section 10 of the proposed Ordinance is directly inconsistent with section 15 of the Education Ordinance, and therefore must be taken as over-riding the provisions of that section. With regard to that point, it is entirely for the Honourable Member as promoter of the Bill to decide. There is another point to which I must call the attention of Council. Honourable Members will remember that a considerable sum of money was voted towards this school. I do not know whether Honourable Members, when they voted that money, had the idea that this was going to be an ordinary assisted school or not. It is a matter for Honourable Members to decide. I regret very much having to point this out to the honourable the promoter of the Bill, but I am doing it for his own benefit, otherwise he might be disappointed if an annual grant is not given to the college. I leave the matter entirely to the Honourable Member.

THE HON. SIR PONNAMBALAM RAMANATHAN, KT., K.C., C.M.G. (Northern Province, Northern Division) :—I do not wish to make trouble, and I therefore accept the amendment.

The clause as amended was agreed to.

The Clerk read clause 11, which was agreed to.

The Clerk read clause 12, which was agreed to.

The Clerk read clause 13, which was agreed to.

The Clerk read new clause 14, which was agreed to.

The Clerk read clause 15.

THE HON. SIR PONNAMBALAM RAMANATHAN, KT., K.C., C.M.G. (Northern Province, Northern Division) :—Under head (g) I have to move an alteration. The alteration has been referred to in the report of the Select Committee. I move that after the

words "The election" there be added the words "once in every three years." I also move the deletion of the words "Seventh Standard of its elementary or the Fourth Form of its Secondary Department, and" and the insertion of the words "the English School-leaving Certificate Examination, or the Cambridge Junior or Senior Certificate Examination, or the Matriculation Examination of any University," and the addition of the following words at the end of the paragraph: ", and have caused their names and addresses to be registered in the books of the college as electors, upon payment of a registration fee of Rs. 2.50 to the college."

I also move the following to be inserted as (h): "The election, once in every three years, of a graduate in any faculty of any University, who professes the Shaiva faith, to represent on the Board of Directors all Hindu graduates resident in Ceylon, who have caused their names and addresses to be registered, upon payment of a registration fee of Rs. 5 to the college." These amendments, I may say, were all agreed to by the Select Committee unanimously.

THE HON. THE ATTORNEY-GENERAL :—I have no objection. Well, the honourable the promoter of the Bill has forgotten His Gracious Majesty the King—he has forgotten to put in the saving clause required by Royal Instructions. I therefore move to add the following section to be numbered 16: "Nothing in this Ordinance shall prejudice or affect the rights of His Majesty the King, His Heirs and Successors or any body, politic or corporate, or of any other person or persons, except such as are mentioned in this Ordinance and those claiming by, from, through, or under them."

Clause 15 as amended was agreed to.

Now clause 16 was agreed to.

The Clerk read the preamble, which as amended in the margin was agreed to.

The Clerk read the title, which was agreed to.

THE HON. SIR PONNAMBALAM RAMANATHAN, KT., K.C., C.M.G. (Northern Province, Northern Division) :—I move that the Council do now resume.

Council resumed.

THE HON. SIR PONNAMBALAM RAMANATHAN, KT., K.C., C.M.G. (Northern Province, Northern Division) :—I move that the Bill be read a third time and do pass.

THE HON. MR. W. A. DE SILVA (Central Province, Urban) seconded.

The Bill was read a third time and passed.

THE REPORT OF THE SELECT COMMITTEE ON THE PARAMESHWARA COLLEGE INCORPORATION ORDINANCE.

The Select Committee appointed by the Legislative Council to consider and report upon the Draft of the Ordinance to declare the constitution of Parameshvara College of North Ceylon, and to incorporate the Board of Directors of the said College, beg to state that they have carefully studied the said Bill, together with the papers connected with it.

The College was opened in August, 1921, and administered by Sir Ponnambalam Ramanathan with the aid of certain other trustees appointed in terms of a Notarial Deed of Trust. In this deed the Director of Education appears as one of the trustees. It provides that, in addition to the trustees named therein, two elected Tamil Members of the Legislative Council, professing the Shaiva faith, should be appointed to the Board of Trustees as soon as the Legislative Council was re-constituted and proclaimed. After the new Reformed Council came into operation, the Board of Trustees elected as their co-trustees two gentlemen professing the Shaiva faith who had been elected to serve in the new Legislative Council.

As it was considered desirable to constitute all these trustees as one body politic and corporate for the purpose of effectually promoting the aims of the said College and transacting all its affairs, the present Bill was drafted.

After it was published in the *Government Gazette*, the Director of Education addressed a letter to the Colonial Secretary, in which he suggested certain amendments, one of which was that neither he nor any member of his department should be on the Board of Directors.

In view of this opinion of the Director of Education, the Preamble and section 2 of the Draft Ordinance require to be altered. The Select Committee recommend that, in the Preamble, the 16 lines following the words "The Trustees of the said College" be deleted, and that, in section 2, line 2, the word "persons" be substituted for "officers of the said College," the following words, "the Director of Education in Ceylon, or in his stead the Divisional Inspector of Schools, N. D.," be also deleted.

As regards section 4 (which empowers the Board of Directors to hold all movable and immovable properties already acquired by them and all other estates which they may hereafter acquire by purchase gift devise or legacy for the use and benefit of the College, and to sell dispose of or exchange the same), they recommend that the following words be inserted after the words "exchanging the same" in the 7th line, namely, "for the benefit of the said College," and that the following words occurring at the end of section 5 be transposed and inserted here, namely, "and shall have full power to assign, transfer, and dispose of for the benefit of the said College all mortgages and other securities which they may hold or shall be entitled to." These words are appropriate to section 4.

As regards section 5 (which vests in the Board of Directors all title deeds and mortgages and other securities held by other persons as Trustees of the said College), they think that the words appearing therein after the words "in the said corporation" in the 8th line should be transferred, as already stated, to section 4.

As regards section 7, paragraph 4, they recommend the following amendments shown in italics:—

"In the event of any of the *said* two Tamil Members of the Legislative Council elected to serve on the Board vacating *his* seat in the Legislative Council, the Board may re-elect *him* as Director, or elect some other elected Tamil Member of the said Council professing the Shaiva faith to fill *his* place. And in the event of the resignation or death of *any person so re-elected or elected* the Board may, *from time to time*, elect any Tamil gentleman professing the Shaiva faith who *is or has been* a Member of the Legislative Council, or who, not being such member, *is* deemed fit, and *is* willing, to occupy the vacated seat."

As regards section 10, they recommend the following amendments: in line 1, after the word "imparted," the insertion of the words "to students professing the Shaiva faith"; in line 8 *Swami* for "Swami," *Jnana* for "Janana," and in line 9 *Swami* for "Swami"; and in line 11 "*day scholars and teachers*" for "and day scholars."

As regards section 13, they recommend the insertion of the following paragraph as new section 14:

"14. Accounts shall be kept of the income and expenditure of the College, and shall be audited at least once a year by a duly qualified auditor."

The old section 14 will then become 15.

In (f) of this section, delete the last word "and."

The Committee recommend that the Old Boys of the College (which is now in the fourth year of its existence) should be allowed the privilege of electing, after the year 1930, a gentleman to represent them on the Board of Directors, and that the following words be inserted in section 15, after (f):

"(g) The election of a gentleman of good character and wide experience who professes the Shaiva faith, and is over the age of twenty-five, to represent, on the Board of Directors, after the year 1930, the Old Boys of the said College,

who have passed the Seventh Standard or the Fourth Form, and have attained the age of twenty-one at the time of the election."

The old clause (g) will then become (h).

It remains to add that the Select Committee have carefully considered the notes of the Conference held between the Hon. the Attorney-General, the Director of Education, and Sir Ponnambalam Ramanathan, and that the recommendations made in this report were unanimously agreed to by the Select Committee.

Colombo, July 11, 1925.

P. RAMANATHAN.
W. A. DE SILVA.
D. B. JAYATILAKA.
T. B. JAYAH.
S. RAJARATNAM.

Adjournment.

THE HON. THE VICE-PRESIDENT:—I believe that the feeling of the House is that the Select Committee should sit on Monday, at 10 A.M.

Council will now adjourn *sine die*.