

The State Council of Ceylon.

No. 59.

October 1, 1942.



DEBATES

SESSION OF 1942.

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STATE COUNCIL OF CEYLON.

Thursday, October 1, 1942.

The Council met at 2 p.m., MR. SPEAKER [THE HON. SIR WAITIALINGAM DURAISWAMY] in the Chair.

MESSAGES FROM THE GOVERNOR.

Mr. Speaker: I have received the following Message from His Excellency the Governor:

Nuwara Eliya, 27th September, 1942.

SIR.—WITH reference to my letter No. C.21/63/41 of the 23rd December, 1941, stating that I had, in exercise of the powers vested in me by Article 77 of the Ceylon (State Council) Order in Council, 1931, reserved for the signature of His Majesty's pleasure the Bill intitled "An Ordinance to make provision for the prohibition or control of the erection and alteration of buildings and of the sale or disposition of land in and in the neighbourhood of Anuradhapura, and for matters connected with or incidental to the matters aforesaid", I have the honour to inform you that on receipt of information from the Secretary of State for the Colonies that His Majesty the King had been pleased to give his assent to the Ordinance, I caused the necessary Proclamation to be issued on the 17th September, 1942, and to be published in the *Government Gazette* of the 25th September, 1942.

I have, etc.
(Sgd.) A. CALDECOOT,
Governor.

The Hon.
The Speaker of the State Council,
Colombo.

ANNOUNCEMENTS.

Mr. Speaker: At the meeting of Council held on July 29, 1942, the following motion (*vide* item 10) of the Member for Gampaha was referred under Standing Order 57 to the Executive Committee of Labour, Industry and Commerce:

"That this Council is of opinion that the weekly rice ration per person should be increased to 4 measures as "heavy" workers find it impossible to perform their duties on the present ration of 2 measures per week, per individual."

This motion does not now involve any proposal relating to any subject or function in the charge of the Executive Committee of Labour, Industry and Commerce. I have, therefore, directed that the above motion be referred under Standing Order 57 to the Executive Committee of Agriculture and Lands.

At the meeting of Council held on August 19, 1942, the following motion

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

(*vide* item 8) of the Member for Colombo Central was referred under Standing Order 57 to the Executive Committee of Labour, Industry and Commerce:

"That in view of the abnormal rise in the price of foodstuffs and other essential commodities this Council is of opinion that the prices of such commodities be stabilized to the pre-war level."

This motion does not now involve any proposal relating to any subject or function in the charge of the Executive Committee of Labour, Industry and Commerce. I have, therefore, directed that the above motion be referred under Standing Order 57 to the Executive Committee of Agriculture and Lands.

At the meeting of Council held on August 19, 1942, the following motion (*vide* item 6) of the Member for Nuwara Eliya was referred under Standing Order 57 to the Executive Committee of Labour, Industry and Commerce:

"That this Council is of opinion that immediate steps should be taken either by the Food Controller or by the Commissioner of Civil Defence to cause depots for sundries to be opened at Kandy to enable the Village Committees and others to purchase the necessary essential commodities for the consumption of the rural population."

This motion does not now involve any proposal relating to any subject or function in the charge of the Executive Committee of Labour, Industry and Commerce. I have, therefore, directed that the above motion be referred under Standing Order 57 to the Executive Committee of Agriculture and Lands.

At the meeting of Council held on September 2, 1942, the following motion (*vide* item 4) of the Member for Negombo was referred under Standing Order 57 to the Executive Committee of Agriculture and Lands:

"That this Council is of opinion that immediate steps should be taken to prevent serious erosion now taking place along the foreshore at Negombo."

This motion relates to the functions of the Executive Committee of Local Administration as well. I have, therefore, directed that the above motion be referred under Standing Order 57 to the Executive Committee of Local Administration also.

PAPERS TABLED.

(Chief Secretary): Answer to Question No. 42 of 1942.

(Financial Secretary): Regulations made under Section 24 of the Public Service Provident Fund Ordinance, No. 18 of 1942.

Answer to Question No. 47 of 1942.

(Acting Leader of the State Council) :

Two Supplementary Estimates for 1940-41, and 1 Supplementary Estimate for 1941-42.

(Minister of Health) • Answer to Question No. 44 of 1942.

PETITIONS.***Mr. G. R. de Silva (Colombo North) :**

I present a petition from Canagasabai Ramlal Maha Rajah, the Trustee and Warden of the Ramlal Maha Rajah Hindu Temples and Chathiram Trust, situated at No. 99, Gintupitiya Street, Colombo.

He states that certain properties belonging to the Trust were requisitioned by Government when negotiations were proceeding for their sale, and he prays that compensation in the form of a fair and reasonable value be paid immediately in respect of the requisitioned properties to enable the Trustee to settle all the debts of the Trust in terms of an order made by the District Court of Colombo, and thus redeem the Trust from ruin and extinction.

NOTICE OF MOTIONS.***Mr. S. Samarakkody (Narammala) :**

I give notice of the following motion :

That with a view to co-ordinating the purchase of all agricultural commodities under one Ministry and as the purchase of Tea and Rubber on behalf of the United Kingdom is made by the Ministry of Agriculture and Lands, this Council is of opinion that the purchase of Copra and Coconut produce should also be made by the Ministry of Agriculture and Lands.

I also give notice that I shall move the suspension of all relevant Standing Orders, under Standing Order 153, to enable me to move this motion tomorrow, if Council sits tomorrow, or at an early date, if Council does not sit tomorrow.

Mr. D. P. Jayasuriya (Gampaha) : I rise to give notice of the following motions :

(1) That this Council is of opinion that a new Court-house should be provided for the Magistrate, Mannar, as the building at present in use is unsatisfactory as there is hardly sufficient room and not even Chambers for the Magistrate.

(2) That this Council is of opinion that an independent Commission or a Sub-committee of the Executive Committee of Home Affairs should be appointed to inquire into the injustices committed by the Kandana Police.

***Mr. G. R. de Silva:** I give notice of the following motion :

That this Council is of opinion that in view of the fact that Tea and Coffee boutiques were declared by Defence Regulation 8915 of April 17, 1942, to be Services Essential to the life of the Community, the new practice of compelling their closure under the guise of action under Defence Regulation 8989 of August, 1942, is irregular and should be discontinued.

I also give notice that I will introduce a motion under Standing Order 153 to enable me to move the suspension of Standing Orders so that this motion can be taken up and disposed of at an early date.

QUESTIONS.**(ORAL ANSWERS.)**

51/42.

Ceylon Savings Bank: Summoning of General Meeting for 1941.

***Mr. A. P. Jayasuriya (Horana) :** May I ask the Hon. the Financial Secretary whether he can answer my question which has been put down for oral answer? It appears at the top of the Questions Notice Paper.

Mr. Speaker: It can be called tomorrow.

Mr. H. W. Amarasuriya (Galle) : We may not sit tomorrow, Sir.

Mr. Speaker: Then on a later date.

(PRINTED ANSWERS.)

42/42.

Canteens for Clerks in Secretariat Building.

(Mr. D. D. Gunasekera) : Will the Chief Secretary be pleased to state.—

(1) How many canteens are being run for clerks in the breakfast rooms in the Secretariat building? (2) By whom are these canteens run? (3) Whether these canteens are open to persons other than clerks who work in the offices of the building? (4) Whether Government

receives a share on the working profits of these canteens? (5) Whether statements of accounts are rendered each month?

(Chief Secretary) : (1) Five canteens.

(2) Four are run by the Education Department Recreation Club, by the Treasury Tiffin Club, by the Labour Department and the Savings Bank, respectively. The fifth which was run by the Medical Department Recreation Club has been given to a new caterer.

(3) No.

(4) No.

(5) The canteens are required to supply food at fixed prices, approved by a central committee, but they are financed from their own funds and not from Government funds and are answerable to their own organisations. They do not therefore submit statements of accounts to Government or to the central committee.

44/42.

Deep Ray Therapy : Selection of Medical Officers for Training as Assistants.

(Mr. D. P. Jayasuriya) : Will the Hon. Minister of Health be pleased to state—

(1) Whether the Director of Medical and Sanitary Services has selected two officers to be sent to India at Government expense to be trained as Deep Ray Therapy Assistants? (2) If so, whether all the officers in the department were informed that such a selection was to be made so that the officers now doing X-Ray work could have made their claims for selection? (3) If not why not? (4) How and why these two officers were selected in preference to officers already in the department who are better qualified for such training? (5) Whether a knowledge of Electrical Engineering is essential and should be a prerequisite in the selection of officers for the operation and maintenance of electrical machinery of a highly complicated nature like a Deep Ray Therapy apparatus? (6) Whether the officers selected have any training or experience whatever in Electrical Engineering? (7) Whether it is a fact that the Department's officers who are doing X-Ray work have a good knowledge and have experience in the operation and maintenance of electrical machinery? (8) If so, why were such officers not considered better qualified for special training?

(Minister of Health) : (1) Yes.

(2) Yes, at the time the selection was made in 1939.

(3) Does not arise.

(4) The two best qualified and most suitable officers have been selected. They are the two senior officers and are Members of the Society of Radiographers—a qualification which the other applicants did not possess.

(5) The necessary knowledge of this subject is ensured by the educational qualifications required of candidates seeking appointment as X-Ray Assistants in the Medical Department and also by the experience gained in the department itself.

(6) The officers who have been selected possess the requisite experience and knowledge of Electrical Engineering.

(7) No. The officers, however, possess the knowledge and experience necessary for the operation of an X-Ray outfit.

(8) Does not arise.

47/42.

School Teachers' Pension Rules.

(Mr. Ponnambalam) : Will the Financial Secretary please state whether it is a fact that the Minister of Education and his Executive Committee recommended an amendment to Assisted schools pension rules to the effect that pensions for teachers who served in Assisted schools first and who were later promoted to Government schools should be calculated on their retiring salaries for the whole of their period of service?

(2) If so, when is it intended to give effect to this recommendation, as a number of teachers are being deprived of their rightful pensions?

(Financial Secretary) : (1) The Minister of Education has recommended that an amendment be made to the School Teachers' Pension Rules to enable improved pensions to be given to teachers with mixed service in Assisted schools and Government posts mentioned in the schedule to Rule 11 of those rules.

(2) An amendment to the School Teachers' Pension Rules and a corresponding amendment to the Minutes on Pensions are being prepared to give some further concessions to teachers in the categories

SITTINGS OF COUNCIL.

The Hon. Mr. D. S. Senanayake (Acting Leader of the State Council and Minister of Agriculture and Lands): I move that at the conclusion of business this week, Council do adjourn till 2 P.M. on Tuesday, November 3, 1942.

Question put, and agreed to.

**SUPPLEMENTARY ESTIMATES,
1940-41, 1941-42, & 1942-43.**

The following items stood upon the Orders of the Day and Addenda:

The Acting 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.

(Chief Secretary.)

(1) Supplementary Estimate, 1941-42.

Head 6, Civil Service.

Sub-head 1, Personal emoluments.

Amount: Rs. 10 (token vote).

Nature of Service: Increase in the number of officers in Class II. of the Civil Service by 2.

Observations of the Chief Secretary.

The authorised cadre of Class II. of the Civil Service consists of 109 posts, but provision was made in the Estimates, 1941-42, for only 104 including the Cadets to be recruited. With the reversion to Class I. of the Civil Service of 2 officers previously seconded to posts in the Judicial Service and the absence of promotions from Class II. to Class I. the number in Class II. became 106.

A token vote is required to cover the excess within the authorised cadre.

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 Chief Secretary. The Board of Ministers approves.

(Legal Secretary.)

(2) Supplementary Estimate, 1941-42.

Head 2, Supreme Court.

Sub-head 2, Stationery, &c.

Amount: Rs. 150.

Observations of the Legal Secretary.

The provision under this sub-head for the current financial year is Rs. 2,116. The Registrar, Supreme Court, reports that a sum of Rs. 2,105 has been expended up to August 20, 1942, and that, due to the large quantity of stationery that has to be used on the typing of appeals to the Court of Criminal Appeal and the present high cost of paper, carbon paper, typewriter ribbons, &c., the vote has proved inadequate. He anticipates that an additional vote of Rs. 150 will be necessary for the financial year 1941-42.

2. Supplementary provision in this sum is therefore required.

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 Legal Secretary. The Board of Ministers approves.

(3) Supplementary Estimate, 1941-42.

Head 2, Supreme Court.

Sub-head 3, Circuit and other expenses of the Supreme Court.

Amount: Rs. 1,000.

Observations of the Legal Secretary.

The provision under this sub-head for the current financial year is Rs. 58,000. The Registrar, Supreme Court, reports that the expenditure up to August 31, 1942, is Rs. 54,200 and that as it has been found necessary to continue the Sessions at Jaffna beyond September 15, the balance funds available in the vote will not be adequate. He anticipates that an additional sum of Rs. 1,000 will be necessary for the financial year, 1941-42.

Supplementary provision in this sum is therefore required.

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 Legal Secretary. The Board of Ministers approves.

Oct. 1, 1942]

Debates.

(Financial Secretary.)**(4) Supplementary Estimates, 1940-41.**

Head 42, Miscellaneous Services.

New Sub-head 11, Loss of Stores.

Amount: Rs. 97,650.15.

Nature of Service: To meet the excess on the vote.

Observations of the Financial Secretary.

It was decided with the approval of the Board of Ministers that insurance of Government cargo should be discontinued after March, 1941, Government carrying its own war risks as it does in the case of other insurable risks. Supplementary provision in a sum of Rs. 300,000 was passed by the State Council on September 23, 1941, to meet the cost of stores lost at sea by enemy action. The actual value of the stores lost was not available at the time this supplementary provision was obtained. It has now been found that this provision has been exceeded by a sum of Rs. 97,650.15 and supplementary provision in a sum of Rs. 97,650.15 is therefore required to meet the excess.

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 1, His Excellency the Governor.

Sub-head 8, Incidental expenses.

Amount: Rs. 840.

Nature of Service: To meet the expenses on reorganizing the Record Room, uniforms for messengers in consequence of transfers, retirements, &c.

Observations of the Financial Secretary.

A sum of Rs. 2,500 was voted in the Estimates, 1941-42, under Sub-head 8, Incidental expenses of Head 1. The expenditure to the end of July, 1942, has amounted to Rs. 2,495.69 and the balance available is insufficient to meet the expenditure for the rest of the current financial year. Owing to unforeseen expenditure on reorganizing the Record Room and on uniforms for messengers due to transfers, retirements, &c., a further sum of Rs. 840 is found to be necessary. Supplementary provision in

the sum of Rs. 840 is therefore required.

Report of the Board of Ministers.

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

(6) Supplementary Estimate, 1941-42.†

Head 38, Government Stores.

New Sub-head 11, Payment of ex-gratia compensation to contractors.

Amount: Rs. 4,995.83.

Nature of Service: For the payment of ex-gratia compensation to two Government contractors for the loss incurred by them in respect of contracts entered into prior to the outbreak of war.

Observations of the Financial Secretary.

Two contractors for the supply of cotton waste, twine and cattle food to the Government of Ceylon made application for compensation in respect of loss incurred by them on contracts for 1939-40 on account of the rise in the cost of articles due to the war. It was agreed that, as the contracts had been entered into prior to the outbreak of war, there was a case for ex-gratia compensation and that payment of a sum of Rs. 4,995.83 should be made to the two contractors based on the difference between the contract rates for 1939-40, and average cost of articles for that year or on the difference between the contract rate for 1939-40, and that for 1940-41, whichever is lower. Supplementary provision in the sum of Rs. 4,995.83 is therefore required for the payment of the compensation.

Report of the Board of Ministers.

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

(7) Supplementary Estimate, 1941-42.

Head 40, Department of Income Tax, Estate Duty and Stamps.

Sub-head 2, Travelling.

Amount: Rs. 300.

Nature of Service: To meet anticipated excess on the vote owing to higher cost of travelling as a result of war conditions.

Observations of the Financial Secretary.

A sum of Rs. 1,000 was voted in the Estimates, 1941-42, under Sub-head 2, Travelling of Head 40. A sum of Rs. 968 has been spent up to the end of July, 1942, and the balance available is insufficient to meet the expenditure for the financial year. Owing to the higher cost of travelling as a result of war conditions, a further sum of Rs. 300 is found to be necessary. Supplementary provision in the sum of Rs. 300 is therefore required.

Report of the Board of Ministers.

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

(8) Supplementary Estimate, 1941-42.

Head 41, Customs.
Sub-head 4, Uniforms.
Amount: Rs. 1,600.

Observations of the Financial Secretary.

The total provision under Sub-head 4, Uniforms, for the financial year 1941-42 is Rs. 5,500. A sum of Rs. 7,100 is required to meet the actual minimum needs of the financial year. The increase is chiefly due to the progressive increase in the price of materials. Supplementary provision in a sum of Rs. 1,600 is therefore required.

Report of the Board of Ministers.

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

(9) Supplementary Estimate, 1941-42.

Head 42, Miscellaneous Services.
Sub-head 9, Loss of Stores at Sea.
Amount: Rs. 1,000,000.

Nature of Service: To meet loss of stores at sea.

Observations of the Financial Secretary.

A sum of Rs. 250,000 is provided in the 1941-42 Estimates, under Head 42, Sub-head 9, to meet loss of stores at sea. The entry of Japan into the war has increased the rate of loss, and the sum provided is insufficient to meet the

known losses to the end of August were about Rs. 1,000,000. A supplementary estimate is accordingly applied for.

The premiums which would have been payable to cover war risk during 1941-42 would exceed considerably the total provision requested. An account showing premiums saved and losses incurred will be tabled in the State Council in due course. Owing to delay in communications such an account cannot be prepared until some months after the event.

Report of the Board of Ministers.

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

(Home Affairs.)**(10) Supplementary Estimate, 1941-42.**

Head 49, Provincial Administration.
Sub-head 1, Personal Emoluments—
Rs. 72,000.
Sub-head 2, Travelling—Rs. 8,000.
Sub-head 9, Incidental Expenses—
Rs. 3,000.
Amount: Rs. 83,000.

Nature of Service: To meet the anticipated excess on the votes.

Observations of the Minister of Home Affairs.

Sub-head 1, Personal Emoluments:
From the total estimate of Rs. 3,392,306 for Personal Emoluments for 1941-42 under Head 49, Provincial Administration (*vide* page 114 of the printed Estimates) a 2 per cent. reduction amounting to Rs. 67,846 was made in the expectation that there would be an under-expenditure approximating to this amount at the end of the year. According to the most recent returns of expenditure furnished by the Revenue Officers not only the full estimate of Rs. 3,392,306 but also an additional sum of Rs. 4,066 would be required for expenditure during this financial year, owing mainly to changes of staff resulting in the appointment of officers on higher scales of pay, leave on full pay preparatory to retirement, &c. A sum of Rs. 72,000 is accordingly required for the restoration of the reduction of Rs. 67,846 made in the Estimates and to meet the excess expenditure anticipated.
Sub-head 2, Travelling.

The provision under this sub-head has proved insufficient owing to—

- (a) Payment of higher rates of motor mileage recently authorised,
- (b) Extra travelling performed by Revenue Officers and Chief Headmen in connection with inspections of various emergency schemes, Food Control and Food Production,
- (c) Payment of travelling expenses of Chief Headmen who were called up to the Kachcheries for conferences and consultations in connection with the food drive and emergency measures, and,
- (d) Urban Council nominations and Elections.

The anticipated excess on the vote is Rs. 8,000.

Sub-head 9, Incidental Expenses.

An excess of about Rs. 3,000 is anticipated under this sub-head owing to:—

- (a) Expenditure in connection with Urban Council Elections in certain areas of the Colombo and Kandy Districts,
- (b) Increased cost of stores and rising transport charges, and
- (c) The employment of watchers on Gem lands in the Ratnapura District to prevent illicit gemming.

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 Home Affairs. The Board of Ministers approves.

(11) Supplementary Estimate, 1941-42.

Head 51, Police.

Sub-head 1, Personal Emoluments.

Amount: Rs. 4,500.

Nature of Service: Payment of acting salary of an Assistant Superintendent of Police necessitated by the temporary expansion of the strength of the Police.

Observations of the Minister of Home Affairs.

Monetary provision was made by the Board of Ministers from Head 43 to en-

able a temporary expansion of the Police Force to be made for the purpose of taking over the duties of military guards.

This supplementary estimate is required to enable an Inspector who was consequently required to perform the duties of an A. S. P. to receive acting pay from January 1, 1942, to September 30, 1942.

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 Home Affairs. The Board of Ministers approves.

(Agriculture and Lands.)

(12) Supplementary Estimate, 1941-42.

Head 66, Department of Agriculture.

Sub-head 5, Maintenance of Agricultural Schools.

Amount: Rs. 10,500.

Nature of Service: To meet additional expenditure due to the enhanced wages of daily-paid unskilled labourers, the purchase of furniture for School of Agriculture, Peradeniya, and the payment of water charges.

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 partly this extra expenditure which amounts to Rs. 4,800 for which provision was not included in Estimates, 1941-42, as the decision to pay the higher wage was taken only in October, 1941. A sum of Rs. 2,020 is also required to meet water charges and the increased expenditure involved by the addition of 9 more students to the School of Agriculture, Peradeniya, and the high cost of living for which provision was not included in the Estimates for 1941-42, and a sum of Rs. 3,680 for the purchase of furniture for this school. A sum of Rs. 3,055.10 lapsed on the special allocation of Rs. 4,000 voted in 1940-41 Estimates to meet the cost of equipment for the school.

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.

(13) Supplementary Estimate, 1941-42.

Head 69, Irrigation Department.

Sub-head 2, Travelling.

Amount: Rs. 10 (token vote).

Nature of Service: To meet the expenses of a tour in Australia by an officer of the Irrigation Department for the purpose of studying questions relating to agricultural machinery and preparation of land by mechanical means for cultivation of paddy, cotton, tobacco and sugar.

Observations of the Minister of Agriculture and Lands.

Mr. S. G. Taylor, the Director of Irrigation, who was away on leave in Australia till March, 1942, was asked to spend a part of his leave in studying questions relating to agricultural machinery and to inspect the actual preparation of land by mechanical means for the cultivation of paddy, cotton, tobacco, and sugar as it was considered that such a tour would give him first hand knowledge of the methods adopted there which would be of great value to this Island in its present intensive campaign of food production. The actual cost of the itinerary was Rs. 552 and sufficient funds are available on the vote for travelling provided under Sub-head 2 of Head 69. But as such a tour is outside the nature of travelling for which the vote is meant a token vote of Rs. 10 is applied for.

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.)**(14) Supplementary Estimate, 1941-42.**

Head 94, Indigenous Medicine.

Sub-head 13, Grant-in-aid to Ayurvedic dispensaries.

Amount: Rs. 1,450.

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

Observations of the Minister of Health.

A sum of Rs. 7,500 is provided under Head 94, Sub-head 13, for the payment of grants to Ayurvedic dispensaries. Of this amount Rs. 1,030 was utilized in October, 1941, to pay grants to 6 dispensaries as the funds provided in the 1940-41 Estimates were insufficient for the purpose. It is considered that the same amounts as were paid in 1940-41 should be paid in 1941-42 as well.

The balance of Rs. 6,470 which is available is not sufficient. Supplementary provision in a sum of Rs. 1,450 is required in order to pay the same amounts as were paid in 1940-41.

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.

(Communications & Works.)**(15) Supplementary Estimate, 1941-42.**

Head 123, Post Office and Telegraphs.

Sub-head 13, Removal of subscribers' telephones and provision of temporary telephones for subscribers.

Amount: Rs. 2,500.

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

Observations of the Minister of Communications and Works.

The expenditure for the eight months, October, 1941, to May, 1942, has amounted to Rs. 5,546 against the provision of Rs. 7,500 for the financial year 1941-42. Due to the fact that the amounts of expenditure vary considerably from month to month, it is not possible to estimate accurately the probable expenditure for the year. Basing the calculation on the average of expenditure for the past eight months it is estimated that a supplementary provision of Rs. 2,500 will suffice.

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.

(16) Supplementary Estimate, 1941-42.

Head 126, Public Works Extraordinary.

Subdivision: Continuation Works—Communications and Works—Bridges.

Sub-head 60, Bridge over the Negombo-Toppu Canal at Palangaturai.

Amount: Rs. 800 (revote).

Nature of Service: To complete work on bridge over Negombo-Toppu Canal at Palangaturai.

Observations of the Minister of Communications and Works.

An estimate for Rs. 9,000 was sanctioned in 1940-41 for a bridge over Negombo-Toppu Canal at Palangaturai and work is being continued under Head 126, Sub-head 60 of the current Estimates. At the time the draft Estimates for 1941-42 were framed it was expected that work to the value of Rs. 3,000 could be done up to the end of September, 1941, and accordingly a revote of only Rs. 6,000 was obtained in the Estimates, 1941-42. However, the expenditure incurred in 1940-41 was only on account of materials imported by this Department. The contractor could not do any work as he was unable to obtain the necessary materials.

Supplementary provision of Rs. 800 (revote) is required to complete the work during the financial year 1941-42.

The financial position of the estimate is as follows:—

	Rs.	
Amount of sanctioned estimate ...	9,000	
	Rs.	
Expenditure to end of 1940-41 ...	2,000	
Vote in Estimates, 1941-42 ...	6,000	8,000
Invoted balance on estimate ...	991	
Supplementary provision required	800	

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.

(17) Supplementary Estimate, 1941-42†

Head 121, Colombo Port Commission.

Sub-head 1, Personal Emoluments, Harbour Engineer's Department.

Amount: Rs. 54,041.

Nature of Service: Creation of a monthly paid pensionable Service of Overseers, Storemen and Operators.

Observations of the Minister of Communications and Works.

It is proposed to create with effect from October 1, 1940, a monthly paid pensionable service of Overseers, Storemen and Operators on the salary scale Rs. 540—9 of 40 and 11 of 80 Rs. 1,780 for non new-entrants and Rs. 480—10 of 36 and 10 of 72—Rs. 1,560 for new-entrants. The arrears of salary for 1940-41 and the amount required for 1941-42 amount to Rs. 104,580 of which a sum of Rs. 50,539 being the amount due for the financial year 1940-41 could be set off against the amount already paid to them at daily rates.

Supplementary provision in a sum of Rs. 54,041 is therefore required for the above service.

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.

(Financial Secretary.)**(18) Supplementary Estimate, 1941-42.**

Head 31, Treasury.

Sub-head 2, Travelling and Conveying Treasure.

Amount: Rs. 653.91.

Nature of Service: Travelling expenses of Treasury Officers conveying remittances to and from Kachcheries, casual travelling of departmental officers, the Assistant Controller of Establishments (Office Systems) and the Accountant (Systems).

† Year amended to 1942-43: see page 2271, 2275.

Observations of the Financial Secretary.

A sum of Rs. 4,620 was provided under this vote for the financial year 1940-41. An excess on this vote was anticipated during that financial year and supplementary provision of Rs. 2,250 was obtained. The accounts for that year disclose an excess of Rs. 653.91 over the total provision of Rs. 6,870 due to increased remittances to and from Kachcheries. This expenditure depends upon the rate at which funds accumulate at various centres, and is therefore not easy to control.

Report of the Board of Ministers.

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

(19) Supplementary Estimate, 1940-41.

Head 42, Miscellaneous Services.

New Sub-head 10, Insurance of Stores, and so on, against War Risks at sea,
Amount Rs. 35.54.

Observations of the Financial Secretary.

A supplementary estimate for Rs. 94,710.18 was passed by the State Council on September 23, 1941, to meet charges of Insurance of Stores, and so on, against War Risks at sea for the period October 1, 1940, to March 5, 1941, after which date insuring Government Stores against Marine and War Risks was discontinued. The actual sum paid by the Crown Agents for this period amounted to Rs. 94,745.72. Supplementary provision in a sum of Rs. 35.54 is therefore required.

Report of the Board of Ministers.

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

(Home Affairs.)**(20) Supplementary Estimate, 1941-42.**

Head 51, Police.

Sub-head 2, Travelling.

Amount: Rs. 7,500.

Nature of Service: Travelling of Police.

Observations of the Minister of Home Affairs.

The vote of Rs. 43,750 provided under Head 51, Sub-head 2, Travelling, will be inadequate owing to (a) the withdrawal of the railway concession, (b) increase in the rates of motor car mileage and commuted allowances and (c) the travelling of the newly formed special branch of the C.I.D. for which no special provision for travelling was included in the Estimates for 1941-42.

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 Home Affairs. The Board of Ministers approves.

(Financial Secretary.)**(21) Supplementary Estimate, 1942-43.**

Head 3, State Council.

Sub-head 3, Travelling.

Amount: Rs. 15,000.

Nature of Service; Payment of allowances to State Councillors for Colombo travelling on account of the temporary withdrawal of trucking of motor cars.

Observations of the Financial Secretary.

On account of the temporary withdrawal of the trucking of motor cars by the Railway some outstation Members of the State Council who have to attend meetings of the State Council or of its Committees are now unable to bring their cars to Colombo by rail for their travelling whilst in Colombo. It is proposed to reimburse their travelling expenses in Colombo by payment of an allowance at the rate of Rs. 5 per day for days on which they attend such meetings. It is estimated that a sum of Rs. 15,000 will be necessary for this purpose in 1942-43 and supplementary provision in this sum is required.

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 (Acting Leader of the State Council) : Before I move the Council into Committee to consider the Supplementary Estimates, I would ask for permission to amend two of the Estimates. I refer to Item No. 27 (6) of the Addendum to the Orders of the Day issued on 23rd September, (Government Stores: Payment of ex-gratia compensation to two Contractors) and Item No. 39 of the Addendum to the Orders of the Day issued on 24th September (Colombo Port Commission: Creation of a monthly-paid pensionable Service of Overseers, &c.).

Leave being granted—

The Hon. Mr. Senanayake : I move that the year in each case be altered from "1941-42" to "1942-43."

Question put, and agreed to.

The Hon. Mr. Senanayake : 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) Civil Service: Increase in Number of Officers in Class II.

The Hon. Mr. R. H. Drayton (Chief Secretary) : I move that the following Supplementary Estimate standing in my name be passed :

Head 6, Civil Service.

Sub-head 1, Personal Emoluments.

Amount: Rs. 10 (token vote).

Nature of Service: Increase in the number of officers in Class II. of the Civil Service by 2.

The increase is due to the reversion to the Civil Service of two officers who were previously employed in the Judicial Service. The number of officers has thereby been increased by 2, but still falls within the cadre.

Supplementary Estimate (1) was passed.

(2) Supreme Court: Stationery, &c.

The Hon. Mr. J. H. B. Nihil (Legal Secretary) : I beg to move that the fol-

lowing Supplementary Estimate standing in my name be passed :

Head 2, Supreme Court.

Sub-head 2, Stationery, &c.

Amount: Rs. 150.

The reasons for this slight excess are set out in the Observations.

Supplementary Estimate (2) was passed.

(3) Supreme Court: Circuit and other Expenses.

The Hon. Mr. Nihill : I would ask leave to withdraw this Supplementary Estimate as a fresh Supplementary Estimate with a slight addition to the sum set out is necessary.

(4) Miscellaneous Services: Loss of Stores.

The Hon. Mr. H. J. Huxham (Financial Secretary) : I move that the following Supplementary Estimate standing in my name be passed :

Head 42, Miscellaneous Services.

New Sub-head 11, Loss of Stores.

Amount: Rs. 97,650.15.

This Supplementary Estimate is required for the financial year 1940-41 to meet the balance of the cost of stores lost at sea.

Supplementary Estimate (4) was passed.

(5) His Excellency the Governor: Incidental Expenses.

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

Head 1, His Excellency the Governor.

Sub-head 8, Incidental Expenses.

Amount: Rs. 840.

Nature of Service: To meet the expenses on reorganizing the Record Room, uniforms for messengers in consequence of transfers, retirements, &c.

This small sum is required for the incidental expenses of the Governor's Office and establishment.

Supplementary Estimate (5) was passed.

(6) Government Stores: Payment of Ex-Gratia Compensation to Contractors.

The Hon. Mr. Huxham : I believe the House has accepted the amendment of

[The Hon. Mr. Huxham.]
 "1941-42" in this Estimate to "1942-43." I move that the Supplementary Estimate be passed:

Head 38, Government Stores.
 New Sub-head 11, Payment of ex-gratia compensation to contractors.
 Amount: Rs. 4,995.88.

This is a sum payable to two Government contractors in respect of extra expense caused by the war on account of contracts with Government which they had entered into before the war. It is, I think, the accepted policy of this House that compensation should be paid for the extra expense, in such circumstances.

*Mr. B. H. Aluwihare (Matale): Is this principle extended to ordinary contractors for works, because of the sharp rise of the cost of labour and materials? A complaint was made to me by some Public Works Department Overseers that in spite of compensation being given to various people, Overseers who are contractors of Government are not given any allowance in consideration of the rise in the cost of labour and materials.

The Hon. Mr. Huxham: As regards pre-war contracts, the general policy adopted has been to grant compensation only in respect of imported stores. The reason for that is that most pre-war contracts were completed within a few months of the outbreak of war and there was no appreciable rise in wages or in the cost of articles produced in Ceylon.

*Mr. Aluwihare: Is there no adjustment in regard to post-war contracts?

The Hon. Mr. Huxham: Generally speaking there is no adjustment but, I believe, in a few special cases some adjustment was found to be necessary, not as a matter of right or of general concession, but in order to save the contractor from going bankrupt and failing to carry out his contracts altogether which we entered into shortly before the outbreak of war with Japan.

*Mr. Aluwihare: Does the Government take no account of the rise in the cost of labour as a result of the cost of living bonus which the Government orders?

The Hon. Mr. Huxham: Where a person has entered into a contract since the

outbreak of war, it is assumed that he has taken into account the possibility and even the probability of wages and other items of expense rising during the period of the contract, and as a general rule no compensation would be paid.

Supplementary Estimate (6) was then passed.

(7) Department of Income Tax, Estate Duty and Stamps: Travelling.

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

Head 40, Department of Income Tax, Estate Duty and Stamps.
 Sub-head 2, Travelling.
 Amount: Rs. 300.

This is to meet the anticipated excess on the vote owing to higher cost of travelling as a result of war conditions.

Supplementary Estimate (7) was passed.

(8) Customs: Uniforms.

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

Head 41, Customs.
 Sub-head 4, Uniforms.
 Amount: Rs. 1,600.

This Supplementary Estimate is required because of the increase in the cost of materials.

Supplementary Estimate (8) was passed.

(9) Loss of Stores at Sea.

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

Head 42, Miscellaneous Services.
 Sub-head 9, Loss of Stores at sea.
 Amount: Rs. 1,000,000.

I am not certain whether this sum will be sufficient, but I believe it covers our losses up to the end of last month. I have had an account prepared up to the end of June. I do not think we have managed to include in it every item, but the result is substantially correct. It shows that by not insuring we had saved up to that date about Rs. 1,200,000.

Supplementary Estimate (9) was passed.

(10) Provincial Administration: Personal Emoluments, Travelling, &c.

The Hon. Mr. A. Mahadeva (Acting Minister of Home Affairs): I beg to move that the following Supplementary Estimate standing in my name be passed:

	Rs.
Head 49, Provincial Administration.	
Sub-head 1, Personal Emoluments ...	72,000
Sub-head 2, Travelling ...	8,000
Sub-head 9, Incidental expenses ...	3,000
Amount: 83,000.	

The cost of Personal Emoluments has increased for the reasons set out in my Observations. There had been a 2 per cent. reduction after the Estimates were submitted. The amount allowed has proved insufficient, and there has also been retention of officers on high scales of salary. In the case of Travelling and Incidental Expenses, the explanation is obvious.

Supplementary Estimate (10) was passed.

(11) Police: Acting Salary of an Assistant Superintendent of Police.

The Hon. Mr. Mahadeva: I beg to move that the following Supplementary Estimate standing in my name be passed:

Head 51, Police.	
Sub-head 1, Personal Emoluments.	
Amount: Rs. 4,500.	

Nature of Service: Payment of acting salary of an Assistant Superintendent of Police necessitated by the temporary expansion of the strength of the Police.

Money has been provided from the emergency vote, but as this involves an increase in the cadre it was thought that the proper procedure would be to bring the matter before the House.

Supplementary Estimate (11) was passed.

(12) Agriculture: Payment of Enhanced Wages to Daily-paid Unskilled Labourers, &c.

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

Head 66, Department of Agriculture.	
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Sub-head 5, Maintenance of Agricultural schools.

Amount: Rs. 10,500.

This vote is required for meeting additional expenditure due to the enhanced wages of daily-paid, unskilled labourers; the purchase of furniture for the School of Agriculture, Peradeniya, and the payment of water charges.

Mr. H. W. Amarasuriya (Galle):

From the Observations, you will find that the minimum wages of daily-paid adult labourers were raised from 64 cents to 72 cents. The present rate of pay to agricultural labourers is very much more; it is nearly 85 cents. I do not know why the Government should, therefore, pay 72 cents while private employers are expected to pay 85 cents. I should like the Hon. Minister to explain the matter.

The Hon. Mr. Huxham: The daily rate of payment mentioned is without war allowance, and with the war allowance paid for the current month, of 48 per cent. which will be roughly 35 cents on 72 cents, Rs. 1.07 a day is the Government minimum wage at the moment.

The Hon. Mr. Senanayake: I hope my hon. Friend will bring the wages he pays up to that level.

Supplementary Estimate (12) was then passed.

(13) Irrigation Department: Expenses of Tour in Australia by Officer to Study Agricultural Questions.

The Hon. Mr. Senanayake: I beg to move that the following Supplementary Estimate standing in my name be passed:

Head 69, Irrigation Department.	
Sub-head 2, Travelling.	
Amount: Rs. 10 (token vote).	

Mr. Taylor, the Director of Agriculture, who was away on leave in Australia, till March, 1942, was asked to spend part of his leave in studying questions relating to agricultural machinery, etc. As such a tour is outside the nature of travelling for which the vote is meant, a token vote is applied for.

Mr. G. A. H. Wille (Nominated Member): Is anything new in this matter

[Mr. Wille.]
being done in Australia, because one would have thought that long ago, owing to the importance of agriculture, steps would have been taken to consider the question of machinery and the preparation of the soil by mechanical means. Why is this measure being adopted just at this stage when years and years ago this was called for and I often urged the necessity for improving the yield in paddy cultivation?

The Hon. Mr. Senanayake: My hon. Friend has been a Nominated Member of this Council for a long time, and he wants to know why this matter has not so far received attention. If that is so, why did he not call attention to that fact earlier. The very fact of our sending an officer to Australia to deal with this matter indicates that it was considered necessary. Perhaps the hon. Member does not seem to realize—he always quotes Macaulay, but nothing of recent date—that developments take place all over the world, and as things develop we try to derive the benefits of such developments. Merely because we did not take action at a certain time, it does not mean that we have ignored the developments that are taking place all over the world.

Mr. Wille: The Hon. Minister always gets annoyed when I say anything connected with improvement of paddy cultivation. I only wanted to know whether anything new has been done in Australia for him to send an officer to Australia just at this time, when actually the need for this step was called for years and years ago.

The Hon. Mr. Senanayake: No, Sir: I am not a bit annoyed. The only trouble is this, that the hon. Member knows nothing about paddy cultivation, but he is trying to teach me about it. I should like to impress the fact on him that it would be very much better if he spoke about things of which he knows something.

Mr. Wille: I am only asking for necessary information on this vote.

Mr. H. W. Amarasuriya: May I know whether a report has been submitted by the Director of Irrigation?

The Hon. Mr. Senanayake: Yes; and it is being printed.

Supplementary Estimate (13) was then passed.

(14) Ayurvedic Dispensaries: Grants-In-Aid.

The Hon. Mr. Senanayake: On behalf of the Hon. Minister of Health, I move that the following Supplementary Estimate standing in his name be passed:

Head 94, Indigenous Medicine.

Sub-head 13, Grant-in-aid to Ayurvedic dispensaries.

Amount: Rs. 1,450.

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

This amount is required to meet an excess on the vote.

Supplementary Estimate (14) was passed.

(15) Post Office and Telegraphs: Removal of Subscribers' Telephones &c.

The Hon. Colonel J. L. Kotalawala (Minister of Communications & Works): I move, Sir, that the following Supplementary Estimate standing in my name be passed:

Head 123, Post Office and Telegraphs.

Sub-head 13, Removal of subscribers' telephones and provision of temporary telephones for subscribers.

Amount: Rs. 2,500.

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

This amount is required to meet an anticipated excess on the vote.

Supplementary Estimate (15) was passed.

(16) Bridge Over Negombo-Toppu Canal At Palangaturai.

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

Head 126, Public Works Extraordinary.

Subdivision: Continuation Works—Communications and Works—Bridges.

Sub-head 60, Bridge over the Negombo-Toppu Canal at Palangaturai.

Amount: Rs. 800 (revote).

Nature of Service: To complete work on bridge over Negombo-Toppu Canal at Palangaturai.

This is a revote.

Supplementary Estimate (16) was passed.

(17) Colombo Port Commission : Creation of Monthly-paid Pensionable Service of Overseers, Storemen and Operators.

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

Head 121, Colombo Port Commission.
Sub-head 1, Personal Emoluments, Harbour Engineer's Department.
Amount: Rs. 54,041.
Nature of Service: Creation of a monthly paid pensionable Service of Overseers, Storemen and Operators.

This is a supplementary estimate which I am moving on behalf of the Financial Secretary because the department is under me. The sum of Rs. 54,041 is required as supplementary provision for the creation of a monthly-paid pensionable service of Overseers, Storemen and Operators.

***Mr. Aluwihare:** May I know where the Supplementary Estimate is to be found?

The Chairman: It appears on page 2 of the Addendum issued on 24th September.

***Mr. Aluwihare:** There is nothing in to-day's Orders of the Day to show that certain items of the last day's Agenda will be taken up.

The Chairman: This has been put down under Item 8 of today's Agenda.

***Mr. S. Samarakkody (Narammala):** We have had no notice of this item, and it does not appear on the Orders of the Day.

The Chairman: This item was tabled on 24th September.

***Mr. Samarakkody:** The economy that is practised in printing these Orders of the Day leads to a great deal of confusion. We ought to resort to the old practice and have an up-to-date Agenda.

***Mr. Aluwihare:** Today's Agenda is the one that gives us notice of what items are going to be taken up, and it was issued to us only today.

The Chairman: I also received it this morning; we will look into the matter.

Supplementary Estimate (17) was then passed.

BUSINESS OF COUNCIL.

The Chairman: Supplementary Estimate (1) on to-day's Orders of the Day will now be considered.

***Mr. S. Natason (Kankasanturai):** I rise to a point of order. There was no notice given to us that these items were going to be moved. It is only now, after coming here, that we find that these items are to be taken up.

The Hon. Mr. Senanayake: I moved that all these items be considered, and I submit that, if there was any point of order, it should have been raised at that time. I have no objection to having these items withdrawn if that is the wish of hon. Members, but it is for the convenience of hon. Members that I am bringing them forward today.

***Mr. Aluwihare:** We have not had notice of any of these items.

The Chairman: Hon. Members are entitled to notice, unless they are prepared to waive the notice.

***Mr. Aluwihare:** We will waive the notice on the understanding that it will not be done again.

The Hon. Mr. Senanayake: Notice may be waived with the permission of the majority of the Members.

***Mr. Aluwihare:** "With the permission of the majority" of the House is not sufficient. After all, the Minister can pay us the courtesy of giving us that undertaking.

The Hon. Mr. Senanayake: All right.

(18) Treasury : Travelling and Conveying Treasure.

The Hon. Mr. Huxham: I move, Sir, that the following Supplementary Estimate standing in my name be passed:

Head 31, Treasury.
Sub-head 2, Travelling and Conveying Treasure.
Amount: Rs. 653.91.

This is extra expense caused in 1940-41, due to the necessity of sending rather more money than usual about Ceylon.

Supplementary Estimate (18) was passed.

(19) Insurance of Stores, &c., Against War Risks at Sea.

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

Head 42, Miscellaneous Services.
New Sub-head 10, Insurance of Stores, &c., against war risks at sea.

This is a small sum required for 1940-41 to balance accounts for that year. It relates to the insurance of stores before we adopted the practice of carrying our own risks.

Supplementary Estimate (19) was passed.

(20) Police: Travelling.

The Hon. Mr. Mahadeva: I move, Sir, that the following Supplementary Estimate standing in my name be passed:

Head 51, Police.
Sub-head 2, Travelling.
Amount: Rs. 7,500.
Nature of Service: Travelling of Police.

The increase in this vote is due to the withdrawal of Railway concessions, the increase in the motor mileage rates payable and travelling done by the newly-formed branch of the C.I.D.

Supplementary Estimate (20) was passed.

(21) State Council: Allowance to Members for Colombo Travelling.

The Hon. Mr. Huxham: I move, Sir, that the following Supplementary Estimate standing in my name be passed:

Head 3, State Council.
Sub-head 3, Travelling.
Amount: Rs. 15,000.
Nature of Service: Payment of allowances to State Councillors for Colombo travelling on account of the temporary withdrawal of trucking of motor cars.

As the Members concerned know, the Railway has been compelled, owing to pressure of other transport, to cease trucking motor cars until further notice, and it has been represented to the Board of Ministers that this causes extra expense to Members who have been in the habit of bringing their cars by rail to Colombo in order to have a means of transport available while they are on duty in Colombo. The Board therefore proposes that an allowance of Rs. 5 per day be paid to such Members in respect of each day on which State Council or

Executive Committee business is transacted in Colombo so long as the refusal of the Railway to truck motor cars persists.

***Mr. Aluwihare:** May I ask the Financial Secretary whether he expects us to carry our cars on our backs when we come from our constituencies? Now take a person having to come from Matale to Colombo. If he cannot bring his car by train, he has to send it somehow. He has either to carry it on his back or send it along the road.

Sir, there are two problems arising. In the first place, there is the problem of petrol. Our petrol has been cut down and quite insufficient allowance is made for the long distances we have to travel. Then, in the second place, there is the actual cost of petrol. The price of petrol now is between Rs. 1.85 and Rs. 2. And how does this proposal actually meet the cost of travelling by car from our constituencies? If some mileage basis were settled upon, it would be much more reasonable, because most of us follow the procedure of trucking our cars and coming by train. But now if I come from Matale it will cost me at least Rs. 10 apart from anything else.

***Mr. E. R. Tambimuttu (Trincomalee-Batticaloa):** I should like to ask why the facility given to Public Servants is going to be denied to Members of this Council. Before the present restrictions were introduced, a Public Servant of a certain class could either truck his car and come by train or come by car and charge the lower mileage rate. He can choose the alternative for his own benefit. But a Member coming by car forgoes that mileage rate of 25 cents per mile which is paid to Public Servants. Does the Financial Secretary know that you cannot get a car for travelling about the whole day in Colombo for Rs. 5? I say that you require a car for the whole day, because sometimes you have to attend a meeting of the Executive Committee and then later come for the Council meeting, and then if there is no quorum you have to go back, and come again.

I propose to live in Batticaloa, in my constituency, during these difficult days, and why should I not travel by car and claim the same mileage rates as Public Servants? Why should I be compelled

to travel by the "slow" train which does not observe any time-table and which leaves at 9 in the night and does not reach Batticaloa sometimes till the following night? If you expect the out-station Members to get a conveyance for Rs. 5 a day, you are expecting too much from them.

The Hon. Mr. Huxham: Sir, the hon. Member for Trincomalee-Batticaloa (Mr. Tambimuttu) seems to be confused about the alternative allowed to Public Officers of travelling by their own cars, if they wish to do so, and being paid the amount of the Railway fare. In the case of a State Councillor, that alternative does not arise, because a State Councillor has a Railway Pass, and therefore there is no question of Government saving anything by his not using the Railway.

As regards the remarks of the hon. Member for Matale (Mr. Aluwihare), it should be remembered that in this Supplementary Estimate we are seeking to deal with Members who would themselves travel by train and bring their cars by train but for the prohibition of trucking. It has been assumed that they will continue to come by train.

***Mr. Aluwihare:** And carry their cars on their backs?

The Hon. Mr. Huxham: I should hope that Members would not seek to use the extra quantity of petrol which would be required to bring their cars by road when they would otherwise have come by train, but be content to come to Colombo by train, as they always do, and find taxis for their journeys while they are in Colombo. The Board of Ministers thought that Rs. 5 would, on the average, be enough to cover the expenses of say, two short taxi-cab journeys which would be normally sufficient to enable a Member to do his State Council or Executive Committee business in an average day when sessions of the Council or Executive Committee are held.

***Mr. Natesan:** The Financial Secretary seems to assume that it would always be possible for Members to travel by train. I can give the House some of my experiences. Sometimes, for want of berths, it is not possible to travel on certain days.

The Hon. Mr. Huxham: Then this does not arise.

***Mr. E. W. Abeygunasekera (Nuwara Eliya):** It is very seldom that I find myself able to support the hon. Member for Matale (Mr. Aluwihare), but I am in that position to-day.

I will tell the House my experiences of train travel in Ceylon. On one occasion I got into the train at Kandy at 3.10 a.m. Usually I get up at about 4.30 A.M. to find out whether I was nearing Ragama or Kelaniya. On this particular occasion, to my great surprise, when I got up I found that the train was still at Peradeniya Junction at that hour, and I did not reach Colombo till it was 7.15 A.M. I had to attend a meeting of the Executive Committee on that day.

I have travelled in India over thousands of miles by train, and I must say that the Ceylon railway services compare most unfavourably with the train services of other countries. One cannot call the service in Ceylon a "train" service; it is more like a "bara-karathai" service—a double-bullock cart service.

At the head of the Ceylon Railway we have as Minister the energetic Colonel. He looks young, although he is not so young. The condition of the Railway is really a great slur not only on this House but on everybody else concerned.

This appears to be a very good opportunity for people to criticize Members of the State Council. Every Tom, Dick and Harry in the streets of Colombo wants to hit at the State Council. I do not know why. Perhaps this hatred of Members of the State Council has been inherited from a previous birth.

We had the privilege of trucking our cars on the Railway, and we are to be deprived of that. I cannot understand why. That is one way of attacking Members of this Council. There are so many things that happen in this country, but nobody seems to be interested in them but if a Member of the State Council slips and falls down on the public road on a rainy day, there will be large headlines in the newspapers to the effect that the Member for Batticaloa or the Member for Trincomalee had fallen down and strained his ankle! I cannot understand this attitude.

Members of Council and Ministers have only a very few privileges, and I for one would rather forgo these privileges and work for the public good for nothing.

[Mr. Abeygunasekera.]

I will tell the House of another incident on the Railway. Last month I was travelling from Kandy, and the hon. Member for Matale was in the adjoining compartment. I was sleeping, but I had not put out the lights. Half way down, I found that the lights had been put out, and I got up to find out how this had happened. There was a man in the berth sleeping. I thought he was a rogue, and I got hold of his throat and began to squeeze it. The man struggled, but I did not release him. Then, to my great surprise, I found that he was an Officer in the Army—a soldier.

I asked him, "Who gave you permission to come into my compartment? Did the Station Master give you permission?" He said, "No". Then I told him that I would not allow him to remain in the compartment as he should have obtained my permission before he entered the sleeping berth. The officer then asked me, "Do you want me to go out?" I replied, "Certainly". He went out, but before doing so he asked me, "Who are you?" He had not seen the notice that is usually put up in the compartment to the effect that the compartment was reserved for Members of the State Council and he told me, "You carry on in your Council, and I will write to you." Then he wanted to know my name. I told him, "That is going too far. My name is 'Sun and moon', and what is yours?" Without a word, he went out.

All this was overheard by the hon. Member for Matale (Mr. Aluwihare). He was either so frightened or so excited that he did not come out of his compartment. I might have been assaulted by the soldier, but the hon. Member for Matale (Mr. Aluwihare) did not come out—

***Mr. Aluwihare:** Shall I relate the other part of the story?

***Mr. Abeygunasekera:** The hon. Member never came out—

The Chairman: We will now come back to the motion.

***Mr. Abeygunasekera:** The officer went out of the compartment. I did not allow him to occupy the berth. I am sorry to have had the misfortune of

travelling with the hon. Member for Matale.

But all the same, I agree with the hon. Member in regard to this motion. Apparently we are expected to carry our cars on our backs! The Petrol Controller will not give us coupons for more than about thirty gallons a month. We have had to write so many letters to get an increase. [A MEMBER: What about tyres?] That is all right. The Commissioner of Transport listens to us and tries to help us. If we are given sufficient petrol coupons, we can avoid travelling by train.

You, Sir, are the Head of the State Council, but you do nothing except preside at the meetings of the Council and then go away. You do not find out whether Members are in good health. You merely preside over meetings of the State Council and then go away. I would appeal to you to sympathize with our lot and find a way out of our difficulty

***Mr. Aluwihare:** What the hon. Member said was true, and possibly the incident did give him great cause for anxiety. I heard what happened. I felt very sorry that the hon. Member did not get over his anxiety, because the Officer did apologize to him; and his only plea was that he had been without sleep for three nights. I felt sorry that that should have happened.

The Financial Secretary says that we should try to improve on this. I have just handed over to the Minister of Agriculture and Lands a bill I received for hiring a car from the Fort Station to my house, and it amounts to Rs. 4—that is, without any delay. Now, when we have to come here, I suppose we will be able to get a taxi, but when we are going back from where are we to get a taxi? We will have to find one or keep the car by which we came waiting. Each day it will cost us over Rs. 10. It is much cheaper for us to bring our cars.

I would suggest to the Financial Secretary that we should be allowed to come by car and that we be given the petrol coupons for the travelling, adding the price of the petrol. I do not think Members would want very much else.

I do not think that this allowance of Rs. 5 a day covers even the ordinary cost of petrol, apart from coupons which, if

we had to buy in the black-market, would cost us about Rs. 5 a gallon. So that, the position becomes quite impossible. Either fix a reasonable allowance, or do not do it at all.

***Mr. Abeygunasekera:** One word of explanation. The hon. Member said that the officer concerned apologized to me, and that I did not forgive him. In the first place, as I said before, the hon. Member was not asleep at the time; he was listening to what was going on. I have proved beyond doubt—and I am supported by the remarks of the hon. Member—

The Chairman: I do not think we need go into all that now.

***Mr. Abeygunasekera:** The hon. Member has misled the House. If a man is starving, he should not go and rob the Minister of Communications and Works; he should go to the Minister's house and beg for something. Similarly, the officer should not have entered my compartment without permission. For him merely to walk in and then apologize is a fine "how-do-you do"!

The Hon. Mr. Senanayake: Hon. Members should not regard this allowance as compensation for the additional expenses they have to incur as a result of circumstances created by the war. There are many such circumstances affecting all classes of people, such as the scarcity of petrol, the difficulty of obtaining tyres, and, generally, the many difficulties connected with transport.

All that we had to take into account was the fact that certain Members had been allowed in the past to truck their cars on the Railway. This concession has had to be withdrawn because the trucks are required for more urgent purposes. These Members have to do without this concession, and because of that it is proposed to pay a certain sum to them for each day they attend meetings of the Council or Executive Committees. This sum is meant to cover the hire of a car required by a Member for his work in Council or Executive Committee.

The bill handed over to me by the hon. Member for Matale has this item, "Fort Station to Ward Place and back Rs. 4".

***Mr. Aluwihare:** That is wrong.

There are two items. One is "Fort Station to Ward Place and back Rs. 4" and the other is "Fort Station to Ward Place and back Rs. 6".

Station to Ward Place"—and then there is another item against which I have drawn an arrow to show the Hon. Minister—

The Hon. Mr. Senanayake: There are two items—"Fort Station Rs. 4".

***Mr. Aluwihare:** "Fort Station ... Rs. 4" refers to another trip. "Ward Place and back" is another item.

The Hon. Mr. Senanayake: Then "Fort Station to Ward Place and back Rs. 6".

***Mr. Aluwihare:** Why should the Hon. Minister misread—

The Hon. Mr. Senanayake: I am not misreading it. There is one item "Fort Station to Ward Place and back."

***Mr. Aluwihare:** That is Rs. 6.

The Hon. Mr. Senanayake: There are two items—

***Mr. Aluwihare:** "Fort Station ... Rs. 4".

The Hon. Mr. Senanayake: I will accept the "Rs. 6" item.

I would ask hon. Members to consider whether the journeys they would have to perform on Council work in hiring cars would be anything more than the number of journeys they perform in their own cars when they bring them down to Colombo. This is not meant to cover their journeys on private business. An opportunity was given to them before to bring down their cars; now that that opportunity has been denied to them, this allowance has been suggested to take its place.

In the past they had a right to travel by car, and they were paid mileage. Since then they are being paid an allowance, and it is worth noting that in their income tax returns they are allowed to deduct Rs. 250 of their allowance as Members for expenses incurred by them in the discharge of their Council duties. This part of their allowance is not taxable for that reason. They had a right to use their cars. So, if they had that allowance made of Rs. 250 which was considered to be expenses incurred by them and which was not liable to income tax, what difference does it make to a Member to-day by his not being able

***Mr. Aluwihare:** Who came by car?

The Hon. Mr. Senanayake: We are not referring to the gentlemen who use the car now.

***Mr. Aluwihare:** Take the case of the people who did not go by car.

The Hon. Mr. Senanayake: This allowance is not intended to be paid to them. This is misunderstanding the purpose of this vote. No one is deprived of anything by any action. Only, there is the general disability about obtaining petrol and tyres for using the road. There is no prohibition or restriction on the use of the road. The only prohibition and restriction is on the use of the railway, and it only affects the people who use the railway instead of the car.

***Mr. Aluwihare:** That is the whole point.

The Hon. Mr. Senanayake: Then why do you grouse? If this restriction on the use of the railway was not imposed, it makes no difference. Whether this restriction was imposed or not, it makes no difference to those who come by car. It only affects those who come by train.

***Mr. Aluwihare:** And truck their cars?

The Hon. Mr. Senanayake: Yes; that is what I am saying. For what purpose do they truck their cars? Presumably they bring their cars for Council business, and that Council business, one would imagine, engaged the time of the Councillor to such an extent that he would not have much time to go about gallivanting even if he wanted to do so; even if it cost him Rs. 10 to Rs. 12 it was considered that Rs. 5 per day would be sufficient.

***Mr. Aluwihare:** Sir, the Hon. Minister is a master of misunderstanding. The point I actually made was this: I do not think Councillors are very much worried about time, because, up to the present, we have travelled in our cars. But, where the question of petrol coupons and petrol comes in is when we have to travel long distances. That is the main point. It does not tell equally on all Councillors. Now, if Rs. 5 is to be paid to a Member who is in Colombo, for attending a meeting, he is bound to make a profit. But where a Member has to

come a very long distance, he has to pay for his petrol for coming and going back. He has also to produce coupons for his petrol. This is not a "pool" out of which we take equally. One can understand the Hon. Minister's argument if a person happens to live in or near Colombo. But where a person has to travel 100 miles, the circumstances are different.

Take, for example, the meeting today. I know of an hon. Member who had to come to Colombo on Tuesday. He went back to his constituency and came back again today. If that hon. Member had to hire cars instead, think of the expenses he would have been put to. Supposing he had brought his car by train on Tuesday, he would have used it here and taken it back on Tuesday night. What he has to do is to come by car and then go back by car; then he has to go by car again today; that is, in all, four journeys. In the first place, think of the petrol coupons, and in the second place think of the petrol that will be required. Say my hon. Friend uses six gallons of petrol on each journey. In that case he will have to have twelve petrol coupons, and spend about Rs. 24 apart from anything else. And you seek to pay him Rs. 5 per day; that is Rs. 10 for the two days. You also pay the man who is in Colombo Rs. 5 a day.

The Hon. Mr. Huxham: No.

***Mr. Aluwihare:** Well, supposing a Member comes from Gampaha, would he be paid the allowance?

The Hon. Mr. Huxham: The intention is that the allowance should be paid to those Members who usually truck their cars.

***The Hon. Mr. Senanayake:** Sir, either I am dense, or my hon. Friend cannot understand the object of this proposal. Let us consider the ordinary circumstance. The hon. Member was speaking of a Member coming from Matale or Kandy or Gampaha or some other place. Supposing ordinarily a Member came by car from Jaffna to Colombo, and went back by car, there is nothing that he would have received from Government. All this is supposed to be included in the expenses incurred, and an allowance is made for Member in the cal-

ulation of the income tax payable. Nothing is paid to the Member. A car is trucked for what purpose? You do not sit in the car while it is in the train. It is trucked for use here.

***Mr. Aluwihare:** Exactly.

The Hon. Mr. Senanayake: When the cars are used here, they are not used simply because they are brought here. As there is not sufficient accommodation available for the cars to be brought down by train, the sum of Rs. 5, per day, it is suggested, should be paid to the Member. That is all.

***Mr. Aluwihare:** The Hon. Minister has illustrated my point. This allowance of Rs. 5 is meant to be compensation for a Member not being able to truck his car. I gave the Hon. Minister a concrete case. In that case the cost would be the price of twelve gallons of petrol, which is Rs. 12 and twelve petrol coupons; that is, for the journey up and down, without including anything in respect of running expenses; whereas you propose to pay him Rs. 10. That is the point I am making. I am not asking that money be paid for travelling in Colombo. Even on the basis of a calculation for paying compensation for not being able to truck a car, the amount of Rs. 5 per day is inadequate.

The Hon. Mr. Senanayake: Perhaps my hon. Friend does not realize this: the trucking of a car is not done for the purpose of merely trucking it. The privilege of trucking a car is given for a purpose, and it is the use of the car here. It is not merely because you are a Member that you are permitted to truck a car. The privilege is given because you are expected to render a service.

***Mr. Aluwihare:** You are expected to attend meetings.

The Hon. Mr. Senanayake: The trucking of a car by train is allowed to Members for attending meetings. If the journey is done by train, that is all that is done. All you have to consider is what would be a fair amount to allow a Member as the cost of his travelling, once he has reached Colombo.

The Hon. Colonel Kotalawala: I would like to say this: I am extremely sorry that this discussion should have arisen. Hon. Members know exactly what the conditions at

am sure they themselves will be the first to give up any privilege or luxury for a short time.

I know that you, Sir, and the hon. Member for Kankasanturai (Mr. Natesan) live a great distance away; I also know that the hon. Member for Batticaloa South (Mr. Dharmaretnam), the hon. Member for Badulla (Mr. D. H. Kotalawala), and some others who live far away are the Members who will find the withdrawal of the privilege of trucking cars most difficult and inconvenient. This is purely a temporary measure, and we hope to go back to the old system as soon as possible.

It is for hon. Members to judge for themselves whether it is advisable for us, or whether the House should permit us, Members of the State Council, to have our cars transported by train when there are hundreds and thousands of passengers waiting to travel by train and cannot find the accommodation at the present time. I am sure no hon. Member will agree to that. Sir, today a first-class compartment is packed with as many as thirty people, because the necessary accommodation cannot be found.

In such circumstances would any hon. Member here say, "My car should be trucked by train"? In view of the present position, my Executive Committee decided that we should try and do away with the trucking of cars. It may be inconvenient, but I know hon. Members will agree with such action in consideration of the present position. If things improve, or at least if people give up travelling or we find fewer people travelling by train, then we can again introduce the privilege of having our cars transported by train.

The proposal now before the House amounts to this: there are a certain number of hon. Members who used to truck their cars for use in Colombo. Not many of them live in distant places. The rule about trucking cars is that a Member is allowed to truck his car from the station in his constituency, for attending meetings of the State Council or of Executive Committee meetings, to wherever such meetings may be held, and have the car transported back to his constituency. For instance, the hon. Member for Kankasanturai (Mr. Natesan) will not be allowed to truck his car back to, say,

[The Hon. Colonel Kotalawala.]
Nuwara Eliya; He will be allowed to truck his car to his own constituency. It is for that purpose that these cars are being trucked.

Now, if cars are not permitted to be trucked, what is it that could be done for the convenience of hon. Members? It was suggested that we should have a car to meet Members at the Station and bring them to the State Council. But, it was felt that that was not convenient, because every train would have to be met. It was therefore thought that it would be better to pay some sort of allowance for hiring a car from the Station to the State Council or to the hotel, or wherever it may be.

Sir, all trains come to the Fort; and in the case of anybody who lives in the Fort, it is not far to the State Council; even if we take the furthest place, say, Wellawatte as the place of residence, the distance from there to the Council is not far. It was felt, therefore, that this allowance would be sufficient. If the amount provided is insufficient, by all means let us consider the matter and have it increased if necessary. But this is purely a temporary measure, and it is not intended for every Councillor. It is intended for those Members who used to truck their cars when they came down to Colombo.

I would also like to take a few minutes, now that an opportunity has occurred, to explain the situation as regards night-travelling on the Railway. I would like to bring to the notice of hon. Members that the next curtailment of facilities on the Railway will be as regards sleeping-berths. The provision of sleeping-berth accommodation means that in a bogey that would normally carry 30 to 55 passengers, not more than 10 passengers could be carried; it is therefore felt that sleeping-berth accommodation should be done away with. But as my Committee felt that it would not be fair to take that step straight-away, we decided to allow one bogey in each train, giving about ten passengers the opportunity of booking sleeping-berth accommodation in advance. So that any hon. Member could telephone to the Railway and say, "I am travelling by such-and-such a train; please book me a berth."

Originally, Sir, a Member was provided with two sleeping-berths; one for him to sleep in, and the other to have his luggage stacked on. Later on, we requested hon. Members to permit two Members to be accommodated in the same compartment, one occupying the upper berth, and the other the lower. Now the principle is "First come, first served." We have had to devise all these methods of controlling berths—

***Mr. D. Wanigasekera (Weligama):**
Berth control!

The Hon. Colonel Kotalawala: Even in England today, railway travelling is controlled; that is, nobody can travel by train unless he has obtained a permit. That step has had to be taken because of the enormous consumption of coal and the wasting of rolling stock.

Today the most important service rendered by the Railway is the carrying of food. I am sure hon. Members would not like to see any part of the Island starve owing to their desire to have sleeping accommodation on the Railway. Of course, I am only giving the worst side of the picture. I really hope that we would be able to restore to hon. Members the amenities they have so far had, but the present circumstances are such that these curtailments have become absolutely necessary.

This particular Supplementary Estimate is purely to enable those hon. Members who really had been in the habit of trucking their cars, to engage a taxi-cab, and I am sure the Clerk of the Council can make arrangements to have a few cars here so that when Council adjourns Members would be able to go to their houses, or to their hotels or wherever they like to go.

Mr. R. C. Kannagara (Morawaka):
We are very grateful to the Hon. Minister of Communications and Works. Thanks to this so-called energetic Minister, we have to undergo all sorts of difficulties. He says that privileges that have been given to State Councillors are to be taken away in the interests of the public. I would like to know whether his privilege of having a Saloon Car has been done away with.

***Mr. Abeygunasekera:** Those are exceptions!

Oct. 1, 1942]

Debates.

Mr. R. C. Kannangara: Whenever the Minister goes on circuit, his special Saloon Car also goes with him.

The Hon. Colonel Kotalawala: That has been given up.

Mr. R. C. Kannangara: The Hon. Minister was speaking of Members who were living close to a Railway Station. But what about my case? I have to bring my car from Deniyaya to Galle—a matter of fifty-four miles—and if I come by train, I will have to send back my car to the estate or else keep it in Galle for four days in the week; also, I will have to hire a car, for which I will be paid the princely allowance of Rs. 5. As it is, you cannot get a rickshaw to bring you from Colpetty to this place for less than Re. 1.50. I would like to know from the Minister what I am to do with my car. Am I to send it back to the estate and then get it back when I want it? Then the car will have to do 108 miles to get to the estate and another 108 to come back—216 miles in all. Who is going to pay me for tyres and petrol?

***Mr. Susanta de Fonseka (Panadure):** Tyres?

Mr. R. C. Kannangara: The hon. Member has a bee in his bonnet about tyres. I hope he will not let it bother him too much.

Personally, I intend to vote against this allowance; I would rather do without any allowance than accept this Rs. 5; I will manage my own travelling when I come to Colombo. I propose to bring my car and I will worry the Petrol Controller to give me more petrol, and I will worry the Director of Transport for tyres.

***Mr. Wanigasekera:** This allowance of Rs. 5 is inadequate. By accepting it, Members will only be throwing themselves open to the charge of accepting an allowance for travelling. I think Members should turn it down and have nothing to do with it.

Mr. Samarakkody: I do not think we should adopt that attitude at all. Personally, Sir, I have never had the opportunity of trucking my car anywhere, but it is unfair by certain other Members who have been in the habit of trucking their cars because they find it economical to do so. Because the public reaction will not be very happy, are we going to

deprive Members of the privilege they have had of trucking their cars to Colombo.

We must not look at this question merely from the point of view of the man who comes here direct and then goes home. But what about outstation Members? They cannot stay here for the night after a meeting is over; they have to get about in Colombo, and for that purpose they want a car. I do not think even Rs. 5 is sufficient for travelling in Colombo. Take the present rickshaw fares. This morning, to come from Millers to the Council Chamber I had to pay Re. 1.

The Hon. Mr. Senanayake: Perhaps the hon. Member had no change!

***Mr. Samarakkody:** It is not because I had no change: the man demanded Re. 1, and I had to pay it. In fact, the position with regard to rickshaws today is that they prefer to take a Serviceman rather than a local man; so before you get into the rickshaw the man fixes the fare. I told the rickshawman, "I want to go to the State Council Chamber"; and he said, "I want Re. 1"; I said, "I will give you 50 cents"; but he refused to come; in the end I had to agree to pay him Re. 1.

So, Sir, Rs. 5 is too little to pay a Member for travelling in Colombo, and after all, only four or five Members will be affected by this proposal. I therefore propose that we should raise it to Rs. 7.50.

Mr. H. R. Freeman (Anuradhapura): I shall continue to go about on my flat feet, and I shall not be asking for any boot allowance!

***Mr. Tambimuttu:** I do not know who is responsible for bringing this item before the House, whether it was the Board of Ministers, or the Minister of Agriculture and Lands, or the Financial Secretary. But it is quite clear that none of them has consulted those who are really affected by this vote. They have not consulted anybody. I would therefore move that this item be referred back to them for reconsideration; and they should either bring back a proposal to pay something reasonable instead of this paltry sum of Rs. 5, which somebody said we would rather do without, or drop it altogether. I move that this item be referred back to the Board of Ministers.

***Mr. Natesan:** Personally, I am one of those who would be affected by this new rule about trucking of cars, but so far as this allowance is concerned, I am not particular that I should get any allowance at all for travelling here when I am in Colombo.

But the real problem which I anticipate will arise is this. The Hon. Minister of Communications and Works gave us an inkling of what was coming. It is quite possible that Members travelling from Jaffna or from Badulla will have to come by car all the way because they may not have any other means of transport. That is what we are coming to. That is what this House has to realize.

We are coming here to do a public duty. I am not coming here for pleasure; I am coming here on public business. It is sometimes difficult for me to get a berth in the train. It is just possible that hereafter it may not be possible even to get sitting accommodation. So how am I to come? That is the problem which we have to consider. When I am driven to that stage, I will have to come by car. You have not even bus transport from Jaffna to Colombo to enable us to travel conveniently; we have to depend upon our own resources. That is what I want the Board of Ministers to consider.

The Hon. Mr. Senanayake: As there has been more than one view expressed, it would be a good thing to know the desire of the House. Some Members do not want to accept this allowance because it is too small. If a vote is taken, we will know what the desire of the majority of Members is—whether they want to get more money than is provided here.

***Mr. Tambimuttu:** Let us have an allowance which will enable us to do our travelling decently, instead of giving this paltry sum of Rs. 5.

Mr. R. C. Kannangara: We want a fair and equitable deal. It is wrong on the part of the Minister to say that we want more money.

The Hon. Mr. Senanayake: What I said was that the wish of the majority should be ascertained as to whether they want more money; and anything over Rs. 5, whether it is Rs. 5.50 or Rs. 500, I consider is more money. We must find

out whether the House wants the amount increased.

***Mr. Aluwihare:** Sir, the House has seen the mood in which the Ministers throw this at us. We are not here to be patronized by anybody, and I suggest that we just throw it out.

Mr. H. W. Amarasuriya: As an alternative, I suggest that we drop this idea of an allowance and increase the petrol ration; that is the best solution. I do not think any Member expects an allowance for travelling.

***The Hon. Mr. S. W. R. D. Bandaranaike (Minister of Local Administration):** There are a number of points that have been brought up that are worthy of consideration. I do not think, considered from any point of view, that it can be said that Members in criticizing this motion, desired merely to get some extra amount than the sum provided here. I do not think that any such suggestion would be at all correct, from what I can understand of the criticism. Members are pointing out a real difficulty that exists. Even with Rs. 5 given to them, per day, they may still be in a difficulty to come down to Colombo to do their official work satisfactorily.

Perhaps the whole problem may be reconsidered. This is not a matter over which there need be quarrelling or any aspersions made either by Members against Ministers or by Ministers against Members. This proposal was brought forward no doubt *bona fide* in the belief that it would meet a difficulty, which I do not think will be met adequately by the payment of the proposed sum. May I suggest that this vote be withdrawn and the matter reconsidered from the point of view of meeting the actual difficulties that do arise from the present position of the Railway not being able to truck these cars of Members?

The Hon. Mr. Senanayake: If the item is referred back, the matter will certainly be reconsidered. Personally I feel that this sum of Rs. 5 is adequate, but if the majority of Members are of opinion that it is not sufficient, the matter will be reconsidered. That is why I want to know what the wish of the majority is.

***Mr. Tambimuttu:** I think the Hon. Minister ought to agree to reconsider this

matter instead of taunting us with desiring to get more money. He must realize that we are working at a great sacrifice. I might say that even with these concessions—free travelling and the privilege of trucking my car—in the old days I found it difficult to come to Colombo every week to attend meetings of Council, and I had to pay Rs. 200 a month for a house in Colombo.

Sir, there is no desire on our part to grab as much money as we can. We only want to be treated decently and our convenience, as we grow older, consulted so that we may attend these meetings regularly, instead of sending telegrams from our stations saying "Feeling indisposed. Cannot attend meeting." I would therefore ask the Minister to withdraw this Supplementary Estimate without making any comments on our criticism or its object, and to reconsider the whole question.

Members: Withdraw.

The Hon. Mr. Senanayake: If it is the wish of the House that we should withdraw this item, we shall certainly do so. In that case, I would withdraw this Supplementary Estimate. I move that Council do now resume.

The Council having resumed—

MR. SPEAKER took the Chair.

The Hon. Mr. Senanayake: I move that Supplementary Estimates (1), (2), and (4) to (20), passed in Committee, be approved.

Question put accordingly, and agreed to.

Supplementary Estimates (1), (2) and (4) to (20) were approved.

The Hon. Mr. Senanayake: I move that leave be granted to withdraw Supplementary Estimates (3) and (21).

Supplementary Estimates (3) and (21), by leave, withdrawn.

**SUPPLEMENTARY ESTIMATES:
SETTING OFF EXCESSES
AGAINST UNDER-EXPENDI-
TURE WITHIN SAME HEAD.**

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

30. The Financial Secretary to move,—

This Council resolves that a change

of procedure be effected whereby a supplementary estimate will not be required in respect of an excess on an existing sub-head of expenditure which does not involve an excess on the Head, subject to the following conditions:—

- (1) The excess shall not exceed Rs. 1,000 in any one case;
- (2) An excess involving a new service, an addition to cadre or an increase in salary will not be dealt with under the new procedure. A supplementary estimate will still be required;
- (3) Excesses shall be submitted to the Board of Ministers for approval; and
- (4) A statement of excesses approved by the Board of Ministers shall be laid before the State Council at the end of each year.

Observations of the Financial Secretary.

The Ceylon Constitution does not require that Supplementary Estimates shall be taken for an excess on a sub-head when there is no excess on the Head, but a long-standing practice exists that such a course shall be adopted even where the extra amount required is very small.

The result is not only a waste of time to the Department and Minister concerned and to the Treasury, the Financial Secretary and the Board of Ministers; in addition the time of the State Council is wasted, and there is appreciable expenditure on paper and printing to no purpose. This waste of time, paper and printing is particularly undesirable under emergency conditions. The approval of the State Council is sought for setting excesses on one sub-head against under-expenditure on another sub-head within the same head, under strictly limited conditions. The effect will be merely to avoid the necessity of small supplementaries which serve no useful purpose.

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. H. J. Huxham (Financial Secretary): I rise to move the resolution standing in my name.

The House knows only too well that the Agenda is encumbered by a number of very small Supplementary Estimates, and this resolution seeks to save paper, printing and the time of everyone concerned by permitting excesses on Sub-heads to be covered by amounts available on other Sub-heads of the same Head under certain conditions which are set out in the resolution, namely, that this new procedure shall not apply if the excess on any particular Sub-head exceeds Rs. 1,000 or if the excess involves a new service, an addition to cadre or an increase in salary. It is further provided that the excesses shall be submitted to the Board of Ministers for approval, and that a statement of the excesses approved by the Board of Ministers shall be laid before the State Council at the end of each year.

I may mention that in connexion with a recent batch of Supplementary Estimates passed by this Council, His Excellency the Governor has expressed the opinion, with which I cordially agree, that in no other administration in the world would this cumbersome procedure be adopted in trivial and unimportant matters. I therefore suggest that this House should adopt this resolution which will bring about a small but appreciable reduction in the waste of the time of this House.

Question proposed from the Chair, and debated.

Mr. H. W. Amarasuriya (Galle): I rise to oppose the resolution. I think the only lever the back-benchers have today is control over finance, and the opportunity to scrutinize the votes that are placed before Council. If that power is taken away, I feel we might as well not have the State Council. It will then be sufficient if the Financial Secretary and the Ministers functioned, without the rest of the Council. There is no use in asking us to come here every other week to participate in the proceedings of this House if that right is taken away from us.

The Hon. the Financial Secretary, in presenting the motion, told us that only in small matters would this procedure be adopted. I should, however, like to

warn hon. Members not to agree to the proposed procedure at all. If we give away this right, we will be giving away a very large measure of our liberty; and also we will be giving away a large part of the power and responsibility which the back-benchers presently enjoy. I know it will be very convenient for the Financial Secretary and the Ministers to transfer moneys from one Sub-head to another and to control the finances of this country in the way proposed. I would humbly request hon. Members not to accede to the request contained in the resolution.

Although the present procedure costs us in paper, printing and also in time, I think it is really worth all that. After all, we are here as representatives of the taxpayer to scrutinize most carefully every item of expenditure that comes up. I wonder whether you remember, Sir, a motion that was brought forward in the first State Council. I believe by the present Minister of Labour, objecting to the transfer of money from one Sub-head to another.

Mr. Speaker: May I interrupt the hon. Member for a moment? This motion refers to a change of procedure followed by this House. I do not know whether a change of procedure can be effected in any manner other than by an amendment of Standing Orders governing procedure in this House. By a resolution, such a change cannot be effected. I was in Jaffna when this resolution was sent up; and I had lost sight of that fact.

The Hon. Mr. Huxham: To the best of my belief, there is nothing in the Standing Orders affecting procedure on Supplementary Estimates.

Mr. Speaker: We must follow the practice of this House; and a practice of this House can only be altered by amending the Standing Orders. I wish to consider this matter further.

The Hon. Mr. Senanayake: I wonder whether this motion can be referred to the Committee on Standing Orders.

Mr. Speaker: No; it must come up in proper form. I am sorry I allowed this motion to go into the Order Paper without giving that aspect of the question consideration. Anyway, I will look into the matter.

Further consideration of item deferred.

TELEPHONE SERVICES TO GOVERNMENT DEPARTMENTS.

The following item stood upon the Orders of the Day:

The Minister of Communications and Works to move,—

That this Council approves the further allocation of a sum of Rs. 100,000 to the "Reserve" provision made in respect of Telephone Services to Government Departments in Appendix 2, page 458 of Estimates, 1941-42.

Observations of the Minister of Communications and Works.

The resolution is submitted in terms of the procedure approved by the State Council in connection with the scheme of paper allocations to Government Departments for Telephone Services introduced in order to facilitate the control of the expenditure on these services. No cash payment as in the case of "votes" is involved.

The Reserve of Rs. 35,500 provided on page 458 of the Estimates, 1941-42, has already been drawn upon to the extent of Rs. 15,411 in connection with the large number of emergency telephones required by Departments other than the Department of Civil Defence and also the heavy bills on account of trunk and ordinary calls which have increased on account of activities connected with the war. It is estimated that a further sum of Rs. 100,000 will be necessary to meet rental, trunk and message fees and other charges in connection with telephones provided for the Department of Civil Defence in connection with A. R. P., &c., and also any new further connections that may be sanctioned up to the end of the current financial year.

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.

The Hon. Colonel J. L. Kotalawala (Minister of Communications & Works): I move the resolution standing in my name. The facts are as set out in the Observations appended to the motion.

Question put, and agreed to.

***Mr. Aluwihare:** You will see what a farce this practice is.

Mr. Speaker: To which item is the hon. Member referring?

***Mr. Aluwihare:** We were apprised that this financial resolution would be taken up only after we came to this House today.

Mr. Speaker: It is a formal matter.

***Mr. Aluwihare:** I do not know.

The Hon. Colonel Kotalawala: This item has been on the Agenda for so many days.

Mr. Speaker: Is that so?

The Hon. Colonel Kotalawala: This item has been on the Agenda from September 23, and the hon. Member could have read it a dozen times if he was interested in it.

IRRIGATION ENGINEERS.

The following item stood upon the Orders of the Day:

The Minister of Agriculture and Lands to move.—

Pursuant to the resolution relating to new appointments of non-Ceylonese to the Public Service passed by the Council on March 1, 1933, and appearing as item 3 (1) in the Minutes of that day's meeting, this Council agrees to make such provision as may be necessary to permit of the appointment of two Irrigation Engineers to the Irrigation Department on a three years' engagement at appropriate points in the scale £500—40—940 if they are of European or Australian parentage, or in the scale Rs. 6,840—384 and 420—11,520 if they are of Asiatic parentage and with the allowances and conditions of service at present in force for officers recruited from overseas on agreements for fixed terms of years.

Observations of the Minister of Agriculture and Lands.

Two vacancies have arisen recently in the grade of Irrigation Engineers as a result of the premature termination of the agreement of one and the dismissal of the other.

2. It is essential that these vacancies be filled as soon as possible and as suitable Ceylonese officers are not available, it is proposed to recruit suitable officers on agreement from abroad on salaries commensurate with their qualifications and experience.

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 Agriculture and Lands. The Board of Ministers approves.

The Hon. Mr. D. S. Senanayake (Minister of Agriculture & Lands): I move the motion standing in my name.

Two Irrigation Engineers, who were Indians, have left us and we want to fill their places in the cadre of the Department.

Question put, and agreed to.

CHIEF ASSISTANT PORT CONTROLLER.

The following item stood upon the Orders of the Day:

The Minister of Communications and Works to move,—

Pursuant to the resolution relating to new appointments of non-Ceylonese to the Public Service passed by the State Council on March 1, 1933, and appearing as item 3 (1) in the Minutes of that day's meeting, this Council agrees to make such provision as may be necessary to permit of the appointment of a non-Ceylonese as Chief Assistant Port Controller in the Colombo Port Commission on a salary of Rs. 850 per mensem with the allowances usually granted to overseas officers recruited for a term of years, for the duration of the war.

Observations of the Minister of Communications and Works.

The Port Controller was appointed in March, 1942, to be responsible for organizing the loading and unloading of ships in the Harbour of Colombo. This work includes the organization of all labour, water companies, water boats, fuel arrangements and all other arrangements required for working ships and cargoes.

2. It is essential, in view of the large amount of work involved in running this sub-department of the Colombo Port Commission, that he should have an experienced assistant. No Ceylonese with the necessary experience is available; the necessity for recruiting at least one other European officer was foreseen and referred to in my observations on the "March" resolution in connection with the appointment of the Port Controller.

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 Communications and Works. The Board of Ministers approves.

The Hon. Colonel Kotalawala: I move the motion standing in my name as item 11 of the Orders of the Day.

However loth I may be to come before this House with a resolution of this nature, I am afraid I have to ask the indulgence of the House once again to appoint a non-Ceylonese as the Chief Assistant Port Controller as we have no suitable Ceylonese to fill that post. I know that when motions of this sort are brought before the House, some hon. Members even accuse me of having an affinity—[*Interruption*—]—or at least a desire to appoint non-Ceylonese in the Departments under my Ministry. It is a fact that about 33,000 Government Servants are employed by the Departments under my Ministry, and because of the large number employed I have to come off and on with motions of this nature to employ suitable officers to carry on the work in the Departments.

A new sub-department has been started in the Port, and this officer is required to look after the work of that sub-department. When I came before this House on 2nd April, 1942, with a resolution for the appointment of the Port Controller, I made these remarks at paragraph 4 of the Observations appended to that resolution:

"It might be mentioned that a skeleton organization would have to be maintained by the Port Controller in case it becomes necessary to take over any work from the Companies as indicated in paragraph 2 above. Inquiries are being made as to whether officers would be available locally or if not, elsewhere for this skeleton

organization and if it is found that no Ceylonese are available a further "March" resolution will be submitted in due course for the appointment of further staff to the Port Controller's Department. It is likely that at least one other European officer would be required."

I took that precaution of warning the House that this Department had to extend its duties which would necessitate our engaging other officers. Since I said that, much has happened: we have had an air-raid and disorganization in the Harbour. Fortunately, the Harbour is under control now, and much of the work is done smoothly.

If hon. Members want any further information on this matter, I would be only too pleased to furnish it. We have an officer under training. He is a Ceylonese and, in course of time, he may be able to fill any post in this Department. What I would ask hon. Members to keep in mind is that these appointments are absolutely temporary and would only be continued during the war.

If the war ends tomorrow, these officers would be given notice to leave and their services discontinued. Therefore this is not an appointment for a period of years; this is a purely temporary measure.

I move that this resolution be accepted.

Question proposed from the Chair, and debated.

***Mr. S. Samarakkody (Narammala):** This House has shown more than ordinary indulgence to the Hon. Minister of Communications and Works and his Ministry in the matter of these appointments.

You will remember, Sir, that within the last one year more than 3 or 4 appointments have been made in the Port. We were told on every occasion that as a result of the disorganization that resulted on 6th April last, some man of gigantic intellect, as the hon. Burgher Nominated Member (Mr. Wille) would put it, was required to reorganize the working of the Port and put it on a sound footing. On the last occasion this House agreed to one appointment. Shortly afterwards, another appointment was made.

Mind you, the effort offered to this House in making these appointments takes the form of their getting the men

and actually having them working before they inform the House of the appointments. I do not know whether this particular individual whom it is sought to appoint is already working.

***Mr. Susanta de Fonseka (Panadura):** From March, 1942.

***Mr. Samarakkody:** I understand that someone has already been appointed. I have no information about it except what has been stated by the hon. Member.

We can agree to non-Ceylonese being appointed to specialized posts if there are no local people available. Look at the nature of the work that this Assistant Port Controller is required to do:

"The Port Controller was appointed in March, 1942, to be responsible for organizing the loading and unloading of ships in the Harbour of Colombo. This work includes the organization of all labour, water companies, water boats, fuel arrangements and all other arrangements required for working ships and cargoes.

It is essential, in view of the large amount of work involved in running this sub-department of the Colombo Port Commission, that he should have an experienced assistant."

The Harbour has been in existence for the last hundred years or more. The volume of work may have increased, but the nature of the work—the loading and unloading of ships, and making arrangements for the control of labour, and so on, referred to in the Observations of the Hon. Minister—is the same. So that, why cannot you appoint one who has already been doing this work to the post of Chief Assistant Port Controller? Why do you want to appoint people who have evacuated from Singapore or Malaya and are looking out for jobs?

We were told that the three officers in the Port happened to come from Malaya and other places where they could not remain any longer, and that they were absolutely essential for the proper working of the Port of Colombo. This, I think, is the limit to which the Council can go. We have already agreed to these appointments. This job of Chief Assistant Port Controller can easily be filled by a young Civil Servant. There are very capable men in the Civil Service who have already been attached to the Port on many occasions.

I suggest that the House do turn down this proposal. The present post is for an Assistant. Let some Ceylonese be appointed to this post

[Mr. Samarakkody.]

At the end of the war, we are sure to be told that these five posts have been held by Europeans and that they should continue to be filled by Europeans. Another March Resolution will be introduced in this House, and we will be asked to employ a fresh lot of evacuees from Singapore or some other country.

I do hope that this House will take this resolution as a serious warning that if we allow this state of affairs to go on, there will be no limit to these appointments. We will be encouraging the Ministers to go directly against the policy that this Council has adopted since 1938. All hon. Members ought to turn down this resolution and insist that the Hon. Minister of Communications and Works find a man locally for his work.

***Mr. Susanta de Fonseka:** I have only one comment to make, and to bring it to the notice of the Hon. Minister. I believe that with the appointment of this officer the total number of Port officers appointed will be greater than the average number of ships that enter our Port. That is perfectly true.

***Mr. B. H. Aluwihare (Matale):** Is this another God-send from Malaya or Singapore?

The Hon. Colonel Kotalawala: I am extremely grateful for some of the points raised, especially the last one. It was a God-send. If Singapore did not fall, we would not have been able to get these men; we would have been in a terrible position. So that it is really a God-send and we are lucky to get these officers from Singapore.

To come to the question raised by the hon. Member for Narammala (Mr. Samarakkody). On every occasion that I introduce a resolution, he rides his favourite hobby-horse and indulges in the same argument about non-Ceylonese, and so on. On every occasion, I have given him a correct explanation of the position. But he indulges in the same argument. So I do not propose to give him an answer this time.

***Mr. Samarakkody:** That is because you do not understand.

The Hon. Colonel Kotalawala: With regard to the question of the hon. Mem-

ber for Panadure (Mr. Susanta de Fonseka), he knows the working of the Harbour as much as I do. That there are more officers in the Port than there are ships is quite right. The reason is that there are 7,000 labourers.

***Mr. Susanta de Fonseka:** Officers in charge of the Port.

The Hon. Colonel Kotalawala: That is also correct. There are thirty-two harbour berths. In the Customs alone the Staff Officers, Port Officers, Pilots, and others may number more than thirty-two. The hon. Member is quite right.

Hon. Members must realize that this is a temporary measure necessitated by the present emergency. We had not the men to engage at the particular time. We had to take on men who had practical experience or the knowledge required for work in connexion with the present emergency.

Just now we have a Port Controller, but there is no Assistant. We have a Second Assistant who is a Ceylonese. A scheme was tried whereby we put a Ceylonese into this post. We found that he had to learn the work, and he had not the time to do so. I can assure the House that my Committee is as keen as any other Committee or, at least that we are as keen as any other Member of this House, to see that we have no redundant officers, and that wherever possible Ceylonese fill vacancies. I have to come before this House with this resolution because there is no Ceylonese available to fill this post.

I think I have answered all the points raised. This is purely a temporary measure. We would be glad to get rid of these officers as soon as the war is over.

Question put, the Council divided—
Ayes, 19; Noes, 15.

AYES.

Senanayake, The Hon.	Freeman, Mr. H. R.
Mr. D. S.	Griffith, Mr. F. H.
Kannangara, The Hon.	Gunasekera, Mr. D. D.
Mr. C. W. W.	Kannangara, Mr. R. C.
Bandaranaike, The Hon.	Kularatne, Mr. P. de S.
Mr. S. W. R. D.	Kuruppu, Mr. J.
Corea, The Hon. Mr.	Newnham, Mr. H. E.,
G. C. S.	C.M.G., V.D.
Kotalawala, The Hon.	Pereira, Diwan Bahadur
Colonel, J. L.	I. X.
Mahadeva, The Hon.	Vytilingam, Mr. S.
Mr. A.	Whitby, Mr. G. R.
Aluwihare, Mr. B. H.	Wille, Mr. G. A. H.
De Silva, Mr. G. R.	

Oct. 1, 1942]

Debates.

NOES.

Abeysunasekera, Mr. E. W.
Amarasuriya, Mr. H. W.
Batuwantudawe, Mr. U.
De Fonseka, Mr. Susanta
De Zoysa, Dr. A. P.
Hewawitarne, Mr. Rajah
Jayasuriya, Mr. A. P.
Natesa Iyer, Mr. K. R.

Nugawela, Major E. A.
Rajapaksa, Mr. D. M.
Ratwatte, Mr. H. L.
Razik, Mr. A. R. A.
Samarakkody, Mr. S.
Senanayake, Mr. Dudley
Siriwardana, Mr. H. de Z.

**CATTLE (AMENDMENT) BILL.
VILLAGE TRIBUNALS BILL.
OMNIBUS SERVICE
LICENSING BILL.**

Mr. Susanta de Fonseka (Deputy Speaker, and Chairman of Standing Committee "A"): I rise, Sir, to present,—

(1) The Report of Standing Committee "A" on the Bill intituled "An Ordinance to amend the Cattle Ordinance".

(2) The Report of Standing Committee "A" on the Bill intituled "An Ordinance to amend and consolidate the law relating to the establishment, jurisdiction and powers of Village Tribunals and to make provision for matters connected therewith".

(3) The Report of Standing Committee "A" on the Bill intituled "An Ordinance to provide for the introduction of a system of exclusive road service licences for omnibuses and for the regulation and control of the use of omnibuses on highways, and to effect consequential amendments in the Motor Car Ordinance, No. 45, of 1938".

The Hon. Mr. J. H. B. Nihill (Legal Secretary): I rise to a point of order.

With regard to Standing Order 90, I should like to ask your guidance, Sir, in relation to the report just presented by the hon. Deputy Speaker on the Village Tribunals Bill. There is a motion later on the Order Paper in my name, under which I am to move the amendments made by Standing Committee "A" in that Bill. I notice that the wording is that I move that the amendments be taken into consideration.

With regard to one particular amendment, I wish to have the opportunity of asking the Council to review the recommendation made by the Standing Committee. I wish to know whether I should do it at what I imagine is the

report stage, that is, the stage we have now reached, in which case it appears from the Standing Order that I should have to ask for a recommitment of that particular Clause to the Standing Committee; or whether I can oppose that particular amendment when it is considered under the motion standing in my name. If I can do so later, I will act accordingly.

Mr. Speaker: I shall let the Hon. the Legal Secretary know when we resume after tea. The sitting is suspended till 4.30 P.M.

Sitting accordingly suspended until 4.30 p.m. and then resumed.

Mr. Speaker: The Hon. the Legal Secretary is unfortunately not here. He asked me a question with regard to Standing Order 90. I think he must await the consideration of the Bill by the Council. It will be taken up practically immediately as it is almost the next item. At that time if he objects to any amendment made by the Standing Committee, he can make his own motion whatever it may be.

FACTORIES BILL.

**WAR RISKS (SEA-BORNE
CARGOES) INSURANCE
BILL.**

**LOAN BOARD (AMENDMENT)
BILL.**

**INDIAN IMMIGRANT LABOUR
(AMENDMENT) BILL.**

The Hon. Mr. G. C. S. Corea (Minister of Labour, Industry & Commerce): On behalf of the Hon. Deputy Chairman of Committees and Chairman of Standing Committee "B", I present,—

(1) The Report of Standing Committee "B" on the Bill intituled "An Ordinance to make provision for the Safety and Welfare of Workers in Factories".

(2) The report of Standing Committee "B" on the Bill intituled "An Ordinance to make provision for the insurance of sea-borne cargoes against certain risks in time of war and for purposes connected therewith or incidental thereto."

[The Hon. Mr. Corca.]

(3) The report of Standing Committee "B" on the Bill intituled "An Ordinance to amend the Loan Board Ordinance".

(4) The report of Standing Committee "B" on the Bill intituled "An Ordinance to amend the Indian Immigrant Labour Ordinance".

CATTLE (AMENDMENT) BILL.

The Hon. Mr. Senanayake: I beg to move that the report of Standing Committee "A" on the Bill intituled "An Ordinance to amend the Cattle Ordinance" be accepted.

Question put, and agreed to.

Mr. Speaker: There are no amendments. Will the Hon. Minister move the third reading of the Bill

The Hon. Mr. Senanayake: 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.

VILLAGE TRIBUNALS BILL.

Mr. Speaker: Now that the Hon. the Legal Secretary is present, I may mention that if he objects to any amendments, he can make his own motion when the Village Tribunals Bill is taken up.

The Hon. Mr. Nihill: I am very sorry I was not in my place at the time.

I move that the amendments made by Standing Committee "A" in the Bill intituled "An Ordinance to amend and consolidate the law relating to the establishment, jurisdiction and powers of Village Tribunals and to make provision for matters connected therewith", be taken into consideration.

Question proposed from the Chair.

Mr. G. R. Whitby (Nominated Member): In view of the importance of this Bill, and the fact that the Report of Standing Committee "A" was tabled only this afternoon, which did not give hon. Members sufficient time to consider the various amendments proposed,

move that consideration of the amendments be postponed.

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

Mr. Speaker: What does the Hon. the Legal Secretary say?

The Hon. Mr. Nihill: I will not oppose it, if that is the wish of hon. Members.

Question put, and agreed to.

Mr. Speaker: For what date is consideration postponed?

The Hon. Mr. Nihill: For the session commencing on 3rd November.

Consideration of item deferred.

†OMNIBUS SERVICE LICENSING BILL.

***The Hon. Mr. S. W. R. D. Bandaranaike (Minister of Local Administration):** I move that the amendments made by Standing Committee "A" in the Bill intituled "An Ordinance to provide for the introduction of a system of exclusive road service licences for omnibuses and for the regulation and control of the use of omnibuses on highways, and to effect consequential amendments in the Motor Car Ordinance, No. 45 of 1938" be taken into consideration.

Question proposed from the Chair.

CLAUSE 2.—(Road Service Licences required to authorise use of Omnibuses.)

Mr. H. W. Amarasinghe: I wonder whether I can move an amendment to Clause 2. If the Hon. Minister gives an assurance, I do not think it will be necessary. But the point is, the date on which this Bill will come into operation is 1st January, 1943, and directly it becomes law the Minister will proceed to issue licences and not give adequate time.

***The Hon. Mr. Bandaranaike:** If I may explain before the hon. Member proceeds further, it is hoped—and I think it will be a fact—that the majority of these licences will be issued under the procedure laid down here: applications will be received; considered and disposed

† For the Observations of the Financial Secretary and the Report of the Board of Ministers. of September 22, 1942.

of by January 1st, but if there are any cases where applications have been made and not disposed of by reason of the fact that there are appeals or a large number of appeals, the procedure adopted will be that the present licence, the *status quo*, will be continued until such time as the appeals are disposed of, whether it be one month or two months.

Amendment made by Standing Committee accepted, and Clause 2, as amended, ordered to stand part of the Bill.

CLAUSE 4.—(*Matters to be considered by the Commissioner.*)

Amendments made by Standing Committee accepted, and Clause 4, as amended, ordered to stand part of the Bill.

CLAUSE 6.—(*Conditions of Licence*)

Amendments made by Standing Committee in Sub-clauses (1) (c), (e) and (h) accepted, and Sub-clauses, as amended, ordered to stand part of the Clause.

***Diwan Bahadur I. X. Perera (Nominated Member):** This new Sub-clause (3) was moved by the hon. Member for Matale (Mr. Aluwihare), and in Committee I myself mentioned to him that I would have no objection to it. Unfortunately, the last paragraph of the new Sub-clause introduces the same old controversial definition of the word "Ceylonese".

Mr. Speaker: Does the hon. Member object to the last paragraph and does he want it to be deleted?

***Diwan Bahadur I. X. Pereira:** Cannot the definition be amended?

Mr. Speaker: What is the amendment?

***Diwan Bahadur I. X. Pereira:** I would move that in this Sub-clause the word "Ceylonese" should be defined to mean a person who has been resident in Ceylon for at least 10 years, and that the other words beginning from the word "domiciled" be deleted.

There is a class of persons who, either by birth or by long association with this Island, have so identified themselves with the affairs of this country as to make them no different from the indigenous population. In those circumstances it is

nothing but fair that at least the Indians and the Europeans who have so far identified themselves permanently with the indigenous population should be classified as Ceylonese—I mean, you can either leave it to the Legal Draftsman or the Minister to suggest a suitable definition.

Mr. Speaker: Does the hon. Member move as an amendment a residential qualification of 10 years?

***Diwan Bahadur I. X. Pereira:** My objection to domicile is that it is impracticable to prove one's domicile because it involves a man going to Court. It is a long and tedious procedure.

The mover of the amendment, I presume, does not contemplate shutting out this class of persons. Therefore, I would ask the House to give this matter its very careful consideration, so that once an Indian has made Ceylon his permanent home he would be allowed to come within this definition of "Ceylonese".

***Mr. Aluwihare:** At the time that I suggested this amendment, I did not bother myself about the definition of Ceylonese. The definition of "Ceylonese" has been merely taken from the ordinary accepted definition, by the Legal Draftsman. But my personal view is that so far as the definition of a Ceylonese is concerned, we should take over the definition of a Mysorean or the definition of a citizen of an Indian State. That, I think, should be the correct view. But here obviously even the definition suggested by my hon. Friend scarcely does justice to the purpose of my amendment.

The purpose of my amendment was really not concerned with the Indo-Ceylon question at all. As my hon. Friend knows, I am mostly concerned with the bus companies going into the hands of a firm to whom they owe instalments, or something of that kind. After all, this is an industry built up by Ceylonese, and carried on by Ceylonese. Ceylonese have taken the risk of the enterprise; there are precious few industries that are in the hands of Ceylonese in this way and in those circumstances one does not want to see any legislative act of this House throw a Ceylonese industry into non-Ceylonese hands. So far as the definition of "Ceylonese" is concerned, I

[Mr. Aluwihare.]
will accept any definition that the Government accepts.

***The Hon. Mr. Bandaranaike:** If I may make a few remarks on this matter, I think, the House will agree with me that it is undesirable in the last degree to smuggle in a new definition of the word "Ceylonese" into a Bill relating to omnibuses. One of the chief and most contentious points is the question of what constitutes a Ceylonese and what does not. It is hardly right for us entirely to change the definition of the word "Ceylonese" now existing in various Ordinances, and more or less settle a question of citizenship and nationality through the medium of an Omnibus Bill. I would much rather see the whole of this Clause knocked out in its entirety rather than commit the country to an entirely new definition of "Ceylonese" in a Bill of this nature.

From my point of view, I am entirely against a new definition of "Ceylonese" based on such factors as a certain number of years' residence, being smuggled in through a Bill of this nature. Why the word "Ceylonese" is defined in this way here is because it has been so defined and accepted in certain other Ordinances, and also for purposes of Government Service. It is, therefore, put in here, in a sense without prejudice to any final discussion and settlement of this question of "Ceylonese". This definition is introduced here merely to preserve the *status quo*.

As the hon. Member for Matale (Mr. Aluwihare) also pointed out, what he has in mind is not served by altering the definition of "Ceylonese" to include a certain number of years' residence, because the very type of people perhaps whom he wants to keep out of this business in order to protect the existing bus-owners and others will not be served by a definition of this sort. It is, therefore, my contention that the whole purpose of that Sub-clause will be lost. I would, therefore, point out that by having this definition in this form, no harm is done—it is merely to preserve an existing situation—while if you were to alter it, you will be entering into a question which I very strongly deprecate being settled through the medium of a Bill of this nature.

***Diwan Bahadur I. X. Pereira:** May I add a word by way of personal explanation? After all, I think there are over 20 to 25 various definitions of the word "Ceylonese", and I fail to understand why this particular definition should have been adopted. I quite agree with the Hon. Minister when he says that he is not prepared to smuggle in a new definition, but there are so many other definitions of the word "Ceylonese" which could very well have been adopted.

***Mr. S. Vytilingam (Talawakele):** I do not think the hon. Nominated Member (Diwan Bahadur I. X. Pereira) wanted to smuggle into the definition of the word "Ceylonese" any political or civic rights for the Indians who have made this country their home. I entirely agree with the hon. Member for Matale (Mr. Aluwihare) that the bus business should, as far as possible, be restricted to Ceylonese.

But there have been objections to the present definition of "Ceylonese", and I would suggest for the consideration of the House the definition adopted in the Pawnbrokers Ordinance which was recently passed in this House. There a Pawnbroker's licence is restricted to people who have been resident in this country for five years.

***The Hon. Mr. Bandaranaike:** They are not defined as Ceylonese.

***Mr. Vytilingam:** They are not Shareholdings in bus companies could be restricted to people who have been resident for five years, and the word "Ceylonese" need not be defined in this Clause.

Question, "That the definition of the word "Ceylonese" be varied to read 'a person resident in Ceylon for at least ten years,' " put, and negatived.

Mr. H. W. Amarasuriya: New Sub-clause (3) says:

Every road service licence issued to a company shall be subject to the condition that the licence will be revoked if at least eight-five per centum of the share capital of the company is not held by persons who are Ceylonese.

I wonder, Sir, whether the object of the amendment is to see that at any time there should be 85 per cent. of the shares held by Ceylonese.

The Hon. Mr. Senanayake: Yes.

Mr. H. W. Amarasuriya: If the wording as it stands at present does not convey that meaning, I think it is necessary to insert the words "at any time".

***The Hon. Mr. Bandaranaike:** You see, Sir, this is going to be one of the conditions on which the licence is issued. If at any time, therefore, the company does not have this number of shares in the hands of Ceylonese, there would have been committed a breach of the conditions of the licence, and the licence could be revoked.

***Mr. Samarakkody:** I myself wanted to raise the same point, along with another. The clause as it stands has to be interpreted, and in the course of interpretation Courts take various views. The clause may be interpreted to mean that at the time of the issue of the licence there must be 85 per cent. of the share capital in the hands of Ceylonese and that subsequently the shares may be transferred to anybody.

Apart from that, I wish to draw the attention of the House to the percentage that has been fixed. This is an industry which has been in the hands of Ceylonese entirely. Our object is to protect it and not allow any foreign interests to get in. I ask you why 85 per centum has been fixed. I want "85 per centum" to be deleted and the words "100 per centum" to be inserted.

Mr. H. F. Parfitt (Nominated Member): Has the Hon. Minister realized the practical difficulties of fixing the 85 per centum? If the shares of a company are bought by a person and paid for, then the transfer goes to the office, and if the office of the company says that they will not accept the transfer of those shares because it brings down the 85 per cent. to 80 per cent., the poor fellow, although he had paid the money for the shares, will not be able to get them registered, and he will lose all the money he had paid. Is it not better to have the entire capital in the hands of Ceylonese? Then purchasers would know where they are. But now they will not know anything until the transfer is refused.

***Mr. Samarakkody:** My amendment is to omit "eighty-five per centum" and to insert therefor "hundred per centum".

The Hon. Mr. Senanayake: If the fear entertained by the hon. Nominated

Member is entertained by anyone, then anybody who is not a Ceylonese will not buy any shares. If it is a disadvantage to buy shares with this condition in the licence, nobody would apply for shares.

Mr. Parfitt: The Hon. Minister has missed my point. It is not a question of applying for shares. But having got the shares, the purchaser may not be able to register them. He may not be aware of the "85 per cent." condition, and after buying the shares he may find that he is not able to have them registered because of this condition.

Question, "That new Sub-clause (3) stand part of the Clause," put, and agreed to.

Mr. Samarakkody: I have moved an amendment, and I would like it to be put to the House. I have moved that in Sub-clause (3) the words "hundred per centum" be substituted for the words "eighty-five per centum".

Mr. Speaker: Does any hon. Member second the amendment?

Dr. A. P. de Zoysa (Colombo South) seconded.

Question put, "That the words 'at least eighty-five per centum' proposed to be deleted stand part of the Clause."

The Council divided (under Standing Order 68): Ayes, 8; Noes, 8.

There being an equality of votes, Mr. SPEAKER gave his casting vote for the motion.

Motion accordingly declared carried.

Amendments made by Standing Committee accepted, and Clause 6, as amended, ordered to stand part of the Bill.

CLAUSES 7, 10, 12, 13, 14 AND 18.

Amendments made by Standing Committee accepted, and Clauses 7, 10, 12, 13, 14 and 18, as amended, ordered to stand part of the Bill.

NEW CLAUSE 19.—(*Application of Ordinance to Motor Cabs.*)

Brought up and read the First and a Second time and added to the Bill.

NEW CLAUSE 20.—(*Commissioner to act subject to direction and control of Executive Committee.*)

Brought up and read the First and a Second time, and added to the Bill.

CLAUSES 19, 20 AND 21.

Amendments made by Standing Committee accepted, and Clauses 19, 20 and 21, as amended, ordered to stand part of the Bill.

SCHEDULE I. AND II.

Amendments made by Standing Committee accepted, and Schedules I and II, as amended, ordered to stand part of the Bill.

***Mr. Vytilingam:** Can I move to delete Sub-clause 6 (3)? Can I move an amendment now?

Mr. Speaker: No.

***The Hon. Mr. Bandaranaike:** I move that "An Ordinance to provide for the introduction of a system of exclusive road service licences for omnibuses and for the regulation and control of the use of omnibuses on highways, and to effect consequential amendments in the Motor Cars Ordinance, No. 45 of 1938" be now read a third time and passed.

Question proposed from the Chair.

Dr. de Zoysa: This Bill is intended to improve the bus services in this country by giving exclusive licences and also by the formation of limited liability companies. The principle has been accepted by this House, and even if the third reading of this Bill is passed, I have certain requests to make of the Minister.

He should consider whether it is wise to put this Bill into force before he has defined the different routes and before he has got his administrative officers to lay down the number of buses that would be allowed to ply on the different routes. Unless that is done, it will cause great hardship, as I pointed out at the second reading of this Bill.

With regard to the Motor Car Ordinance of 1938, before the Ordinance was put into force, the Minister published in the *Gazette* details of the different routes and he asked the people concerned to apply for licences on these routes. Unless the routes are defined, it will be extremely difficult for those concerned to take the necessary steps. The Commissioner of Motor Transport should also say what number of buses are to be allowed to ply on the different routes. If this is not done, it will be extremely

difficult for the people who are to form companies to know what capital would be required and in what way they should form companies.

The Hon. Minister should take into consideration not only the hardships entailed in the matter of forming companies. He should also take the fact into consideration that this Bill is going to revolutionize the existing industry at a time when those concerned are carrying on the business with great hardship and difficulty.

I need not repeat what I said earlier, I think the Hon. Minister is aware of the hardships that are likely to be caused. If he rushes through the proposed changes, the result will be serious. These bus-owners are not big capitalists; they are not poor people either. They form the middle class, and they are the most loyal of His Majesty's subjects. They are business people; they are also people of influence in the village, people who had some money to invest. Sometimes they invest their money in the motor business or in some other trade or business by mortgaging their properties, in the hope that such investment would be profitable to them. If, as a result of obstacles put in their way, at a time when the Ministers and the Government should subsidize the industry, if as a result of hasty steps taken by the Government, these people find themselves in difficulties, the Government would have created dissatisfaction and also an element of disloyalty in this country which may be dangerous, in that there will not be any open opposition or open disloyalty.

The Ministers as representatives of the people ought to have known how much feeling there is against this step. I hope that events will prove that the proposed changes have resulted in improvements. If the Hon. Minister succeeds in his object, and the hoped-for improvements are effected, well and good; but, on the other hand, if, for some reason or other, the scheme fails, the whole blame will come, not on the Minister, not on this Council, but on others.

By an unfortunate mistake, it was stated by the then Acting Chief Secretary that the formation of companies to form routes for bus services was necessary as a war measure, and that makes people

think that behind the Minister and the Government, are the Europeans—the Britishers—who are out to wreck the business and get it into their hands. [Interruption]: I must be very plain. That is actually how people feel about it. To you, it may be pure imagination, but that is the feeling in the country, and you propose to foster that feeling at a time when we need the help of every person in this country, when we need the goodwill of every loyal person. That being the case, I think this is a very sad step to take.

Therefore, as a precaution, the Minister should help these people, not only to form companies, but also in other directions. If he rushes these measures through and asks them to form companies, and they are unable to pay the necessary compensation, the Government should come forward and, if possible, subsidize the business for the duration of the war.

We must remember that although these buses are condemned as unsatisfactory the best vehicles in each group have been taken over by the Military authorities. Everybody knows that. The Hon. Minister himself has allowed the buses to be overloaded to the extent of 25 per cent., and they are being run sometimes with worn-out tyres. The business is also faced with the difficulty of obtaining necessary spare parts.

If on top of all this, the Minister tries to be very harsh on the people, it is not he who will be thought to have done all this. An innocent party may be blamed. The people feel that if their own Ministers took any wrong action, they could always look to the British Government for protection, but if they are made to lose that confidence in the British Government, we are making a mistake, a mistake which we shall bitterly regret.

It has been the policy of the British Government—a policy that has gained for them so much support and so much loyalty in so many different countries—never to kick a fallen man. The British have all throughout fought for the oppressed and for the rights of the people who are being oppressed. But here, at a time when these people are hard pressed—they cannot openly protest; they cannot strike—the Hon. Minister is forcing them in certain directions. The Hon. Minister himself knows that

once the Motor Ordinance was passed, in 1938, these owners protested in a certain manner. They wanted to organize strikes. At a time when they feel that that they are “down”, at a time when they feel that they cannot obtain sufficient capital; at a time when they feel that they cannot get sufficient tyres and spare parts, when the Hon. Minister forces them to form Companies, it is action which neither the British nor the Ceylonese—especially the Sinhalese—can make up their mind to take. I say that because we have never in our history kicked a man who has fallen.

With regard to this Bill, this measure is a vital matter; it is a matter in regard to which the people feel very strongly. Perhaps I would never have realized it if I was not the President of the Motor Owners' Association. That is why I know what they feel and what the country feels; otherwise I would be in the same ignorant position as perhaps the Hon. Minister of Local Administration is in.

Sir, some bus-owners wanted to hold a protest meeting in the Hon. Minister's own constituency. If the Hon. Minister is going to be unduly harsh and crush them, what they will do is perhaps they will contest his seat by putting forward a bus conductor or a bus driver.

Mr. Speaker: That matter does not arise on this Bill.

Dr. de Zoysa: The people feel very much and I am telling the Hon. Minister about it. The country knows about it, but I would warn the House, and more than that, I would warn the Hon. Minister, and ask him not to crush the fallen who are suffering hardships, because they have a right to ask for a chance to improve their business under fair conditions. Instead, the feeling is so strong that it looks as if the whole Government—and not only the whole Government, but also the British interests—are behind this measure.

That is the feeling. On the other hand, they have the fear that the Railway is trying to crush them. That is one fear. But the Hon. Minister says that the Railway authorities are not going to crush the motor-transport service.

I should like the Hon. Minister to look at this whole question sympathetically,

[Dr. de Zoysa.]

as he did in the earlier case, and grant these people their request, which is not an unreasonable one; and, instead of asking them to buy 100 buses and allowing them to ply only fifty of them, let him say that on such-and-such a route only fifty buses would be allowed to ply.

They also want all the applications for licences to be received on a fixed date, so that there may not be, shall I say, favours done to one company as against another. They want all applications to be received on a certain date, and licences granted, so that everybody will know when to apply for the licences. If one company rush in and secure a route, they will feel that a monopoly has been given to them.

Sir, personally I feel that the Hon. Minister may not be able to get all the applications and the routes decided upon and the difficulties overcome if he sets about the task in haste. You will remember, Sir, that the Hon. Minister wanted this Bill passed even without allowing his Committee to consider it. The Executive Committee considered the Bill, and they made some material changes. Then, instead of referring it to a Standing Committee, the Hon. Minister wanted this Bill to be passed by a Committee of the whole House, without giving the people who had interests in this business an opportunity to consider the Bill. We must, however, thank him for providing that opportunity, ultimately; and as a result certain material changes have been brought about. Supposing the Hon. Minister had had his own way and disposed of this Bill, all these changes would not have been brought about.

Therefore, I oppose the Bill because I personally feel that although it may be well meant, it will have a bad effect on this business.

***The Hon. Mr. Bandaranaike:** Sir, before the motion goes to the vote, I would like to congratulate my hon. Friend on his putting up such a very brave and prolonged fight on the last day. I am also grateful to him for the various points of difficulty that he has brought forward throughout the course of the consideration of this Bill, during the time

that it was under preparation as well as in this House.

I can only assure him, very briefly, that a point which he mentioned, and which I thought time after time that I had answered with a reasonable degree of satisfaction—the question of defining these routes—has been answered. I pointed out that out of a possible 32, over 28 already know what the routes are and have already unofficially agreed to form companies. With regard to the three or four remaining, which I mentioned—all that they did not know was what routes would be approved—the fact is that they have consistently refused even to discuss the question of the routes. They have unofficially refused even to discuss the matter with the authorities and find out what the routes will be that will be approved, so that they can then proceed to make their arrangements with regard to application.

I presume that every step will be taken now with regard to the very small number of bus-owners left out, and that this great difficulty that is raised time after time will be disposed of. I must confess that I do not understand the difficulty that the routes have not been first defined by the authorities; it is really a difficulty that does not exist.

I do not want to say anything more about the Bill itself except that I can give my hon. Friend the assurance that in administering the Bill every step will be taken by my Executive Committee and the administrative officers who will be in charge of this work to avoid causing any hardship or difficulty that can conceivably be avoided, and I would repeat to my hon. Friend that when such difficulties arise I shall be very happy to hear from him or the interests that he represents what those difficulties are, and they will be attended to as far as possible.

Sir, with regard to the question of kicking a fallen man, I must say that I have so far felt that that was rather a painful position. I did not realize that the gods who are still occupying the Galleries had suddenly become fallen men. No, Sir, I should think that the boot is on the other foot. However, if the bus people consider themselves fallen men, I can only point out that they have

no reason to consider themselves fallen men. I can assure them that everything will be done to alleviate any difficulty that may arise. I think they themselves will admit from experience that any difficulties that exist now—a good many of them—and any that may arise in the course of the operation of this Ordinance will be removed. Any step that can be taken will be taken.

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

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

The Council divided (under Standing Order 68): Ayes, 22; Noes, 2.

Bill read the third time, and passed.

It being 5.30 p.m.—

The Hon. Mr. Corea: I move that Emergency Standing Order 2 (4) be suspended to enable consideration of business, opposed or unopposed, to be continued beyond 5.30.

Question put, and agreed to.

FACTORY BILL.

***The Hon. Mr. Corea:** I move Sir—

That the amendments made by Standing Committee "B" in the Bill intituled "An Ordinance to make provision for the Safety and Welfare of Workers in Factories", be taken into consideration.

CLAUSES 1, and 3 to 7.

Amendments made by Standing Committee accepted, and Clauses, as amended, ordered to stand part of the Bill.

NEW CLAUSES 8 to 10.

Brought up and read the First and a Second time, and added to the Bill.

CLAUSES 8 to 16, 19, 27, 34, 39, 40, 43, 44, 46, 52, 63 to 65, and 67 to 69.

Amendments made by Standing Committee accepted, and Clauses, as amended, ordered to stand part of the Bill.

NEW CLAUSE 69.

Brought up and read the First and a Second time, and added to the Bill.

CLAUSES 70, 71, 73, 79, 81 to 84, 87, 91, 95 to 97 AND 106.

Amendments made by Standing Committee accepted, and Clauses, as amended, ordered to stand part of the Bill.

NEW CLAUSE 97.

Brought up and read the First and a Second time, and added to the Bill.

CLAUSES 100, 103 to 108, 116, 117 and 123 to 125.

Amendments made by Standing Committee accepted, and Clauses, as amended, ordered to stand part of the Bill.

TABLE OF SECTIONS.

Amendments made by Standing Committee accepted, and Table of Sections, as amended, ordered to stand part of the Bill.

The Hon. Mr. Corea: 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.

WAR RISKS (SEA-BORNE CARGOES) INSURANCE BILL.

***The Hon. Mr. Corea:** I move, Sir—

That the amendments made by Standing Committee "B" in the Bill intituled "An Ordinance to make provision for the insurance of sea-borne cargoes against certain risks in time of war and for purposes connected therewith or incidental thereto", be taken into consideration.

CLAUSES 3 and 5.

Amendments made by Standing Committee accepted, and Clauses, as amended, ordered to stand part of the Bill.

CLAUSE 7.

***Mr. Aluwihare:** May I know why in Clause 7 the words "Executive Committee" are to be taken out and the words "Minister for Labour, Industry and Commerce" put in?

***The Hon. Mr. Corea:** That matter was discussed very fully. The only reason for that change is that it was stated that the rates of premia will have to be changed rapidly from time to time, perhaps from day to day.

Amendment made by Standing Committee accepted, and Clause 7, as amended, ordered to stand part of the Bill.

A quorum not present, and division bells rung. Later, a quorum being present—

***The Hon. Mr. Corea:** 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.

†**LOAN BOARD (AMENDMENT) BILL.**

The Hon. Mr. Huxham: I move that the report of Standing Committee " B " on the Bill intituled " An Ordinance to amend the Loan Board Ordinance ", be accepted; and that the Bill be thereafter read the third time and passed. There are no amendments proposed to the Bill.

Question put, and agreed to.

Bill read the third time, and passed.

†**INDIAN IMMIGRANT LABOUR (AMENDMENT) BILL.**

The Hon. Mr. R. H. Drayton (Chief Secretary): I move that the report of Standing Committee " B " on the Bill intituled " An Ordinance to amend the Indian Immigrant Labour Ordinance ", be accepted; and that the Bill be thereafter read the third time and passed. There are no amendments proposed to this Bill.

Question put, and agreed to.

Bill read the third time, and passed.

THOROUGHFARES (AMENDMENT) BILL.

The Hon. Colonel Kotalawala: I move that the Bill intituled " An Ordinance to amend the Thoroughfares Ordinance ", be now read the first time.

The necessity for this Ordinance is fully set out in the Statement of Objects and Reasons appended to the Bill.

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

Question put, and agreed to.

Bill read the first time.

PUBLIC SERVICES PROVIDENT FUND REGULATIONS.

The following item stood upon the Orders of the Day:

The Financial Secretary to move.—

That the Regulations made under section 24 of the Public Services Provident Fund Ordinance, No. 18 of 1942, by the Financial Secretary, after consulting the Board of Management, Public Services Provident Fund, and tabled in the House on October 1, 1942, be approved.

Observations of the Financial Secretary.

There are no direct financial implications.

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 move the motion standing in my name.

These regulations are merely formal and provide procedure for the Board of Management of the Public Services Provident Fund.

Question put, and agreed to.

ADJOURNMENT.

The Hon. Mr. D. S. Senanayake (Acting Leader of the State Council): I move that the Council do now adjourn till Tuesday, November 3, 1942, at 2 P.M.

Question put, and agreed to.

Adjourned accordingly at 5.55 P.M. until 2 P.M. on Tuesday, November 3, 1942.