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Letter From The Editor

THE BUDGET DEBATE has once again brought into sharp focus a question which has been plaguing the political movement in this country: namely the method by which a stagnant semi-feudal, semi-colonial and semi-capitalist economy could be transformed into a dynamic, growing, self-generating and viable one capable of providing a better life for the daily-increasing population of the island. One assumption has now been accepted as basic by all political parties: that *socialism*, where the means of production and distribution are brought under public control (and ownership), could alone, in the present global context, provide a solution to the problems confronting this country (as many other countries in the world). The objective of socialism was first put forward as a solution by the marxist parties in the thirties. After the newly emerging centrist SLFP, led by SWRD Bandaranaike, had proclaimed democratic socialism as the utopia in the early fifties, even the rightwing diehard UNP, at that time led by Sir John Kotelawela, had begun to talk about "efficient socialism"—no doubt to cushion the growth of socialist ideas in the country. This was in the mid-fifties, and since then, as the saying goes, much water has flowed under the bridges. Today, the right-inclined UNP, with its new image of a "people's party", as fashioned by J. R. Jayewardene, claims that it stands for *democratic socialism*—and the UNP resolutely now supports the nationalisation of foreign-owned estates (something which was inconceivable of the UNP in the forties, fifties and sixties). It is not clear what the "democratic socialism" of the rightwing-tilting UNP will be like in practical terms. But, we now have a clearer picture of what the stolidly centrist SLFP envisages as democratic socialism. The SLFP, like many similar parties in Third World countries, has planked down for a mixed economy, (a compromise concept which was pushed to the forefront in the fifties), where the State seeks to maintain a balance between the public and private sector in such a way that the public part would begin to dominate (as it gains in proficiency, efficiency and expertise) over private enterprise in such a gradual (parliamentary) manner that an egalitarian (socialist) society would become a reality in the fullness of time. There is no doubt that the UNP has now begun to edge towards this centrist SLFP concept. The UNP also stipulates that change must come from parliamentary and democratic processes with all the checks and balances of policy based on the separation of powers. The SLFP is yet to clarify its attitude on many matters which are connected with the attempt to stabilise a mixed economy and push it forward to a goal not properly defined as yet in concrete terms, but which is amorphously described as "socialist". In this Sri Lankan (and global) aura of universal socialism, the traditional marxist parties now find themselves in a dilemma, caught up in ideological exercises to flirt, coalesce and even unite with centrist (nonmarxist but democratic socialist) parties in a bid to utilise parliamentary forms to attain marxist objectives. Though Sri Lanka marxists (as elsewhere) are divided on many ideological matters, the goal they have in mind is one: the establishment of a fully controlled and regulated state (which can keep out economic crisis like inflation and recession) and by means of a dictatorship of the proletariat take the country forward towards a communist society. The countries which the different Sri Lankan marxist parties uphold as "truly marxist" attained their present socialist eminence through non-parliamentary processes. Whether it is Russia, China, or Yugoslavia their present socio-economic structure and governmental apparatus came into being through armed revolutionary struggle, and a socialist state was brought into being through a dictatorship of the proletariat (operated by one party) in one package deal so to say. The tragedy of the Marxist parties in Sri Lanka today (and it is a continuing tragedy) is that every one of them, at different times, had developed ideas of utilising centrist political groups and parties (through electoral agreements, through coalitions and through united fronts) to attain marxist goals (and in the process wanting to educate them in the dialectics). But it is not clear what they have attained or where they stand. At one time, the marxists had provided the thinking, logic, idiom and jargon for the sentimentally nebulous and seemingly evanescent centrist groups in Ceylon. But today, SLFP centrism has developed a new intelligentsia of its own and it has begun to spawn an ideology also all its own, not original, not unique, and even though an unholy amalgam derived from an eclectic hotpotch, it is nevertheless able to offer a serious challenge to the disparate views and strategies of the different marxist parties. such is the situation on the ideological front in Sri Lanka today.

EDITOR'S NOTEBOOK

Budget Under
Fire

WITH THE WIDE AND UNINHIBITED PUBLICITY given to the Budget Speech and the Budget proposals in the national news media and over the radio, it seems hardly necessary for *Tribune* to reproduce even the more significant parts of the Budget Speech. *Tribune* is mainly a journal of comment and in commenting on various aspects of the Budget and in discussing the criticisms of the Budget it is certain that every important part of the Budget will be reflected in these columns together with some of the more pertinent of the criticisms made about the Budget.

The debate in the NSA is still in progress, but the attitude of the different political parties to the FRDB Budget has been made more than amply clear. The UNP, (J. R. Jayewardene, as the leader of the Opposition, had opened the debate), seems content to take a sneeringly patronising attitude towards the Budget with a reproachful *we-knew-it-would-come-to-this* air. JRJ's main query was why there was this "right about turn" from the budgetary policies of Dr. N. M. Perera (who was admittedly of the United Front). The UNP was also at pains to point out two things: first that the Government (what is left of the UF) had taken a sharp turn to the Right (with the sinister intent to prod the CP and other "progressives" into believing that the SLFP had turned its back on Left politics); and, second, to say that even this right-about-turn budget could not solve the basic problems of the economy—no doubt (by implication) because the budget had not gone completely to the Right. Though the UNP (which is now endeavouring to build a leftwing image as a "socialist party") did not directly say that it was necessary to go back completely to private enterprise the meaning was clear—that the continued flirtation of the SLFP with fabian leftwingism, under the cover of the mystique of "Bandaranaike policies", would render any long term solution impossible. All UNP spokesmen

paid compliments to the Minister of Finance for the bold departure he had made from earlier Budgets, but pointed out that the concentration on short-term reliefs with an eye on the 1977 general elections was not in the best interests of the country. The UNP even twitted the Government about increasing the price of arrack and cigarettes as this would be a "burden to the poorer classes" (UNP's concern for the poor is still regarded as a piece of humbug). The UNP also shed tears that the price of bread had been left at Rs. 0.98 cents with the price of flour also left untouched. (If the UNP had any concern for the local food production, it would not have said what it did about the price of flour or even sugar).

UNP comments about the Budgets make it clear that the Party is still pursuing a negatively critical approach towards national politics. There is a JR manifesto for the new UNP he has ordained, but it is such general terms that no one can be certain how the UNP proposed to tackle the economic problems of the country in a concrete way that would be acceptable to the majority of the people. Whilst it may be that the UNP does not want, (for strategic reasons), to tarnish the Budget in the eyes of the Left by rendering too much support to it, it is also clear that the UNP still does not want to reveal its plans for "saving" the country. Either the UNP does not have any such plan as yet, or it thinks that the time is not opportune for any such revelation.

The UNP, while complimenting the SLFP for making a sharp turn away from the Left (LSSP's) and also suggesting in indirect terms that the SLFP should go further Right (private enterprise etc), the LSSP has denounced the Budget for leaning on to the Right under cover of Bandaranaikeism and has forecast the direst doom if the SLFP does not once again tilt back to the Left (meaning the LSSP). One LSSP speaker after another had stressed that nothing could be achieved through a "mixed economy" and that Marxian socialism alone could solve the country's problems. (If this is the LSSP credo, it is difficult to understand why the LSSP ever joined the United Front with its avowed policy of a "mixed economy",

The LSSP attempt to transform a "mixed economy" objective into a Marxist socialist one, through budgetary manipulations between 1970-75, has failed in a miserable way). The LSSP has come out as the sharpest critic of FRDB and his Budget. Dr. N. M. Perera had set out his views forcefully in the *Janadina* and the *Aththa* immediately after the Budget Speech—at the time of writing these notes he has not spoken in the NSA. But his views were reflected by all LSSP speakers and journals.

Dr. N. M. Perera's criticisms can be summed as follows: (1) that FRDB's budget reversed the policies pursued in the last five years; (2) that the Budget has given a bonanza to the capitalists without attacking them in the manner a budget (presumably a socialist one) should; (3) that that FRDB has tried to fool people into believing that borrowed money was national wealth; (4) that FRDB has invited foreign banks to invest in the country and that this would undermine the country's economic integrity and independence; (5) that FRDB has undermined the Business Acquisition Act; (6) that the concessions to the middle classes were minor compared to the great benefits and facilities afforded to the capitalists; (7) that the budget does not have any solutions for the country's problems; (8) that the price of goods will shoot up after the Budget; (9) that there is no foreign exchange budget in the Budget; (10) that instead of nationalising all banks the Finance Minister has invited foreign banks to enlarge their activities here; (11) that no way has been indicated as to how foreign loans and debts can be repaid; (12) that there is no development plan; (13) that no mention has been made of socialism and that it was a budget that took the country back to capitalism; and (14) that the Budget, in short, was an attempt to reverse the forward march of the country in the last five years.

All these criticisms are valid if one accepts that what was expected of FRDB, the SLFP, and even the UF, was a marxist socialist budget. But if what was expected of the Finance Minister was only a "mixed economy" budget, then these criticisms are not valid. Minister FRDB had answered many

of these criticisms in a special interview in the *Observer* of November 9, and he will probably answer the rest in the *NSA* when he winds up the debate after more LSSP stalwarts have made their speeches.

The CP, still a member of the UF, laboured hard to find some virtue in the Budget to justify its continuing partnership with the SLFP in the UF, but some of its speakers echoed (in mild terms) the same "marxist" criticisms put forward boldly by the LSSP. It is a pity that CP still continues to tail behind the LSSP in this as in many others matters, although it did not follow the LSSP invitation to walk out of the Government. As long as the CP has accepted the Common Programme with its "mixed economy formula" it cannot denounce a Budget (even in genteel terms) for not being "marxist". This is the dilemma in which the CP now finds itself.

At the time the Common Programme was formulated, *Tribune* had raised a fundamental question whether a "mixed economy" was adequate for the transformation of our economic structure and whether it would not be more honest for marxist parties to take an independent position on a totally different and distinct platform advocating marxian socialism without being tainted by the nebulous ideas of a mixed economy. It must be remembered that it was the UNP that first introduced the concept of a mixed economy with a heavy tilt to the capitalists and capitalism. The budgets from 1947 to 1955 were mixed economy budgets with heavy weightage towards the private sector. From 1956 to 1964, the SLFP sought to shift the emphasis to the public sector whilst imposing heavier restrictions on the private sector. Between 1965 to 1970, the UNP tried hard to reverse the process, but the heavy public sector tilt achieved in the previous ten years could not be completely put back to where the UNP was anxious to revert the country's economy. In the years 1970-75, there was determined effort on LSSP initiative to transform the mixed economy formula into a near-marxist or pseudo-marxist programme. But this led to a virtual stagnation of the mixed economy resulting in the

crisis within the UF which led to the ouster of the LSSP. And FRDB has now sought to produce a budget to give flesh and meaning to a pure SLFP concept of a mixed economy. How far this will solve the problems of the country and take it forward is yet to be seen.

The Federal Party, which has no economic philosophy of its own, (except a vague and sentimental attachment to a mixed economy with a desire to perpetuate a large segment of the private sector), supported some of the budget proposals of the Government which brought immediate short-term relief to the middle classes and farmers, but FP speakers always coupled arguments in support of the Budget with an appeal to the Government to resolve the problems of the Tamil minority. It is time that the FP developed the necessary maturity to evaluate a national budget in terms of national interests. The FP should also have an economic programme for the country as a whole as well formulate an economic

plan for the Tamil minority in a way it could dovetail into the national scheme.

Dr. Dahanayake supported the Budget from a "mixed economy" angle. But he also raised some interesting questions, but not so well expressed as Mr. Jayawardene's comments, published in *The Journal* of November 14, 1975 under the heading WHERE ARE WE GOING? QUO VADIS, O SATAN:

What is this Budget? A right about turn. He has forgotten the ambalamas... Where are we going Quo Vadis? It was O Domine. Now I say O Satan...

I said it in Sinhala and I say it in English also—is a right about turn because, having proceeded for five years to create a socialist state, he has now adopted the Kaldor system of taxation which to my mind is fitted for a capitalist state. One regret I have is that he seems to abandon the budgets and budget speeches of previous Finance Ministers in this same Government. The present Finance Minister criticises the budget speech and budget proposals of the previous Finance Minister, Dr. N. M. Perera, and the budget

COVER—COLOMBO TOWN

THERE IS NO DOUBT that a start has been made on a much-needed face-lift to make Colombo look tidy and nice for the nonaligned summit conference next August. The road from our International Airport at Katunayake has been widened and work is going on round the clock to get the road surface into proper shape. In the city itself, little gardens have been established on certain large roundabouts at important junctions and these are looked after by large commercial firms. A spring-cleaning is under way at the Vihara Maha Devi Park (Victoria Park of old): for a start much of the jungle overgrowth has been cleared away, but there is much more to be done. The streets in some parts of the city are cleaner, but in some areas dirt and rubbish regularly accumulate for long periods of time—there is talk that garbage removers want residents to have the rubbish collected at convenient central spots to make it easy for the vans to remove the dirt, but this is something which is difficult in what are still slum areas. All this is very good, but what residents of Colombo cannot understand is why the Municipal authorities have not been able to rid the city of mosquitoes. They are legion in some of the best residential areas—areas where most the delegates for the nonaligned Summit will be housed. Not all the houses they will occupy can be airconditioned and the mosquito menace may become the talk of the summit unless the Colombo Municipal authorities can do something about this in time. One thing our active and enthusiastic Mayor should look into is whether the liquid which is sprayed contains the necessary quantity of DDT (or whatever other drug) to eradicate the mosquito. It is possible that water is sprayed with the DDT having been spirited away. There can be no other explanation why mosquitoes are still so plentiful in the heart of Colombo when distant outposts in the jungle of the Wanni have none. There are many fairy tales as to why the Colombo mosquito has been able to survive—but even if some residents of Colombo swallow such stories, foreign delegates and visitors will not.

proposals for a period of five years from 1970. Was he not in that Cabinet? Did he not agree with those proposals? Did he not come here and openly support them? Can one Finance Minister say, in the same Government, "our previous proposals were with the idea of liquidating the private sector?" That is what we said here. They defended it....

Was the budget of 1974 a budget according to the Bandaranaike policy, and is the budget of 1975 a budget according to the Bandaranaike policy? What is this policy? The most flexible political philosophy in the whole universe! Every proposal seems to fit into this wonderful Bandaranaike policy—even the UNP policy. I remember the last budget speech which we listened to with great interest. I need not go into its details but either in the last one or in the previous one the then Finance Minister said there were "ambalamas" on the road to socialism. What is this budget? A right about turn. He has forgotten the "ambalamas" in front; he has not looked at the road blocks behind; he has done a right about turn and is going in a totally different direction. I really do not know what direction. I am not saying the direction is right or wrong but we want to study what the plan of this Government is. Where are we going? Quo Vadis? It was "O Domine" Now I say "O Satori!" The Prime Minister is always absent when these questions are asked but she comes here and says, "I am following the Bandaranaike policy." Does she know what she is following? The policy of the Kaldor system—is that a Bandaranaike policy? That was in 1958, but do those conditions apply in 1975? These are questions that I am going to raise before this House....."

Mr. Jayewardene had raised some very interesting questions about the Kaldor plan of taxation, and we shall revert to this in our comments in the coming weeks. But we cannot resist the temptation to refer to the LSSP attempt to save the unnecessarily (and immorally) large number of liquor bars which have been recently opened in the country. Certain LSSP speakers in the NSA have wondered whether the liquor licences in the Galle Face Hotel, Hotel Oberoi and Hotel Taprobane will be cancelled because they are within half a mile of places of worship? This may be

good debating point, but everybody knows the kind of liquor bar ordinary people object to—the kind of liquor bar set up to spread the Revolution (to bring about a political transformation). Soon after the Kandyan kingdom fell in 1815, the British set up a very large number of taverns and bars in the Kandyan areas in order to bring the population under control and to create a kind of "bourgeois" who will be subservient to the administration. The British and other Western Powers used opium in China for the same purpose. The Temperance Movement in Ceylon, which was the first movement for social and political emancipation after the British conquest, was started as a result of the British policy of opening arrack taverns. Marx has said that history has way of repeating itself, though in zig-zags, at different levels. How true?

AS WE GO TO PRESS, the speech made by Dr. S. A. Wickremasinghe in the NSA on Monday, November 7, clarified the attitude of the CP to the Budget in no uncertain terms. Dr. Wickremasinghe had declared that the CP will remain with the United Front Government as the Government was still committed to pursuing socialist objectives—(meaning, no doubt, mixed economy objectives with a distinct public sector bias which marxists hope will ultimately promote a non-capitalist path of development towards socialism). The leader of the CP had opened his speech expressing regret at the exit of the LSSP from the Government, but had reiterated that the CP would remain in the Government to pursue policies and programmes formulated by the UF. He replied to the LSSP query whether the CP could support the mixed economy as advocated in the Budget, Dr. Wickremasinghe stated that he saw no change in the policy objectives of the Government as originally laid down. He admitted that the Budget had given assurances to the private sector, but it was obvious that this would be done with adequate precautions to ensure that private enterprise did not interfere in local affairs. He also said that foreign assistance was very essential to develop the country, but stated foreign investment should be permitted only with great precautions. The CP,

said Dr. Wickremasinghe, was still in the Government because it believed that the country will develop by seeking more assistance from the socialist countries. He also stressed that the CP fully endorsed the nonaligned policy propounded by the late Mr. S. W. R. D. Bandaranaike which had helped to forge closer links with the socialist countries. Commenting on the Budget he had said that although the CP could not agree to the concessions granted to the capitalists in the Budget, nevertheless the Party welcomed the relief measures granted to the ordinary masses such as the salary increase, the reduction in the price of rice, textiles and the like, and the concessions given to the farmers. He said that measures directed at lessening the burdens of the people should be welcomed in view of the serious food crisis facing the people—such reliefs too would help the progressive march of the nation by enlisting the goodwill of the masses.

* * *

Letter

STANDARDISATION MEDIA-WISE AND ARTICLE 6c OF THE UNIVERSAL DECLARATION OF HUMAN RIGHTS.

Sir,

"Every one has the right to education. Education shall be free at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit. Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, social or religious groups, and shall further the activities of the United Nations for the maintenance of Peace."

K. Kularatnam

16, Abdul Gaffoor Mawatha,
Colombo 3.
5.11.75

CHRONICLE

Nov. 1 — Nov. 7

A DIARY OF EVENTS IN SRI LANKA AND THE WORLD
COMPILED FROM DAILY NEWSPAPERS
PUBLISHED IN COLOMBO.

CDN—Ceylon Daily News; CDM—Ceylon Daily Mirror; CO—Ceylon Observer; TOCSL—Times of Ceylon Sunday Illustrated; DM—Dinamina; LD—Lankadipa; JD—Janadina; VK—Virakesari; ATH—Aththa; SM—Silumina; SLD—Sri Lankadipa; JS—Janasathiya.

SATURDAY, NOVEMBER 1: The Prime Minister, Mrs. Sirima Bandaranaike, addressing the conference of political authorities and Government Agents at the Central Bank Auditorium warned about the possibility of a repetition of the incidents of April 1971 and called upon everyone to be vigilant to prevent such incidents taking place again in the country; she further said that there were persons trying hard to obstruct the work of Government and according to Police reports there was information of insurgent activities—CDN. According to the *Daily Mirror* at yesterday's conference the Prime Minister warned the country of the possibility of event similar to the insurrection of 1971 taking place. All persons who come under the purview of the Assets and Liabilities Law and who have failed to declare their assets before the end of last month will be prosecuted—CDM. From next week major political parties will give evidence before the CJC—CDN. The JCTUO decided to request the Government to take over all foreign owned banks operating in Sri Lanka; the Council thanked the Government for nationalising the foreign and locally owned company estates—VK. According to the *Janadina* three destroyers belonging to the Third Fleet of the United States Navy is currently in the Colombo harbour and on instructions from a 'big-shot' in the Government the capitalist papers of the country have made an attempt to black-out this news. That a news item, said the *Janadina*, about these destroyers was published in the *Ceylon Observer's* first edition on Thursday but the same news was taken out in the subsequent editions. The *Janadina* editorially commenting on an incident at Gampola where a procession led by a Government MP to receive the Minister of Agriculture and Lands after the nationalisation of estates was banned, said that this clearly reflected the thinking of the Prime Minister who did not wish the people to celebrate the take-over of foreign and, local company-owned estates; the editorial further said that the Premiership does not belong to one person for ever and if the masses wished they have the strength and power to topple or have a Prime Minister. Mr. Mahinda Rajapakse, MP for Beliatta, in an appeal to the Prime Minister and the President, pleaded for clemency for the 11 accused on whom the sentence of death has been passed by the CJC; this is the first occasion where a Government MP has made appeal of this nature on behalf of insurgents sentenced to death; earlier Mr. Prins Goonesekera MP for Habraduwa, made a similar appeal to the Government—ATH. Prince Juan Carlos took over as Acting Chief of Staff from the dying General Francisco Franco as Spain grappled with a crisis over the Spanish Sahara. Lebanese Premier Rashid Karami said last night he hoped the country's vicious civil war will end

in the coming hours. A ship carrying non-strategic cargo for Israel will pass through the Suez Canal today the first Israeli cargo to move along the waterway for over 23 years.

SUNDAY, NOVEMBER 2: Dr. Badiudin Mahmud, Minister of Education, has told the *Observer* that he would give more opportunities to students who come from secondary schools by organising new types of higher education for their benefit; he also said that plans are being drawn up toward a Higher National Diploma in management studies which would be the equivalent of a University degree and this course will be started in May 1976 with an initial enrolment of 100 students—CO. The Tamil United Front will give evidence before the Delimitation Commission tomorrow—CO. The Ministry of Justice this week will divert its attention to nab those who have failed to declare their assets as required under the Declaration of Assets Law—CO. According to the *Times*, in view of the ten major accidents last year, the Railway's security measures have been tightened and streamlined by the General Manager of Railways to ensure passenger safety; accordingly a separate division of examiners has been set-up to check on engine drivers and other railway personnel manning trains to find out whether they are under the influence of liquor and are normal in their behaviour. New entrants to the University will be admitted from May next year and the University has drawn up a plan to provide the students with a six-month national service training the Jaffna Campus of the University will absorb the most number of students; the committee appointed to make the selections has still not finalised its work—VK. Mr. Hector Kobbekaduwa, Minister of Agriculture and Lands, has planned to urbanise the small villages in the areas where estates belonging to foreign companies were nationalised. According to the *Janasathiya* several socialist countries may boycott the Non-Aligned summit to be held in Colombo next year in view of the pro-capitalist policy followed by the Government; this has become clear since the speech by the Sri Lanka's Ambassador to the United Nations, who, in keeping with the country's foreign policy, wanted South Korea admitted to the United Nations; the paper further said that socialist countries are watching the attitude followed by Sri Lanka which is seeking aid from the capitalist European countries for the Non-Aligned conference to be held in Colombo. Hindus, the island over, will celebrate Deepavali, the festival of Lights, today—CO. At the Commonwealth Parliamentary Conference currently being held in India littoral and hinterland states rallied behind India's demand for dismantling US base in Diego Garcia and for keeping the Indian Ocean free from great power rivalries.

MONDAY, NOVEMBER 3: The General Council of the JCTUO which met recently decided to abolish the mutual agreement reached between the Employers Federation and the JCTUO in 1971; the Council which is now drafting a list of fresh demands attributed the reason for abolishing this 1971 agreement as out-dated in view of the present day living conditions—ATH. The *Aththa* editorially agreed with the decision of the JCTUO and said according to the present day conditions the agreement was of benefit only to the employers. The *Janadina* in an editorial comment criticised the government leadership for allowing three war ships belonging to the American Seventh Fleet to visit the Colombo

harbour: the editorial further said that this attitude of the Government is ample evidence to prove that it is now pro-capitalist: the paper further said that it is the Sri Lanka Prime Minister who makes a big hue and cry to keep the Indian Ocean free by demanding the withdrawal of the Diego Garcia base in the Indian Ocean. Mr. Anura Bandaranaike, Chief Organiser of the SLFP Youth Leagues, addressing a meeting in Eheliyagoda, said that nearly 11,000 of the 18,000 odd youth who were released from the Rehabilitation Camps after the April '71 insurgency have now rallied round the SLFP—CDM. According to the *Daily Mirror* indications are that the price of off-ration sugar will be slashed after the budget. Ministry of Industries has taken steps to reduce the price of 14 items including day to day consumer items, chemicals and water pumps—DM. The Political Authorities who attended last Friday's conference held by the Prime Minister has requested the Minister of Public Administration and Trade, Mr. T. B. Ilangaratne, to delegate some of the executive powers held by the Ministers to them at district level: Mr. Ilangaratne told them that this proposal involved a major policy decision by the Government and he would forward the proposal for the consideration of the National Planning Council—CDN. A special unit of the Police Narcotics Bureau is to be stationed at Talaimannar Customs check-point in a bid to check the increasing in-law of opium into the country from India—CDN. A new flare-up of violence in Beirut killed 40 people only hours after the 12th ceasefire agreement was drawn up: the UN expressed grave concern over the development in Libya. Egypt has plans to build ten nuclear power stations over the next 20 years.

TUESDAY, NOVEMBER 4: A top level team of Ministers headed by Mr. Pieter Keuneman, Minister of Housing and Construction, and the Chairman of the National Planning Council's sectoral committee on mass media, social overheads housing and transport is now drafting a series of recommendations which would change the outlook and functioning of national newspapers, the state radio, other form of mass communications, and also Sri Lanka's press relations abroad—CDN. The Canadian International Development Agency will provide Sri Lanka a commodity loan of 12 million dollars: the agreement for the loan will be signed early next month—CDN. Mr. Robert Senanayake, father of Mr. Rukman Senanayake, MP for Dedigama, in a letter addressed to Mr. J. R. Jayewardene, President of the UNP, categorically denied that the Senanayakes had at any time considered that the UNP belonged to them: Mr. Senanayake in his letter referred to a statement alleged to have been made by Mr. Jayewardene in the presence of thousands of delegates at the 1974 party conference in which the latter has said that he would either force a general election in 1975 or resign from the post of President of the Party: Mr. Senanayake said if Mr. Jayewardene could have denied such a statement he was not at all surprised to find Mr. Jayewardene endeavouring to twist Mr. Senanayake's words in order to discredit the former publicly—CDM. The Tamil United Front which gave evidence yesterday before the Delimitation Commission urged a new seat called Mullaitivu in the Northern Province: the TUF also requested the Commission to make the Colombo North constituency a two-member seat enabling the Tamils living there to elect their own Member—VK. According to the *Janadina* the new Finance Minister

will announce an increase in the price of local liquor in his budget proposals to be announced tomorrow: the paper further said that according to reliable information it has come to know that the free rice scheme will be abolished and instead flour will be made available in ample quantities for easy purchase. The Government decided to fill all vacancies existing in the Government service and state sector Corporations by January—ATH. The Bangladesh Army took control of the country yesterday in the second major military move in three months but left Mustaque Ahmed in office as President: the Army leadership seized power from the junior officers who brought President Ahmed to power in a coup d'etat on August 15. President Ford asked Secretary of State, Henry Kissinger, to give up his second job as head of the national Security Council according to the *Newsweek* Dr. Kissinger has agreed to consider this request: US Secretary of Defence, James Schlesinger, recently in conflict with Secretary of State Dr. Kissinger, has been dismissed according to aides to Senator Henry Jackson.

WEDNESDAY, NOVEMBER 5: Mr. Felix Dias Bandaranaike, Minister of Finance, will present the United Front Government's sixth Budget proposals in the NSA today: according to the *Daily News* today's budget proposals are expected to contain two types of deals: the proposals are expected to provide a square deal for the consumer and deal a hard knock on speculators, profiteer businessmen and the corrupt—CDN. The Minister of Finance has told the *Virakesari* that his Budget would be one of "old and new things mixed up" and not to be surprised if there are surprises: the Minister told the *Daily Mirror*, that his Budget would be an interesting one with a stinker or two. Prime Minister, Mrs. Sirima Bandaranaike, replying to a question by Dr. Colvin R. de Silva, the LSSP MP for Agalawatte, in the NSA said that the Government has not given any special facilities to the three American war ships in the harbour but when US wanted permission for the three ships to pass through Colombo it was granted: she further said that it was customary to allow ships of other countries to pass through a country's harbour during peaceful times—VK. The Ministry of Defence and Foreign Affairs referring to recent newspaper reports which said that at the Government Agent's conference the Prime Minister warned the country of a repetition of events similar to that of the April insurgency said that at no stage the Premier said such a thing: the correction by the Defence Ministry said that the Prime Minister as the Minister in charge of the Police Department referred to the importance of maintaining law and order for the successful implementation of development programmes and emphasised on the need for the Government Agents to co-operate closely, with the Police—CDN & CDM. Dr. N. M. Perera, MP for Yatiyantota, giving evidence before the Delimitation Commission said that it was vital that multi-member constituencies should be retained to provide representation to the working class as well as racial and caste groups—CDN. The committee appointed to go into the affair of Rukman Senanayake, MP for Dedigama, met yesterday and will submit a report to the UNP Working Committee on the 8th of this month—DM. Sri Lanka signed an agreement with the Government of India yesterday in which the Indian Government will provide Sri Lanka with a loan of Rs. 100 million to finance part of the

foreign costs of establishing a Urea Plant in Sri Lanka—CDM. The JCTUO requested the Prime Minister to fulfill her pledge draw up a plan to nationalise all industries in the country—ATH. A delegation of the JCTUO which met the Minister of Agriculture and Lands, Mr. Hector Kobbekaduwa, and requested him to nationalise all Agency Houses: the delegation explained to the Minister the danger in allowing these agency houses to continue to administer the nationalised estates—JD. Mr. Sridath S. Ramphal, the Secretary General of the Commonwealth Secretariat, will visit Sri Lanka today on a three day tour—CDN. Spain stood by yesterday for possible fighting in the Spanish Sahara with Prince Juan Carlos, the acting head of the State, anxious to avert discontent in the Army. US Vice President, Nelson Rockefeller, yesterday bowed out of the 1976 election campaign in the latest of a series of major administration upheavals which appear to have left Secretary of State, Henry Kissinger the winner.

THURSDAY, NOVEMBER 6: In the Budget by the Finance Minister, Mr. Felix Dias Bandaranaike, cheaper rice, sugar, textiles and a salary increase of Rs. 15 to all Government Servants earning less than Rs. 800 a month were announced: a measure of paid rice on coupon has been reduced from Rs. 2.20 a measure to Rs. 2.00; off ration sugar from Rs. 7.50 a pound to Rs. 6.00: the prices of all synthetic textiles have been reduced: prices of cigarettes went up by one cent and local liquor Rs. 1 per bottle: foreign liquor went up by Rs. 10 per bottle: the ceiling on income tax was raised from Rs. 6,000 a year to Rs. 9,000 a year which meant an increase in the number of persons receiving the free half-measure of rice: compulsory savings was abolished and the BTT on tourist hotels increased to 10 per cent from 1 per cent: pension rights to new entrant public servants which had been withdrawn in 1972 has been reintroduced and their EPF contributions will go to the Government coffers: the Minister read the introductory notes to the Budget in all three languages: the Finance Minister in the course of his speech to the NSA said that he proposed in this budget not to follow doctrinaire theory but to achieve practical results before the general elections, in 1977, so far as that is possible in the eighteen months available—CDN & CDM. A business known as New Ceramic Industries Ltd at Matara has been vested in the Government under the Business Undertaking Act—CDN. According to the *Janadina* all taxes introduced by the Former Minister of Finance, Dr. N. M. Perera in his last Budget had been withdrawn in the budget of Mr. Felix Dias Bandaranaike: this budget proposals will be a boost to the capitalist class in the country: the *Janadina* further said that the Budget had brought only little relief to the poor man. According to the *Daily Mirror*, city circles yesterday welcomed Mr. Felix Dias Bandaranaike's Budget as "a catalyst" for activating Sri Lanka's stagnant economy, with the banking sector, private enterprise, workers and management, all enthusiastically participating in it. The funeral of the Mahanayake of the Asgiriya chapter will take place today at the Bogambara Grounds, Kandy: the Prime Minister is expected to be present at the funeral—DM. The Ceylon Teacher's Union yesterday appealed to the Prime Minister, Mrs. Sirima Bandaranaike, to spare the lives of 12 insurgents sentenced to death—CDM. The UN General Assembly's Special Political Committee appealed yesterday for an oil embargo against South Africa. Political observers in

America were divided yesterday over whether President Ford's stunning top-level shake-up of his administration had helped or hurt his relations with Congress and prospects for election next year.

FRIDAY, NOVEMBER 7: The United Front trade unions in the island while appreciating the relief measures announced by the Finance Minister in his recent budget proposals seriously considered the proposals to allow foreign capital to be invested in Sri Lanka for business ventures—ATH. Dr. N. M. Perera, former Minister of Finance and MP for Yatiyantota, told the *Aththa* that the Budget could be identified as one that has shattered all efforts taken during the last five years to wage war against the capitalist class and as one which has made an "about turn" in the nationalist forward march of the country: commenting on the Budget, Dr. Perera said that the Finance Minister has kept other's money in his pocket and attempted to claim ownership to same. The *Janadina* editorially commenting on the Budget said that this year's Budget was a presentation made by Mr. Felix Dias Bandaranaike to the capitalists of this country as well for foreign capitalists: the *Janadina* spotlighted an arithmetical error in Mr. Felix Dias Bandaranaike's Budget proposals which amounted to Rs. 100 million. According to the *Daily Mirror* almost all sections of the community welcomed the Budget of Mr. Felix Dias Bandaranaike. Mr. Lal Jayawardene, Secretary to the Ministry of Finance, said yesterday that there is an arithmetical error in the budget proposals announced by the Minister of Finance and he would soon make a statement in the House regarding this matter: announcing the error Dr. Jayawardene said that the under expenditure for the fiscal years 1973 and 1974 should be corrected from Rs. 504 million to Rs. 604 million—CDM. The Ministries of Finance, Trade and Industries have decided to take stern action on traders who fail to pass on to the consumer the reliefs announced in the Budget proposals—DM. The raising of the ceiling on income from Rs. 6000 to Rs. 9000 a year has enabled a further 150,000 people eligible for free rice—LD. The new reduction for rice on ration will be effective only from next week—LD. Following the announcement in the Budget that all liquor sales spots will be shifted at least half a mile from a school or place of religious activity the Minister of Finance has ordered the Excise Commissioner to submit him with names and addresses of liquor shops to which licences were issued after 1971—VK. The Government is considering the setting up of special bribery courts to deal with cases of corruption in the state banks and state corporations—CDN. Thousands of people including the Prime Minister, President, and several Ministers were present at yesterday's funeral of the Mahanayake of the Asgiriya Chapter, at Kandy—CDN. 350,000 volunteers were scheduled to start off the peace march from Morocco to Spanish held Western Sahara, yesterday. President Anwar Sadat of Egypt arrived in Britain yesterday for a three-day official visit: since the 1952 revolution, Mr. Sadat is the first Egyptian Head of State to visit Britain.

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FOUR STATEMENTS

On University
Admissions
—Standardisation,
District Quotas—

To,
Hon. Pieter Keuneman,
Chairman, Sectoral Committee,
National Planning Council,
Colombo.

My dear Minister,

I hasten to write to you to say that the Sectoral Committee should be congratulated on its Report doing away with Media-wise Standardisation and recommending admission to the University, 70% on merit and 30% on the district quota basis. I know this is in the national interest and the result of mature consideration of "expert" opinion tendered to the Committee from all sides.

As you may know, I have never in my life taken a sectarian view in politics and have as a lifelong radical made every effort to bring communal harmony in the country. I have however observed a vociferous minority coming out at crucial moments and staging an opposition to the well-directed national measures taken by leaders who are also statesmen. The Bandaranaike-Chelvanayakam Pact was wrecked by such an opposition. You will find this type of opposition again raising its head, and I fully trust that the United Front Government will show bold and statesmanlike leadership at this juncture. In my opinion no other Government will be able to solve this question. This may well be a last chance.

As several others too have said, the Sinhala-Tamil problem is moving fast to a climax. I have been to the Northern and Eastern provinces a number of times recently, and am well aware of the feeling of frustration among the Tamil youth and the growing discontent of the people with the Government over discriminatory treatment and violation of basic human rights. One will observe bitterness and anger writ large on the face of the people. You cannot close your eyes to it. Are you going

to sow the seeds of everlasting conflict that has plagued Ireland and is tearing Cyprus into two? Why not take a leaf from Canada or Belgium?

I am a well-wisher of the Government. You will note this from the Cable (copy enclosed) that I sent to Mr. Chelvanayakam from London in 1965 pleading with him to work together with the SLFP in forming a new Government. I would beg of you to stand fast to the position you have taken in order to build a united Sri Lanka. You are well placed to take a detached view, and all men of goodwill, whatever be their language, have every confidence in you and the Prime Minister.

As far as I can see the LSSP will not oppose your proposal, nor will the UNP. In implementing your Report the Government will be making a signal gesture that is bound to bring a heartening response from a large mass of patriotic Tamils who are presently standing at the cross-roads.

James T. Rutnam

35, Guildford Crescent,
Colombo 7.

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Copy of Cable sent to Mr. S. J. V. Chelvanayakam by Mr. James T. Rutnam from London in March 1965

Chelvanayakam,
President,
Federal Party,
16, Alfredhouse Garden,
Colombo 3.

In view of vital importance of this matter for all Ceylonese beg your kind indulgence for intervening stop humbly suggest that you and your executive committee immediately consider dangerous implications of committing the entire Tamil community of which you are undoubted leader to supporting avowed and notorious reactionaries. Such as **Firstly**, United National Party whose recently published programme of national policy repudiates even the grant of regional councils which is the irreducible minimum demand of Tamils and which party more than any others was responsible for sabotaging the Chelvanayakam/Bandaranaike Pact. And for the acrimonious and unpatriotic communal turn to last General Election by which all Sinhalese parties vied with one another in claiming to be greater

opponents of legitimate Tamil demands and where all socialist parties suffered a severe setback because of their alleged pro-Tamil leanings. **Secondly** The Mahajana Eksath Peramuna whose erratic leader Philip Gunewardene has metamorphosed from a Communist to a communalist and who is determined to force repeat force the Tamils to subjection vide *hansard* **thirdly** The Jathika Vimukthi Peramuna of Konar Rajaratna and his wife who maintain an insane and worse than Hitler racist hate against all Tamils who bear no Sinhalese names. **Fourthly** such dangerous rabblers and unbuddhistic Buddhists as the discredited R. G. Senanayake and the misguided Mettananda in the protest against the takeover of Lake House the sworn enemy of all progressive movements and who ingratly humiliated and insulted such noble and honoured Tamil and Ceylonese National patriots as Arunachalam and Ramathanan stop beg that Federal Party abstains from bogus Lake House campaign for Press freedom and not march with such proved reactionaries as the UNP, MEP, JVP, Rajaratnas, Mettanandas and R. G. Senanayakas and stultify the entire Tamil community stop no decent Tamil can ever be in the same camp as that notorious opportunist and Tamilophobe Rajaratna.

James Thevathasan Rutnam

London,
22nd March 1965

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To The Editor, Tribune,
Sir,

The Hon. Minister of Education is reported to have said that irrespective of employment opportunities, if the country were to have an educated population it had to think in terms of expanding its third level education. Therefore, the only factors determining University admissions should be the fitness of the candidates for University education and the accommodation available at the time. The fundamental right to education to which all member countries of the UNO are committed should be guaranteed subject only to these two constraints.

Today, in the University, students attend the different courses in separate streams in different class-rooms according to their respective media. Competition for

Human Rights

seats is *within* each medium and not *between* the different media. So, no Tamil, medium student can deprive a Sinhala medium student of a seat and vice-versa. Therefore, what should be done is to arrange all students in the Sinhala medium who are qualified for higher education in a particular course in their order of merit and to admit that number for which accommodation is available. If the accommodation available is only for "X" number of students in the Sinhala medium for any particular course, then the mark "Y" of the last of the "X" number of students so selected should be used as the criterion for the other media also. The Tamil medium students for the corresponding course should also be arranged in their order of merit and a line drawn at the same mark of "Y" and only those with that mark of "Y" and above should be admitted to the Tamil medium class. Their number cannot exceed that of the Sinhala medium students, namely "X" as that has already been determined by the factor of accommodation available. If the number of Tamil medium students with a mark of "Y" and above exceeds "X", then only the best falling within "X" can be admitted. As the number of Tamil medium students taking the A. Level examination is only a fraction of those in the Sinhala medium, it is not likely that the number of those qualifying with "Y" marks will exceed "X". In any case, no Tamil-medium candidate who is inferior to the last of the "X" number of Sinhala medium students will enter the University. So, there will be no heart-burning communally. This should be fair and equitable. There is no real need for media-wise standardisation from the academic, administrative and financial points of view. The overheads are the same for all media: class rooms, teachers, etc. regardless of the number sitting in each class according to each medium. So, the fears and suspicions are baseless and communal harmony and national unity will not be impaired.

With regard to the argument that if the admission of Tamil medium students is not artificially controlled on a population basis, there may be too many qualifying and depriving the Sinhala medium students of their jobs out of proportion to their population ratio, this ques-

tion of employment should not be confused with the right to education. It has to be dealt with separately. Besides, if qualified, the Tamil medium students who cannot succeed in getting jobs locally, may have a chance of working abroad and remitting to Sri Lanka some much-needed foreign exchange. Why cut the nose to spite the face or chase a mirage?

Prof. K. Kularatnam

(former Member of Council and Headquarters Executive of the International Association of University Professors and Lecturers and Visiting Professor in the Universities of Edinburgh, Sheffield and Birmingham (UK) New York and Kansas City (USA) and Concordia University, Montreal.

61, Abdul Gaffoor Mawatha,

Colombo 3.

1.11.75

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To,
Hon. The Prime Minister,
Colombo.

Dear Prime Minister,

For five successive years the Government has followed a policy of racial discrimination in the matter of University Admission. Five years ago, a Jaffna Town Hall Conference held on Human Rights Day (10th Dec. 1970) expressed its deep concern to the Prime Minister at the new scheme of admissions, which required of Tamil entrants to the Science and Science-based faculties a higher minimum aggregate than of their Sinhalese and Muslims counterparts. The present formula, mis-called 'standardisation', in effect requires different minima in different subjects for the two ethnic groups; if anything, the discrimination against Tamils has assumed graver proportions. All these five years the voice of protest has been raised by aggrieved parents and the public, but has gone unheeded. And incomprehensible to them has been the unusual procedure, and publicity given to it, this year—the Sectoral Committee consisting of Minister Pieter Keuneman and a group of Ministers recommending on 1st October that language-wise 'standardisation' in processing marks for admission be discarded from 1975 (retaining 30% District Quotas just for a few years) and the Board of Ministers reversing that recommendation the

following week! We seem to be back again almost where we were, so far as Tamil candidates are concerned!

And very incomprehensible to the public why language-wise 'standardisation' of marks was ever thought of when the Commissioner of Examinations has reported that the manipulation of marks by the marking examiners is "neither possible nor probable"; if this is accepted, there is no justification for media-wise 'standardisation'. Especially in the Science subjects where 50% of the marks are for Multiple Choice Questions and 30% for structured questions. And, if all is fair, why refuse re-scrutiny of scripts?

"Higher education shall be equally accessible to all on the basis of merit", is a right enshrined in the Universal Declaration of Human Rights. The UNESCO Convention (1960) prohibits any discrimination based on race, language, religion, etc. Any "discriminatory practices in this field imply a refusal to recognise equality before the law." Two famous judgements of the Indian Supreme Court have specifically ruled that both "communal quotas" and "area quotas" infringe the equality of citizens and constitute discrimination. It is a welcome sign that early this year, the University Dons meeting in the Ceylon Studies Seminar disapproved of all this. But, alas, the University is now under siege!

The District Quota System: The Keuneman Report considers this a "wide departure from the cardinal principle of selection on merit". And that it conferred only marginal benefits and sometimes none at all on the educationally underprivileged districts. The main beneficiaries from the scheme, the Report points out, have been "students from more affluent families who had their primary education in relatively less developed districts but their secondary education is developed districts." On the social repercussions of the DQS, the Report quotes a Committee of Officials as saying how "in schools like Ananda, Royal and Visaka, two sets of students in the same class who sit the same examination after having followed the same course for a period of two years or more find to their dismay that one group of students who obtained lower marks secure

admissions to the University, while the other with a higher aggregate of marks does not get selected"; it goes on to speak of the latter group's bewilderment and bitterness and the resulting "brain drain", where the parents are professionally qualified and can emigrate with their families. Keuneman could have with equal or greater force spoken of the anguish of Tamil students and the relatively larger "brain drain" of Tamil families. If we thought about it, in the world of today, with so many bright prospects everywhere, and the new concept of life-long education, no one will agree to become a second class human, with less equality and less dignity than his fellows, and less chance of self-fulfilment, grounded in his native land.

There are no doubt regional imbalances in educational provision, due to neglect of various kinds in the past. Let us however not deceive ourselves. Everywhere in Lanka, are not social differences more pervasive than geographical or ethnic? May be, under the DQS, the under-privileged will become still more so. Adding to the social inequalities in the country, denying that we are one nation and a democracy, the proposed area-quota system may well turn out to be a further divisive force. The true answers may have to be found even beyond the provision of good A.L. classes: in the general schooling provision, in out-of-school education, in the integration of these with the regions' socio-economic planning, and in the stimulus of an over-all intellectual system with a regional campus as nucleus.

Nor can a young nation, with a long way to go on the road to national unity and identity and all sided development, afford to lose its way on the by-path of racial discrimination, in higher education of all things. The University it is that can serve as "the common intellectual estate" binding the generations and the nation together. In an age of global history, it is the University community functioning as part of the international community of learning, in its reach of studies and wide research programmes, anticipate the emerging world community. In this great task it has to function against the insistent demand everywhere for enhancing human capa-

bility. Let not Sri Lanka's leaders betray this obligation to the nation and humanity.

In view of the very great concern the procedure adopted for University admissions has created among Tamil Parents, we propose to release this communication to the press in due course.

K. Nesiah

President.

S. Ponniah

Hony. Secy.

Parents Association of Jaffna.
20, Somasunderam Avenue,
Jaffna.
24.10.75

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Sir,

The Ceylon Institute of National and Tamil affairs is a non-political body of responsible Tamil people who are interested in the progress of this country as a whole, without unnecessary and improper hardships being caused to any section of the people of this country. Motivated by this purpose this Institute appeals to the Cabinet to reconsider the decision to continue media-wise standardisation as a basis of admission to the University and to accept the recommendation of the Keuneman Committee.

The recommendation of the Keuneman Committee is a compromise solution, which, in the present circumstances, appears to us to be just and reasonable, though we do not subscribe to the District quota basis except as a temporary measure.

We respectfully submit that the Cabinet should not, in the national interest, permit itself to be swayed by communal pressure groups to reach a decision which is contrary to the recommendation of the high-powered committee appointed by the Government and which will be a breach of a fundamental human right that higher education should be accessible to all on a basis of merit.

The recommendation of the Sectoral Committee, if implemented, will go a long way to eradicate the frustration and resentment that is building up amongst a section of the youth of this country at the manifest injustice caused by media-wise standardisation which is an immoral device peculiar to this country. The continuation of this system will without doubt result in the disintegration of the

country and not promote the unity of its peoples, which should be the objective of the Government, as it is of this Institute.

We are constrained to observe that media-wise standardisation is one form of communal discrimination, as adopted in this country in 1970, which the following, figure relating to the marks which Tamil students had to score vis-a-vis Sinhalese students in order to gain admission to the University will show:—

	Sinhalese	Tamil
Medicine	229	250
Physical Science	183	204
Bio-Science	175	184
Engineering:		
Peradeniya	227	250
Katubedde	212	232

The present proposed system of media-wise standardisation is another attempt to achieve the same result under a different name.

We appeal to you to see that justice is done to minority groups by rejecting the proposal to adopt the media-wise system.

With our respectful regards,

V. Manicavasagar

President.

Ceylon Institute of National and Tamil Affairs.

78, Ward Place,
Colombo 7.
20.10.75

* * *

MAJESTY OF THE LAW-2

Is Law An Ass?

by

R. C. Thavarajah

(Retired Superintendent of Police)

One of the vital life-giving forces of Law is the *Rule of Law*. Albert Venn Dicey (1835-1922), English Jurist and author of monumental works on Constitutional Law in his book "Introduction to the Study of the Law of the Constitution" written in 1885 revealed his knowledge of both English and United States Constitutional Laws. This great contribution is characterised by clarity of thought and brilliance of exposition. He has dwelt on the absolute supremacy or predominance of Regular Law contrary to the influence of arbit-

rary power. His reasoning reduces arbitrariness of prerogative or even wide discretionary authority on the part of any Government as anathema to society which they serve.

He contends that no man is above the Law and that no man is punishable or made to suffer in body or goods except for a distinct breach of law established in the ordinary legal manner before the Courts of the land. His concept of Equality before the Law has been the subject of much argument but has withstood the test of time and criticism. Criticism, it is said, is a trade requiring 'more health than it, more labour than capacity, more practice than genius'.

Dr. Mark Cooray, Professor Emeritus in Law of the University of Sri Lanka, in his masterly essay on the Constitution, speaking in defence of Dicey's Rule states:—"Stress has been placed on technicalities. The fact that conditions have changed since Dicey wrote has not always been appreciated. Some of his critics have failed to catch the essence of the notion—The Rule of Law implies a notion of Equality before the Law." A. L. Goodhart, American-born, Master of University College, Oxford, Professor of Jurisprudence from 1931 to 1951, in an important discussion at Oxford referred to a contribution which England has offered the world—a contribution which transcended all. He said "This contribution may be described as the concept of the Supremacy of Law. It is in this conception that our freedom is based. It runs like a Golden thread through what Maitland (F. W. Maitland, Author of 'Constitutional History of England') has called the 'Seamless Web of English History'".

There is also a reference to a scene in the Palace of Whitehall in the year 1616. James I, who has been described as 'the wisest fool in Christendom', had given orders to Sir Edward Coke, the Lord Chief Justice of the Court of The King's Bench and his fellow judges not to proceed with the hearing of an action in which the King's Prerogative was questioned. They answered in a letter written by Coke that they bound by their oaths not to regard such commands.

G. M. Trevelyn, a great nephew of Lord Macaulay, author of Eng-

lish Social History in his "History of England" has summed up the matter in the following words:—"In essence, the quarrel was this. James and Charles held, with the students of Roman Law, that the will of the Prince was the source of Law and that the Judges were "Lions under the Throne" bound to speak as he directed them. Coke, on the other hand, in the spirit of the English Common Law conceived of Law as having an independent existence of its own, set above the King as well as above his subjects." These sentiments epitomize the quintessence and rationale of Democracy.

The Law, in its characteristic spirit, has most generously provided for certain fundamental essentials which are of paramount importance. This fact indubitably reveals its magnanimity. The element of 'Mens Rea'—the super-added mental state expressed as 'Actus non facit reum nisi mens sit rea' (The intent and the act must both concur to constitute the crime), the right of Private Defence the defences of Necessity, Accident, Infancy, Insanity, Intoxication, Slightness of Crime (*De minimis non curat Lex*), Mistake of fact etc are not mere legal jargon nor are they expedients conveniently calculated for the benefit of the offender to enable him to circumvent the Law. They are avenues open to the accused which must necessarily be assiduously examined and logically pleaded. These pleas are not peremptorily disregarded. The exclusion of hearsay evidence, the illegality of compelling accused persons to provide evidence which will incriminate them, and the cardinal rule of Natural Justice 'Audi alteram partem'—hear the other side—are some of the entrenched safeguards to ensure that there is no miscarriage of justice. "Even God himself did not pass sentence upon Adam before he was called upon to make his defence." The Law presumes innocence until guilt is proved. This is the basic and indestructible rampart of the Law. It is only the unlearned and the ignorant fool who, cannot accept that 'criminality is therefore, never to be presumed'. It was Tryon Edwards who wrote "Law is often spoken of as uncertain but the uncertainty is not so much in the Law as in the evidence."

The mitigatory pleas of Grave and Sudden provocation, the recourse to the subjective and objective tests to determine the conditions and circumstances of each case, causatory effects, consideration of salient factors such as age, extenuating explanations and other cogent reasonings are never treated with cursory and inhumane indifference. They are assessed with perspicacious analysis. If clemency is considered the brightest jewel in a Monarch's crown, I consider it relevant to quote Henry Wordsworth Longfellow who so emphatically said "Merry becomes a Magistrate than the vindictive wrath which men call Justice."

With changed attitudes characterised by a humanitarian and civilized approach to the subject, the Law does not hesitate to be brave even to forget some wrongs against society. The progressive measures introduced by recent legislation such as suspended sentence under Section 239 (1), Probation order instead of sentence under Section 251 (1), Conditional Release under Section 250 of the Administration of Justice Law No. 44 of 1973 are not mere *leg al largesse*. They are positive and constructive propositions devised not only towards re-habilitation but also effective to sternly discountenance recrudescence or recidivism.

Apropos the independence of our Judiciary, I cannot resist the adage that a Prophet is not known in his own country. Dr. Cooray refers to what H. W. R. Wade wrote in his "Annual Survey of the Commonwealth" describing the decision of the Judicial Committee in a certain case referred to it from Sri Lanka. The citation reads "The Judicial Committee's reasons for the decision serve only to strengthen the impression that the implications read into the Constitution are to be viewed as an essay in creative Judicial Activism rather than as an exercise in juristic logic.

"For, in a large majority of post-war Commonwealth constitutions, the Judicature has its own separate chapter and is screened from political control; but in no country but Ceylon have such corollaries yet been discerned." That we, in Sri Lanka, are fortunate in having a Supreme Court with a highly

cherished tradition of Judicial independence cannot be denied. They are not moved by the rhetoric or the atrial exuberance of some pleaders. Their incisive analysis cannot escape either sophism or syllogism. They consider the reason of the case laying their minds void of fore-taken opinions without 'trimming their sails to the breezes of public opinion.'

The Law in our country, as in any part of the globe, has its Majesty—that serene dignity which only those who make a diligent study will appreciate. As Sir Edward Coke (1551-1634) advised:—

"Six hours in sleep, in Law's Grave study six,

Four spend in prayer, the rest on Nature fix".

No, my friends, the Law is not an ass. It is only those who are themselves assinine, bovine or mentally obtuse who consider it so.

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PALMYRAH REPORT—5

Jaffna, Mannar, Batticaloa, Hambantota

THE JAGGERY INDUSTRY IN JAFFNA is entirely a Cottage industry, which is concentrated in the Vadamarachy and Thenmarachy regions. Small quantities are also produced in the Valigamam (Northy) and Pachilapallai areas. The annual output is estimated to be in the region of 2 to 3 million lbs, which is almost entirely consumed in the Jaffna region.

The tapper has to get a special licence from the excise authorities or the D.R.O. to tap trees for sweet toddy (primarily, for jaggery making). These licences, unlike those issued for production and sale of fermented toddy, are issued free, but in actual practice, their issue is severely restricted. According to the officials, this was a means of restricting unlawful tapping of palms for toddy. This was

certainly not a hospitable climate for the development of the jaggery industry.

The process of manufacture also leaves much to be desired. The sap is boiled down in open pans in most unhygienic conditions. The boiled jaggery is thereafter poured into palmyrah leaf baskets of varying sizes called "Kuttans." These baskets are open on one side, probably to arrest the hygroscopic properties—and hence, the low keeping quality) of palmyrah jaggery. Generally, the quality of the product is very poor and extensive adulteration is evident. Undoubtedly, there is a high ratio of impurities in the product, arising from lack of sufficient care in tapping as well as the unhygienic conditions that prevail in the processing. It is retailed at about Rs. 2/- per lb. and that too, in most unhygienic surroundings.

The poor quality of the product has been another severe constraint of the development of the industry. With a view to rectifying this situation, the Industrial Development Board established in late 1970s, a Demonstration Centre at Keerimalai under the able supervision of Mr. K. Ratnasingham, the Sugar-technologist of the C.I.S.I.R. This Centre was able to produce a vastly superior product, which found a ready market at Rs. 2/50 per lb. It was in this context that the Committee made an interim report recommending the emulation of this enterprise in several other Centres. It is unfortunate that these centres have not yet started production, owing to administrative bottlenecks.

It should be noted, however, that the expansion of the palmyrah jaggery market is confronted with another major obstacle. That is the relatively poor keeping quality of palmyrah jaggery, which tends to absorb the moisture in humid climates and turn soft and liquid. Even the product of the IDB Centre suffered from this drawback. It will be very necessary to do further research into this aspect and arrest this tendency, if the current market is to be expanded beyond the boundaries of the relatively dry Jaffna region.

WEAVING INDUSTRY: Another important palmyrah industry in this region is the mat, basket

and other woven leaf products. It's again a very backward cottage industry, inspite of assistance by the department of Small Industries. The latter department has an assistant director attached to the Jaffna Kachcheri who supervises the entire region. He overlooks the operation of six basket manufacturing Centres at Puttur East, Myliddy, Kaithady, Chavakachcheri, Alavai and Ampan. There are also mat-making centres at Kalvilan and Thunnukai. Government instructors train and advice weavers at these centres. We visited some of these centres and found a wide array of attractive items manufactured from palmyrah leaf, especially baskets, toys and domestic utensils. Their quality was generally of a high standard, although we found some of the vintage products tending to discolour. Our investigations also revealed that whatever the quality, it was not easy to market the woven products. Invariably, the product was disposed of at low prices which hardly made the industry economically viable.

The weaving industry uses the young leaf of the palmyrah. This leaf is susceptible to mould growth in humid climates, which causes the articles to get discoloured. These leaves are also extremely brittle, although it is not a feature unique to palmyrah. The other major difficulty of the Jaffna weaving industry was the poor market. On the one hand, the product itself was not highly marketable in view of the technical problems connected with the leaf. The mats, for example, were seldom used for domestic purposes (for which, the "pan" mats were preferred) and the fairly crude products were used as an inferior form of packaging. The presence of rough (sharp) edges of these mats was one contributory factor. The main activity was in making baskets, for which Jaffna once had an island-wide reputation. These were either used as containers (of rice, flour etc.) or used in carrying water, gravel, stones etc. at building sites. The latter use has seriously dwindled on account of government contractors (who do most of construction work in the region) substituting metal receptacles which were more durable. On the other hand, there were serious marketing problems as well. For example, the "onion-koodu" industry which

Fibre And Timber

developed very rapidly to meet the entire region's requirements, was soon discouraged by the low prices paid for them by the "middlemen". The co-operative onion producers paid even lower prices than middle men. The price which could be paid for "onion-koodus" depended on the prices of onions which was controlled by the government with a view to checking a rise in the cost-of-living. The low price of onions made it difficult for the government to pay a sufficiently attractive price for onions, which in turn, limited the price that could be paid for the koodu. With the recent ban on imports and the resulting impetus given to domestic production, it should be possible to revive at least the koodu industry by the inducement of a higher price. The other mat and basket weavers are completely at the mercy of "Middlemen". Producers co-operatives were tried at first, but ever since the withdrawal of governmental supervision of their activities, the societies were almost wound up. There is no doubt that there were serious organizational weaknesses here, and it might be necessary for the government to step in again to reorganize and rehabilitate the industry.

FIBRE INDUSTRY: The palmyrah, fibre industry is virtually extinct in the Jaffna region. This is interesting, because it appears that the fibre from the base-stalk was first exported from this region quite some time ago. (e.g. late 19th and early 20th century). Several attempts have been made recently to revive the industry, but with no success. We found a few isolated persons having thought of and some times, even having designed machinery for reviving the industry, but they have not gone much further. The 'naar' is used in reinforcing baskets and in the making of rope but the latter use is dwindling with the increased popularity of coir rope. The leaf stalk, along with the leaf, is used extensively for fencing. Finally, the dried stalk, with the leaf, is used as fuel.

OTHER USES: As mentioned earlier, the germinating shoot of the palmyrah seed, finds a ready market in the region as an edible. Sometimes, the boiled and dried shoot is ground to a flour which is used in making several culinary

preparations. The pulp of the palmyrah is extracted to make "pinattu", a sweet with a characteristic flavour. This again is mostly done by households for their domestic consumption and the earlier market seems to have declined sharply. Generally, the traditional edible extractions from palmyrah (except for toddy) have faced a declining market as a result of these being considered "old-fashioned". The development of confectionary industry, with its more attractively presented (and more hygienically prepared) products has partly contributed to this situation. Moreover the technology has not advanced sufficiently to raise it from the levels of a cottage industry. The Jaffna industry, therefore, has become the concern of a dwindling population of domestic users. Timber is frequently used as rafters in the construction of houses. Other products from timber are seldom made probably because the skills are not available. We were shown palmyrah rafters reputed to be over 100 years old but in excellent condition. The durability of the timber we were told was an incentive to indiscriminate felling of palms. This was a matter of considerable concern in the region.

THE MANNAR REGION: It is estimated that there are about 15,000 acres of palmyrah in the Mannar District. The cultivation is highly concentrated in the Mannar island and its outskirts. The male trees are tapped for sap during 3 months of the year (generally from January to March) and the female palms are tapped for about 9 months (generally from January to September).

Unlike the Jaffna region, the toddy industry in Mannar is based on the tavern system. The government auctions the tavern rights annually and generally, the sale price of toddy at the taverns varies at different times of the year, depending on supplies. At the height of the tapping season, the sale price is about—/80 cents per bottle. The tavern owner pays about 25 cents a bottle to the tapper. On an average, a tapper could tap about 30 trees per day twice a day. This is better than the rate of about 20 per day in Jaffna. His production would vary from about 1/2 gallon each in the morning and afternoon from a male tree to about one gallon each in the morning and afternoon from a female palm. This yield would be lower during the early and late

Prisoners of the Month Campaign

Participants in the Campaign are reminded that appeals must only be sent to the officials named at the end of each case. In no circumstances should communications be sent to the prisoner.

Anantha Vinayakam, Sri Lanka

ANANTHA VINAYAKAM, aged 30, belongs to the Tamil minority in Sri Lanka. He was born in Jaffna Town and was employed in the territorial service of the government. He was arrested on 10 June 1972 after speaking publicly about the rights of the Tamil minority.

He has spent 3 years in detention without trial, and is presently detained in Welikada Prison, Colombo. Only family visits are allowed, but since he is detained 400 kilometers from his home, he receives such visits only once every three months. In December last year, he received a letter from a German Al-adoption group—the first letter in three years of detention, since he is not allowed to write or receive letters.

During an Al mission to Sri Lanka in January 1975, the mission delegates were informed that all but three of the 42 Tamil youths then in detention would be released.

Subsequently, Al learned that Mr. Vinayakam's release had been sanctioned by the public prosecutor, but to date he has not been released.

Please address your very politely worded appeals for Anantha Vinayakam's release to: Her Excellency Mrs. Sirimavo Ratwatte Dias Bandaranaike, The Prime Minister of Sri Lanka, Prime Minister's Office, Republic Building, Colombo, Sri Lanka.

From AMNESTY INTERNATIONAL NEWSLETTER
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periods of the season. During off-seasons, the tappers are employed as itinerant labourers, or in tapping coconut palms. There is, however, a serious shortage of tappers in the region and it was reported that several non-Ceylonese of Indian origin filled the breach. The shortage arose mainly on account of the low social status accorded to the tapper. Generally, we found that the living conditions of the tappers were very poor. It was evident that only a small percentage of palms were tapped at all.

For the government, the tavern system was a poor source of revenue. Generally, the revenue was in the region of Rs. 200,000 per annum, which hardly justified the expenditure on the excise organization. The organization was much smaller than in Jaffna where the cumbersome tree tax system has to be enforced, and the tavern system permitted this. Generally the tavern owner has to obtain a licence to tap a given number of palms in a finite area. Invariably, he leases out the palms from the owners at a fee of about Rs. 5 to Rs. 10 per palm. Not a single palm had been licensed for tapping of sweet toddy and hence, a jaggery industry was non-existing. It was reported that there has been a sharp increase in the demand for jaggery in recent times on account of scarcity of sugar, but nothing has been done to rectify the situation. There was a small industry for making baskets and inferior packing materials for dried fish. This is done by a few families in Erikalampatti and Talaimannar areas. This gave such little income to those engaged in the industry that it had not progressed beyond a primitive stage. At one time, "onion koodus" were made and sold to Jaffna Co-operatives but this industry too is dead. There is no assistance from the state to help the weaving industry. There was a small market for the edible palmyrah shoot which was less extensively used than in the Jaffna region. Production was estimated to be about 200,000 shoots per annum. It finds a good market mainly during the Madhu festival season. It is sold at about 1 to 2 cents per shoot.

The only noteworthy industry in Mannar which we observed was a fibre extraction plant at

Thalvupady (Pesalai) which has been producing and selling fibre from the base-stalk. We were also informed that there was another unit elsewhere. Using crude extraction processes, this industry has been a regular supplier of the hard palmyrah fibre to Ceylon's brush making industry. It was quite a viable industry. A mere couple of workers were producing about half a hundred-weight of fibre at this unit per day. The serious constraint to the development of the toddy industry in Mannar was the non availability of tappers. The caste system was one major inhibiting factor. Moreover, these tappers were employees of tavern owners and their living conditions which we saw, did not indicate that they were in fairly remunerative employment. There is no doubt that tapping has to be made more attractive if the toddy industry is to be developed and some form of co-operative organization of tappers may be necessary. We were impressed by the enterprise shown by the fibre makers of Mannar. This no doubt is an industry which could be expanded profitably.

TRINCOMALEE AND BATTICALOA REGIONS. The estimated acreage in Trincomalee is small, about 250 acres. Of this, three-fourths were concentrated in a few villages. A few trees were tapped for toddy (about 800 palmyrah, vis-a-vis 1,700 coconut palms) which were sold in licensed taverns. But most of toddy consumed was from coconut. There were clusters of unused palmyrah in and around the city. This was largely because of non-availability of adequate number of tappers. Of the existing number of tappers, only one-tenth were Ceylonese. The tappers mentioned, however, that they could tap much more only if licenses were issued. It was evident that licensing was strictly controlled. There was no evidence of any other industry based on palmyrah. There were, however, several who were interested in developing various industries, but they complained of lack of knowledge and expertise.

The Committee could not hear oral evidence in Batticaloa because it's visit there coincided with civil disorder in Ceylon of early April 1971. The estimated acreage in the region is about the same

as in Trincomalee, namely 226 acres, and according to the Government Agent, these palms were hardly used. Again, there was considerable interest. Generally, the position in Batticaloa appeared to be not much different from that of Trincomalee.

HAMBANTOTA REGION. The palmyrah palm was introduced to Hambantota in the late 19th century (1880-1888) during the stewardship of the Assistant Government Agent, Mr. Murray. The current acreage estimated at about 50 acres consists of whatever that has survived from that time (about 18,500 palms which are over 75 years old, and hence quite unproductive) and more recent planting of about 850 young palms. In 1969, about 60,000 seeds were planted and of this, about one-fourth has germinated. The original purpose of planting was for wind break and soil conditioning, which in turn was expected to check soil erosion. No other purpose has been envisaged.

No tapping whatsoever is presently done. About 15-20 years ago, they were tapped by Indians for jaggery manufacture. This enterprise died with the repatriation of the tappers to India. At present, there are only 5 tappers in the area, 3 of whom are Indians. The other two travel down from Badulla. They tap only coconut palms. A tapper estimated that the yield from the palms could be about 1 gallon of toddy per day.

The existing palms appeared denuded, because the leaves were cut for basket making. About 35 females were reported to be engaged in basket making. They paid one rupee per 10 tender leaves to the tree-climber. They made "Kooda" (leaf baskets) and "irata-kooda" (ekel baskets). The former sold for one rupee (large) and 50 cents (small) and the latter, for one rupee (large). The traders sold them in turn at about twice that price. The current age of the palmyrah in Hambantota is not very encouraging for a toddy industry. Moreover, the near absence of tappers is a very serious constraint for development. New plantings, however, could be encouraged for the leaf weaving industry and at a future date, a fibre, toddy and jaggery industry.

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Village

Scrapbook—IV

by Herbert Keuneman

I hope, Dear Reader (and the word 'Dear' is not the formality it may have been in the literary period during which the address was common: for, if you actually read these effusions—which, I notice as you yourself have no doubt long done, drift gradually farther and farther from literal House-Building—you are indeed a very cherished communicant!) I hope, Dear—to begin this highly involved and digressive sentence all over again—that you get at least some of the pleasure from my scrapbook that I do.

You must not complain of it that the scraps are sometimes put together without apparent personal involvement: that is in a scrapbook's very nature. Besides, it is in human nature—and a good thing too—that not all events, however eventful or grave or even tragic, can be emotionally assimilated: I, for one and I should think you, too, find it possible to observe even quite momentous events perhaps with compassion (where called for) but without active sympathy, without 'affect', to use the psychological term. Were this not so, life would be intolerably tumultuary; self-centredness is our salvation, even if some folks carry self-centredness to the point of simple selfishness: which would be a more difficult matter to attempt to defend.

When you read Scrapbook, therefore, please read it as more or less detached observation and reportage rather than as patronizing observations on the Villager as a Species. That attitude towards him—or her—I do not feel, and if I convey it I do so only from lack of skill.

UNCERTAIN, COY AND HARD TO PLEASE. My sparrows, bother them! are courting and contesting and knocking the stuffing out of each other all over again for goodness knows the whichth time this year, and soon they will be mating and nesting and disarranging my thatched roof to hell and gone, for the sameth time, and I powerless to prevent

the uxurious ardent competitive fecund little beasts! I am all against love at this level on this scale.

The other day, however, I watched an incident that reconciled me somewhat to these amorous goings on. The usual implacable rancorous duel between two cock-sparrows for the favours of a particularly plump and nubile little hen had just taken place and the victor had just fluttered, still considerably dishevelled, from the floor to which, unyieldingly locked in combat, he and his rival had fallen, and they had only just smugly snuggled together on the beam whence she had complacently waited for the outcome and begun to preen each other, necking and smooching like nobody's business, while the loser cowered disconsolate in the corner in which he had finally taken refuge, when a second little hen—to my uninitiated eye no whit less desirable than the hussy the fight had been all about—flew to him and quite obviously took on the job of comforting him and restoring to him his self-esteem. This she did with as much show of affection and (I might almost say, if that were not probably to be too anthropomorphic about it) of sympathy and concern as if she had actually been won in one of those silly cockish sparrow-tournaments: billing and cooing—well, chirping—to him, and combing out his discomposed feathers. I hope they hit it off eventually! she would have made him a good wife.

Yet, who can tell? 'There be three things too wonderful for me, yea, four which I know not: the way of an eagle in the air; the way of a serpent upon a rock; the way of a ship in the midst of the sea; and the way of a man with a maid;' even if the man and maid were only a pair of sparrows. And this was the wise King Solomon confessing, remember!

At the human level (at which I am more *au fait* than at the ornithological one) I find myself thinking of Sama—not her real name—who once did me the honour to confide, or was it boast? to me of the competition that had gone on and at the time was still going on for her hand, though as regards the conversation, I cannot now remember how it took place, nor why, nor what the provocation, perhaps

because 'we forget because we must'. Boast or confidence, whichever it was, it was not communicated boastfully: it was stated as simple fact, something perhaps to be proud of as one might be proud of an Honours Pass in the SSC but nothing—certainly nothing—she gloated over. Neither was it something that remorse her, on the other hand. It was simply something that had happened, to confirm what she had known even without it: that she was eminently desirable. (Is it necessary to state that her desirability to me, only just not old enough to have been grandfather, though freely here by me acknowledged, could not possibly have brought either me or her to bring the conversation about?)

Save that I may have seen her as a baby when I first knew Ehetuwewa, my acquaintance with Sama began when she came to work as a 'coolie' during the building of my house. She was, I think, by far the prettiest girl in the village: perfectly proportioned, with a skin of that wonderful Ceylonese dusky gold—not the pallid gold that for some perverse reason the village even more admires—and a way of moving that depended on no silks for the liquefaction of her clothes: she achieved as much with the coarsest cottons! That brave vibration each way free outdid Herrick's Julia also; and carrying a loaded basket on her head—going or coming—she was something to gaze upon in grateful wonder as on a work of art (purged of more brutish sensuality?) as one hopes one gazes upon the Venus de Milo, for all that Sama was a creation of the infinitely more competent sculptor! Her face in repose bore that sweet gravity—yet so easily lightened and enkindled into unself-conscious merriment—that seems alas! to leave the village girl when she leaves the village; and eyes and nose and mouth and chin could none of them have been bettered. In short, she was the kind of girl after whom a whole flock of swains must follow; and our conversation, indeed, had been on this matter.

'There have been fourteen boys who wanted to marry me', said Sama innocently, 'but I didn't like any of them enough. One of them stabbed another for me...And one of them drank mahi-tel because

I wouldn't go with him,' she recounted.

'Lots of young men threaten that way', I said.

'Oh but he drank it! He drank it in front of me.'

'Good heavens!' I exclaimed with sophistication's usual guilt-conscious reaction. 'What happened?'

'He died', said Sama.

And yet when Sama did marry she chose not only a very ordinary young man—an ex-insurgent who had surrendered and had recently been released—and she has patiently suffered not a little for him. He brought her nothing tangible: her family has disowned her; unlike the *militeri-mahattaya* who had killed himself for her he offered neither regular income nor any status; he was no hero, and even amongst the local youth had never been thought to be, for he had been but one of those thousands who went into the insurrection expecting something for next to nothing and then (when that something proved to be the possibility of death) had turned themselves in by the thousand, no less eagerly. He was a pleasant young man, with a charming grin and a friendly demeanour; but there could hardly have been none to rival him amongst her first fourteen suitors. Since they have been married the young man has been more than once under arrest for suspected minor robberies and has lately been released from a longish spell in jail for a robbery of which he was actually convicted. But Sama's loyalty has been unwavering; neither semi-starvation (for the young man's family is nowhere as well-to-do as Sama's own) nor being forced to live without her protector amongst none-too-congenial 'in-laws' has spoiled that, though they have spoiled much of the grace that was hers only three years ago. I hope that compassionate hen-sparrow fares better.

NATURE NOTES—4. I had always been led to believe (contrary to popular belief; and therefore, I suppose, I was particularly willing to believe it) that a snake never progressed as a child's drawing of one might show it, in vertical loops, like a caterpillar, but in horizontal ones like a series of Ss written on the ground. The other day I saw for myself that the caterpillar kind of looping

does, in fact, take place; and this was confirmed to me by no less an authority than my friend Lyn de Alwis (of the Zoo) who explained that some snakes have recourse to this form of progress when the nature of the terrain demands it. The same occasion provided me with several other interesting observations as well, none of them—alas—original, apparently, but perhaps they may interest those who live in less snaky localities.

I was with a group of children setting out a Tennikoit court for them, when someone called: 'There's a snake!' and there, sure enough one was, making through the thick and tangled scrubby grass of the tank verge where we were gathered in vertical loops: like a miniature Loch Ness Monster. Somebody threw a clod of earth at it and it began to hurry, looping even higher and more forcefully. And then, to my horror, as more clods began to be flung, it suddenly spread what was unmistakably a hood and occasionally struck back viciously when a clod actually hit it. I cried out: 'Careful! it's a cobra!' but was only hooted (though quite politely!) for my warning; and some children explained: '*nikam diyabariyek*'—'it's just a water-snake'—while others more specifically identified it as a *diyana*, a Water Cobra.

This solved for me a problem over which had long puzzled many villagers describe the *diyabariya* as a very fierce and active snake indeed, and a large number recount how they have been actually bitten; but others, luckier, dismiss it as harmless and sluggish. The answer seems to be that *diyabariya* is either type of common water snake, the Chequered Keelback (*Natrix piscator asperrimus*) which Wall describes as 'with the exception of the *Echis*... the most vicious snake I know' OR the 'Dog-Faced' Water Snake (*Cerberus rhyncops*) described by Deraniyagala as 'inoffensive and slow'; while *diyana* could hardly be attributed by anybody to whom it had once shown its intimidating hood (more elongated in proportion, now I come to remember it, than the true Cobra's: more like that of the Egyptian Cobra) to anything but the Chequered Keelback. But what, then, is the *diyapolonga*, the Water Viper?

By a strange coincidence, some of us were just returning to the house that evening when another keelback—the Buff-Stripped—crossed unhurriedly just in front of us. It is noteworthy that though both these snakes—the Chequered, and the Buff-Stripped—seem to have been called Keelbacks as long as they have had popular English names (for their scales each form a sharp keel-like ridge; so that if you feel them—I don't—they feel rough, like a wood-rasp) their scientific names, even as to genus, have often altered: the Chequered Keelback, especially, has been ascribed successively to the general *Hydrus*, *Tropidonatus*, *Neroida*, and *Natrix*; keeled scales apparently occur in species of several genera. But the Buff-Stripped Keelback belongs presently to the same genus (*Natrix*) as his chequered cousin. He has, however, always retained his specific—that is to say more descriptive—name of *stolata* or *stolatus*: All-Dressed-Up, so to speak.

Frankly, I had never thought of him this way; to me he had always seemed rather a drab little blighter, vaguely brownish (yellowish about the head) and with only the buff stripes that give him his name prominently noticeable and I am not on the intimate terms with snakes that might make me familiar with less prominent features! It was another burst of derision from the children still with me that sent me scurrying to my books; and, sure enough, there seemed to be basis both for the name and for the excuse they offered for their irreverent amusement! The latter, however, is not (so far as I know) recorded anywhere in writing; and I, therefore, record it below although it is almost certainly 'wrong'.

Natrix stolata stolata is a common visitor in my garden and I know it (from books) to be harmless and outstandingly inoffensive. So, when it passed two feet in front of me I strove to redeem my derided excitement about the *diyana* by appearing extra *au fait* with this unobnoxious species. There is a tale concerning the half-legendary jester, Andare, of a Sinhalese king which accounts for the only Sinhalese name recorded of this little snake: *ahara kukka* (with sometimes the variation '*hara kukka*'). It is related that once when the Court was gathered

outdoor a specimen of the species appeared; and the King, hoping for once to take a rise out of his Fool, asked the name of it. Its name was at that time *ahan-kukka*: which in the Pali language may be translated: I am a cur (and a cur is an even worse Sinhalese thing to be than it is an English one!) But Andare was equal to the occasion and replied: '*ahara kukka*!', A Dog Seeking Food. Since when *ahara kukka* has been its regular Sinhalese name. So, I bravely stood my ground and offhandedly said: Ah! *ahara kukka*!' Result: again uproarious laughter.

I was thoroughly indignant. But now explained to me in extenuation that *ahara-ha-ha*—meant Feeding (well, fancy that!) that what I had really intended to say was *ahUrU*, or handfuls, *kukka*; because when you threw handfuls of earth at it this snake spread a hood, too, and changed colour beautifully, displaying a network of bright blue between its scales. So that throwing handfuls of earth at it was obviously the thing to do when you were at a loose end.

Everybody agreed that *ahuru, kukka* was its right name; and so, on enquiry, I seem to find it to be, at least in this locality. Moreover, my books support the children insofar as the colour changes go (thus justifying the reiterated *stolata*) and Wall says the snake 'when alarmed' can flatten its forebody all the way down to the vent and Deraniyagala says it 'expands its neck, flattens itself and erects the forefront'. But Lyn de Alwis, while allowing that it might on great provocation pretend to menace by rearing its head, made nothing of the hood business; so I must conclude that with his characteristic gentleness toward any creature he has never alarmed or provoked an *ahara* (or *ahuru*) *kukka* enough.

All 3 Languages

The budget speech including the tax proposals were yesterday for the first time available to all MPs in Sinhalese, Tamil and English in printed form. Mr. Bandaranaike who began his speech in Sinhala spoke a few sentences in Tamil and continued in English. —CDN, 6/11/75

Inania of this, that and the other

N. C. G. E.

—No Continuing Ground—

By Inna

Somebody once asked me in a busy moment:

Is it General Certificate of National Education or National Certificate of General Education or what was it?

Luckily I remembered NCGE and that stopped his flow of questions. In some areas, its usefulness has to be seen to be believed. I know of a school in K. where the skilled teacher has taught them to make powder-colours, pastels, crayons and colour-sticks from a clayey coloured soil, native to the place. The pre-vocational part of the NCGE was long overdue, and in this school one really sees the usefulness of the programme. It is really something to write home about. Without any shame or bogus reluctance the lads and lasses of this school have achieved something in their colour-making projects.

Will someone from a foreign land perhaps come up with great gusto and say: "Hi! that's full of potential, man. Let's make a factory and put it right across." And with that, a roll of bills of that country's currency will pour forth and a factory will be begun and another tentacle of a multinational would have grown. Or where else will they get a permanent source of clay of this kind?

NCGE might then turn out to be No Continuing Ground for Effectivity.

I prefer something else for Education programmes. Get more experts to sit and overhaul it in the light of what is happening in South and South East Asia. Why decry the fruits and not touch the roots of the tree? Why groan and grieve about Diego Garcia and Seventh Fleets rushing through the Indian Ocean if we are not prepared to look further at an educational system which probably does not assure strictly cultural motivation to go with it? What I mean is well explained by Michel Duclercq in Mexico, 1973, December:—

"We are led more and more to accept that the institution of education is an integral part of global society. Often it is the reflexion and product of the prevailing society which uses the school, the university and other educational and cultural institutions to keep themselves in power and to 'reproduce' themselves. Society uses the mechanisms and 'channels' of the school system to perpetuate and reinforce structure of social injustice and to transmit "values" and justifying ideologies intended to perpetuate and defend the existing social order."

And if you think it is all negative listen to Duclercq's positive element:

"One must discover in the school, the means of bringing up creative, responsible, critical generations of men and women who will not lend themselves to the domestications and the taming and manipulations of our present society. One must further discover how the educational system can pressurize the global system by becoming the critical conscience and the driving force of the political community."

Coast-hugging is done by ships that fear storms and by captains who fear inability and lack of skill. The more prudent-and-daring will launch out "into the deep" as someone said.

Syllabuses, examinations, prize-givings, term-tests and time-tables and pure course content are for the fearful. With these in hand if the teachers and pupils and religious teachers could believe in, and work out, a supplementary non-formal education by way of discussions, seminars, week-ends, sit-ins and social awareness walks and serious practical projects, we could really save our youth, keep back those leaving and stop the disgruntling in the rural areas.

KAZI — 30

In a Coconut Estate

by Anatory Bukoba

July 5,

The man said he was used to cattle. He could milk and train buffaloes without the aid of ones that had been broken into work, and he could train bulls to pull

a cart too. He could even look after an elephant. His mother vouched for all this, his relations and friends adding their voices. He would come and help us he said. The friend, who had introduced him, brought him along to the estate. They had found the money to come, and it must have cost them Rs. 5/- each just to do so. After the man, who had engaged him, arrived, he went along to see him and give him welcome. On the first day of work, there was no spontaneous movement towards the cattle. His employer decided not to push matters, but to take it all gently. That day they drew sand from the river, moved it by cart, and put it down first in a bull hull, or rather, *kotuwa*, for it was open although under cover, and then in the yard where it was soggy under foot. This they continued, and then they got round to pulling a new bull in the cart. He went quite well. When the employer was away, the training of bulls continued. Another man had been told to do something about protecting red plantain, *rath kale* plants. A structure of bamboos was placed over one plant, and a fine job it was. The buffaloes were ignored. In truth, what they had to draw, harrows and a plough, were in a bad state of repair. They had been left out in the rains, the grass growing through them. Still there were some preliminaries that might have been gone through with the buffaloes, before any serious pulling was done.

The milking yard had been cleaned up after years. Putting that sand down a few days before, might have set the good example. It was logical to start carting out some of the dung from where the cattle were tethered at night, and by the cattle shed or milking place. Where the cattle are milked is called a byre. The dung was led out into one of the enclosed fields of young palms, where fodder grass had been set. Each cart load contributed a heap. Gripes sharpened like mammoities, were used to fill the baskets for loading the dung on to the cart, and for unloading the dung on too. All this is by the way. It was a job well done and well started, for it was over due. Two carts bulls had been bathed that last day, the traditional bath before noon, so as to allow the bulls today off in the sun. In the morning, the two

watchers came with the news that the lion trainer or rather the buffalo and bull trainer, had departed during the night. He had left no evidence that he would come back.

Soya beans were roasted and then pounded in a mortar. The initiator of this drank the stuff, mixed with hot water, when its yellow colour was only too apparent. So the next lot was roasted really brown before it was pounded. This, too, was mixed with hot water and drunk. Both had needed sugar. Then at last, the powder was boiled in water, like coffee as coffee is made, and if it was made sufficiently strong it toasted like coffee, mixed with condensed milk it did not need sugar. When a coconut tree is cut down, right at the top of the tree, after the leaves and, what I think is called in Sinhalese, the flower have been stopped off with a knife, there is at what is actually the top of the tree, and the tree itself, its trunk, something called *budda*, which it is eaten at once, is very tender, and if it is kept a day, becomes, what to my mind, I would call, leathery and not so edible. A germinated nut, if it is husked and the shell then broken, also gives you something edible, the whole of the inside, the kernel, almost delicate, a solid ball of what I would imagine the manna in the desert would have tasted like, if it had been eaten raw a real delicacy I call it, like a soft cheese without taste, compared to *budda*, which I would say has the texture of cheddah, and a colour not very different either, yellow. The kernel of a germinated nut is white, or near it,

A little lad came to work; he said he was seventeen, but he did not look it. He could turn his hand to anything. He bathed a cartbull that sometimes charges. It was he who noticed that all the cattle were out of the estate or it might have taken us a whole day to get them back. They had gone through a gateway which had been left open on government land. *Kalu Anodha*, a big fruit, was almost ripe and small limes were ripe all right. A man, who had been sick enough to be hurried away in a hiring car which cost Rs. 20, was back in two days. An educated man, who had elected to work on Saturday, was set to

weeding with a mammoty, all alone. Others were on contract work, a choice that was theirs, digging manure in. A heifer had a big wound, which seemed to grow with time, in spite of the medicine. A man thought there might be hidden maggots in the wound, hence the discharge.

July 16,

A lorry turned up with about a dozen men. They fetched newly-fallen branches, each man a few, and each set his up as a sun-shade and set to husking. The lorry stayed awhile and left. Two well-dressed men came at the time of the afternoon's milking. The two youngest bulls destined for the cart, and a young bull to be sold, had, each, a rope tied round their neck, and then wound round their tummy in front of the hind legs and the rope pulled tight from behind the animal. As each one fell gently and gracefully, they were held down by the horns, and each had their four legs tied together. Then they were castrated with no fuss, no bawling, by one of the two men who had come to do this. *Kohomba thel* or oil was massaged in before the animal was allowed to rise. The cows, to be milked, were upset by all this, even if the bulls were not, and they would not let down their milk at that afternoon's session.

A young bullock, that was tried out for the first time in the cart, later that day tore his knee badly on barbed-wire. A *Veda Mahathya*, our native veterinary, was on the estate that evening, and he was asked to look at the wound. He rolled out a list of ten or more ingredients of a medicine, that he said could all be found on the estate, and the list was taken down by the head cattle keeper, who said he knew all these herbs et cetera by name and by sight, but that he was blowed if he knew where he would find them all. As it was already after 5 p.m., others on the estate were called into help find the lot. One of them was the bark of the *puwak* tree. Another looked liked large tufts of grass. Two were found within yards of where the native doctor had done his prescribing. Our only really local man was there, and he said that one of the others were on a neighbouring hill off the estate, he would only find it

by daylight, and he brought it in the morning to add it to what had been prepared the previous night. All this had been pounded in a mortar to a green pulp, heated on a fire, cooled, and then tied round the wound like a poultice. The animal was limping in the morning, but I had understood, from the veterinary, that this was a stage in the process of healing, the wound being where it was. Most patients have to get worse before they can get better.

A newly-nosed bullock had to have a nose-string of a stout kind, as he kept breaking his when he was to be brought to the cart. He has sharp horns, and he promised to be a handful. The two male buffaloes are far from being trained to work yet. They are to be asked to draw a heavy iron plough for paddy work. The light tractor works well, but knowledgeable people say that buffaloes do an even better job.

Soya bean roasted and ground, like coffee, seems to have taken a hold of the minds of the labour force. Several asked for it, the price to be deducted from their pay, they said. Ground was ploughed for sorghum. One man was on the light tractor, another with the mammy. The soya bean crop looks a picture, well weeded, a low fence of cadjan round it to keep out hares. Hares get busy at night, and the crop needs a man, full time, on it.

There are a number of activities going on that are new to the estate, sawing, and building. Each takes its own complement of men. There is little interference with their work; they get along by themselves.

Life on this estate is full of surprises. It was always so, and it must be the cattle that provide the unexpected. Then, when there are a number of activities that have to be overseen at the same time, and callers on business such as teak, cattle, bamboo, and that is not an end to the list, it must tax a man. The book-keeping that has to be done is another call on a Superintendent's time.



POINT OF VIEW

Vama Samasamajists

by Jayantha Somasundaram

At the first Central Committee Meeting after their expulsion from the Government, the LSSP leadership tabled a resolution which four members voted against. They were Oswin Fernando of the All-Ceylon Industrial and Commercial Workers' Union, Dr. Arasaratnam of the Lanka Estate Workers' Union, Vasudeva Nanayakkara, MP for Kiriella and Edwin Kotalawela of the Youth Leagues. While representing an insignificant minority of the Central Committee their opposition must be viewed however as a milestone in the evolution of a dissident group within the party and immediately outside it.

Such dissent had its origin shortly before the 1972 Party Conference at which a rival resolution was proposed by those who disagreed with the official resolution. The Second Resolution as it has now come to be called, called for an aggressive exposure of the SLFP Right Wing as a prelude to their expulsion from the United Front. It was held by the Second Resolutionists that without the elimination of the Maithripala-Felix element, it would not be possible to radicalise the Front nor alter the socio-economic structure.

Melodramatic threats by the party leaders and dramatic defections from the ranks of the Second Resolutionists, led to the scuttling of the counter-resolution. However, some of its supporters were elected to the Central Committee—the highest policy making body.

The struggle continued here, leading in 1973 to the expulsion of the principal oppositionist, Dr. Vickremabahu Karunaratne and a few others. Thereafter there was witnessed the systematic expulsion of the Second Resolutionists. Just last week one of the key members of the editorial committee of *The Nation*, *The State* and *Rajaya* was expelled, for the "unforgivable" offence of having uttered anti-Felix slogans during the last May Day demonstration.

Once it became apparent that the Party would not tolerate dissent nor take back those expelled

there grew a faction of expelled members who adopted the name Vama Samasamajists—Left Samasamajists.

In April 1974 they launched their own publication, Vama Samasamaja, in Sinhala. An English edition began to appear in January 1975. At the July 1975 elections in Colombo South they unsuccessfully ran a candidate.

However, even the fact that much of what they predicted has in fact come to pass, namely, that if the Left did not expel the Right from the Front they would themselves be expelled, there has been no significant or large scale defection to Vama Samasamaja.

Railway Engines Tender

IT IS NOW FASHIONABLE to issue corrections, and *Tribune* takes this opportunity to issue a correction: This is in regard to what it had said about the engines involved in the recent controversial tender for the powersets. We had stated that the engines involved in three tenders were of German origin—MAN, MYBACH MERCEDES BENZ—but we are now informed that the three tenderers have made offers with German these engines, but the prices were considered too high. The tenderers had also offered alternative engines of a cheaper kind. The tender had finally revolved around the CUMMINS engine offered by the successful tenderer and a Japanese engine offered by the unsuccessful tenderer (at Rs. 5 million more). The *Daily News* had really espoused the cause of the Japanese engine of the unsuccessful tenderer as against the CUMMINS engine—which those competent to know had certified as good enough and had been chosen as it was five million rupees cheaper. And it is also said that the CGR is now a little chary about accepting Japanese engines after the experience they have had with the three special locomotives they had previously got for the KV line. The *Daily Mirror* has reported that the CGR has claimed Rs. 2 million as damages from the supplier who did not even bother to repair the engines during the warranty period.

Confidentially

Ceylon Medical Journal On The SPC

WAS IT SURPRISING that our references in this column last week to the state of the drug trade, under the benign patronage of the State Pharmaceutical Corporation (SPC), brought a flood of letters (with complaints) to our office? That one diabetic patient wants to know why Insulin which was only Rs. 4.50 for the vial was now Rs. 16.00 for the same quantity? That another wants to know why Acacia Powder which was only Rs. 2 a lb was now Rs. 44.00 a lb? That another popular medicament has jumped from Rs. 30 to Rs. 196.20 per vial? That they assert that it can be proved that world prices have not jumped up as much? That it was cheaper to get these drugs on the black-market from smugglers who bring them out from foreign ports? That simple drugs like Pfizer's Terramycin, which used to cost a few cents per capsule, are no longer available because the Czars of the SPC have ruled that such drugs produced by "drug imperialists" should not be sold here? That instead substandard substitutes are sold at controlled prices five times what they were before? That in addition their efficacy and potency were low and that one had to swallow twice or three times as many capsules as before to get any beneficial effect? That many doctors have told *Tribune* that earlier when they prescribed 250 mg of tetracycline they were confident that the patient was getting the amount but now they had to prescribe 500 mg or more to get the effect of 250 mg? That their patients had to pay four times what they paid before? That another drug about which complaints were numerous was heterzan for filaria? That these tablets were hard and were earlier packed in foil and could be kept intact as long as necessary? That now we have the (generic) diethyl carbamazine citrate tablets which crumble in no time when stored in the normal way? That patients who do not know how to store these tablets (in the SPC way) have to incur additional expenditure? That a medical practitioner

has drawn our attention to an editorial in the *Ceylon Medical Journal* of June 1975? That we reproduce below an interesting excerpt which speaks for itself?

"For some time now the medical profession has been perturbed by the increasing cost of drugs, the non-availability of essential drugs and also the poor quality of some of the drugs available for use in clinical practices. The SLMA decided to have a seminar so that members could collectively voice their opinions and in this way draw the attention of the SPC to the problems as they affect the medical profession as a whole. One of the points discussed by the speakers was the high prices of drugs sold by the SPC. The speakers made it clear that they were aware that world prices of drugs have increased owing to various factors. What they were protesting was against the arbitrary way in which prices are fixed on the existing CIF values. As pointed out by two speakers, the retail price of a drug in the past was equal to the CIF plus 100 per cent. For example, Diazepam 5 mg. tablets which is obtained by the SPC at a CIF value of Rs. 7.56 per 1000, would have in the past been sold at a retail price of Rs. 15.12.

But now, many of the common drugs are sold at a price greater than CIF plus 100%; usually at a price equal to CIF plus 300 to 400%. In some cases, drugs are sold at a price greater than CIF plus thousand per cent. For example, the retail price of Diazepam 5 mg is Rs. 120.00 per 1000, which is equal to CIF plus 1487%. Similarly the CIF value of chlorpheniramine tablets is Rs. 3.73 per 1000, while the retail price is 50.00 which is equal to CIF plus 1240%.

"It has been argued that retail prices equal to CIF plus more than 100% is charged only for 30% of drugs, while for 70% of drugs the price is fixed at CIF plus 100%, but as pointed out this 30% comprise about 500 drugs and what is even more important is that these 500 drugs constitute over 90% of the commonly used drugs. This means that people now have to pay more for the common drugs with the new method of price fixing than they would have, if fixed according to the method adopted in the past when the private sector was importing these same drugs. These facts are irrefutable. Such price fixing has also been justified on the basis that the price for any particular drugs

is still within the price range prevailing before the SPC take-over. This is a fallacious argument because it assumes that in the past many bought the drugs in the higher price range. In fact, many bought drugs in the lower price range, identical brands of which are now sold at higher prices on the basis that these prices are still within the original price range. The Chairman of the SPC has stated that such high prices have been fixed for common drugs to give Rs. 4 million to the Government in lieu of FEECs. In view of the fact that the amount involved is small in terms of the impact on the economy of the country, and since the high prices of essential drugs hits the ordinary man very hard. We make a strong appeal to the Ministry of Finance to waive this amount so that all prices could be fixed at CIF plus 100%. The Chairman of the SPC himself has said that he would support the SLMA and IMPA in asking the Government to waive the Rs. 4 million.

That it is interesting that the Chairman of the SPC and other bigwigs of the SPC were present at this meeting of the Medical Council or Association? That it is interesting to note that the Chairman of the SPC (an LSSP stalwart) had stated that the prices were fixed in order to give the Treasury (the LSSP stronghold) a minimum of Rs. 4 million in lieu of FEECs? That whilst foreign exchange was allowed to bring in cars and other luxuries under the CRA and other schemes to help the privileged, drug imports were starved of foreign exchange and for the little allowed they were made to pay the Treasury levy of Rs. 4 million (or was it more)? That even this will not explain the unconscionable prices? That the overheads of the SPC are enough to give any one diarrhoea (but no drugs available)? That whilst the wise men of the Sri Lanka Medical Association (SLMA) have pointed out the unconscionable prices the SPC now charges, they have not bothered over much to find out why many of the drugs imported by the SPC are substandard? That in the world of drug imperialism, there are packing houses which specialise in cut-throat prices for substandard goods? That it will be interesting to find how much of the stuff imported by the SPC has come from such packing houses (and not reputed manufacturers)?





DOLLAR COFFEE

is the best

It is the

CHOICE

of the

PLAYERS

and my

FAVOURITE



SAVE MORE TREES
PLANT MORE TREES

RUK REKAGANNO

THE TREE (Protection And Propagation) SOCIETY

FOR THE NATION'S FUTURE
TREES ARE IMPORTANT

TREES ARE IMPORTANT FOR THE
FOOD PRODUCTION DRIVE

SPACE DONATED