

Saturday Review

SRI LANKA

Vol. 3 No. 43

8th December 1984

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MILITARY REGIME IN JAFFNA

Jaffna is now under a virtual state of siege with President Jayewardene finally conceding to the Security Forces what they have always been demanding—full powers to deal with the law and order situation in the North.

Since the promulgation of a fresh set of regulations under the Public Security Ordinance by the President on 30th. November, the movement of people and vehicles, including bicycles has been severely restricted.

Under Emergency Regulations No. 325/21, a "Prohibited Zone" has been established covering the six main islands off the Jaffna Peninsula, a coastal area stretching from Mullaitivu to Mannar and the roadway of 25 miles from Punnalai to Point Pedro.

No person shall enter or remain within the "Prohibited Zone" except with the written authority of the "Competent Authority."

Persons permanently resident in the six islands shall have access to the mainland only between 6 a.m. and 8.30 a.m. and from the

mainland back to the islands only between 2 p.m. and 4 p.m.

Under Emergency Regulations No. 325/22, the Security Forces are empowered to take possession of any house suspected to have been used for illegal purposes.

Under Emergency Regulations No. 325/23, a "Security Zone" has been established covering the administrative districts of Jaffna and the seven grama sevaka divisions within the administrative district of Kilinochchi.

No person shall enter or leave the "Security Zone" without the authorisation of the Assistant Government Agent of his or her area of residence.

All owners of vehicles, including "pedal cycles", are required to register them with the Assistant Superintendent of Police of his or her area.

No vehicles, including "pedal cycles" shall be used in the "Security Zone" without the written authorisation of the "Competent Authority" (whose identity most people are now unaware).

The use of vehicles, including "pedal cycles" on eight main roads in Jaffna are limited to the hours of 6 a.m. to 8.30 a.m. towards Jaffna and 2 p.m. to 4 p.m. from Jaffna.

There you are, in brief, the new Emergency Regulations that the people of the North will have to contend with in the coming weeks and, may be, months.

The readers of the *Saturday Review* may remember that in mid-1983, too the Government planned to impose military rule in Jaffna and ban the use of bicycles.

One line from the *Saturday Review* Editorial of 7th May 1983—when we were free to publish anything we liked, unlike after the revocation of the ban on our paper in February 1984, since when we are compelled by the Emergency Regulations to submit every line intended for publication to the "Com-

petent Authority" should make interesting reading:

"He (President Jayewardene) will have to fall back on more Brigadiers and more Battalions".

The Editorial of 25th June 1983 on the proposed ban on the use of bicycles was reproduced in our last issue, under the heading "Oh, Daisy, Daisy...."

Needless to say, Jaffna is heading for a situation of chaos, the new Emergency Regulations bringing greater hardship on the people.

The civil authorities claim they have a stock of food and fuel within the Peninsula to last for three months.

But already there are shortages and with the non-arrival of lorries from outside the Peninsula after a number of these were set on fire on the way by goondas last week, the situation is likely to take on crisis proportions very soon.

Already, a kilogram of bringals is up from Rs. 5 last week to Rs. 25.

Brinjals! Bloody Brinjals!
(Regulations on Pages 2&4)

THANK GOD, TAMILS ARE HERE : ESMOND

(Excerpted from a memorandum submitted to the UNP Working Committee by Mr. Esmond Wickremasinghe, an inner council adviser to the party. - Courtesy, FORUM, 1st December 1984.)

Fortunately, due to the political popularity of the UNP's ethnic policy against

the threat of an Indian invasion of Sri Lanka using the Terrorists in the North as their principal tool, these serious political difficulties of the UNP are masked. Fortunately, the threat of Indian invasion will last for some years. General public opinion in Sri Lanka is that Indian security has drawn up a plan for the invasion of

Sri Lanka. Fortunately, Indira Gandhi vetoed it due to the skilful handling of our foreign policy by H. E. the President our Leader. But public opinion believes this plan remains part of the Indian security forces strategy and they expect to implement this plan in the future.

Fortunately the country supports the UNP's ethnic policy very solidly and this situation masks our political difficulties. Thus while the danger of Indian invasion lasts might I as a member of the party request those who are in a position to do so to take necessary action to bring our economic prob-

lems, particularly the current account deficit in our balance of payments under control create more employment so that the UNP wins back once again the support of the masses of the people independent of their fear of Indian invasion which they know only the UNP can effectively protect them against.

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Bear with us!

Dear Readers,

We are now operating
under very difficult circum-
stances so that we hope you
would bear with us for
whatever deficiencies you
find in the SATURDAY
REVIEW.

— EDITOR

SLAVE LAWS

PROHIBITED ZONE

Regulations

1. These regulations may be cited as the Emergency (Establishment of a Prohibited Zone) Regulations No. 1 of 1984.
2. The President shall appoint by name or office any person to be the Competent Authority for the purpose of these regulations.
3. There shall be established for the purposes of these regulations a Zone to be known as the "Prohibited Zone" the boundaries of which are specified in the Schedule hereto.
4. (1) (a) No person shall enter or remain within the Prohibited Zone for any purpose whatsoever except with the written authority of the Competent Authority.
(b) Any person who contravenes the provisions of paragraph (a) of this regulation shall be guilty of an offence.
(c) A certificate issued under the hand of
(a) the Commander of the Sri Lanka Navy in respect of any area in, the sea; or
(b) the Superintendent of Police in respect of any area of land, to the effect that any such area is situated within the Prohibited Zone shall be prima facie evidence of the facts stated therein.
(2) Notwithstanding anything contained in Paragraph (1), any person who is permanently residing in the islands specified in the Second Schedule hereto shall have access to the mainland between the hours of 6.00 a.m. and 8.30 p.m. and from the mainland back to the islands between the hours of 2.00 p.m. and 4.00 p.m.
5. Any person who is deprived of his means of livelihood or his normal source of income as a result of the restriction imposed by regulation 4, may seek relief from the Competent Authority.

FIRST SCHEDULE

Regulation 3

Areas Comprising the Prohibited Zone

1. All that area within a limit of one hundred metres landwards of the mean high water line, and a limit of five miles seawards, of the mean low water line extending from Mullaitivu to Mannar along the North Eastern Northern and West coast.
2. The waters of the Jaffna lagoon.
3. The roadway covering a distance of 25.20 miles from Punnalai to Point Pedro.

SECOND SCHEDULE

Regulation 4

1. Eluvaitivu
2. Analaitivu
3. Nainativu
4. Delft
5. Palaitivu
6. Iranaitivu

NO 'FOREIGNERS'

Regulation

The Emergency (Miscellaneous Provisions and Powers) Regulations No 11 of 1984 published in Gazette Extraordinary No 324/2 of November 18, 1984 are hereby amended as follows:-

(1) by the insertion immediately after regulation 8 thereof of the following new regulation:-

"Taking into possession of building and premises used in connection with an offence etc.

"8A Where any building or premises is alleged to have been used in the commission of or in connection with the commission of any offence under these regulations or the Prevention of Terrorism Act No. 48 of 1979, the Superintendent of Police of the area shall take possession of such building or premises and shall evict any person found there in or ordinarily resident therein and secure such premises from access to any unauthorized persons:

Provided, that any person claiming ownership to such property shall be entitled to make application in that behalf to the High Courts for the making of an Order for the release of such property and the Court may, on the expiration of a period of two weeks from the making of such Order release such property if it's satisfied that such property was used without his knowledge or contrary to his instructions: Provided further that if no proceedings are instituted within six months of the taking into possession of such property for the commission of an offence as is referred to above, such property shall be returned to its lawful owner"

Where any person is convicted of any offence under this regulation or the Prevention of Terrorism Act and the Court is satisfied that such premises or buildings had been used in the commission or in connection with the commission of an offence under this regulation or the Prevention of Terrorism Act, the Court shall in addition to any penalty which it may impose, for such offence, may order that such property be forfeited to the Republic."; and

(2) by the insertion immediately after regulation 21 thereof of the following new regulation:-

"Householder to give lists of inmates when required.

21A Every householder within any area shall furnish the Officer-in-Charge of the Police Station of his area when required so to do by a Police Officer not below the rank of Assistant Superintendent of Police, with a list of all the inmates of his house, distinguishing the members of his family from the servants or others resident therein; and he shall also if it shall be so directed in the order of the aforesaid Police Officer report any increase or diminution, or change in the same; and he shall not, having received such notice under such Order, harbour a stranger without giving such notice thereof to the Officer-in-Charge of the Police Station of his area, and every person failing in any duty imposed upon him by this regulation shall be guilty of an offence."

SECURITY ZONE

Regulations

1. These regulations may be cited as the Emergency (Establishment of a "Security Zone") Regulations No. 1, of 1984.
2. The President shall appoint a person, by name or office to be the Competent Authority for the purpose of these regulations.
3. There shall be established for the purpose of these regulations a zone to go known as the "Security Zone" the boundaries of which are specified in the First Schedule hereto.
4. (1) All persons within the Security Zone shall
(a) if they are citizens of Sri Lanka carry with them the National Identity Card and produce such national Identity Card for inspection when required to do so by any Police Officer or member of the Sri Lanka Army, the Sri Lanka Navy or the Sri Lanka Air Force.

(Continued on page 4)

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DHARMAVIJAYA OR KALINGA?

It was reported from Colombo that the attack on the Chavakachcheri Police Station has injected a new sense of urgency into the hitherto sluggish moves to bring about a negotiated settlement to the Tamil question.

For, immediately after the Chavakachcheri incident a hurriedly arranged meeting is said to have taken place between President Jayewardene and the TULF leaders in Colombo.

The Prime Minister, Mr. R. Premadasa, bestirred himself to declare, in Parliament and elsewhere, that killings must stop and that the parties to the issue should start talking. He called upon the Tamil militants to lay down their arms and reminded them of the President's offer of amnesty. He also stated that, at the next meeting of the All Party Conference, President Jayewardene will be submitting a further set of new proposals for consideration by the participants.

most powerful promoter of Buddhism history has known. Those with an inclination for historical parallels may be quick to point out that Asoka's was a war of annexation. He did not wage war on his own citizens, nor would he have, even if he had the means to, shelled his own subjects from the Bay of Bengal or the Arabian sea, not to mention the Palk Straits. It may be pertinent to be reminded of the fact that Asoka lived and ruled from India—from the north of the sub-continent, to be precise.

Be that as it may, and be it then or now, killing is a horrible thing. It is particularly revolting when killings occur within one's own species.

How many thousands have perished since that shift in policy and a change in priorities from a publicly committed and electorally endorsed position to find a solution to the problems of the Tamil-speaking people, to the subsequent

mains an undivided island landmass in the Indian Ocean. But the people inhabiting the country are yet to be united. To the International community there is a State that has jurisdiction over the entire territory. But the situation of the people within may, however, be well illustrated by what Dr. Colvin R. de Silva said in 1981. Referring to the 1981 violence he spoke of the "anti-Tamil violence of a character and extent which no Tamil can forget; thus creating a fresh obstacle in the way of the unity of the people of Sri Lanka and the Sri Lankan State." The obstacles between the State and the Tamil people have been multiplying since then,

and at a frightening pace after 1983. Those whom the government calls 'separatists' are in a sense seeking to institutionalise the ever-widening gulf between the Tamils and the Sri Lankan State.

Even the rudimentary elements of national unification, namely, communications, State language, administration of law and justice have virtually deteriorated to pre-British levels. To cry that 'terrorists are the villains' would be to beg the question.

What is most alarming is that considerations of partisan, not to mention personal, political advantages appear to be supervening the country's interests—the

genuine interests of all the people—in the vital decisions that are being made. Hence the manifestation of strongly contrasting views on almost every aspect of government policy: whether it is our relationship with India, or the attitude towards the TULF or the militants, or the question of decentralisation.

Decisions concerning the national question cannot await the widest possible consensus. What is required is strong and honest leadership able to implement measures which are reasonable and also acceptable to the minorities.

by our Political Correspondent

But subsequent events have belied these fleeting hopes of a peaceful and negotiated settlement in the near future. The government has converted the northern province into Prohibited and Security Zones, a move which New Delhi has thought it fit to describe as creating a "war psychosis". Mr. Lalith Athulathmudali has promptly rejected this characterisation.

Earlier, many had been of the opinion that it was only appropriate that the Prime Minister should have called for an end to the killing, in the great Buddhist tradition of Emperor Asoka. After all, historically, Sri Lanka has been the glamour piece of success in Asoka's pursuits of Dharmavijaya. It may be worth recounting here that Asoka, who was known as Candakoka, earned the title Dhammasoka after a victorious but devastating war against the Kalingas at the end of which he remorsefully hung up his sword and took to Buddhism with great fervour. He became the

issue of a military edict to eliminate the menace of terrorism in Sri Lanka? Is it of no significance that the pre-election position of the UNP was accepted by the TULF leaders at a meeting held at the residence of Mr. Thondaman before the general elections of 1977? Will it not be correct to say that even today the TULF is willing to accept an alternative to its mandatory position except that it is now insisting on India's insurance for the implementation of any agreement? Is it not a fact that from their point of view the necessity for this insurance has arisen on account of their own past experience of broken promises?

If it is said that violence against the security forces will not deter a section of the people from standing up for the unity of the country, it can also be said, by the same token, that violence by the security forces will not contribute to a cementing of the massive cracks in the unity between the different sections of the people. The country re-

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Saturday Review

SRI LANKA

SLAVE LAWS

(Continued from page 2)

(b) if they are not citizens of Sri Lanka carry with them at all times a valid passport or other valid travel document and produce the same for inspection when required to do so by any Police Officer or member of the Sri Lanka Army, the Sri Lanka Navy or the Sri Lanka Air Force.

(2) Any person who contravenes the provisions of paragraph (1) of the regulations shall be guilty of an offence.

5. All persons not having permanent residence within the Security Zone, shall within seven days of the coming into force of these regulations report such fact to the nearest Police Station. Any person who contravenes the provisions of these regulations shall be guilty of an offence.

6. No person shall enter or leave the Security Zone without informing the fact of such proposed entry or departure to the Assistant Government Agent of the Division within which his place of residence is situated. Any person who contravenes the provisions of this regulation shall be guilty of an offence.

7. (1) Any person resident within the Security Zone who on the date of the coming into force of these regulations possesses any motor vehicle, motor cycle, lorry, motor coach, omnibus or pedal cycle shall notify the Assistant Superintendent of Police of the area of such fact and obtain in respect of such vehicles a written authorisation permitting such possession.

(2) The written authorisation issued under paragraph (1) of this regulation shall be prominently displayed at all times, on the vehicle to which it relates.

(3) Any person who continues to possess any motor vehicle motor cycle, lorry, motor coach, Omnibus or pedal cycle without obtaining the written authorisation therefore shall be guilty of an offence.

8. (1) No person shall use on any public road within the Security Zone specified on Column I of the Second Schedule any motor vehicle, Motor cycle, lorry, motor coach or pedal cycle otherwise than in the manner specified in corresponding entries in Column III and Column IV of the said Schedule, without obtaining the written authorisation of the Competent Authority for the use of such vehicle.

(2) Where the use of any vehicle is authorised under paragraph (1) the person using such vehicle shall not any such vehicle except in accordance with Column II of the Second Schedule whereby a distinctive colour has been assigned to all vehicles in relation to the public road specified in the corresponding entry in Column I on such Schedule along which such vehicle will be used:

Provided that where the colour of any vehicle corresponds to the colour assigned to it in the Second Schedule, it is shall be deemed to be sufficient compliance with the requirements of the Second Schedule.

(3) Any person who contravenes the provisions of paragraph (1) shall be guilty of an offence.

9. Where any motor vehicle, motor cycle, lorry motor coach, omnibus or pedal cycle in respect of which a written authorisation has been obtained under regulation 7 has been lost, the person having possession of such vehicle shall report such loss to the nearest police station.

10. (1) No person other than an authorised dealer of fuel as specified in Column I and located at the place specified in the corresponding entry in Column II of the Third Schedule shall possess any quantity of fuel in excess of the quantity specified in the corresponding entry in Column III of that Schedule and no authorised dealer shall supply to any person or vehicle any fuel in excess of the quantity specified in the corresponding entry in Column III of the said Schedule.

(2) No person, other than an authorised dealer who has in his possession any quantity of fuel shall sell or in any manner supply any fuel to any person or vehicle.

(3) Any person who contravenes the provisions of this regulation shall be guilty of an offence.

For the purpose of this regulation "fuel" means Petroleum or Deisel.

11. (1) Any Police Officer not below the rank of Inspector of Police or a Commissioned Officer of the Sri Lanka Army, the Sri Lanka Navy or the Sri Lanka Air Force may within the Security Zone remove any article, substance or thing which in the opinion of such officer amounts to or operates as either a visual impediment or a barrier against movement irrespective of whether such impediment or barrier is of a permanent or temporary nature.

(2) Any person who suffers loss or damage by such removal as specified in paragraph (1) shall be entitled if such person has not contravened the provisions of the Prevention of Terrorism Act, No 48 of 1979 or any Emergency regulation for the time being in force to claim compensation from the Competent Authority in respect of such loss or damage.

(3) Any person who obstructs or in any way hinders an officer from exercising his powers under paragraph (1) shall be guilty of an offence.

12. (1) Where there is reason to believe that any building, premises, vehicle or other equipment has been used by any person in the commission of any offence under these regulations, such premises, vehicle or equipment as the case may be, may be subjected to search, seizure, removal or detention by the officer making such detection in accordance with the provisions of the Emergency (Miscellaneous Provisions and Powers) Regulations for the time being in force, and upon conviction of the offender, any such premises, vehicle or equipment shall be forfeited to the Republic:

Provided that, any person claiming ownership to any premises, vehicle or equipment referred to above, shall be entitled to make an application in that behalf to the High Court holden at Colombo for the making of an order for the release of such property and the Court may upon the expiration of a period of two weeks from the making of such Order release such premises, vehicle or equipment if it is satisfied that such premises, vehicle or equipment was used in the commission of the offence, without his knowledge or contrary to his instruction:

Provided further that if no proceedings are instituted within six months such movable or immovable property shall be returned to its lawful owner.

(2) Any person who resists the officer or member making the detection under paragraph (1) shall be guilty of an offence.

13. (1) No person whether resident within or outside the Security Zone shall except with the written authority of the Competent Authority possess, stitch, tailor or in any manner make up any garment for the purpose of turning out a uniform or any garment resembling a uniform of the Police Force or the Sri Lanka Army, the Sri Lanka Navy or the Sri Lanka Air Force.

(2) No person shall permit his premises to be used by any other person for the stitching, tailoring or making-up of any garment in contravention of the provisions of paragraph (1).

14. In these regulations—

"Lorry" means a motor vehicle constructed or adapted wholly or mainly for the carrying of goods and includes a truck so constructed or adapted and a tractor but does not include a land vehicle or a motor cycle;

"motor vehicle" means—

(a) any mechanically propelled vehicle including a tractor or trailer which is intended or adapted for use on roads but does not include a road-roller or a moped;

(b) Any mechanically propelled vehicle intended for use on land in connection with an agricultural or constructional purpose such as levelling, dredging, earth moving, forestry, or any similar operation but does not include a road roller or a moped;

"motor coach" means a motor vehicle not being a motor ambulance or motor hearse, constructed or adapted for the carriage of nine persons (including the driver) and their effects and includes a truck so constructed or adapted.

"motor cycle" means a motor vehicle other than a moped, motor tricycle, motor tricycle van, designed to travel on not more than three wheels and having a tare with together with the tare of any side car attached thereto does not exceed two hundred and fifty kilogrammes;

"national identity card" means an identity card issued by the Commissioner for the Registration of Persons under section 14 of the Registration of Persons Act, No. 32 of 1968, and includes a duplicate thereof so issued;

"Omnibus" means a motor coach registered as an Omnibus; and

"Pedal cycle" means an artificial contrivance which is used or capable of being used as a means of transportation on land.

Regulation 8

SECOND SCHEDULE

Column I Road	Column II Distinctive Colour	Column III Specified Time	Column IV Direction of flow of Traffic
1. Kandy Jaffna Road	Red		
2. Kankesanthurai—Jaffna Road	Blue		
3. Karainagar—Manipay Jaffna Road	Green		
4. Kurikkadduwan—Pungudutiva— Valuka Aru—Jaffna Road	Yellow	6 a.m.— 8.30 a.m.	Towards Jaffna
5. Point Pedro—Jaffna Road	Red		
6. Kayts—Pannai—Jaffna Road	Black		
7. Vasavilan—Jaffna Road	White	2 p.m.— 4.00 p.m.	From Jaffna
8. Pandattarippu—Chankanai— Manipay—Jaffna Road	Green		

Regulation 10

THIRD SCHEDULE

Column I Authorized Dealer in Fuel	Column II Location of the filling station	Column III Quantity of fuel authorized dealer may sup-
A. J. Rajasuriya Filling Station	Jaffna	Not exceeding 10 litres
Jaffna Municipality M.P.C.S. Filling Station	do.	do
Markfed Filling Station, Kasturiar Road	do.	do.
Tellippalai Multi-purpose Co-op. Society filling station	Kankesanthrai	do.
Multi-prupose Co-op. Society Filling Station	Kayts	do.
Multi-prupose Co-op. Society Filling Station	Point Pedro	do.
Multi-purpose Co-op. Society Filling Station	Atchuchvely	do.
Autos Ltd.	do.	do.
K. Vallipuram Filling station	Vasavilan	do.
K. Shanmugaratnam Filling Station	Karainagar	do.
Thenmaradchy M.P.C.S. Filling Station	Kodikamam	do.
Punkudutivu M.P.C.S. Filling Station	Punkudutivu	do.
A. S. Nadarajah & Son Filling Station	Pandattarippu	do.

NO NEVER —SIVA

"The recent emergency regulations promulgated by the Government are such as have never been enforced in any country under any circumstances", said Mr. M. Sivasithamparam, President of the Tamil United Liberation Front in a press statement.

The statement said that such regulations were not implemented even in 1971 when the then Government had to encounter a rebellion by the Sinhalese youth. The regulations had been framed without any consideration for the Tamil people living in Jaffna. The Government had no compunction in enforcing these measures because the people affected were Tamils.

The real intention of these measures, although implemented under the pretext of crushing terrorism, is to bring the Tamils down to their knees. This will never happen."

The regulations expose the treachery of the Government despite its public statements that it is keen on a political solution.

Mr. Sivasithamparam has called upon the Government to remove these regulations.

'NO, NOT WE'

TULF Administrative Secretary, Mr. A. Alalamsundaram has denied any connection of the TULF with the recent kidnapping of nine persons in Jaffna. He has called upon the kidnappers to release forthwith the hostages without any preconditions whatsoever.

KEEP YOUR MOUTH SHUT

Writing of the late Mr. D. S. Senanayake, the C. P. Leader Mr. Pieter Keuneman referred to Mr. Senanayake's ability to keep his mouth shut while setting about implementing what he has decided upon. A commendable quality, in these troubled times, to all those who have taken upon themselves the task of shaping the destinies of the island's people either integratively or sectionally.

— CANAX