

The State Council of Ceylon.

No. 37.

July 31, 1942.



D. C. R. C.

15 SEP 1942

DEBATES

SESSION OF 1942.

CONTENTS:				PAGE
Supplementary Estimates, 1941-42	...	...	...	1333
Railways (Amendment) Bill	...	...	...	1348
Police Temporary Non-Ceylonese Assistant Superintendents from Malaya	...	...	...	1351
Cinchona Bark: Prohibition of Export	...	...	...	1362
Import Duties: Cinematograph Films	...	...	...	1363
House Committee Membership	...	...	...	1366
National Museums Bill	...	...	...	1366
Land Redemption Bill	...	...	...	1367
Local Authorities (Postponement of Elections) Bill	...	...	...	1368
Excess Profits Duty (Amendment) Bill	...	...	...	1369

PRINTED BY ORDER OF THE GOVERNMENT OF CEYLON

AT THE

CEYLON GOVERNMENT PRESS, COLOMBO.

1942.

"Copy" received : August 25, 1942.

Proof sent : September 2, 1942.

Proof returned : September 9, 1942.

Published : September 12, 1942.

STATE COUNCIL OF CEYLON.

Friday, July 31, 1942.

The Council met at 10 a.m., MR. SPEAKER [THE HON. SIR WAITIALINGAM DURAISWAMY] in the Chair.

SUPPLEMENTARY ESTIMATES, 1941-42.

Pursuant to Order, the Council resolved itself into a Committee of the whole House to consider the following Supplementary Estimates, 1941-42, submitted for the approval of the Council [July 30].

(Financial Secretary.)

(2) Supplementary Estimate, 1941-42.

Head 3, State Council.

Sub-head 1, Personal Emoluments.

Amount: Rs. 5,000.

Nature of Service: Adjustment of Salaries of State Council Staff with effect from October 1, 1938.

Observations of the Financial Secretary.

A revised scale of salaries for the Stenographers, Clerks and the minor staff of the State Council was approved by the State Council and provision made accordingly in the Estimates of 1938-39 and of subsequent years. Payment on the revised scales was however withheld pending the Report of the Retrenchment Commission which was appointed in October, 1938. The revised scales were approved in November, 1940, and payment on the revised scales was made to the officers concerned with effect from October 1, 1940.

A definite undertaking had, however, been given in Council by the Leader of the State Council and by others that if the revised salary scales are finally accepted, the officers in question would be paid on the revised scales with effect from October 1, 1938 (Hansard 1939—Pages 3296, 3304-5, 4072-3) and the Hon. the Speaker considers that that undertaking should be honoured. A similar undertaking given in respect of Class III. Clerks of the General Clerical Service has recently been given effect to and the necessary supplementary financial provision voted by the State Council—(Hansard 1942—Pages 237-8).

[Note.—An asterisk (*) against the name of a Member indicates that his remarks have not been revised by him.]

An extra amount of Rs. 5,000 accordingly asked for to implement the undertaking that the revised salary scales would be made retroactive as from October 1, 1938.

Report of the Board of Ministers.

The financial implications are as explained in the Observations of the Financial Secretary. The Board of Ministers approves.

(3) Supplementary Estimate, 1941-42.

Head 4, Audit Office.

Sub-head 2, Travelling.

Amount: Rs. 8,000.

Nature of Service: Travelling expenses of the Acting Auditor-General and Staff in connection with his visit to Bombay regarding investigation of food purchases made in India on behalf of the Ceylon Government.

Observations of the Financial Secretary.

The Acting Auditor-General finds it necessary to visit India in order to examine fully recent transactions in India in connection with food purchases in that country on behalf of the Ceylon Government.

Supplementary provision in a sum of Rs. 8,000 is requested to cover the travelling expenses of the Acting Auditor-General and the requisite staff.

As the matter was urgent a Special Warrant for Rs. 8,000 was issued under Article 67 of the Order in Council.

Report of the Board of Ministers.

The financial implications are as explained in the Observations of the Financial Secretary. The Board of Ministers approves.

(4) Supplementary Estimate, 1941-42.

Head 38, Government Stores.

Sub-head 2, Travelling.

Sub-head 3, Stationery, &c.

Sub-head 9, Incidental Expenses.

Amount: Sub-head 2, Rs. 1,200; Sub-head 3, Rs. 1,000; and Sub-head 9, Rs. 1,300.

Nature of Service: (1) To meet the extra cost of travelling of officers of the Government Stores Department; (2) To meet the extra cost of stationery and

other office requisites; and (3) To meet the extra cost of miscellaneous stores and packing materials.

Observations of the Financial Secretary.

Sub-head 2, Travelling.—The increased expenditure under this sub-head is due to the payment of a fixed transport allowance of Rs. 50 per mensem with effect from January, 1942, to the Government Storekeeper for visiting the various stores in and near Colombo and also to the payment of a commuted travelling allowance to the Magazine Keeper consequent on the transfer of the Magazine. In addition to these much casual travelling has also been necessitated owing to the dispersal of stocks and staff since April, 1942.

Sub-head 3, Stationery.—Since the outbreak of the war the work of the Government Stores Department had greatly increased with the result that additional temporary staff had to be provided. Consequently more stationery and office equipment had become necessary for the working of the Department. The above facts, coupled with the present high cost of stationery, have contributed to the increased expenditure under this sub-head.

Sub-head 9, Incidental Expenses.—The increased expenditure under this sub-head is due to the increased activities of the Department and the present high cost of miscellaneous stores and packing materials. Articles such as wire, wire-nails, lead seals, tin labels, &c., are required in large quantities for the packing of stores for despatch to Departments. As the cost of these articles, in particular, has increased abnormally, supplementary provision is required under this sub-head.

Report of the Board of Ministers.

The financial implications are as explained in the Observations of the Financial Secretary. The Board of Ministers approves.

(5) Supplementary Estimate, 1941-42.

Head 42, Miscellaneous Services.

New Sub-head 14, Allowances to dependants of Government Servants and Government Pensioners in territories occupied by the enemy.

Amount: Rs. 7,500.

Nature of Service: Payment of allowances to dependants of Government Servants and Government Pensioners in territories occupied by the enemy.

Observations of the Financial Secretary.

The Board of Ministers has agreed that the salary of a permanent Government Officer who is held a prisoner by the enemy should continue to accrue to him and that any allotments for which he has given instructions (not normally to exceed half his salary) should be paid to dependants on his account so long as there is reason to think that he is alive. There is, however, no financial authority to pay from the vote for the officer's salary allowances to any relatives who are not in enemy-occupied territory where he has given no authority to that effect.

2. In the case of a pensioner held a prisoner or residing in enemy or enemy-occupied territory the pension automatically accrues so long as the pensioner is alive, but there is no financial authority to make any payment from the pension vote to any dependant living elsewhere.

3. Cases have already occurred where the territories in which officers and a pensioner were residing have been occupied by the enemy, and there may be other cases not yet reported. The Supplementary Estimate is to make provision for the payment of amounts not normally exceeding half salary or half pension to the dependants of such persons.

4. In most cases there will ultimately be no extra expenditure, as any sums paid will be deducted from the salaries or pensions due to the officers. Over-expenditure should only occur where the person in enemy-occupied territory dies leaving a sum due to him from this Government, which is insufficient to cover the payments made to his dependants. Such cases should be rare. In view of the possibility of such cases, dependants to whom widows' or orphans' pensions or other monies would be due on the death of the officer or pensioner will be required to agree that any payments made, which are not otherwise recovered, should be debited against such pensions or other monies due to them.

A similar procedure is being followed by or on behalf of the Malayan Governments as regards dependants of their officers.

Report of the Board of Ministers.

The financial implications are as explained in the Observations of the Financial Secretary. The Board of Ministers approves.

(Agriculture and Lands.)**(6) Supplementary Estimate, 1941-42.**

Head 66, Department of Agriculture.
Sub-head 4, Botanic Gardens.
Amount: Rs. 4,500.
Nature of Service: To meet additional expenditure due to the enhanced wages of daily-paid unskilled labour.

Observations of the Minister of Agriculture and Lands.

The minimum wages of daily-paid adult labourers were raised from 64 cents to 72 cents. This Supplementary Estimate is required to meet the extra expenditure, for which provision was not made in Estimates, 1941-42, as the decision to pay the higher wage was taken only in October, 1941.

Observations of the Financial Secretary.

The Financial Secretary concurs.

Report of the Board of Ministers.

The financial implications are as explained in the Observations of the Minister of Agriculture and Lands. The Board of Ministers approves.

(Health.)**(7) Supplementary Estimate, 1941-42.**

Head 91, Quarantine.
Sub-head 3, Stationery, office furniture and office requisites.
Amount: Rs. 137.
Nature of Service: To meet the anticipated excess under this vote.

Observations of the Minister of Health.

Owing to the purchase of a bicycle for a sum of Rs. 137 for the Fumigation Office at Kochchikade, this vote is likely to be exceeded by that amount. Supplementary provision in a sum of Rs. 137 is therefore sought.

Observations of the Financial Secretary.

The Financial Secretary concurs.

Report of the Board of Ministers.

The financial implications are as explained in the Observations of the Minister of Health. The Board of Ministers approves.

(8) Supplementary Estimate, 1941-42.

Head 91, Quarantine.
Sub-head 6, Quarantine Camps and Hospitals.
Amount: Rs. 822.50.

Nature of Service: Purchase of a Kelvinator (refrigerator) for use at Mandapam Camp.

Observations of the Minister of Health.

The Engineer, Mandapam Camp, reports that the two Kelvinators in which sera, calf lymph, vaccines, &c., are preserved at the Camp are not in a fit condition for use any longer. He recommends the immediate purchase of a new Kelvinator, Model A O 4, from the Union Company of Madras. A sum of Rs. 822.50 is needed to purchase the machine and instal it. Supplementary provision under Head 91, Quarantine, Sub-head 6, Quarantine Camps and Hospitals, Estimates 1941-42, is therefore sought.

Observations of the Financial Secretary.

The Financial Secretary concurs.

Report of the Board of Ministers.

The financial implications are as explained in the Observations of the Minister of Health. The Board of Ministers approves.

(9) Supplementary Estimate, 1941-42.

Head 92, Medical and Sanitary Services.
Sub-head 1, Personal Emoluments.
Amount: Rs. 14,633.

Nature of Service: To pay increments to Field Medical Officers from October 1, 1941.

Observations of the Minister of Health.

On January 23, 1942, the Board of Ministers approved the following proposals for the absorption of the Field

Medical Officers in the Malaria Control Scheme into the permanent cadre of Grade Medical Officers:—

- (1) All Field Medical Officers (temporary) to begin to earn increments as from October 1, 1940, *i.e.*, in no case will the first increment fall due until October 1, 1941.
- (2) The rate of recruitment of officers to Grade II. of the Medical Department to be raised from eighteen to twenty-four for a period of four years thus enabling at least ten of the Temporary Field Medical Officers to be confirmed each year provided they merit confirmation.
- (3) Recruitment to the grade of Field Medical Officer (temporary) to cease.
- (4) Any vacancies in the Scheme to be filled by the appointment of Acting Medical Officers on the usual rate of Rs. 10 per diem. These officers will be paid this rate of remuneration until they receive permanent appointments in Grade II.

A sum of Rs. 14,633 is required to pay the increments with effect from October 1, 1941.

Observations of the Financial Secretary.

The Financial Secretary concurs.

Report of the Board of Ministers.

The financial implications are as explained in the Observations of the Minister of Health. The Board of Ministers approves.

(10) Supplementary Estimate, 1941-42.

Head 92, Medical and Sanitary Services.

Sub-head 7, Diets.

Amount: Rs. 500,000.

Nature of Service: To meet the anticipated excess under the vote.

Observations of the Minister of Health.

The provision for this service in the current estimates is Rs. 2,000,000. The expenditure brought to account up to the end of May, 1942, and the outstanding

liabilities amount to Rs. 1,509,465.75, leaving a balance of Rs. 490,534.25, which will not be adequate to meet the expenditure for the rest of this financial year. A general increase in the contract rates as compared with the rates for 1940-41, the failure of several contractors to carry on their contracts, which necessitated the purchase of provisions locally at higher rates by medical officers in charge of institutions, and the payment of compensation to contractors with effect from January, 1942, in consequence of the increase in the prices of commodities, have contributed towards the unexpectedly high expenditure under the Diets Vote during the current financial year. Supplementary provision in a sum of Rs. 500,000 is therefore sought to meet the probable excess under this sub-head.

Observations of the Financial Secretary.

The Financial Secretary concurs.

Report of the Board of Ministers.

The financial implications are as explained in the Observations of the Minister of Health. The Board of Ministers approves.

(11) Supplementary Estimate, 1941-42.

Head 92, Medical and Sanitary Services.

Sub-head 12, Epidemics.

Amount: Rs. 25,000.

Nature of Service: To meet the anticipated excess under this vote.

Observations of the Minister of Health.

The provision of Rs. 10,000 for this service in the 1941-42 Estimates is likely to be exceeded owing to the unforeseen expenditure incurred in connection with the epidemic of cholera at Anuradhapura. Supplementary provision in a sum of Rs. 25,000 is therefore sought.

Observations of the Financial Secretary.

The Financial Secretary concurs.

Report of the Board of Ministers.

The financial implications are as explained in the Observations of the Minister of Health. The Board of Ministers approves.

July 31, 1942]

Debates.

(Communications & Works.)**(12) Supplementary Estimate, 1941-42.**

Head 123, Post Office and Telegraphs.

Sub-head 14, Removal of Official telephones and provision of temporary telephones for official purposes.

Amount: Rs. 1,250.

Nature of Service: To meet the anticipated excess under this vote.

Observations of the Minister of Communications and Works.

The expenditure for the seven months October, 1941, to April, 1942, under the above vote has amounted to Rs. 1,893 against a provision of Rs. 2,000. Due to the fact that the expenditure varies considerably from month to month, it is not possible to estimate with any degree of accuracy the probable expenditure for the rest of the year. However, basing the calculation on the average normal expenditure during the past seven months it is estimated that the expenditure for the year will amount to Rs. 3,250. Supplementary provision in a sum of Rs. 1,250 is therefore requested.

Observations of the Financial Secretary.

The Financial Secretary concurs.

Report of the Board of Ministers.

The financial implications are as explained in the Observations of the Minister of Communications and Works. The Board of Ministers approves.

(13) Supplementary Estimate, 1941-42.

Head 124, Public Works Department.

Subdivision: Recurrent Expenditure.

Sub-head 1, Personal Emoluments.

Item: Superintending Engineers.

Amount: Rs. 11,931.

Nature of Service: Salary and allowances to an additional temporary Superintending Engineer for A. R. P. work, Government Buildings, Colombo.

Observations of the Minister of Communications and Works.

Mr. R. G. Leembruggen, an acting Superintending Engineer of the Public Works Department, was transferred for duty as Engineer, Air Raid Precautions, Government Buildings, Colombo, as from January 12, 1942. As Mr. Leem-

bruggen was specially selected for this post and as it is in the present emergency equal in status and responsibility to a post of Superintending Engineer in the Public Works Department, it is proposed to create an additional temporary post of Superintending Engineer for A. R. P. work, Government Buildings, Colombo, carrying a salary of £960 plus an allowance of £40 per annum. A sum of Rs. 11,931 is required during the current financial year for the payment of salary and allowances to the officer holding this post.

Observations of the Financial Secretary.

The Financial Secretary concurs.

Report of the Board of Ministers.

The financial implications are as explained in the Observations of the Minister of Communications and Works. The Board of Ministers approves.

(14) Supplementary Estimate, 1941-42.

Head 125, Public Works Annually Recurrent.

Sub-head 42, Miscellaneous.

Item 13, Flood damages.

Amount: Rs. 50,000.

Nature of Service: Flood damages.

Observations of the Minister of Communications and Works.

The vote of Rs. 100,000 granted in the Estimates, 1941-42, for "Flood damages" under Head 125, Sub-head 42, Item 13, was utilized mainly for continuing flood damage works sanctioned during 1940-41 for repairing the extensive damages caused to roads and bridges in various parts of the Island by the heavy rains in May and June, 1941.

In October and November, 1941, there was further damage to roads and bridges on account of heavy rains during that period and two supplementary votes amounting to Rs. 200,000 were sanctioned for carrying out the repairs. This supplementary provision has also now been exhausted and there is very little balance left.

Flood damage during the south-west monsoon is a normal occurrence and it is necessary to have sufficient funds ready to put repair works in hand without de-

lay, particularly in view of the present emergency. A supplementary vote of Rs. 50,000 is requested.

Observations of the Financial Secretary.

The Financial Secretary concurs.

Report of the Board of Ministers.

The financial implications are as explained in the Observations of the Minister of Communications and Works.

In Committee—

MR. SPEAKER presided as Chairman.

(2) State Council: Personal Emoluments.

The Hon. Mr. H. J. Huxham (Financial Secretary): I move that Supplementary Estimate (2) be approved:

Head 3, State Council,
Sub-head 1, Personal Emoluments,
Amount: Rs. 5,000.

Nature of Service: Adjustment of salaries of State Council staff with effect from October 1, 1938.

This House agreed to an amended scheme of salaries in 1940, and this has been paid from 1st October, 1940. Our attention has, however, been drawn to the fact that an undertaking was given in the State Council that any new scheme of salaries would be applied as from 1st October, 1938. This Supplementary Estimate is to enable payments to be made from 1st October, 1938.

Dr. A. P. de Zoysa (Colombo South): May I know from the Financial Secretary what he has done for the other minor employees in Government Service? There have been many requests made and resolutions passed in this Council urging that their salary scales should be revised or that something should be done for them. Would the Financial Secretary tell us whether he proposes to bring any amended schemes for their salaries and whether he is considering the question?

Mr. H. W. Amarasuriya (Galle): I would like to know from the Financial Secretary whether the minor employees in the State Council will be entitled to pension on the higher salaries as from the date these increments are granted, and whether pensions will be calculated on the higher rate as from 1st October, 1938.

The Hon. Mr. Huxham: I am not sure whether the hon. Member for Galle is referring to employees who have already retired—

Mr. H. W. Amarasuriya: I am referring to those who will be benefited by this vote.

The Hon. Mr. Huxham: Any person who has not retired and does so in the future will have his retiring allowance or pension based on the salary he is drawing at the time of retirement.

As regards the general question of pay of minor employees of Government outside the State Council, it is rather a large matter and hardly seems to arise on the State Council vote.

Dr. de Zoysa: This is an opportunity for me to inquire whether anything has been done or whether the Financial Secretary proposes to do anything for those employees.

The Hon. Mr. Huxham: The whole question of salaries of Government employees has, as the hon. Member knows, been under examination by Committees, Commissions, and so on, for a long time, and the matter is with the Board of Ministers.

Supplementary Estimate (2) was then passed.

(3) Audit Office: Travelling.

The Hon. Mr. Huxham: I move that Supplementary Estimate (3) be passed:

Head 4, Audit Office,
Sub-head 2, Travelling,
Amount: Rs. 8,000.

Nature of Service: Travelling expenses of the Acting Auditor-General and staff in connection with his visit to Bombay regarding investigation of food purchases made in India on behalf of the Ceylon Government.

In view of the very large purchases made in recent months in India and in view of certain allegations which have been made in connexion with those purchases, it was considered necessary that the Acting Auditor-General himself should go to India to make inquiries on the spot. This vote is to provide the necessary funds.

Supplementary Estimate (3) was passed.

(4) Government Stores: Travelling, &c.

The Hon. Mr. Huxham: I move that Supplementary Estimate (4) be passed:

Head 38, Government Stores.
 Sub-head 2, Travelling.
 Sub-head 3, Stationery, &c.
 Sub-head 9, Incidental Expenses.
 Amount: Sub-head 2, Rs. 1,200.
 Sub-head 3, Rs. 1,000.
 Sub-head 9, Rs. 1,300.

Nature of Service: (1) To meet the extra cost of travelling of officers of the Government Stores Department.
 (2) To meet the extra cost of stationery and other office requisites.
 (3) To meet the extra cost of miscellaneous stores and packing materials.

These votes are necessary because of the greatly increased work of the Government Stores since the outbreak of the war.

Supplementary Estimate (4) was passed.

(5) Allowances to Dependants of Government Servants and Pensioners in Enemy-occupied Territory.

The Hon. Mr. Huxham: I move that Supplementary Estimate (5) be passed:

Head 42, Miscellaneous Services.
 New Sub-head 14, Allowances to dependants of Government Servants and Government Pensioners in territories occupied by the enemy.
 Amount: Rs. 7,500.

Nature of Service: Payment of allowances to dependants of Government Servants and Government Pensioners in territories occupied by the enemy.

The position is, Sir, that a very small number of Government employees and Government pensioners are now in Territories occupied by the enemy, and their dependants in Ceylon cannot, of course, receive the usual remittances from them. It is proposed to grant allowances to these dependants to be recovered from the officers' salaries or pensions when they are able to come back to Ceylon. It is hoped that practically the whole of any money paid to the dependants will be recovered from those salaries or pensions, but it is necessary to have a special vote to enable payments of this nature to be made.

Mr. H. W. Amarasuriya: I wish to refer to the case of the nationals of Ceylon—I mean Ceylonese—who are now in Territories occupied by the enemy. They have a large number of dependants

in Ceylon, but these persons in occupied Territories are unable to communicate with their people here. I know of several cases of actual destitution and cases where the education of children has been affected. The very means of livelihood of some people has been entirely cut off.

Would this Government be prepared to view the case of these people sympathetically, and would some consideration be paid to these cases when they are brought to the notice of Government? Of course, we may be told that this Government is concerned with looking after only its own servants and pensioners, but there are these unfortunate persons who are dependants of those who have established themselves in trade or been engaged in other walks of life in parts of the British Empire now in the hands of the enemy, and some consideration should be paid to the plight of these people.

***Mr. S. Abeywickrama (Udugama):** There are a large number of Ceylonese business men in the Malay States and Singapore who would like to return to Ceylon. Are arrangements being made for their repatriation to Ceylon? Can the Financial Secretary give us particulars of the assistance that has been given so far in this direction? What is the present position? Are the persons concerned to apply to the Financial Secretary, or is a list being made up in the Treasury?

The Hon. Mr. Huxham: This vote is to provide for allowances to the dependants in Ceylon of Ceylon Government employees or pensioners. Payment is to be made by Government as employer. As regards payments to be made by this Government in any other capacity, I am not immediately concerned, but the position as I understand it is this: where an employee of the Malayan Government is detained in Malaya and his relatives are in Ceylon, certain allowances are made from Malayan Government funds. Where the employee of a private concern is detained in Malaya, we should expect the private concern to make some allowance for the benefit of his dependants in Ceylon, as I know is being done by Banks, and I hope is being done by any other large employer who is affected.

That seems to leave the cases of dependants in Ceylon of persons in Malaya who have businesses of their

[The Hon. Mr. Huxham.]

own, plantations or retail shops or whatever it may be. In those cases, the attitude of the Board of Ministers is, I think, that the dependants have no greater right to assistance from Ceylon Government funds than any ordinary resident of Ceylon who finds himself in financial difficulties; that is to say, that they can only expect the normal relief given to poor persons.

As I have said, that matter is not primarily my subject. If it is to be pressed, it is a matter for the Minister of Labour, Industry and Commerce. But that, as I understand it, is the position.

Mr. H. W. Amarasuriya: The dependants of persons who have been compelled to remain in Malaya, for no fault of theirs, due to circumstances beyond their control, are placed in this unfortunate position. It is not a question of poverty; ordinarily, these dependants were able to communicate with their bread-winners overseas, whether they were in employment or were conducting their own businesses. In normal circumstances, these dependants would not be considered as poor people, but to-day, the monthly remittances they used to receive have been cut off, and the result is that the wives and children of these persons are destitute.

These are not cases where poor relief or relief of destitution as such is called for, but in the special circumstances of the case, I think a more sympathetic view should be taken by the Financial Secretary and the Board of Ministers, and I would appeal to the Board of Ministers to view these cases from a different angle altogether, as these cases merit special consideration.

***Mr. Abeywickrama:** May I have an answer from the Chief Secretary to my question whether any effort is being made to repatriate Ceylonese business men, who are now out of business, in Malaya, if they wish to come back to Ceylon? In the case of people from other parts of the Empire, I have read that arrangements are being made to provide facilities for them to return to their home country. I would like to know whether any such scheme is in operation for Ceylonese.

The Hon. Mr. C. H. Collins (Acting Chief Secretary): As far as I am aware,

no such applications have reached the Government yet. I do not myself remember seeing any application from any person who desired to repatriate any people who have unfortunately remained in Malaya or Hong Kong under Japanese occupation.

If hon. Members think that there is a strong desire that some negotiations should take place, I have no doubt that such negotiations can be taken up. So far this is the first time I have heard that there has been any such application. Perhaps the hon. Member may have some further information which has not reached me. If he will tell me what it is, we can consider the matter further.

***Mr. Abeywickrama:** May I know whether there is postal or telegraphic communication between enemy-occupied countries and Ceylon?

The Hon. Mr. Collins: I think not.

***Mr. Abeywickrama:** Then how are the people concerned to apply? If there are no postal or telegraph facilities, how are they to make representations? The Hon. the Acting Chief Secretary's answer was that no representations have been made. There are a large number of people in those countries, and it is up to Government to make arrangements and find out whether anything can be done. It is impossible for those people to communicate with this country.

***The Hon. Colonel J. L. Kotalawala (Minister of Communications & Works):** How does the hon. Member know that they wish to come to Ceylon?

Supplementary Estimate (5) was then passed.

(6) Botanic Gardens: Enhanced Wages of Daily-Paid Unskilled Labour.

***The Hon. Mr. D. S. Senanayake (Minister of Agriculture and Lands):** I move that the following Supplementary Estimate standing in my name be passed:

Head 66, Department of Agriculture.

Sub-head 4, Botanic Gardens.

Amount: Rs. 4,500.

Nature of Service: To meet additional expenditure due to the enhanced wages of daily-paid unskilled labour.

Supplementary Estimate (6) was passed.

(7) Quarantine: Stationery, Office Requisites, &c.

***The Hon. Mr. Senanayake:** As the Hon. Minister of Health has been kept away, he has asked me to move that the following Supplementary Estimates standing in his name be passed:

Head 91, Quarantine.
Sub-head 3, Stationery, office furniture and office requisites.

Amount: Rs. 137.
Nature of Service: To meet the anticipated excess under this vote.

This vote is required for purchasing of a bicycle.

Supplementary Estimate (7) was passed.

(8) Mandapam Camp: Refrigerator.

***The Hon. Mr. Senanayake:** I move that the following Supplementary Estimate be passed:

Head 91, Quarantine.
Sub-head 6, Quarantine Camps and Hospitals.
Amount: Rs. 822.50.
Nature of Service: Purchase of a Kelvinator (refrigerator) for use at Mandapam Camp.

The vote is required for purchasing a refrigerator.

Supplementary Estimate (8) was passed.

(9) Increments to Field Medical Officers.

***The Hon. Mr. Senanayake:** I move that the following Supplementary Estimate be passed:

Head 92, Medical and Sanitary Services.
Sub-head 1, Personal Emoluments.
Amount: Rs. 14,633.
Nature of Service: To pay increments to Field Medical Officers from October 1, 1941.

As the House is aware, some time ago Temporary Field Medical Officers were engaged to do Malaria work. Now the proposal is that they should be absorbed into the Medical Department gradually and that they should be paid a salary.

Supplementary Estimate (9) was passed.

(10) Diets.

***The Hon. Mr. Senanayake:** I move that the following Supplementary Estimate be passed:

Head 92, Medical and Sanitary Services.
Sub-head 7, Diets.

Amount: Rs. 500,000.

Nature of Service: To meet the anticipated excess under the vote.

As it is, the prices of commodities have gone up; contractors have failed, and this money is required to feed the patients.

Supplementary Estimate (10) was passed.

(11) Cholera Epidemic at Anuradhapura.

***The Hon. Mr. Senanayake:** I move that the following Supplementary Estimate be passed:

Head 92, Medical and Sanitary Services.

Sub-head 12, Epidemics.

Amount: Rs. 25,000.

Nature of Service: To meet the anticipated excess under this vote.

This expenditure has been incurred in connexion with the epidemic of cholera at Anuradhapura.

Mr. H. R. Freeman (Anuradhapura):

The state of the infectious diseases hospital at Anuradhapura, which was used for cholera patients, is a scandal. Fortunately there are photographs which show how the buildings are liquidating themselves. The roofs give no shelter from the sun or rain, and one of the floors is of ordinary earth. The photographs are likely to be shown to the Hon. Minister as the Head of the Department.

There is no estimate for an infectious diseases hospital. There is an item in the Budget for plans for digging up Anuradhapura and building a new town in the wilderness; this might be used for an I. D. H.

***The Hon. Mr. Senanayake:** The usual thing is to put up temporary buildings for infectious diseases, because it is much better to have such buildings, they can be destroyed by fire afterwards and germs could be more effectively dealt with. In this case, cholera broke out suddenly and arrangements had to be made to cope with the outbreak. Perhaps those arrangements were not as good as they might have been, and I am sure that with the experience that the Medical Department has gained and with the assistance of the hon. Member better provision will, in future, be made. I trust that there will not be any outbreak of infectious diseases in future.

Mr. Freeman: There is no objection to temporary buildings but they must be able to stand up on their feet. The timber is all rotting and the walls are all bent.

The Hon. Mr. Senanayake: I will pass on that information to the Hon. Minister of Health.

Supplementary Estimate (11) was then passed.

(12) Removal of Official Telephones.

The Hon. Colonel Kotalawala: I move that the following Supplementary Estimate standing in my name be passed:

Head 123, Post Office and Telegraphs.

Sub-head 14, Removal of Official telephones and provision of temporary telephones for official purposes.

Amount: Rs. 1,250.

Nature of Service: To meet the anticipated excess under this vote.

This is normal expenditure.

Supplementary Estimate (12) was passed.

(13) Superintending Engineer, A. R. P. Work.

The Hon. Colonel Kotalawala: I move that the following Supplementary Estimate standing in my name be passed:

Head 124, Public Works Department.

Subdivision: Recurrent Expenditure.

Sub-head 1, Personal Emoluments.

Item: Superintending Engineers.

Amount: Rs. 11,931.

Nature of Service: Salary and allowances to an additional temporary Superintending Engineer for A. R. P. work, Government Buildings, Colombo.

The sum of Rs. 11,931 is required for the purpose of paying the salary of an Additional Temporary Superintending Engineer for A. R. P. Work, Government Buildings, Colombo.

Mr. H. W. Amarasuriya: Sir, I do not know why this gentleman is not seconded for service. The practice in Government Service is that in a case of emergency an officer is seconded for service on his own salary. According to the Observations, this gentleman is an Acting Superintending Engineer. He is not a permanent Engineer. I believe, in the case of Superintending Engineers the salary scale is £1,000 to £1,200 per

annum. I take it that Mr. Leembruggen was acting in the post of Superintending Engineer because he was one of the senior District Engineers.

There is also another objection, namely, the payment of an allowance of £40. I believe this Council and its predecessor the Legislative Council, after many years of agitation succeeded in getting over this difficulty of paying allowances. An allowance is an emolument, and if the salary of an officer is considered to be insufficient, it is much better to give him a "straightforward" salary rather than pay him an allowance and a salary. There are no special reasons given for paying this allowance of £40 per annum. I hope the Hon. Minister will give us a little more information.

The other question I would like to ask is, why should this Estimate come under the Public Works Department's votes? Why should it not be paid out of the Civil Defence Commissioner's votes, because ordinarily if these services were required in this Department and this officer had to perform them, he would draw much less per month; and there is no information given as to how much he is drawing at the moment. I take it that he is not a Superintending Engineer at the moment, because the sterling salary of an Engineer is £1,000. I do not think that this officer is a new entrant, because, if he was he would be on the rupee scale.

I would like to have some more information on this matter.

The Hon. Colonel Kotalawala: The questions asked by the hon. Member are those of a financial nature. Personally I do not want to go into that question here. It is a matter for the Financial Secretary.

With regard to the allowance of £40 I may say that this Engineer was drawing that allowance. He was in receipt of a substantive salary of £960 plus an allowance of £40 per annum. Therefore, when he is seconded for this A. R. P. work, he will naturally get the same salary.

With regard to the question as to why the Public Works Department should pay this officer's salary, I may explain

that it is because the Public Works Department is doing this work that that Department pays the salary. The Public Works Department is the proper authority for putting up shelters and other similar work for the Civil Defence Commissioner. Therefore this expenditure comes under the Public Works Department votes.

Mr. H. W. Amarasuriya: There is no indication in the Estimates of last year that anybody was getting an allowance of £40. If you refer to page 272 of the current Estimates (1941-42), you will find that the cadre is eight and only six posts have been filled, and there is a footnote to the effect that two posts have been suppressed as recommended by the Retrenchment Commissioner. The salary of the Superintending Engineer Grade is given as £1,000-1,200. Where is this allowance? The Hon. Minister told us just now that this officer was drawing £960 plus a further £40 as an allowance. But I do not see any grade in this cadre of the Public Works Department, from the Director downwards to the Sub-Inspector grade, for which the salary is £960.

***The Hon. Mr. Senanayake:** Would it not come within the scale?

Mr. H. W. Amarasuriya: The salary of the Superintending Engineer Grade is given as £100, that is £1,200 a year.

***The Hon. Mr. C. W. W. Kannangara (Minister of Education):** £960 plus £40 will give £1,000.

Mr. H. W. Amarasuriya: But what is the initial of the grade? I would like to know who gives this officer the £40 as an allowance.

***The Hon. Colonel Kotalawala:** I cannot understand the hon. Member.

Mr. H. W. Amarasuriya: According to the Observations, this Officer is an "Acting Superintending Engineer", and the practice in Government Service is that an acting officer is entitled to half the initial salary of the post in which he is acting plus half the salary he is drawing.

***The Hon. Colonel Kotalawala:** May I explain it, Sir? It is a very simple matter that anybody should be able to

understand, and I do not know why the hon. Member should try to complicate it. As District Engineer, the highest salary that this officer can draw is £960, and as Superintending Engineer he should get £1,000, but he is only acting in the post. Therefore an allowance of £40 is given in order to make his salary £1,000, but the £40 would not be pensionable because the officer is only acting in the post. It is a very simple matter.

Mr. H. W. Amarasuriya: It is not so simple as the Minister tries to make out. This is a new principle and a new procedure laid down by the Minister or the Financial Secretary. I believe the Government practice as it exists to-day is quite different. If the officer is to be promoted as District Engineer, he would get £1,000, but if he is acting as such, then the calculation is slightly different. I do not know why this £40 should be regarded as an allowance. If the officer is acting in the post, he will be entitled to a slightly higher salary than £960. It is not so simple as the Minister of Communications tries to make out, and I wish to know whether when there are already six Superintending Engineers there was a vacancy for this gentleman to be taken on as Acting Superintending Engineer. How many Superintending Engineers are there?

***Mr. R. C. Kannangara (Morawaka):** Can we have an explanation from the Financial Secretary?

The Hon. Mr. Huxham: There are six posts of Superintending Engineer and each of these Superintending Engineers is allotted to a part of the Island, and his post is necessary. In addition to the six posts of Superintending Engineer, the Department wants—and the Minister agrees—that there should be an extra officer of Superintending Engineer status for a short period to deal with the A.R.P. work which is being carried out by the P.W.D. in the Western Province, and the proposal before the House is that we create a special temporary post on a special salary. The salary suggested is £960, which is what the officer, I think, now draws, but we want to give him an allowance of £40, making it £1,000 because as Acting Superintending Engineer he would be entitled to £1,000, and we do not want to pay him less than that figure.

[The Hon. Mr. Huxham.]

The proposal is therefore that this special post be created on a special salary for a relatively short period only. The main advantage is that it enables the officer to give orders which would be given by a Superintending Engineer and does not require him to be under one of the six existing Superintending Engineers. As far as I can see, it is not likely to cost anything extra. It is merely a rearrangement.

***Mr. A. Mahadeva (Jaffna):** The point is not quite understood as far as I can see. We are only contending why this principle of allowances which this House has set its face against should be reintroduced. That is the point. We do not mind this officer being paid £690; we do not mind his being paid £1,000 a year. But the House has repeatedly set its face against allowances, and why try to bring them in again, because other officers will come forward claiming allowances? That is why we are against this idea of paying an allowance.

Mr. H. W. Amarasuriya: It is a resurrection of the allowances.

***Mr. Mahadeva:** Yes, it is a resurrection of the allowances.

One other point is, if this officer is going to be appointed, not as Acting Superintending Engineer, but as Superintending Engineer temporarily, one would imagine that he would be paid the scale of the Superintending Engineer Grade. Why is he not going to be paid the normal scale, which is £1,000? Why do you not come and ask for £1,000 instead of coming here for £960 plus an allowance when the House does not approve of allowances being paid?

***The Hon. Mr. Senanayake:** Surely, this matter is quite plain. As explained by the Financial Secretary, there are only six posts of Superintending Engineer carrying a salary of £1,000. We want a seventh man temporarily. If you pay him £1,000 you have to keep him on £1,000 and keep him as a Superintending Engineer. You cannot promote any Public Officer and then tell him, "We now reduce you". But what we do is this: when the post is only a temporary one, we pay him all the emoluments that are due to him when he is officiating in that post.

The only way to do that is to give this officer a salary of £1,000. He already draws a salary of £960, so give him an allowance of £40. If the other principle is to be adhered to, you will have to increase his salary to £1,000 and keep him there even when there is no work for him. Even when recommendations have been made and principles laid down, the circumstances have to be taken into consideration and adjustments made to suit the circumstances and at the same time not violate the principle accepted by the House. There will be a saving as a result of this adjustment.

Mr. H. W. Amarasuriya: The explanation given by the Financial Secretary is rather different from the explanation given by the Minister. The Hon. Minister's contention was that the officer was already drawing £960 plus £40, but the proposal seems to be to create a seventh post of Superintending Engineer and to get him slightly cheaper than the existing officers; so from the point of view of finance it is probably cheaper to get him in this way. But we have to be satisfied that the seventh post is really necessary. I take it that if a senior District Engineer is seconded for this service, he ought to do this work without extra remuneration as I believe there are officers who now do additional and more responsible work without being paid extra for it. I wish to know whether the new principle will be applied to other officers who have been seconded for emergency work in other Departments.

***The Hon. Mr. Senanayake:** There is no seventh post of Superintending Engineer. It is only a temporary post. Acting pay can be given only when an officer acts in an existing post. Here you have to create a post.

Mr. H. W. Amarasuriya: Why should we pay an extra allowance of £40 when other officers are doing emergency work in other Departments without extra remuneration?

***The Hon. Mr. Senanayake:** The hon. Member is inconsistent.

Mr. H. W. Amarasuriya: There is no inconsistency whatsoever.

***The Hon. Mr. Senanayake:** I will show you. The usual salary is £1,000

plus whatever amount has to be paid as pension. In this case there is no accruing pension, right, for the simple reason that this is a short-period post and only an allowance is paid.

Mr. H. W. Amarasuriya: If there is any inconsistency, it is on the part of Ministers who try to quote chapter and verse like the devil quoting Scripture for his own purposes.

My second question was whether all other officers would be treated likewise. I do not know Mr. Leembruggen at all. He may be a very efficient officer and fit for promotion as Superintending Engineer. I am not contesting that. My only point is that in other Departments they are doing additional and more responsible work on their own salaries. I do not know why Mr. Leembruggen alone should be asked to do this work on a higher salary. That is the only point I addressed to the Ministers. I would like to have an answer.

***The Hon. Colonel Kotalawala:** We can only give reasons, we cannot give understanding. We have put all the possible reasons before the hon. Member. He now asks whether Mr. Leembruggen cannot carry on on his normal salary. It is pretty obvious to the hon. Member as it must be to everybody else in this House that the work has so increased that there must be a Superintending Engineer with three Executive Engineers under him, because a sum of Rs. 3,000,000 is involved in this work. So Mr. Leembruggen has been taken out of his normal post and put here, and he should get this extra amount. That is very simple.

Supplementary Estimate (13) was then passed.

(14) Flood Damages.

***The Hon. Colonel Kotalawala:** Supplementary Estimate (14) is as follows:

Head 125, Public Works Annually Recurrent.
Sub-head 42, Miscellaneous.
Item 13, Flood Damages.
Amount: Rs. 50,000.

This amount is needed to repair flood damages to roads and bridges.

Supplementary Estimate (14) was passed.

The Hon. Sir D. B. Jayatilaka: I move that Council do resume.

The Council having resumed—

MR. SPEAKER took the Chair.

The Hon. Sir D. B. Jayatilaka: I move that Supplementary Estimates (2) to (14), 1941-42, passed in Committee, be approved.

Question put accordingly, and agreed to.

Supplementary Estimates (2) to (14) were approved.

†SUPPLEMENTARY ESTIMATES, 1941-42.

The following item stood upon the Addendum to the Orders of the Day:

The Leader of the State Council to submit for the approval of the Council the Supplementary Estimates, set out in this item, to present to the Council the reports of the Board of Ministers on such estimates, and to move the Council into Committee to consider the same:

(Financial Secretary.)

(1) Supplementary Estimate, 1941-42.

Head 36, Currency.

Sub-head, 1, Personal Emoluments.

Amount: Rs. 10 (token vote).

Nature of Service: To obtain authority to meet from savings the salaries and rent allowance of two Chief Assistant Shroffs from July 1, 1942, on the scale Rs. 1,500—60—2,100.

Observations of the Financial Secretary.

The expansion of the note issue, which is now $2\frac{1}{2}$ times the prewar figure, and the issue of subsidiary notes in lieu of subsidiary coin has thrown a very considerable amount of extra work on the Shroff's Department of the Treasury. The staff has been increased by a number of daily-paid Assistants and it is necessary to raise the status of two Shroff's Assistants from July 1, 1942, in view of the extra responsibility thrown on them and the larger staff they are called upon to supervise. It is proposed that two

+ Supplementary Estimates (2) to (8) not reproduced.

Assistant Shroffs now on the scale of Rs. 900—60—1,380 be appointed to the two new posts (temporary) of Chief Assistant Shroff on the scale Rs. 1,500—60—2,100 during the period of the emergency. These posts will be abolished when pre-war conditions are re-established.

Report of the Board of Ministers.

The financial implications are as explained in the Observations of the Financial Secretary. The Board of Ministers approves.

The Hon. Sir D. B. Jayatilaka: May I have the permission of the House to take up the Supplementary Estimates appearing on the Addendum now?

Mr. Speaker: Does the House agree?

Members: Aye.

The Hon. Sir D. B. Jayatilaka: I submit for the approval of the Council the Supplementary Estimates set out in this item, present to the Council the reports of the Board of Ministers on such Estimates, and move the Council into Committee to consider the same.

In Committee—

MR. SPEAKER presided as Chairman.

(1) Salaries and Rent Allowance of Two Chief Assistant Shroffs.

The Hon. Mr. Huxham: I move the following Supplementary Estimate standing in my name:

Head 36, Currency.

Sub-head 1, Personal Emoluments.

Amount: Rs. 10 (token vote).

Nature of Service: To obtain authority to meet from savings the salaries and rent allowance of two Chief Assistant Shroffs from July 1, 1942, on the scale of Rs. 1,500—60—2,100.

The immense increase in the note circulation and the necessity to adopt the expediency of subsidiary notes has thrown a great amount of extra work on the currency section of the Treasury which, in turn, has necessitated the employment of a large number of temporary hands. It is proposed to create two posts of Chief Assistant Shroff for the period this arrangement lasts in order that they may control the minor officers.

***Mr. Aluwihare:** I am scrry; this seems to have got off without any opposition. There was no notice to suspend Standing Orders or anything like that at all to consider these Supplementary Estimates.

The Chairman: I asked whether the House would grant permission to take up these items. We do not formally suspend Standing Orders when the House decides to take a matter up.

***Mr. Aluwihare:** I think there was a ruling of yours, Sir, that the Standing Orders should be—

The Chairman: The Hon. Leader desired these Supplementary Estimates to be taken up now. Anyway, what does the hon. Member want?

***Mr. Aluwihare:** I was suddenly told that these items would be taken up. The Addendum was laid on the Table only last evening, and there was no notice that application would be made for the suspension of Standing Orders to have these Estimates considered to-day.

The Chairman: Does the hon. Member want to have any important item in the Addendum deferred?

***Mr. Aluwihare:** To tell you the truth, Sir, I have not read through the Addendum as I did not expect this item to come up to-day.

The Chairman: Cannot the consideration of these Supplementary Estimates be taken up next week?

***The Hon. Colonel Kotalawala:** It can be done.

The Hon. Mr. Huxham: The objection urged by the hon. Member (Mr. Aluwihare) is rather a curious one. The Addendum was tabled in the State Council two days ago, but he had not read it because he did not think that it would be taken up this week. If that were so, I do not know why it was tabled.

***Mr. Aluwihare:** For the simple reason that you have to give five days' notice, or you will have to give notice that you will apply to suspend the Standing Orders to move it earlier.

The Hon. Sir D. B. Jayatillaka: I do not think it is necessary to discuss this matter. I think these items may be discussed next week.

The Chairman: Yes.

The Hon. Sir D. B. Jayatillaka: I move that Council do resume.

The Council having resumed—

MR. SPEAKER took the Chair.

†RAILWAYS (AMENDMENT) BILL.

***The Hon. Colonel Kotalawala:** I move that the Bill intituled "An Ordinance to amend the Railways Ordinance" be now read a second time.

Question proposed from the Chair, and debated.

***Mr. Aluwihare:** Can the Minister give us any idea of the earnings of the Railway in the matter of goods transport? Can he give us figures with regard to the comparative increase, because he proposes to increase the rates by nearly 50 per cent—I think, from 58½ cents to 71 cents? Can the Hon. Minister tell us what the position is? Can he give us figures for the last six months with regard to the Railway's earnings on goods traffic?

Mr. H. W. Amarasuriya: The object of this Bill seems to be to raise the maximum rate charged on goods from 58½ cents to 80 cents per ton mile. I think it is a step in the right direction, because the cost of haulage has increased.

I want to invite the Hon. Minister's attention to another matter in regard to the Railway. There is much pilfering going on in the Railway, and there is also great difficulty in obtaining wagons or trucks for the transport of goods. It is well known that officers in the Railway—I am not thinking of any particular officer in the Railway; I am speaking generally—are a very corrupt lot.

***Mr. Aluwihare:** Everybody is corrupt.

Mr. H. W. Amarasuriya: It is fairly well known that by the payment of an illegal gratification it is possible to get

trucks released for the transport of goods. One such case was brought to the notice of the authorities, and disciplinary action has been taken or is proposed to be taken against the particular officer concerned. It has been publicly stated that Railway officers are reaping a good harvest these days—due to Japanese bombing and the disorganization of transport in Ceylon. It is a very serious matter at all times, but especially so at a time like the present when essential commodities, particularly those consumed by the poorest of the poor—I refer to food products—have to be transported from Colombo to other parts of the country; and also from the districts that produce food to Colombo for distribution. It is unthinkable that the officers employed by the Railway should have resorted to such bribery and corruption and brought immense inconvenience on the public.

I am personally aware that when you entrust goods to the Railway for transport, you can never know when those goods will reach their destination. There is also a great deal of pilfering going on in the Railway. These are matters that the Railway authorities should take serious notice of. The authorities should take steps to stop these malpractices as much as possible. I should like the Hon. Minister of Communications and Works to take these matters up with the authorities. He, as the Minister responsible to this country and to this Council for the proper functioning of the Railway, should see that that Department is reorganized, that better business methods are adopted by that Department and that no inconvenience is caused to the public by the pig-headedness of some of these Railway officials.

Dr. de Zoysa: I oppose this Bill. I do so because at a time like the present, when the Railway should reduce its rates, the Minister proposes to increase them. I take it for granted that the Railway is a public utility service; and if there is any transport system which should help the people at a time like the present, it is the Railway. As was mentioned by the hon. Member for Galle (Mr. H. W. Amarasuriya), some of the goods that are transported now on the Railway are foodstuffs, vegetables, &c., which are necessary for the people; and

† For the Observations of the Financial Secretary and the Report of the Board of Ministers, see HANSARD of July 30, 1942.

[Dr. de Zoysa.]

if the Railway increases its goods rates, the consequence will be that merchants will put up prices. We must do everything possible to see that prices come down or at least prevent them from rising.

I do not think that the cost of carrying goods on the Railway has been greatly increased just now. There may be a slight increase but considering the fact that the Railway just now is making profits, such increase should not result in an increase of the transport rate. There are luxuries that should be taxed. The Minister should seriously consider that matter at a time like the present; when the price of everything is going up, he should not put up the Railway rates as that would result in an increase in prices.

Our Ministers should take special care to give relief to the people who have goods for transport. The Hon. Minister says that he has made a distinction in regard to transport of rice, vegetables and other articles, and that what he proposes is a general increase in respect of other goods. I say that at a time like the present the Minister should not increase the rates for conveyance of goods on the railway.

In the circumstances, I think the House ought to turn down this Bill or ask the Minister to withdraw it.

***Mr. Mahadeva:** I should like to ask the Minister what the effect of raising the rate to 80 cents would be. Will it make the Railway self-supporting? What does he expect to make by the proposed increase in rates? I know that there will be extra revenue, but what does he expect to make out of that? We know that the Railway has been incurring losses for a considerable number of years, and I think in the next year's Estimates he has balanced the Railway Budget without taking this increase into account. Does he propose to pay out of the extra revenue that may accrue the interest due to the Government of Ceylon on the capital spent on the Railway?

***The Hon. Mr. S. W. R. D. Bandaranaike (Minister of Local Administration):** There will be an A. R. P. practice

in a few minutes. Shall we adjourn till a quarter past 11 o'clock, and make ourselves comfortable under the tables?

***Mr. H. F. Parfitt (Nominated Member):** I think it is a pity that the Government should find it necessary to increase the rates on the Railway at the present juncture. If this Bill is passed, it means that the sellers of merchandize will again say that they would have to put prices up as transport costs had gone up. It is regrettable that Government wants to lead the way, to assist the merchants to put up prices by increasing the Railway rates. I say that at the present juncture it would be better for the Government to lose on the transport of goods, anyway for the time being, than to increase the transport rate to cover up any losses that may be incurred on the Railway. I think it is a great pity that Government should give the lead to this continual increase, to this continual inflation of prices.

Government, I presume, makes the excuse that the Railway rates must be increased because wages have gone up. The increase of the transport rate will put up the prices of commodities which, in turn, will put up the index of the cost of living, which again will necessitate an increase in the transport rate, and so on, and to my mind there would be a never-ending upward spiral. I say that these rates should remain as they are and that there should never be this big increase in the transport rate as suggested.

***The Hon. Mr. Senanayake:** The Government is not in a position to transport all the goods that have to be transported. If the whole of the transport system is in the hands of Government, the argument that by reducing Railway rates you can keep the price of commodities down can be understood. But only a proportion of the goods is transported by the Railway. The majority of the people transport their goods by lorry, and we know that to-day lorry charges are about eight times those of the Railway. One therefore cannot expect the prices of commodities to come down by retaining the present Railway rates. Some merchants have to take at least certain of their goods by lorry, and after paying the high lorry charges

they have to make a profit. I am sure everyone will agree that to-day it is not the Railway transport rate that determines the price of commodities.

My hon. Friend the Member for Colombo South (Dr. de Zoysa) suggested that the Railway rate is too high. He is a person who has a certain amount of control over transport, being a Director of one of the leading bus companies.

Dr. de Zoysa: I am not a Director of a bus company. I think the Hon. Minister is dreaming.

***The Hon. Mr. Senanayake:** Perhaps I am dreaming and in my dream I saw the hon. Member as a Director of a bus company—

(Practice) Air Raid "Warning" signal heard [11.00 A.M.]—

Mr. Speaker: The sitting is suspended till the "All Clear" signal is sounded.

Sitting suspended accordingly, and resumed [11.15 A.M.] upon the "All Clear" signal being sounded.

***The Hon. Mr. Senanayake:** Just before we suspended the sitting, I was saying that by having the rates for railway transport low, the prices of commodities will not be affected at all, because other methods of transport are much more expensive. As it is, I believe the rates charged by buses are about four times as much as those charged by the Railway, and even then the transport facilities are not sufficient.

Another point we have to take into consideration is that by increasing the rates we are not getting back the full costs of transport. We have to incur a loss even now, and when we incur a loss we are not incurring it on behalf of the people of this country only—at least the people who transport goods—but also on behalf of the transport that we do for the Military as well. I believe according to our new arrangement we pay a certain amount and recover expenses, and considering that the Railway is used for a large proportion of Military transport—

***Mr. R. C. Kannangara:** What do they pay?

***The Hon. Mr. Senanayake:** Full rates. Considering that the whole railway is used for that purpose, I would have expected Members to suggest that we recover our costs. You will notice that there is no increase proposed in passenger rates at all. It is the goods rates that are increased. The cost of coal and other things and wages have increased, and the increase proposed now is by no means in keeping with the actual increase of costs.

Mr. R. Sri Pathmanathan (Mannar-Mullaitivu): The question has to be viewed from the point of view of the hon. Member for Colombo South (Dr. de Zoysa). Is the Railway a public utility service or not? Most of us would agree that it is a public utility service. We cannot help it if for generations the Railway has been under incompetent management and was run at a loss. The capitalization of the Railway has been wrong from the very beginning and we of this generation are forced to pay for the mistakes of previous generations.

Another principle I would like to enunciate is, can the traffic bear the cost? I say that the traffic cannot bear the cost, especially with regard to foodstuffs. It makes the cost of living too high for the people of this country. The other day a lady told me that a carrot which used to cost 2 cents a piece to-day costs as much as 12 cents. The proportion is so enormous that you cannot compare lorry transport with railway transport. With regard to lorry transport unfortunately it is not of our own seeking that costs have gone up. Petrol is practically not available at any cost and therefore comparing the cost of transport by lorry and transport by railway is not possible.

Considering all these things, I am entirely in agreement with the hon. Member for Colombo South (Dr. de Zoysa) that the cost of transportation, especially of foodstuffs, should be considerably reduced, and we should not take into account the increase in wages and so on about which the Hon. Minister of Agriculture and Lands told us. That does not have a bearing on this question. The only question that we have to consider is whether it is a public utility service or not, and what the traffic can bear.

[Mr. Sri Pathmanathan.]

I do not think that the traffic can bear the cost which the Minister proposes to impose upon these goods.

The Hon. Mr. Huxham: I think that some Members of the House do not appreciate what is really in question in this Bill. The position is that the rates charged for goods were increased by 20 per cent. all round from 22nd June last, with the exception of country-grown paddy and rice, locally-grown fruits and vegetables and other locally-grown agricultural produce which were left at the old rates. The only other exception is a particular rate for carrying a certain class of goods—I do not know what it is; I think it might be household furniture or something of that kind—on the Main Line, Up-country. When we came to apply the increase of 20 per cent. to that class we found that it was already very near the maximum permitted by law, of 59 cents, and that an increase of 20 per cent. would be illegal. This Bill is therefore introduced to raise the legal maximum and the only effect, at any rate at present, will be that this one rate for this one isolated class of goods will be increased by 20 per cent. to keep it in line with other rates.

***Mr. Aluwihare:** What is the isolated class?

The Hon. Mr. Huxham: I am sorry I do not know what the category of goods is. It is the category charged the highest rates of any category, and applies only for carriage Up-country. It is the highest rate on the railway. The lowest I think was 4 cents a ton a mile for rice and paddy in truck-loads or for country rice in any quantity, and the highest rate was 58 cents for the class of goods now in question. The rates (except for country-grown produce) have gone up by 20 per cent., and this alteration is necessary to permit the highest-rate class of goods to be put up by 20 per cent. like the others.

On the general question of Railway rates, I cannot agree with hon. Members who say that the Government Railway ought to maintain pre-war charges in spite of the fact that wages, fuel, sleepers, rails and so on have gone up anything from 20 to 200 per cent. in price.

We must surely fall into line with railways in other parts of the world. In India both privately-owned and Government railways have put up their charges far more than we have done, on the ground that there must be an increase of rates and freights to cope with the extra cost of running the railway. Surely this applies with even more force in our case where we are running at a loss while in India Government railways are making a very large profit, but nevertheless in order to cover the extra costs they have put up rates.

I would draw the attention of the House to the fact that the estimated loss on working for the next year before providing for interest on capital is Rs. 3,400,000 and that figure takes into account the increased revenue which is to be derived from the higher fares and freights which came into force in June last.

***The Hon. Colonel Kotalawala:** I do not think any reply is needed now, excepting answers to two questions asked by the hon. Member for Matale (Mr. Aluwihare) and the hon. Member for Jaffna (Mr. Mahadeva). I think the Hon. the Financial Secretary has fully explained the situation. These fares came into force on 22nd June last; the Rule was laid on the Table on 7th July and came into force.

I shall give you a summary of the estimated income for this year as well as the resultant effect when these rates are put up. According to the original estimate, the earnings were Rs. 17,000,000 and the working expenses Rs. 23,000,000. There is thus a deficit of nearly Rs. 7,000,000 on the working expenses to which must be added annuities. I am giving you the figures, not up to yesterday, but the estimated revenue for this year. So, therefore, there was a deficit of nearly Rs. 10,000,000. Then in view of the fact that the Railway is patronized by the Army, Navy and the public, hon. Members must realize that whatever goods are carried for the Army and Navy are paid for at the rates in force. As a result of this, the earnings of the Railway have increased to Rs. 21,000,000 and the working expenses to Rs. 26,000,000, leaving a deficit of nearly Rs. 5,000,000.

To this amount must be added a sum of Rs. 3,000,000 as interest which brings the net less for this year to Rs. 8,000,000.

Sir, the prices of commodities required to run the Railway have risen to a considerable extent. For instance, the price of coal in 1932 was Rs. 11; in 1937 it was Rs. 16; in 1939 it dropped to Rs. 12, and in 1942 it has risen to Rs. 34. We had, therefore, come to the stage at which the more we ran the Railway the more we would have to lose unless we revised the rates. So the Executive Committee and the Board of Ministers went into this matter thoroughly and raised the rates accordingly. As a result of it, the passenger fares and so forth, excluding season tickets, and the rates charged for transporting country-grown produce, and so forth, have produced an income to the extent of Rs. 3,700,000 which is more or less in keeping with the increased cost on the goods side; so that our loss on this basis would be less than was anticipated.

As was explained by the Financial Secretary, all categories of goods have come into line with these fares except one particular category, the 13th class of goods, like furniture, arm-chairs, tables, and different kinds of furniture which are not packed. The rates relating to this category of goods cannot be increased because the law says that on a certain line on the Railway "no goods should exceed 59 cents per ton mile". The proposal is to raise this rate by 20 per cent. so as to bring it up to 71 cents, and it is sought to amend the law with that end in view.

Question put, "That the Bill be now read a second time".

The Council divided (under Standing Order 68): Ayes, 19; Noes, 3.

Bill read a second time.

***The Hon. Colonel Kotalawala:** With the approval of the Board of Ministers, I move that the Bill be referred to a Committee of the whole Council.

Question put accordingly, and agreed to.

In Committee—

MR. SPEAKER presided as Chairman.

Clauses 1 and 2 ordered to stand part of the Bill.

Enacting Clause and Title ordered to stand part of the Bill.

***The Hon. Colonel Kotalawala:** I move that Council do now resume.

The Council having resumed—

MR. SPEAKER took the Chair.

***The Hon. Colonel Kotalawala:** I move that the Bill be now read the third time, and passed.

Question put accordingly, and agreed to.

Bill read the third time and passed.

POLICE: TEMPORARY NON-CEYLONESE ASST. SUPERINTENDENTS FROM MALAYA.

The following item stood upon the orders of the Day:—

The Minister of Home Affairs to move,—

Pursuant to the resolution relating to the new appointments of non-Ceylonese to the Public Service passed on March 1, 1933, and appearing as item 3 (i.) in the Minutes of that day's meeting, this Council agrees to make such provision as may be necessary to permit of the temporary appointment of two non-Ceylonese Assistant Superintendents of Police from Malaya for the duration of the war or until they are required to return to Malaya at an appropriate point in the scale—

£380/430/£480—1 of 40, 1 of 30, 1 of 20, 6 of 30—£750:

and pensionary contributions at the rate of 15 per cent. of salary payable to the Government of Malaya with the allowances and conditions of service applicable to established officers seconded for temporary employment under another Government.

Observations of the Minister of Home Affairs.

It is necessary to increase temporarily, for the duration of the war, the existing cadre of officers in the C. I. D. of the Police Force by two additional appointments of Assistant Superintendents of Police. Two non-Ceylonese Assistant

Superintendents of Police from Malaya were immediately available. They have three years' experience of Police work in Malaya and can enter upon their duties immediately without the ordinary training of a Probationer. To have filled these two posts by promotion from the ranks would have deprived the Force of two senior Ceylonese Inspectors whose services would thus have been lost at a time when experienced Inspectors and Sub-Inspectors are more than ever necessary to preserve order and to maintain the morale of men in the Provinces. The greatest difficulty is also being experienced in filling posts held by senior Inspectors who are leaving the Force.

The Executive Committee of Home Affairs considered the matter and agreed to the proposal being brought up before the Board of Ministers and the Council. The Governor has sanctioned the engagement of these two officers pending the passing of a March resolution.

Observations of the Financial Secretary.

The Financial Secretary concurs.

Report of the Board of Ministers.

The financial implications are as explained in the motion of the Minister of Home Affairs. The Board of Ministers approves.

The Hon. Sir D. B. Jayatilaka (Minister of Home Affairs): I beg to move the motion standing in my name.

The proposal is to appoint two Assistant Superintendents of Police for the duration of the war. The work of the Criminal Investigation Department, especially the security work, has increased very largely owing to the war, and it has been decided as a temporary measure to add to the number of Assistant Superintendents. It is proposed to appoint two non-Ceylonese; and that is the reason for this motion.

A few months ago there were a very large number of evacuees from Malaya who arrived in Colombo. At that time several officers of the Malayan Police also reached Colombo just before the fall of Singapore. Now the question of refugees is a very difficult one, but with the help of these officers, who knew a great deal

about Malayan people as well as their languages, the problem was solved. These men had considerable experience in Malaya during the time of the Japanese invasion. The experience they have gained in that respect is considered to be very useful to the local Police if unfortunately a similar situation arises in this country.

As I have said before, this is entirely a temporary measure. These posts that will be created will cease with the emergency. It will not affect the ordinary promotions of the members of the local Police; as you all know there is a scheme for the promotion of Inspectors, and such promotions will continue as before. We do not propose to make any permanent increase to the cadre of Assistant Superintendents of Police. It is a temporary measure, I repeat, which will cease with the emergency.

I move that this motion be accepted.

Question proposed from the Chair, and debated.

***Mr. R. S. S. Gunawardana (Gampola):** I rise to oppose this motion. We are now becoming accustomed to motions of this nature, for the employment of non-Ceylonese as members of the Police Force, being put forward by the Committee of Home Affairs. I do not understand the reasons given for importing two men from Malaya on this occasion. Each time the Hon. Minister of Home Affairs has some reason to give for employing European Police Officers—the Fort area cannot be managed; the Ceylonese, because they suffer from a colour complex, are unable to cope with that work; a ratio must be maintained as between Europeans and Ceylonese in the Fort area.

Such preposterous theories are maintained in this House in the year 1942; today the Hon. Minister of Home Affairs says that the work has increased—undoubtedly the work must have increased—and, therefore, two persons must be appointed Assistant Superintendents of Police, as if the work had increased and two Inspectors could not be appointed Assistant Superintendents of Police for the time being and by gradual process two Sub-Inspectors could not be recruited. I cannot understand that argument at all.

July 31, 1942]

The Hon. Minister says that it is purely a temporary measure. We are accustomed to most of these temporary appointments in the Public Service. Officers sometimes are brought out as a temporary measure. We know the recent appointment, in the University College, of a Lecturer brought out on a contract, as a temporary officer. After some time they become indispensable! The Head of the Department will then put up a case—"The work has increased". This is the case made out for employing these two officers: "These men have done good work. Let them be employed", and to maintain the position, the argument is adduced, "It will not affect the interests of the Ceylonese officers of the Department". It is not an argument that one can understand.

What are the reasons given? This is the most peculiar reason I have ever seen put down on paper, that because senior Inspectors are required and they are doing important work—special work—they cannot be relieved! A man is then penalized for doing good work. That an officer should be denied promotion even temporarily because he is good at his work is a kind of heresy I have never heard of before—that senior Inspectors are doing important and useful work and, therefore, they must be retained in their places! That, I think, affords the best ground for the promotion of senior Inspectors, if any.

I do not know if the Hon. Minister is aware of the discontent in the Police Department, particularly with regard to the filling of posts as Assistant Superintendents of Police. I do not think that the Hon. Minister gets an opportunity of hearing the views of the officers of the Department. All he learns is from the Head of the Department, the Inspector-General of Police. But we do, in the ordinary course, come across a number of Police officers who—I say this with a great deal of feeling—are disappointed with the kind of appointments made.

For instance, when a Ceylonese Superintendent of Police puts up the name of an officer for promotion, he stands little or no chance of being promoted, while another who is recommended by a European Police officer gets preference over the man recommended by the Superintendent of Police, an experienced Ceylonese. There is that feel-

ing prevalent, and with good reason too. I have come across a few cases.

Sir, it is time that the working of the Police Department was very carefully scrutinized because, I think—I have an honest conviction—that the Ministry of Home Affairs does not function so far as these matters go. It is a serious statement to make, but that is my conviction.

Another reason adduced is that senior Inspectors are retiring. Why are they retiring? There are many of them who are quite fed up, who really do not want to stay on because their legitimate rights are not granted to them. Let us say, for the sake of argument, that senior Inspectors are retiring. Well, I see no reason why others should not take their places, why other Sub-Inspectors should not be promoted if they have done efficient work.

I do not think that this is a right way of making appointments at all. If senior Inspectors have done good work, they should be promoted as Assistant Superintendents, and their places should be taken by senior Inspectors who have done efficient work, and if there are more Sub-Inspectors required, it is for the Minister of Home Affairs to come and say that more Sub-Inspectors are required and state the actual cadre that is necessary.

This proposal, I say, will shut the door to Ceylonese aspirants. I think this Board of Ministers—I say it with conviction—have done a great disservice with regard to the Ceylonization of the Services. Time was, in the good days of the old Legislative Council, when some of our heroes would not have even thought of recruiting a mechanically trained Engineer from abroad when a Ceylonese Engineer even without the necessary training was available. But to-day, by some insidious process, people are being brought in.

I am sorry the Hon. Minister of Labour, Industry and Commerce is not here. But I will mention a case in the Ministry of Communications and Works. There is a B. B. C. officer in the Radio Station which is under the control of the Minister of Communications and Works. The Minister might say that he is not responsible for that appointment. The B. B. C. cannot make appointments in Ceylon. The Chief Secretary will not

[Mr. R. S. S. Gunawardana.]
make appointments without consulting the Minister. Then the Minister of Labour, Industry and Commerce, without any sanction from this House, has appointed a European to the Department of Commodity Purchases. These are the kinds of things that the Ministers are doing. I think it is time that we entered an emphatic protest against the insidious methods adopted for taking away the legitimate rights and thwarting the legitimate aspirations of the people of this country.

I oppose this motion.

***The Hon. Colonel J. L. Kotalawala (Minister of Communications & Works):** I want to speak just a few words.

The last speaker made us believe that he is the one and the only person who feels that Ceylonizing the Services is his duty. I must protest against remarks of that nature, because, unlike himself, we have always, when the occasion demanded it, appointed Ceylonese in place of Indians and Europeans. To us whether people are Indians or Europeans, they are all non-Ceylonese, and we always took up the position that Ceylonese should take their places.

The hon. Member also stated that in the case of Departments under our Ministry non-Ceylonese get in very easily. It is not so. Can he prove that it is so? Does he know that in the Railway, at the time that we took charge of it, there were 124 European officers but that today the number is only 35? What happened to those European officers? They were replaced by Ceylonese.

***Mr. R. S. S. Gunawardana:** What about the Radio Station appointment?

***The Hon. Colonel Kotalawala:** An officer from the B. B. C. was brought in, and the Imperial Government is paying his salary; and he is helping the Information Department. He is not in the Government Service at all; nor is he in any of my Departments. Yet the hon. Member gets up here and pretends that he is the only saviour of the Ceylonese.

Dr. A. P. de Zoysa (Colombo South): Before the House passes a March Resolution, the mover must prove to our satisfaction that officers of the type required

are not available in Ceylon. The Minister has not at all proved to us, or at least stated, that officers of the type required are not available. The general procedure is to advertise these posts, and it is only when people are not available locally that we try to obtain the services of people from abroad. The posts are again advertised for outsiders, in the event of local people not being available.

Instead of trying to bluff the House, the Hon. Minister should be frank and honestly say, "These two officers are available. They have no jobs; they have come here under unfortunate circumstances. They will be very useful to us, and therefore let us employ them". A March Resolution is not necessary. Let the Hon. Minister bring forward a direct motion and ask that they be employed. But when the Hon. Minister tries to bluff us, naturally we will say, "It is doing an injustice to the Ceylonese officers already in the service, and the March Resolution is out of order".

Therefore we oppose this motion; not that we do not value the services of these officers, but because the procedure adopted is wrong. If the Hon. Minister brings up a general resolution to provide posts for these two officers, I think we might be anxious to accept that point of view. But we must oppose this motion, because the procedure adopted, that of bringing up a March Resolution when Ceylonese are available, is entirely wrong.

***Mr. B. H. Aluwihare (Matale):** It is clear that the needs of Ceylon are not of primary consideration in this matter. The resolution itself says that these two officers are to be appointed for the duration of the war, or until they are required to return to Malaya. So that, whatever our needs are, directly Malaya comes under the British they are to go. There is no question of the consideration of our needs, because, however urgent our needs may be, these officers will go.

The other point is a question of faith because whatever the Hon. Minister of Home Affairs may say, these appointments are really under the Public Services Commission and under the Governor. Whether these people are to be confirmed or not, it is really a matter to be decided by the Governor. Now, is

there an undertaking from the Governor's Government that they will honour the agreement with this House, and that in no circumstances will these posts be certified as essential unless this House is satisfied and votes that these officers should be on the permanent cadre? That is another point which I think this House ought to take notice of.

The position, is further open to suspicion, because the salary scale provided is one of £380—750, by various increments spread over a period of nine years.

The Hon. Sir D. B. Jayatilaka: That is the scale.

***Mr. Aluwihare:** Now, is that a scale assigned to the cadre of the Police in our Estimates? This is a new scale specially made for these officers, extending over a period of at least nine years. Apart from that, how much were these officers paid in Malaya? What was their rank in Malaya? [Interruption.] The hon. Member for Galle (Mr. H. W. Amarasinghe) says that they were Sergeants. I should like to know what posts they held in Malaya, and what is their special training for these posts.

Sir, merely to say that a good many people from Malaya speaking various languages have come to Ceylon, is very vague, because most of the natives who came from Malaya were our own native Jaffna Tamils. We know their language and we also know their ways and their little tricks. So that, the most competent people to deal with those native evacuees from Malaya are we ourselves. How many Malays are there in Ceylon as a result of the occupation of Malaya by the Japanese? So far as I know, there are a few Chinese who were sent away, and there are also a few Europeans.

Well, after all, English is not a difficult language; everybody knows English, and most of us speak better English than Englishmen. That is so, Sir. We pronounce it better. I have been on a walking-tour in England, and good Heavens, one cannot understand most Englishmen—

The Hon. Mr. J. H. B. Nihill (Legal Secretary): I hope the hon. Member realizes that it is said that Irishmen speak the best English.

***Mr. Aluwihare:** Thank you very much. So that, this language business does not seem to matter so much.

I did see an article—I believe it was a telegram from one of the Australian papers—where it was stated that it was up to the units of the Empire to accommodate these officers who have been “squeezed out” of Malaya and have no jobs, and that each unit must take its quota. That, I feel, was a very reasonable suggestion. After all, if it is a partnership, let it be a partnership.

Now, if the Hon. Minister tells us that, and the Chief Secretary tells us on behalf of the Governor's Government that they will not commit a breach of faith by making these officers permanent over the head of this Council, I think this matter is open to consideration. After all, the Governor has the ultimate power, and let him act.

Mr. R. Sri Pathmanathan (Mannar-Mullaitivu): Sir, I fully sympathize with these two unfortunate men who have been forced to leave Malaya and come here to earn their living. But unfortunately, this country has been made the dumping ground for all the runaway horses from that unfortunate country called Malaya. We fully sympathize with them in their hour of misery. But that does not mean that we should be unkind to our own people who are seeking employment and who have reasonable claims to jobs here.

I am afraid, the Hon. Minister of Home Affairs has, as one hon. Member said, a complex—I wonder whether it is that that landed him in trouble some time ago—because of which he now feels that he has to say “Aye” to the Head of the Police Department. I wonder whether, if old Mr. Winston comes here out of billet, the Hon. Minister will make him his Deputy. Will he then say, “Come on Mr. Winston, I will give you a job in my Cabinet”.

These appointments have no logic in them. The Hon. Minister has first to prove to this House that there are no Ceylonese available who could be appointed as Assistant Superintendents of Police.

Mr. Speaker: The sitting is suspended until 2 p.m.

Sitting accordingly suspended until 2 p.m., and then resumed.

Mr. Sri Pathmanathan: When we adjourned, I was referring to the two officers whom the Minister of Home Affairs is seeking to have appointed to the Ceylon Police Force. The whole trend of the argument, both inside and outside this House, and the policy adumbrated in this Council itself, is that we must Ceylonize the Services as soon as possible, from top to bottom, to have Ceylonese as Heads of Departments, and even to get rid, as soon as possible, of the three "Policemen" who are in the well of this House, and finally to establish self-government in this country.

How can the Minister of Home Affairs who is considered to be our Leader in this House, try to alter the policy we have followed for so many years? If self-government is to have any meaning for us, it must be a living meaning: all officers of Government, all administrative officers in this country, should be Ceylonese and Ceylonese only. That is the ideal for which we are fighting, and that is the ideal which we hope we shall see finally established in this country at the end of the war. That would mean self-government; nothing else would mean self-government for us—[*Interruption.*]

I would refer to the general argument brought forward in this country—that there is no fellow-feeling between the European Civil Servants and the people of this country. I do not know whether that is true or not. It may or may not be true, but the general view is that, to get the best out of the officers in this country, you must have men who are really in sympathy with the people, and that now, because of their exclusiveness—owing to pride of racial superiority—there is not that feeling of sympathy between the rulers and the ruled.

I can understand the Minister of Home Affairs bringing up a proposal like this on compassionate grounds. I would have fully sympathized with him, and voted with him if he had said that these officers were placed in a predicament, and that as true Buddhists we must be compassionate to all living beings, and that therefore we must provide jobs for these two officers.

We can understand an argument of that nature. We, Orientals, can understand it, although I do not know whether the other side could understand it. We are very religious; our religion teaches us to be humane, to be compassionate, and we would have agreed to give these two men the wherewithal to maintain themselves and their families.

But that is not the argument that has been adduced in this House. The Hon. Minister brings up a March Resolution, the fundamental principle, the *sine qua non*, underlying which is that we are unable to find, in this country, men suitable for the post which it is proposed to fill from overseas. The Hon. Minister wants to fill these posts from abroad, to keep a check on what is called the Port Police. I have heard that type of argument before. Several years ago it used to be argued that the Port Surgeon should be either an Englishman or somebody "very near" an Englishman—the tint of his colour must be rosy or reddish. But have not Ceylonese officers filled the post of Port Surgeon all these years successfully? They get on very well and cordially with the Captains of steamers—English and other nationalities.

The argument in favour of this resolution appears to be a "manufactured" argument, as far as I can see. If the Minister of Home Affairs came and told us, "Well, the Governor wants these men appointed, and he wants this formal resolution passed by the Council", I can understand his attitude, but he says, "No", and proceeds to give certain reasons. He says, "These men have had three years' experience in Malaya, and the ordinary training of a Probationer is not necessary in their case; and if we appointed two Ceylonese senior Inspectors, we would not be able to get men to fill their posts".

This is all "bunkum". The argument does not hold water. No Member of this House will accept it for a moment. There are intelligent Ceylonese with the highest educational qualifications, sturdy and well built, who can enter the Police Service as Assistant Superintendents of Police and uphold law and order in the Port of Colombo. These arguments are dust thrown in our eyes.

July 31, 1942]

I know conditions in Malaya, having been there. I was feted and honoured all the way from Singapore to Penang by the thousands of Tamils resident there. I had to speak at every town hall, and I met people of all sorts and conditions there. I know what the feeling there was—that Malaya was the El Dorado of the English Civil Servant. He could do absolutely what he liked there. A Civil Service post could be held there only by Englishmen or men appointed by the Secretary of State. In fact, when I was in England, they all dreamed of getting into the Malayan Civil Service. "In Ceylon", they said, "there is too much control; the natives there want all the jobs, but Malaya is a bit of heaven on earth", where the Englishman was supreme.

There was a wide gulf between the Englishman in Malaya and the native—the Malays. There was no Civil Service post to which a Malay could aspire, in the Malayan Civil Service. They had what was known as the "Administrative Service"—a small clerical service, with a maximum salary of about Rs. 400, and it was only into this service that the Malays could hope to enter. Of course, it may be said that the Malays were a backward people and that is why their progress was retarded.

I remember the speeches that were made when I was there by the educated men of the place. They said that they were trying to get a University, but its establishment was all the time hindered; the development of a University was not allowed by the Crown Colony system of Government that obtained there and because of the all-powerful English Civil Service. I heard this sentiment expressed right through Malaya.

The experience of three years that these two officers have had in the Malayan service is absolutely useless here. It will only give these English policemen a superior attitude towards the "natives" here. They would be temperamentally unfit to hold these posts in the Ceylon Service. Conditions here are totally different from those obtaining in Malaya. The average Malay there is perfectly satisfied if he can smoke a cigarette and drive a car and get Rs. 40 a month for doing it. He does not want to do

any hard work at all. Those were the conditions when I was in Malaya a few years ago. It was the Chinaman who held sway in Malaya. The Chinese were the majority community in the land of the Malays; the Chinaman was the merchant prince—in fact he was everything there.

How can these officers, accustomed to Chinese ways of doing things, come here and be successful Police Officers? The languages here are different, and how can they train their minds and mentality to work well and harmoniously in this country? That is not possible. The employment of these officers here is absolutely useless. If these officers were Englishmen newly come out from England, I would have agreed about their suitability for work in Ceylon. Generally, an Englishman fresh from England is free from prejudices; he has a fresh outlook, but when he has been here some time, the European folk here tell him, "Do not mix with the natives; they are no good; do not be seen with them. If you are seen with them, you will be cut off from our society". For the first six months or so, the Englishman here is all right, but after that he is a changed man. He is introduced to these absolutely fantastic notions about colour superiority, this, that and the other, and he gets spoilt.

I feel that all Departments must be manned by Ceylonese, from the Head of the Department to the lowest-paid employee. I feel that the Minister of Home Affairs has not made out a case at all for the appointment of these two officers. If he had come and told us, "My hands are tied; I have received the Governor's orders, and I must obtain the final sanction of the State Council. If this is not sanctioned by the House, it will be certified by the Governor", I could have understood his position, but let him not say that these officers are necessary. Let him on the other hand tell us, "Pity these poor devils; let us give them good jobs: let us be compassionate towards them. I have a heart, and the heart has reasons which reason itself does not understand". I can well understand an appeal addressed to me in those terms, but I cannot understand, the argument addressed to my reason that these people are indispensable, when there are so

Mr. Sri Pathmanathan.]
 Any young men who have passed the Intermediate Examination in Arts—which is the minimum qualification for appointment as Assistant Superintendents of Police—when there are so many men of excellent standing and education among Ceylonese, who would be only too willing to accept the salary offered for these posts of Assistant Superintendents of Police.

Very soon we shall find the whole Police Service, from the I.-G. P. down to the policeman, manned by Ceylonese. That is the ideal we aim at, and that is the ideal we want. I hope and trust that the House will not pass this fantastic motion of the Hon. Home Minister.

The Hon. Mr. H. J. Huxham (Financial Secretary): Sir, the last speaker seems to be in a great confusion. He speaks of these two young officers as Civil Servants, Port Police, and so on, but if one reads the Observations appended to this resolution, one will see that these officers are to be attached to the C. I. D. and, as the Home Minister has indicated, there is a definite need in the C. I. D. at the present time for temporary officers who have some acquaintance with Malayans, Chinese and various races, members of which have come to this country since the beginning of the war. Anyone, I think, can see that there is a definite need for men in the Force during the war who are acquainted with these races.

I want to clear up some misunderstandings regarding the position of these officers and also their salaries. There is no question of compassion in employing these people, nor are we seeking to help a neighbouring unit of the Colonial Empire. These officers are members of the permanent Malayan Service and are entitled to their salaries until they resume their jobs there. The salaries they draw there are more than we can pay them, and the difference between their full salaries and what we pay them will come from the Malayan funds, will be debited to the Malayan Government.

In these cases, and in other cases where officers from overseas have been or may be employed in similar circumstances, the position which the Treasury has taken up is this. Let us see what their salary scale would have been in Ceylon, calcu-

late what point they would have reached if they had entered the Ceylon Service at the time they entered the service of the other Government; and then they will be given that figure or the salary they had reached under the other Government when the latter was less. We are not going to over-pay these people, or give them a salary on the Malayan scale where that scale is higher than ours. If the salary we pay them is less than they would be getting in Malaya or Hong Kong, the difference would be debited to the funds of that Government. So that the officer from overseas who is employed by us on these terms is not gaining anything. In fact, if he did not accept our job, he could go on drawing his full Malayan salary and doing nothing for it.

However that may be, we are seeking to employ a very small number of these officers who have escaped, at the last moment, from Territories which have been occupied by the enemy, not in their interests and not in the interests of the Government which has to meet their salaries, but in our own interests, because they are definitely of use to this Government. If they are not of use to this Government, then the March Resolution should not be passed. But, as the Home Minister has already explained, they are of use to this Government. They are wanted in the C. I. D. They have three years' experience and training as policemen, and they have the special qualifications that they are acquainted with the many races which one meets in Malaya, some of whom are now present in this country.

Mr. Dudley Senanayake (Dedigama): I must confess that I did not hear the reasons adduced by the Hon. Minister of Home Affairs when he moved this motion. But I must for the moment go by the Observations and certain reasons adduced by the Hon. the Financial Secretary.

Sir, in the Observations we are told that the need for these two officers has arisen suddenly. We have not been told a word about the reasons for the sudden need, which seems to coincide with the evacuation of some Malayan people. Then there is the belated reason trotted out by the Hon. the Financial Secretary. He says that Malayans and Chinese have come to Ceylon and it is necessary to have

some Police officers who are acquainted with those Malayans and Chinese to do this C. I. D. work.

Let us examine that statement. How many Malayans and Chinese are here; how many Indians, how many Africans are here? So far as troops go, I do feel that the number of Indians and Africans must be far larger than the number of Malays and Chinese. Are we then going to have a series of motions to import Africans, Indians—Punjabis and various other tribes of India—to understand the particular nationals who have come here as a result of the war? Is that to be the position?

The Hon. Mr. Huxham: On a point of personal explanation, I was not referring to members of His Majesty's Forces.

Mr. Dudley Senanayake: They also come in contact with the Police.

***Mr. R. S. S. Gunawardana:** They have their Military Police.

Mr. Dudley Senanayake: The C. I. D. will have to investigate crimes or offences in which even members of His Majesty's Forces may be concerned. Using that same argument, it would be necessary to have these various officers.

Sir, if there is one branch of the Police Force where the people of this country are needed, it is the C. I. D. I do not think even the ingenuity of a Sherlock Holmes would enable a foreigner to know as much of this country as does the man of this Island, who knows the country, its topography, the habits of the people, and various other matters of which a knowledge is necessary for criminal investigation. I think it is farcical in the extreme to trot out the reason brought up by the Hon. the Financial Secretary.

The truth of the matter is that these two officers are here, and they think, "Let us employ them; let us find some work for them. They have at present lost their jobs." It is true that we are not paying them the salaries they have been accustomed to drawing in Malaya, but, surely, we are going to pay them some salaries: we are going to meet their salaries half way, or even three-fourths

of the way, as we have been called upon to do on various other occasions. This is not the first time that such a procedure has been followed; it has been done in the case of other Departments. The strangest part of it all is that the various experts come from Malaya. Sir, one cannot resist coming to the conclusion that this is an obvious attempt to find places for those officers who at the moment have lost their jobs.

***Mr. S. Abeywickrama (Udugama):** I want to know whether the salaries of these officers are paid by the Imperial Government, and if so, what the necessity for bringing up a March Resolution in this House is? I want to know whether these two officers are already employed in the service; whether their salaries are paid by the Imperial Government; and if so, what the necessity is for bringing up a March Resolution? Is it in order to camouflage the issue here?

Mr. H. W. Amarasuriya (Galle): Sir, with regard to this motion, sufficient reasons have been adduced by Members; let us consider this matter very dispassionately. The Hon. Home Minister made it clear that the officers required can be recruited locally, but in the special circumstances of the case he considers that these officers, with their special experience of evacuation and of dealing with situations that arose in Malaya, would be of some use to the local Police. That is the main argument that has been adduced in the Observations appended to the motion by the Hon. Minister of Home Affairs.

I would like to point out that by employing these two officers, a liability that is being borne by the Imperial Government at the moment will certainly be transferred to the Ceylon Exchequer. The salary that these officers are drawing in Malaya, less the amount that will be paid to them by our Government, will be met by the Imperial Government. If their salaries in Malaya were higher than the salaries that have been proposed for them here, will the Imperial Government meet the difference?

The Hon. Mr. Huxham: It will be met by the Malayan Government.

Mr. H. W. Amarasuriya: At the present moment there is no Malayan Government. Malaya is in the hands of the enemy, and we have to deduce that their salaries are being paid by the Imperial Government. The Malayan Government has gone out of existence at the moment, and therefore these officers are paid their salaries by the Imperial Government on behalf of the Malayan Government.

The Hon. Mr. Huxham: No, Sir. These gentlemen are paid their salaries by the Colonial Office out of Malayan Government funds and not out of the funds of the Imperial Government.

Mr. H. W. Amarasuriya: At the present moment they are receiving their salaries from outside Ceylon. Now they want to transfer these two officers to Ceylon. So that the Ceylon Government will pay them as from the date on which this motion is accepted by the Council; the liability will be upon the Ceylon Government.

Sir, in ordinary times officers of this type would not have been required by the local Police. The Hon. Minister of Home Affairs has made it quite clear that these places ordinarily could have been filled by officers in the Department. So by the appointment of these officers even temporarily, the local officers would be denied their chances of promotion to this grade; and financially it will be a loss to this country. Even if C. I. D. officers of this grade were required they could have been recruited locally on a rupee scale of salaries. So that financially it is a loss to this country.

It is also not in keeping with the spirit of the March Resolution. The March Resolution was accepted by the House on the understanding that only technical officers and those officers who cannot be found in Ceylon would be recruited from abroad. But the only point is whether in the circumstances in which we are placed, it is considered expedient to import these two officers.

I wish to make those observations on this proposal. Personally I would have preferred it if these officers were recruited locally. I hope the Home Minister will adduce further reasons to strengthen his case.

The Hon. Sir D. B. Jayatilaka: Sir, this is naturally a subject on which much prejudice can be created, and that has been done in this instance. I have only a very few remarks to make, and I shall begin by repeating what the Financial Secretary just now stated, that it is not out of compassion for these two officers that this motion has been placed before the House.

***Mr. Aluwihare:** What about a guarantee from the Governor?

The Hon. Sir D. B. Jayatilaka: I will come to the Governor in due course.

As I have stated in the Observations, the necessity for increasing the number of officers in the C.I.D. has been pressing itself upon the Department for some time. As you can well imagine, a great deal of additional work has been thrown upon the Secret Branch of the C. I. D., the protection of the harbours, and so on. So it is necessary to increase the number of higher officers.

More than that, nearly a thousand Police Constables have been recruited recently, and a large number of Inspectors and Sub-Inspectors have been allotted to meet the emergency situation that has been created by the war. Just at this moment to promote Inspectors to these temporary vacancies would be highly inexpedient. There is a very large number of recruits to be trained and stationed in different parts of the country, and experienced local men are necessary for that work. That is the reason why this opportunity was seized. These two officers were available and it was considered a very expedient thing to obtain their services.

I do not now whether I mentioned that in the first instance seven of these officers came here. They arrived here in Ceylon just about the time that Singapore fell. Of these, only two were selected for this purpose.

When it was proposed to attach them to the C. I. D., I made it quite clear that no Ceylon funds should be used to pay them until the Council has approved this March Resolution; and that has been done.

***Mr. Abeywickrama:** Are they in service already?

The Hon. Sir D. B. Jayatilaka: They are doing their work, and as the Financial Secretary has explained, they are being paid out of Malayan funds by the Colonial Office. It is not an Imperial commitment, but a commitment of the Malayan Government. I need not stress the point again that this is only a temporary arrangement, and with the disappearance of the emergency these posts will cease.

The hon. Member for Matale (Mr. Aluwihare) asked me whether there is an assurance from the Governor on this point. I have not consulted the Governor in regard to this matter, but I think I can give the assurance asked for because I cannot for a moment imagine that the Governor will insist upon increasing the cadre of the Police Department against the wishes of the Executive Committee of Home Affairs, against the wishes of the Board of Ministers, and against the wishes of this Council. That is a state of affairs which I cannot possibly imagine.

***Mr. Aluwihare:** What about the Police salaries?

The Hon. Sir D. B. Jayatilaka: I can give that assurance. I am sure if—

***Mr. Aluwihare:** Can the Chief Secretary give it on behalf of the Governor?

The Hon. Sir D. B. Jayatilaka: These appointments are not made by the Public Services Commission without reference to the Home Committee. So that if we do not want to increase the number of officers or the number of men in the Police Department, I do not think that either the Public Services Commission or the Governor will insist upon that being done.

***Mr. Aluwihare:** What about the Police salaries?

The Hon. Sir D. B. Jayatilaka: Now, Sir, the hon. Member for Gampola (Mr. R. S. S. Gunawardana)—I am sorry he is not here—indulged in a great deal of tall talk and went so far as to suggest that some inquiry—he said, “some

scrutiny”—should be made into the doings of the Home Committee. I have no doubt I can say, on behalf of my Committee, that we will welcome that scrutiny or inquiry, even if the hon. Member appoints himself Commissioner.

***Mr. E. R. Tambimuttu (Trincomalee-Batticaloa):** Sole Commissioner.

The Hon. Sir D. B. Jayatilaka: Several Members spoke of some dissatisfaction in the Police Force as regards appointments. The recruiting to the A. S. P. grade is carried out according to a scheme which operates in rotation. Once in two or three years, an Inspector of Police is selected for promotion to the A. S. P. grade. Though it has little bearing upon this matter, I would like to say a few words to explain the procedure that is adopted in selecting an Inspector for promotion.

The usual thing is for the Inspector-General of Police to submit a full report naming the officers who are eligible for selection and making its own recommendations. That comes before the Executive Committee of Home Affairs, who do not merely accept the recommendation of the Inspector-General of Police, but makes a careful investigation. The Inspector-General himself comes before the Committee and gives his reasons for the names he has recommended, and seniority is not considered the only qualification. Naturally it often happens that senior men are overlooked, and, of course, men who are overlooked have a grievance; you cannot avoid it. Possibly some of those disappointed officers have interviewed the hon. Member. They may have done so in other cases. But the responsibility for the selection is discharged by the Committee and the Head of Department most carefully.

I do not want to take the time of the Council any longer. This matter is a simple one. Even questions of self-government have been imported into this discussion, but I for one do not think that if these temporary appointments are made it will in any way impede the progress of this country towards self-government.

[The Hon. Sir D. B. Jayatilaka.]

I would ask Members not to exaggerate the importance of this matter in that way but to take a practical view of the thing. Ask the question whether it is expedient under the present circumstances, when the senior officers of the Department are engaged in very important work in recruiting hundreds of new men and training them to make them fit for different purposes, when the Department is really overworked at the present moment—whether the admission of these two men for the time being only would make such a difference. As soon as the war ceases, whether we want them or not, these officers will prefer to go back to Malaya where they are paid very much higher salaries than we offer them. I would ask the House to come to a practical decision in this matter.

The Hon. Mr. C. H. Collins (Acting Chief Secretary): May I have the indulgence of the House to answer the question which the hon. Member for Matale (Mr. Aluwihare) raised? I have no right to speak now, but as the question was put to me I would like to give an answer. The answer to it is that there is no intention on the part of the Government to go behind the March Resolution. The March Resolution provides that these officers should be temporary and on certain conditions. If there is to be any change, the Government will feel itself obliged to come before the Council. You can take that as a definite undertaking.

***Mr. Aluwihare:** And you will abide by the decision?

The Hon. Mr. Collins: Yes, we will. If there is to be any change, Government will feel obliged to come before the Council for the views of the House.

***Mr. Aluwihare:** Merely ask for the views of the Council or abide by the decisions?

The Hon. Mr. Collins: I cannot answer for that; it is a matter for the Governor. But we will come to the

House and ask for the views of the House before any decision is taken.

Question put; the Council divided—
Ayes, 14; Noes, 20:

AYES.

Jayatilaka, The Hon. Sir D. B.	Griffith, Mr. F. H.
Kannangara, The Hon. Mr. C. W. W.	Mahadeva, Mr. A.
Senanayake, The Hon. Mr. D. S.	Newnam, Mr. H. E.
Bandaranaike, The Hon. Mr. S. W. R. D.	C.M.G., V.D.
Corea, The Hon. Mr. G. C. S.	Parfitt, Mr. H. F.
Freeman, Mr. H. R.	Pereira, Diwan Bahadur I. X.
	Tambimuttu, Mr. E. R.
	Whitby, Mr. G. R.
	Wille, Mr. G. A. H.

NOES.

Abe Wickrama, Mr. Simon	Jayasuriya, Mr. A. P.
Aluwihare, Mr. B. H.	Kaleel, Dr. M. C. M.
Amarasuriya, Mr. H. W.	Kularatna, Mr. P. de S.
Amarasuriya, Mr. Thomas	Kureppu, Mr. J.
Batuwantudawe, Mr. U.	Ngawela, Major E. A.
De Fonseka, Mr. Susanta	Rajapaksa, Mr. D. M.
De Silva, Mr. G. R.	Ratwatte, Mr. H. L.
De Zoysa, Dr. A. P.	Senanayake, Mr. Dudley
Gunawardana, Mr. R. S. S.	Siriwardana, Mr. H. de Z.
Jayah, Mr. T. B.	Sri Pathmanathan, Mr. R.

CINCHONA BARK: PROHIBITION OF EXPORT.

The following item stood upon the Orders of the Day:

The Financial Secretary to move,—

[This Council resolves under section 10 of the Customs Ordinance (Chapter 185) that, with effect from the date on which the sanction of the Secretary of State to this resolution is notified in the *Government Gazette*, the Table of Prohibitions and Restrictions Outwards set out in Schedule B to the Customs Ordinance, shall be amended by the addition thereto of the goods specified in the Schedule hereto.]

Schedule.

Cinchona bark in any form, including cinchona bark powder or any other part of the cinchona tree.

Observations of the Financial Secretary.

The resolution if passed will prohibit the export from Ceylon of cinchona bark or any other part of the cinchona tree. It is considered necessary to prohibit exports in order that sufficient reserve stocks may be available for the Government Cinchona Factory to commence operations. The financial implications are negligible.

Report of the Board of Ministers.

The financial implications are as explained in the Observations of the Financial Secretary. The Board of Ministers approves.

The Hon. Mr. Huxham: I rise to move the motion standing in my name as item 12 on the Agenda Paper.

The motion seeks to prohibit the export from Ceylon of cinchona bark in any form. The purpose of this resolution is to ensure that an ample supply of cinchona bark will be available when the Quinine Factory commences its operation, which I understand from the Hon. Minister of Labour would be six months from now at the outside.

Question put, and agreed to.

IMPORT DUTIES: CINEMATOGRAPH FILMS.

The following item stood upon the Orders of the Day:

The Financial Secretary to move,—

This Council resolves under section 9 of the Customs Ordinance (Chapter 185) that, with effect from the date on which the sanction of the Secretary of State to this resolution is notified in the *Government Gazette*, import duty upon the goods specified in the first column of the Schedule to this resolution shall be levied and paid at the general rate prescribed in the third column of that Schedule in lieu of the import duty payable thereon at the date of this resolution:

Provided that import duty at the preferential rate prescribed in the second column of the Schedule shall be levied and paid upon such of the aforesaid goods as may be proved to the satisfaction of the Principal Collector of Customs to have been produced or manufactured in, and to have been consigned from, the United Kingdom of Great Britain and Northern Ireland, the Dominions, India, Burma, the territories administered by His Majesty's Government in the Dominions under Mandate or otherwise, the British Colonies, the British Protectorates and Protected States, or the Mandated

Territories of Tanganyika, the Cameroons under British Mandate and Togoland under British Mandate in lieu of the import duty payable thereon at the date of this resolution.

Schedule.

I.	II.	III.
Goods.	Preferential Rate.	General Rate.
	Rs. c.	Rs. c.
Cinematograph films processed (sound and silent) other than films certified by the Director of Education to be films of an educational character . . . per foot	0 6½	0 0

Observations of the Financial Secretary.

On the 2nd April the State Council passed a resolution under section 9 of the Customs Ordinance approving an increase in the Customs duty on imports of cinematograph films not of an educational character from 2/3 cents per foot preferential and one cent general to seven cents preferential and ten cents general.

2. The Secretary of State for the Colonies has since pointed out that an alteration in the duty involving an increase in the margin between the preferential and general rates beyond that existing at the time of signature of the Agreement, viz., 1/3rd cent per foot, is contrary to the provisions of the Trade Agreement between the United States and United Kingdom signed in November, 1938.

3. It is therefore proposed to revise the existing rates as indicated in the above resolution.

4. The probable increase in revenue on the basis of the rates given in the resolution will be approximately Rs. 90,000 per annum.

Report of the Board of Ministers.

The financial implications are as explained in the Observations of the Financial Secretary. The Board of Ministers approves.

The Hon. Mr. Huxham: I rise to move the motion standing in my name as item 13 on the Agenda Paper.

[The Hon. Mr. Huxham.]

I have the authority of the Board of Ministers to amend the rates proposed in the resolution. I am not quite clear what the proper procedure is. May I move it with the amendment?

Mr. Speaker: Yes.

The Hon. Mr. Huxham: I move the motion, with the following amendment of the figures given in the Schedule. The amended figures are 3½ cents in the first column, Preferential Rate, and 4 cents in the second column, General Rate, in lieu of 6½ cents, and 7 cents respectively.

I would explain that the proper rate to be levied on films by way of taxation is a very vexed question. Immediately this new duty was imposed—it was imposed by a Revenue Protection Order, as is usually done in the case of new Customs duties—representations were made that the rates were excessive and that if they were maintained the cinema proprietors would have to put up the price of seats in their theatres.

The view of the Government in imposing those duties was that in the light of the very large profits now being made by cinematograph theatres, the full rates appearing in the motion could fairly be borne by the theatre proprietors. I am not myself convinced that that view was wrong. However that may be, the matter was considered at some length, as it was not desired to have the price of seats to the public and to the Services increased. The Board of Ministers therefore decided that the rates proposed in the motion should be reduced; that is to say, that the increase in the duty might be halved, on the definite understanding that the charges for admission to the theatres would not be raised. I therefore bring this motion before the House with this amendment. The House may rest assured that the result of passing this motion will not be an increase in the price of seats.

Mr. H. R. Freeman (Anuradhapura): Is there an exemption for educational films?

The Hon. Mr. Huxham: There is now an exemption for educational films which is not affected.

Mr. H. W. Amarasuriya: What is the difference in revenue because of the reduction in rates? I think there will be some difference.

The Hon. Mr. Huxham: If I may be permitted to continue; I regret that I overlooked the point raised by the hon. Member—

Mr. Speaker: Yes.

The Hon. Mr. Huxham: To estimate the net revenue is a complicated matter, because whatever the increase of duty is, it will cause a reduction in arriving at the net profits, both on account of excess profits duty and income tax. If one presumes that all the cinema proprietors are liable to excess profits duty, then, in that case, after taking into account reductions on account of excess profits duty and income tax, the net yield would be in the neighbourhood of Rs. 50,000. The actual increase in the Customs duty would be about Rs. 90,000 on the amended figures.

Mr. H. W. Amarasuriya: The figure is Rs. 90,000?

***The Hon. Mr. D. S. Senanayake (Minister of Agriculture & Lands):** Rs. 40,000 less.

Mr. H. W. Amarasuriya: May I ask whether the Rs. 90,000 will be reduced to Rs. 50,000?

The Hon. Mr. Huxham: Rs. 50,000 is the estimate of net yield, after taking into account reductions on account of excess profits duty and income tax.

***Mr. Aluwihare:** On what grounds does the Financial Secretary seek to justify the reduction proposed? Is there any exemption such as this for cinema houses in England? Are the houses of entertainment to which the troops in England go exempted from taxation? Or is this, as the Financial Secretary mentioned, because you do not want to put up the cost of entertainment—

The Hon. Mr. Huxham: To anyone.

***Mr. Aluwihare:** I think at this time one of the ways of raising money in England is an increase of taxation on entertainments.

The Hon. Mr. Huxham: That is what we are doing.

***Mr. Aluwihare:** You are not doing it here. You are reducing the rates. Your whole motion here is to reduce something you have raised.

The Hon. Mr. Huxham: If I may explain, the duty until a week ago was $\frac{2}{3}$ cent preferential and 1 cent general; and the amended motion seeks to increase the duty to $3\frac{2}{3}$ cents preferential and 4 cents general.

Mr. H. W. Amarasuriya: Will not the cinema proprietors put up their rates because of excess profits duty, apart from the question of the increased Customs duty? Has the Financial Secretary received an assurance from the cinema proprietors that they will not put up the prices of their seats because of the excess profits duty?

The Hon. Mr. Huxham: I cannot insist on the cinema proprietors giving an undertaking that in no circumstances will they at any time in the future raise their rates. I however have their assurance that they will not raise their rates in consequence of the amended duty which I am now proposing.

***Mr. Aluwihare:** The Financial Secretary says that on 2nd April, 1942, the rates on cinema films were raised from $\frac{2}{3}$ cent a foot preferential and 1 cent a foot general to $6\frac{2}{3}$ cents a foot preferential and 7 cents a foot general.

The Hon. Mr. Huxham: That was never made effective, as explained in my Observations.

***Mr. Aluwihare:** And now he reduces those rates to $3\frac{2}{3}$ cents preferential and 4 cents general. Why are you reducing the rates from $6\frac{2}{3}$ cents and 7 cents?

The Hon. Mr. Huxham: The resolution of 2nd April never became effective.

***Mr. Aluwihare:** Why?

The Hon. Mr. Huxham: No change in the Customs duties can be made effective without the sanction of the Secretary of State—the law so provides—and when this matter was referred to the Secretary of State, he pointed out that we had made a mistake in increasing the rates in that manner, which was undoubtedly a fact.

***The Hon. Mr. Senanayake:** Are we in Committee, Sir?

Mr. Speaker: The hon. Member for Matale (Mr. Aluwihare) is speaking. Any further comments?

***Mr. Aluwihare:** The Secretary of State did not say that the rates should be reduced. There were two ways of meeting the wishes of the Secretary of State—either by increasing the rates, or by reducing them. Why did the Financial Secretary choose the less onerous course?

The Hon. Mr. Huxham: I am now replying, Sir.

As I stated in introducing this motion, the question as to what is the maximum rate which can fairly be levied on cinematograph films is a very difficult one, and it is not, and cannot be, the policy of Government to ask the person on whom it intends to levy additional duties what he thinks the new rates should be. We are bound to increase the duty experimentally, and then if the person who is charged the extra duty can convince us that we have overdone it, we have to meet him.

For instance, when we recently increased the duty on tobacco, we were very much in the dark. When we raised that duty, we intended that the price of a cigarette should be raised from 2 cents to 3 cents. We put on the maximum duty which we thought that tobacco could stand on that basis and we thought the manufacturers and distributors could retail cigarettes at 3 cents and maintain their profits at a fair level. For a few days, the people were charged 4 or 5 cents a cigarette, but when the position resolved itself, the manufacturers and the distributors found that they could still turn out a cigarette for 3 cents. On that occasion the increased duty which

[The Hon. Mr. Huxham.]

I proposed and this House approved was absolutely right. That is luck or good management, whichever you may call it.

In the case of films, however, we had still less grounds to go on. It was thought that a duty of 10 cents general, that is on American and foreign films, and 6½ cents preferential, on British and Indian films—particularly Indian films, such as Tamil and Hindustani films was a fair charge that could be borne by the industry. Then the Secretary of State pointed out that the alteration in duty involving an increase in the margin between the preferential and general rates beyond that existing at the time of signature of the Trade Agreement between the United States and United Kingdom, that is ½ cent, could not be permitted. We were therefore bound to retain the preferential rate at 6½ cents and make the general rate 7 cents.

Since the rates became effective under the Revenue Protection Ordinance, we have received representations from cinema concerns. They said that they could bear the higher rates if they put up the prices of their seats. That however was not our intention at all. We eventually arrived at these terms: they undertook not to put up the price of their seats if the increased preferential duty was reduced from 6½ cents a foot to 3½ cents and the increased general duty from 7 cents to 4 cents.

Amended Question put, and agreed to.

HOUSE COMMITTEE MEMBERSHIP.

The Hon. Sir D. B. Jayatilaka (Leader of the State Council): I move,—

That Mr. E. W. Abeygunasekera, Member for Nuwara Eliya, be appointed a Member of the House Committee to fill the vacancy caused by the resignation of the Hon. Mr. G. E. de Silva.

Question proposed from the Chair.

*Mr. B. H. Aluwihare (Matale): For obvious reasons which Members will understand, I should like to move the following amendment: that the hon. Member for Udugama (Mr. Simon Abeywickrama) be nominated a Member of the

House Committee instead of Mr. E. W. Abeygunasekera.

The Hon. Mr. S. W. R. D. Bandaranaike (Minister of Local Administration) seconded.

Amendment agreed to.

Mr. Speaker: I will put the amended question.

Question, "That Mr. Simon Abeywickrama, Member for Udugama, be appointed a Member of the House Committee to fill the vacancy caused by the resignation of the Hon. Mr. G. E. de Silva", put, and agreed to.

NATIONAL MUSEUMS BILL.

*The Hon. Mr. C. W. W. Kannangara (Minister of Education): I move that the amendments made by Standing Committee "A" in the Bill intituled "An Ordinance to provide for the establishment and maintenance of National Museums in Ceylon, and to declare the Colombo and Kandy Museums to be National Museums" be taken into consideration; and that the Bill be thereafter read the third time and passed.

Amendments made by the Standing Committee accepted.

*The Hon. Mr. Kannangara: I move that the Bill be now read the third time.

Question put accordingly, and agreed to.

Bill read the third time, and passed.

BUSINESS OF COUNCIL.

The Hon. Sir D. B. Jayatilaka: I would like to know whether item 22 has been disposed of, or whether it is not to be taken up to-day.

*The Hon. Mr. Senanayake: It was taken up yesterday.

Mr. Speaker: We are now going to take up items 21 and 22.

*The Hon. Mr. Bandaranaike: They cannot be taken up now. The first readings were moved yesterday and there is nothing to indicate that the second readings will be taken up to-day.

The Hon. Mr. Huxham: I do not think anyone is required to give notice to move the second reading.

***The Hon. Mr. Bandaranaike:** It is not at all so.

Mr. Speaker: Notice was given.

The Hon. Mr. Huxham: On a previous occasion when I started to give notice I was told that it was unnecessary.

Mr. Speaker: If it is for the next date, notice should be given.

***The Hon. Mr. Senanayake:** If it is for the next day notice need not be given.

Mr. Speaker: If it is for the next meeting, notice must be given. If it is taken up within 7 days notice must be given; if it is taken up after 7 days notice need not be given.

***Mr. Aluwihare:** Section 75 settles all this dispute. You must give notice.

Mr. Speaker: What does the hon. Minister say?

***The Hon. Mr. Senanayake:** I want to move item No. 23.

Mr. Speaker: Items 21 and 22 will be deferred.

***Mr. Aluwihare:** I want to rise to a point of order with regard to the other Bills.

Mr. Speaker: Is it about items 21 and 22?

***Mr. Aluwihare:** Yes.

Mr. Speaker: They are not to be taken up to-day.

***Mr. Aluwihare:** The point is whether they can give notice at all since—

Mr. Speaker: The items are not ripe for discussion to-day.

LAND REDEMPTION BILL.

The following item stood upon the Orders of the Day:

The Minister of Agriculture and Lands to move,—

That the Bill intituled " An Ordinance to make provision for the acquisition by the Crown of certain lands sold in execution of mortgage decrees or transferred by their owners in satisfaction of mortgage debts, for the alienation of such lands by the Crown and for matters connected with or incidental to the matters aforesaid " , be now read the first time.

Observations of the Financial Secretary.

The Bill makes provision for the acquisition by Government of lands sold after January 1, 1929, in execution of mortgage decrees or transferred by the owner of the land to any other person in satisfaction or part satisfaction of a debt which was due from the owner to such other person and which was immediately prior to such transfer secured by a mortgage of the land. It is proposed that Government will then alienate such lands to the original owners or to landless persons or to persons, owning agricultural land less than an extent to be prescribed. The cost will be met from moneys voted by the State Council, moneys raised by loan, and moneys at the disposal of the Land Commissioner in the form of bequests, donations, &c.

2. The total extent of land in question which may be liable to acquisition is estimated at 25,000 acres to the end of 1941 and the total amounts borrowed on them and the total amounts for which they were sold are estimated at Rs. 15,940,000 and Rs. 7,482,000, respectively.

3. If, say, 10,000 acres out of the 25,000 were suitable for acquisition and were acquired within five years, the expenditure during that period might work out somewhat as follows:—

	Rs.
10,000 acres at Rs. 600 an acre ...	6,000,000
Cost of staff employed (five years) ...	150,000
Cost of survey ...	150,000
	6,300,000

Against this would be set moneys recovered from—

- (a) Sales of lands;
- (b) Rent of lands leased; and
- (c) Sales of produce less working cost while lands were in Government possession.

It is impossible to estimate the amount of such receipts.

Report of the Board of Ministers.

The financial implications are as explained in the Observations of the Financial Secretary. The Board of Ministers approves.

***The Hon. Mr. D. S. Senanayake:** I move the motion standing in my name.

I do not know whether I should take the time of the House to explain the objects of this Bill, because it has been the desire of this House that land that was sold during the time of the trade depression and was bought by people who are not agriculturists should be purchased by the Crown and given back either to the original owners or to agriculturists. It was felt that during the time of the depression lands were sold by creditors who were by no means agriculturists, and that they became owners of the land; it was also felt that it was not in the interests of Ceylon for people who were not agriculturists to own land and sort of mismanage them. At the same time it was felt that during a time of depression it was not right that people should have been deprived of their lands.

It is proposed now to acquire these lands and to give them back to the original owners or agriculturists. There is provision in the Bill that the lands should be bought in by the Crown and that either a portion or the whole of it be given back, on easy terms of payment—the period of payment I believe is not to exceed 25 years; and the interest is to be prescribed—to the original owners.

For the purpose of acquiring land, the Land Acquisition Ordinance will have to be amended. The provisions of the Land Settlement Ordinance will apply with regard to settlement.

I move that the Bill be now read the first time.

Question put, and agreed to.

Bill read the first time.

The Hon. Mr. Senanayake: I give notice that I shall move the second reading of this Bill at the next or a subsequent meeting of Council.

LOCAL AUTHORITIES (POST-PONEMENT OF ELECTIONS) BILL.

***The Hon. Mr. Bandaranaike:** I move,—

That the Bill intituled "An Ordinance to enable the term of office of members of Municipal Councils, Urban Councils and Village Committees to be extended during the continuance of the present emergency", be now read a second time.

***The Hon. Mr. Senanayake:** I wonder whether your ruling applies to this case as well.

***The Hon. Mr. Bandaranaike:** I have given notice.

Question, "That the Bill be now read a second time," put, and agreed to.

Bill read a second time.

***The Hon. Mr. Bandaranaike:** With the approval of the Board of Ministers, I move that the Bill be referred to a Committee of the whole House.

Question put accordingly, and agreed to.

In Committee—

MR. SPEAKER presided as Chairman.

Clauses 1 to 4 ordered to stand part of the Bill.

Enacting Clause and Title ordered to stand part of the Bill.

***The Hon. Mr. Bandaranaike:** I move that Council do now resume.

The Council having resumed—

MR. SPEAKER took the Chair.

***The Hon. Mr. Bandaranaike:** I move that the Bill be now read the third time, and passed.

Question put accordingly, and agreed to.

Bill read the third time, and passed.

NOTARIES (AMENDMENT) BILL.

The following item stood upon the Orders of the Day:

The Minister of Labour, Industry and Commerce to move,—

That the Bill intituled "An Ordinance further to amend the Notaries Ordinance", be now read the first time.

Observations of the Financial Secretary.

The financial implications are negligible.

Report of the Board of Ministers.

The financial implications are as explained in the Observations of the Financial Secretary. The Board approves.

***The Hon. Mr. G. C. S. Corea (Minister of Labour, Industry & Commerce)** I rise to move the motion standing in my name.

The object of this Bill is to make certain amendments with regard, particularly, to the question of the control of the number of offices which Notaries and Proctor-Notaries can have.

Under Section 10 of the existing Ordinance, a Notary may maintain two or, in some special cases, three offices. The object of this Bill is to amend that Section so as to provide that in the case of a Notary who is a Proctor, such offices may ordinarily be maintained at his residence and at an office at which he practises his profession as a Proctor.

There are certain other minor amendments with regard to the cancellation of stamps with a view to providing for, not only efficient work, but also preventing the possibility of fraud in regard to stamps.

Difficulties have been encountered in the application of the rules contained in Section 30 to cases where a deed or instrument is not executed or acknowledged on one occasion by all the parties thereto. Sometimes these deeds have to be signed by different parties, and different actions and the procedure as to how that should be done is laid down in the Ordinance.

There is one other matter I wish to point out specially to this House. After the draft of this Ordinance had been

considered and approved by my Committee and before it could be brought up in this House the hon. Member for Gampola (Mr. R. S. S. Gunawardana) moved a motion which was discussed in this House and adopted. That motion was to the effect that these non-Proctor-Notaries could have offices at their pleasure wherever they liked, and that the provisions of the existing Ordinance, which required that the place in which they practised should be prescribed by the Governor on the advice of the Registrar-General, should be done away with.

On the occasion on which that motion was discussed, I explained my views and the views of my Committee, and drew the attention of the House to the very serious difficulties which would result from the adoption of that suggestion. However, that motion was passed. I draw the attention of the House to that fact now, so that that point may receive consideration when this Bill is discussed both at the second reading and in Committee. After the matter has been further considered, if it is still the view of the House that that decision should be given effect to, suitable amendments can be made to this Bill in the Standing Committee stage.

Question, "That the Bill be now read the first time", put, and agreed to.

Bill read the first time.

***The Hon. Mr. Corea:** I give notice that I shall move the second reading of this Bill at the next sitting of Council.

†EXCESS PROFITS DUTY (AMENDMENT) BILL.

The Hon. Mr. Huxham: I rise to move,—

That the Bill intituled "An Ordinance further to amend certain provisions of the Excess Profits Duty Ordinance, No. 38 of 1941", be now read a second time.

***Mr. G. A. H. Wille (Nominated Member):** It was understood that this Ordinance was to be taken up after the second reading of the Appropriation Bill.

† For the Observations of the Financial Secretary and the Report of the Board of Ministers, see HANSARD of July 9, 1942.

The Hon. Mr. Huxham: No.

***Mr. Aluwihare:** We all understood that this Bill was to be taken up after the second reading of the Appropriation Bill.

***The Hon. Mr. Senanayake:** If that is so, any Member can move the adjournment of the debate. The motion is before the House.

***Mr. Aluwihare:** I move the adjournment of that debate.

***Mr. R. C. Kannangara (Morawaka)** seconded.

Question, "That the debate on the motion be adjourned until after the Second Reading of the Appropriation Bill, 1942-43", put, and agreed to.

APPROPRIATION BILL, 1942-43.

***The Hon. Mr. Senanayake:** What about item 27? At some time or other we must get through with it. As a matter of fact, the Appropriation Bill cannot be disposed of to-day, but let someone make a start. The Hon. Leader could give a lead.

***Mr. R. C. Kannangara:** He has already spoken.

***The Hon. Mr. Senanayake:** He can move the second reading.

Members: No.

The Hon. Sir D. B. Jayatilaka: Is it understood that it will be moved next Tuesday?

Mr. Speaker: Certainly.

***The Hon. Mr. Senanayake:** Perhaps it might be better, now that Wednesday has been set apart as Private Members' day, if Members could agree to consider the Appropriation Bill on Tuesday and carry on.

Mr. Speaker: There might be a motion to that effect next Tuesday.

ADJOURNMENT.

The Hon. Sir D. B. Jayatilaka: I move that Council do adjourn till 2 P.M. on Tuesday, August 4, 1942.

Question put, and agreed to.

Adjourned accordingly at 3.20 P.M., until 2 P.M. on Tuesday, August 4, 1942.