

Saturday Review

SRI LANKA

Vol. 6

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2nd May 1987

(Continued on page 4)

Who's A Traitor, Prema?

The SATURDAY REVIEW'S good offices have been apparently accepted by President Jayawardene's Government in the India-backed efforts to bring about a settlement of the ethnic problem in Sri Lanka, according to all indications available to the Editor.

In its crusade for truth (especially the freedom of the Press) and justice (for all Sri Lanka's inhabitants), the SATURDAY REVIEW has been the harshest critic of the Government.

It has gone to the extent of accusing the Government of thoroughly mishandling the ethnic problem.

In the process, it has given full publicity to the views of the Tamil militant groups who are party to the conflict, views which do not get adequate or any publicity at all in the Colombo based media.

It has fearlessly exposed the brutalities of the Security Forces in the North and East which have been passed off in sugar-coated form in the Colombo based media.

For this, it has been accused of being a "pro-terrorist" newspaper supporting the Eelamist cause.

The SATURDAY REVIEW is nothing of the kind.

It can claim to be the only fully-independent newspaper not only in Sri Lanka but in much of the Third World.

Professional journalists decide what goes in to the paper or not. The management has no say. Nor has any of the militant groups.

DRAFT PROPOSALS

The second part of the Draft Proposals to solve Sri Lanka's ethnic problem, appears as a centre-page pull-out.

The SATURDAY REVIEW has consistently railed against the military approach adopted in the past so many years in a bid to stifle the national liberation struggle of the Tamil people.

That bid has failed. The debris is there for all to see.

A country which could have been a Paradise on Earth has been reduced to the status of a second South Africa.

The SATURDAY REVIEW has constantly and consistently advocated a political resolution of the ethnic problem. There is no other way out of this impasse.

Some people, including Prime Minister Ranasinghe Premadasa, might say that any person or country, who or which, advocates a political solution is a "Traitor."

The SATURDAY REVIEW would not be ashamed to be called a 'Traitor' in the sense this word was used by Mr. Premadasa in his speech in Parliament recently.

There have been many 'Traitors' of many kinds in Sri Lanka's "glorious history" over the past 2,500 years.

The SATURDAY REVIEW believes that those who are opposed to a political solution of the ethnic problem are bigger "Traitors".

They are playing with the lives of millions of people for their own political advancement.

That said, the SATURDAY REVIEW urges the militant groups to come to the negotiating table, so that a halt could be put to the senseless carnage and economic ruin that have become part and parcel of Sri Lanka in recent years.

The 19th December 1986 proposals for a settlement of the ethnic problem and the later elaborations, evolved with India's assistance, the SATURDAY REVIEW believes, provide a good basis for negotiation.

The problem is that many people who matter in this situation have not read or even seen the proposals!

The SATURDAY REVIEW urges the militant groups to re-assess their strategies in the light of recent developments in the country.

For they themselves could be the losers unless a more realistic approach is made.

Boys will be boys anywhere. But they must also prepare to face and accept the responsibilities of adulthood.

The Government, for its part, could create a conducive atmosphere for direct negotiations with the militant groups under India's auspices — India has a big stake in the outcome — by lifting economic blockade of the Jaffna Peninsula in force since 2nd January 1987 and other restrictions which are causing serious hardship to the people of the North.

What shall it be? A Paradise on Earth or Dante's Inferno?

The ball is now in the court of the militant groups. The Government is willing to negotiate — without any pre-conditions. The militant groups must make up their minds; otherwise they will lose a golden opportunity.

The good offices of the SATURDAY REVIEW are available to the militant groups, as an honest broker, if they so wish.



Fr. Michael Joseph, Rector of St. Patricks College, Jaffna, holding the shell which fell inside his office on the night of 29th April, but failed to explode. Even if it had exploded, Fr. Joseph would have been safe because he was sleeping somewhere else but the office building would have been in shambles.

WATCH OUT FOR THE SR

Special bi weekly Supplement on 6th May for details and pictures of the May Day rallies held in Jaffna.

One of the biggest exchanges of fire between the Security Forces and the Tamil Militants took place last night, beginning around 11-40 p.m. It went on for nearly an hour. Watch out for details in the special SR Weekly supplement on Wednesday.

Saturday Review

SRI LANKA

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'No' To Jaffna Cheques

The Government has reportedly instructed all banks outside the Jaffna Peninsula not to cash any cheques originating from Jaffna.

This is in addition to the other economic sanctions already in force—restriction of fuel supply, movement of certain other goods like aluminium and steel to Jaffna, cut-off of all telecommunication links to and from Jaffna and within Jaffna itself, etc. The latest measure is likely to deal a crippling blow on the Jaffna economy, which is already reeling under the earlier punitive measures designed by the Government to bring the people of Jaffna down to their knees. People who get paid by cheque have now to pay a commission as high as Rs. 60 per Rs. 1,000 to merchants to get these cashed.

GRATEFUL THANKS TO ST. JUDE.

My sincere thanks for the financial help received and the successful solemnisation of the marriage of my two Sisters.

— DEVOTEE.

BUDDHA AND THE BOMB

I Seek Refuge In The Buddha

The Donoughmore Constitution introduced universal adult franchise to Sri Lanka.

It also introduced a new political breed—the Donoughmore Buddhists—Christians who donned the Buddhist garb for political convenience. The Sinhala political leadership since 1948—when we got Independence—has mostly belonged to the category of Donoughmore Buddhists.

Religion, like patriotism, is the last refuge of the politician, let alone the scoundrel.

And a politician, as the American poet E.E.Cummings tells us, is an arse upon which everything has sat except a man.

It's the Donoughmore Buddhists who have caused and are causing the biggest trouble in Sri Lanka.

They have to prove that they are more Buddhist than the Buddha himself to get votes and remain in power.

They have absolutely no difficulty in twisting the teachings of the Bu-

ddha—The Compassionate One—to fit their political rock and roll.

Their last hit tune is bombing the Jaffna Peninsula. And they trot out umpteen reasons for it.

Cynically seizing upon the car-bomb blast in the Pettah, the Government has unleashed its Marchettis to rain death on Jaffna.

God alone who was responsible for the Pettah Bomb Blast.

The Parliamentary Opposition has charged that the Habarana Massacre, a few days earlier, was Israel's handiwork.

Once you induct Israel and Pakistan—very strange bedfellows—into a peaceful land, you can expect the worst.

That's exactly what's happening in Sri Lanka today.

The Government says its Jaffna targets are the camps of the militants.

The bombs have hit—razed to the ground—civilians' (See SR Bomber Supplement) houses. And killed them too.

The militants are yet around and no bombing can get them.

So what's the Government up to?

For once forgetting its, Buddhist robes, the Government has made its intentions very clear.

Any house suspected to be—or have been—close to a civilian's house is to be bombed.

And they have bombed—the civilians' homes.

What else can one expect of cock-eyed leaders?

J-R., Ranil, Gamini, Lalith, Sri-mani, Prema, Hema, Thonda, Deva, Rasu, et'al.

Remember, you are fabricating a powerful Karmic bomb.

KARMA is the biggest bomb of them all.

Bigger than the neutron bomb which destroys property but doesn't kill people—the ultimate capitalist bomb.

All of you, in the ruling party, have built up Karma to blast you for several generations.

And KARMA will blast you all!

If that happens, thank God for it!

KARMA is the biggest bomb of them all.

— J. Raj

SATURDAY REVIEW REFUGEE FUND

We acknowledge with thanks the following contributions to the SR Refugee Relief Fund:

List of Donors

Mr. K. Nadarajah, Dehiwala	50-00
Anonymous	400-00
Mrs. Rajendram	105-00
In Memory of late Mrs. Sellammah Alagaiah	1000-00
Dr. S.Vaithilingam, Karaveddy	2000-00
Mr. S. Tharmakularajah	100-00
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Mr. R. Thambiturai	250-00
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Anonymous	100-00
Mr. W. A. Alphonsus	200-00
Anonymous	14-50
Mr. K. Nadarajah, Colombo-3	1000-00
Anonymous	2000-00
Mr. C. C. Chinnappan	5000-00
The Christ Church 51, 2nd Cross Street, Jaffna	1017-00

Disbursements

Supply of milk food to Kilinochchi Refugees	
Rehabilitation, Gurukulam.	14,986-50
Supply of Medicines to Mannar Refugees	10,000-00

The donation amounting to Rs. 6,029. 14, acknowledged in the SR of 14th February should be read as coming from the Society for the Aid of Ceylon Minorities, Canada.

The donations individually acknowledged in the SR of 4th April under the following names—Mr.T. Balasubramaniam 15,250. Mr. P.Shivanathan 8,000. Mr.S.Cuganesan 3,000 and Mr. P. Sithanathan 1,000, amounting to Rs. 27,250 was a collection made by the Tamil Society of the Northern Territory, Inc., Darwin.

Air Force Attacks SR

Two children of a watcher working at the SATURDAY REVIEW were injured when the Sri Lankan Air Force attacked the civilians on 24th April. When Martyn was bombed Subohini (10) was injured in the back by shrapnel. Nisantharn (9) was injured in the legs and hands.

Help! Please Help!

For most of the time, the SATURDAY REVIEW has been concerned in providing aid through its Editor's Refugee Relief Fund, to persons from outside the Jaffna District.

Now, after the recent bombing and shelling, many people in Jaffna itself have become the refugees.

The numbers are increasing daily while the funds available to help them are very limited.

We appeal to Readers, especially those abroad to release their purse strings to provide succour to the people affected by the deprivations of the Government's Security Forces.

The SR fund cannot hope to meet all the demands for aid. It can only supplement, in a small way, the relief efforts of other NGOs.

But every cent counts. And every cent received will be accounted for, through the SR.

SJV—No Elitist Politician

The 10th death anniversary of Mr. S.J.V. Chelvanayakam, leader of the Tamil United Liberation Front (precursor of the Federal Party) fell on 26th April.

S. J. V. Chelvanayakam was no elitist politician as some would tend to classify him. He was typical of the average Jaffna man who comes up the hard way in life by sheer perseverance and will-power, self-sacrifice and hard work, sober habits and a disciplined body and mind. Even after he had made his mark as an able civil lawyer, he was never showy or fussy but had courteous and charming ways that drew people to him.

Soft spoken with sharp features and big ears, the cartoonist's delight for that matter, he was a stickler for punctuality and correct attire. He was well known for his sensitivity, cool temperament and methodical life.

He ventured into life as a school-master but could not resist the glamour of the law. He also tried his hand as a tea planter as a sideline. Fortunately for him, this foray into the tea industry stood him in good stead when he had to fight a lone battle for his very survival as well as the cause he espoused, having strayed into the political jungle in middle age. He was assailed on all sides by powerful forces allied to the state even within his own community when he dared to call a spade a spade by proclaiming the Tamil nation within the Ceylonese polity.

SJV's strange message caused not a little stir in the corridors of power as well as among the elitist Tamil people who seemed to have forgotten their roots. It took them almost a decade to come to terms with the wisdom of his stand. As in law, so in politics, he blossomed into a national figure with a tremendous reputation for he was no ordinary politician. The country and the people are paying dearly for discarding his wisdom and thwarting his bona fide moves to reach a just and lasting compromise during his lifetime.

What the Tamil people are going through now, he perhaps visualized decades ago, but they did not take him seriously when he cautioned their self-complacency. They rejected him at the 1952 polls because his approach meant going against the current.

When he tried to expose the power of wealth and influence behind the vested interests ranged against the Federal Party through an election petition in 1953, the election judge held in favour of the defendant and decreed that SJV should pay punitive

costs of Rs. 90,000. A lesser spirit would have quit Politics for good.

Just three years later, he was the spirit and the soul of the Tamil resistance against the avalanche of the Sinhala Only torrent that sent the Tamils reeling, even those who ganged up against him in the Kankesanthurai constituency at the 1952 elections.

Today being in a far worse plight than then, how much the Tamil people yearn for the sure guiding hand of SJV? But for him and the FP he led, the Tamil resistance would have lacked the stamina and for all intents and purposes, Sinhala Only might have been a fait accompli after all, as the two major Sinhala parties seem to imagine, including the socialists perhaps.

SJV realised that the Tamil people lacked solidarity and the collective will, however intelligent and industrious they were as individuals even when their common interests as a linguistic group were endangered or at stake. They were scattered far and wide all over the country with vested interests in Colombo. They could be easily deceived and swayed by the prospect of immediate benefits by a patronising government and its agents who were anxious to bloat their own ego at the expense of the Tamil man's vote. The periodical election campaigns, too, left behind much heartburn and ill-will, scars and wounds in the community along caste, class and party lines that would not easily heal but fester to be re-opened at the next election campaign.

SJV's brainwave was to launch the Tamil newspaper "The Suthanthiran" which became the rallying point of Tamil nationalism and fired the imagination of the Tamil youth. His attempt to acquire national English daily to carry his message was foiled. The Tamil cause still goes by default for lack of a vibrant independent Press that is dedicated to the evolution of a secular pluralist Sri Lankan nation as against a decrepit chauvinist state that is out of date with the times.

It is perhaps not out of place to observe that the idealism of the nation's youth has not been put to advantage for constructive effort in nation building. It is sad to reflect that the elders have ridden on their backs to transitory political power and left them in the lurch. The youth naturally are in revolt. For as Norman Cousins says, "The young cannot be pushed around—intellectually, socially, or politi-

cally. They can smell humbug or hypocrisy a mile away".

SJV was a great leader in the sense that he was a democrat and did not consider himself an exception to the rule. The Federal Party, for instance, held its conventions at regular intervals and SJV was not the man to hang on as President of the party for life as is common with other political parties. A man of sturdy independence, he looked upon any office or honour in the government as a borrowed plume to be avoided like the plague for he dared not barter his freedom of action for a mess of pottage. To the very end he could not be ensnared. He practised what he preached. He did not expect the people to do what he himself had second thoughts about. As a matter of principle, he refrained from owning a house in Colombo.

He was proud to "come from Jaffna" and did not cock his nose at the idea of living in Jaffna. He spent his holidays in Tellippalai and enjoyed the Jaffna food as much as its music, the intricacies of which he had been initiated into while at school. He was approachable and was a good listener.

He valued the concept of socialism but was not prepared to be tied down to its dogmas. I well remember once he was constrained to remind the late Senator Nadesan that

"politics to the FP is something far more serious than a pastime during court vacations." He was simple and humble to a fault even as the common people turned to him for guidance and leadership. Arrogance was against his grain. He would readily admit his fault than bluff his way out. He would very politely decline any offer to help him carry his brief-case even when his gait was not steady.

His life and work should serve as a beacon of light and hope to the anguished Tamil people who should not panic but be firm and resolute in their resolve to be free. I am afraid even those who were associated with him for decades had not done their home-work diligently before attempting to step into his shoes. And so the mantle of leadership goes a begging.

The country seems to suffer from financial as well as moral bankruptcy spilling over into a seeming bankruptcy of leadership as against cheap sectarian popularity. It may be that politicians are cheaper by the dozen in this so-called democratic age but patriots and statesmen are hard to come by. Unless and until the country throws up men and women of SJV's calibre, the resolution of the country's many ills and conflicts will be no easy task.

— V. A. P.

Harbour Remains Closed

KKS harbour remains closed after the LTTE's attack on the morning of 22nd April and the subsequent killing by the army of five employees of Lanka Cement Ltd. The cement plants of LCL and the Cement Corporation remain closed to this day, affecting the employment of hundreds of workers.

An irony resulting from the cutting of the telephone link is that it was only on 27th April (Five days after the event) that Mr. Jayamanne, the General Manager of LCL, came to know of the deaths of employees and the closure of plants. The closure of the harbour also affects essential food supplies to Jaffna.

The employees of the two cement plants and the harbour employees are now faced with a dilemma: whether they should report for work on a mere guarantee from the army or whether they should insist on the law taking its course. The employees killed were after all people who moved closely with the army day in and day out.

Some employees said that if the factories and the harbour are open it will create a better atmosphere in KKS. The army tends to feel more nervous and jumpy in isolation, they said. Two women who were packing onions on the road connecting the Jaffna Rd. & the Keerimalai Rd. were shot by troops on 27th April.

Saturday Review

SRI LANKA

SHELLS DON'T SPARE EVEN SP'S HOUSE

Shells do not spare even the homes of dead Superintendents of Police.

Shells fired blindly from the Fort Army Camp on the night of 29th April (Thursday) fell on a room of

Mr. Alfred Marianayagam's house in Third Cross Street, Jaffna. Mr. Marianayagam, who is dead, was, last S.P., Kankasanturai. Shells also fell on Mr. Kumar Ponnampalam's house on Main St. Jaffna. Fortunately they did not hit the new house but hit the old one. Many houses were damaged on 3rd, 4th and 5th Cross Streets. the Bus stand, Koddady and other areas that night. Among the places nearly hit were Family Gardens on Bankshall St., the Corner Shop and Annasamy's house on Main St. Shells also fell in close proximity to St. Patrick's College, St. Mary's Cathedral and Philip's Nursing Home (in Main Street), which was slightly damaged. Meanwhile,

A landmine killed 3 soldiers near the Salterns at Elephant Pass and their armoured vehicle was blown to smithereens. Army reprisals on 29th April resulted in the deaths of 6 persons including Muslims.

Regional Education Office Shelled

A shell landed in the compound of the Regional Education office, Jaffna, on Thursday evening. More shells were fired in the direction of Chemmani Road immediately afterwards, killing a married lady, Manjula, who had arrived only a few minutes earlier, fleeing the serial bombardment at Urumpirai. Three members of one family—their ages ranging from 3 to 18—were killed in Nayanmarkadu and 4 seriously injured.

MAY DAY...

(Continued from page 1)

Mr. V. Prabhakaran, when appeared on their special May Day telecast on 30th April

The Eelavar Munnani demonstration commenced at Inuvil. The demonstrators gathered at the Market grounds, chunnakam where a meeting was held

Several important militant leaders spoke.

Sri Lanka Communist Party (Left) Sri Lanka Communist Party, The Nava Sama Samaja Party and the Northern branch of the Federation of Trade Unions also held a May Day Rally.

The May Day ended without Mayhem and the demonstrators got back home alive.

Jaffna Going Underground

The SATURDAY REVIEW said long ago that it might become necessary for the people of Jaffna to construct air-raid shelters to protect themselves from the vagaries of people who have nothing else to do but kill.

At that time, many people thought that the SR was trying to be funny.

But the SR said it in deadly earnest. It needed some bombing to waken up people to reality.

Now, trenches are being dug at a hell of a rate all over the Peninsula that soon there may not be any palmyrah or cocount trees left.

These trees provide the timber for the roofs of the shelters which are then covered with sand bags

The moment the drone of a bomber or helicopter is heard now people, young and old, rush underground. There they lay couched, praying silently to all the Gods in the world.

Once, even a bulky Vice-Chancellor was seen running into a shelter far ahead of his slimmer colleagues! Fear stalks the land as a vengeful Government rains death from the skies.

The shelters have saved many lives in the recent bombings, beginning from 23rd April.

A direct hit, of course, would leave no survivors. Even vibrations from a bomb falling nearby could lead to the caving in of shelters, trapping the people inside.

In such an eventuality there would be no need to take the bodies to Chemmany. Just cover up the trench. Only the undertakers, the coffin-seller, would be unhappy.

The SR has undertaken to provide toilets and air-conditioning in the shelters.

It is fat contract, fatter than those bagged by the arms dealers in Colombo.

Jaffna underground may after all be a better place to live than above ground.

SWEET DREAMS

Swoosh! Swoosh! The shells passed over the roof of my temporary abode in Jaffna

The time was around 11 p.m on 29th April. I was just about to slip into a dream world of my own with nymphs and what not.

The dream was shattered by the ear-bursting noise of the shells from the Jaffna Fort, which must have fallen somewhere closely.

How many were killed and injured? I didn't care.

I closed my eyes and went into dreamland.

After all, I was not affected. Not this time any way.

The worry, when I woke up from my dream, was that there could be another time.

I would then be on my way to Chemmani Crematorium, if the pieces of the body could be found.

Prema! Give Funds To Build Trenches

— Co-ordinating Committee

The Co-ordinating Committee of the Citizens' Committee assembled on 26th April, 1987 unequivocally condemns: (i) the gruesome act of killing innocent civilians in Pettah on Tuesday 21st April, 1987 by whoever or whatever group of people they may be. (ii) Killing of Tamil speaking People in State custody. (iii) haphazard killing of innocent civilians including infants, children, pregnant mothers etc. (iv) indiscriminate arrest of Tamil youths particularly in Colombo and conveys its deepest sympathies to the next of kin of the victims.

At the same time it equally condemns the act of State terrorism that is now being perpetrated in the North and East by bombing, strafing and shelling, killing innocent civilians, including pregnant woman and children.

This Committee notes from the indiscriminate bombing, strafing and shelling during the last few days that the Government is only keen

to take away a certain number of lives of Tamil Speaking People per day.

This Committee wishes to inform the Government that there are citizens who are prepared to sacrifice their lives to save women and children and walk to the Army Camp to be disposed by the Army-provided that the indiscriminate killings by bombing strafing and shelling would be stopped forthwith.

This Committee also notes with deep concern that in this International Year of Shelter and Housing hundreds of houses in the North built up with the life saving of the Tamil Speaking people have been destroyed within minutes by these ferocious attacks, with civilians killed in this process.

This Committee therefore requests the Hon. Prime Minister to allocate funds to the Tamil Speaking Areas not to build houses but to construct Air Raid Shelters.

DRAFT PROPOSALS - 2

The first part of the Draft Proposals appeared in the SATURDAY REVIEW of 18th April.

(Continued from last issue)

ADDENDUM, TO CLARIFY CERTAIN ASPECTS OF THE DRAFT ACCORD

Clause 15

1. Substitute "constituted" for "established."
2. In para. 15 (b) substitute "35" for "33".
3. If a Provincial Council is constituted as provided in clause 15, the existing Development Councils shall cease to function in such Province, unless such Provincial Council resolves to delegate powers and functions to such Development Councils. A Provincial Council shall not delegate any legislative "powers to such Development Councils. Certain other restrictions on delegation may be necessary (e.g. in respect of internal law and order).

4. Notwithstanding the constitution of a Provincial Council, it will be necessary for the Government to continue to maintain the existing administrative structure in each administrative District (for the purpose of the exercise, performance and discharge of powers, duties and functions by the Government at District level) Provincial Councils themselves will probably need similar district level administrative structures.

Clause 16

1. Where the majority of the Districts in a Province decide not to be part of a Provincial Council, no Provincial Council shall be constituted for such Province; for each of the Districts in the Province, a Development Council shall be deemed to have been constituted under Act No. 35 of 1980 as amended from time to time, and having powers, duties and functions thereunder.

2. Where the majority of the Districts in a Province do not so decide. Development Councils shall not function in such Province, unless the Provincial Council resolves to delegate powers and functions to such Development Councils. A Provincial Council shall not delegate any legislative powers to such Development Councils. Certain other restrictions on delegation may be necessary

(e.g. in respect of internal law and order).

3. Notwithstanding the constitution of a Provincial Council, it will be necessary for the Government to continue to maintain the existing administrative structure in each administrative District (for the purpose of the exercise, performance and discharge of powers, duties and functions by the Government at District level). Provincial Councils themselves will probably need similar district level administrative structures.

4. As an alternative to the procedure set out in clause 16, the question of a decision by the electors of a district by referendum may be discussed (in lieu of a decision by the elected members).

Number of elected members of Provincial Councils on the basis of

- (a) one member per 1000 square kilometres, and
- (b) one member per 40,000 inhabitants

Area (sq. km.)	Population	Elected members	MP	Total		
Jaffna	1140	738,788	1 + 18	10	29	
Kilinochchi	931	91,764	1 + 2	1	4	
Mullaitivu	1966	77,189	2 + 2	1	5	
Mannar	2002	106,235	2 + 3	1	6	
Vavuniya	2645	95,428	3 + 2	1	6	
			9	27	14	50
Batticaloa	2464	330,333	2 + 8	4	14	
Amparai	4539	388,970	5 + 10	5	20	
Trinco	2860	273,998	3 + 7	3	13	
			10	25	12	47

It is recommended that there be no "bonus" seats for the party securing the highest number of votes in a constituency i.e. district) because there is no office (such as Chairman) to which the first person on the list will be elected.

Further, it is recommended that the cut off point be reduced to 5%.

MAHAWELI DEVELOPMENT SCHEME

1. The Accelerated Mahaweli Development Programme covers the development of Systems A,B,C,D,G & H. The development of Systems I, J,K,L & M are not yet contemplated and would be taken up only after the Accelerated Mahaweli Programme is completed.

2. The present position with regard to available extents of new ir-

rigable land in the Mahaweli Development Programme is given in Annex I. These extents would be reduced by 10%—15% when the actual demarcation of allotments is made.

3. At present, settlements in System H have been completed and settlements in Systems B, C & G are under way - vide Annex II. Out of a total of 85,388 allotments in Systems H,B,C & G, the settlement of 39,622 allotments within these systems have been completed up to 30th June 1985. The ethnic composition of settlers, so far, in Systems H,C,B and G are as follows:-

	Sinhala	Tamil	Muslims
System B	5790	323	137
System C	9508	14	91
System H	22156	27	822
System G	754	—	—

5. The entitlement of the Tamil speaking people based on the national ethnic ratio in System B could be given mainly from the Right Bank.

6. The entitlement of the Tamil speaking people based on the national ethnic ratio from Systems H, C & G, could be phased out from Systems A, B and other systems to be developed within a given time frame. The number of allotments based on the national ethnic ratio from Systems H,C & G, due to the Tamil-speaking people from the new settlements already completed in those systems, would be approximately 4,467 allotments.

7. On the basis of 2 1/2 acre per allotment, System A would provide approximately 14,300 allotments of which approximately 3575 allotments would go to the Tamil-speaking people on the basis of the national ethnic ratio.

However, a proposal has now been made to introduce plantation agriculture, such as Coconut cultivation in certain areas of System A in which event it is likely that the allotments would be larger in extent. Consequently, the number of allotments in System A would be reduced. No policy decision has been taken by the Sri Lanka Government on this matter as yet.

8. The settlements in Systems D, I,J,K,L&M, could be considered when each of these projects are taken up for development. It would be some time before development work on these projects would commence.

9. It would be possible for the Mahaweli Authority to permit the Provincial Councils or the District Councils, as the case may be, to select allottees for settlement in any of the projects of the Mahaweli Development Programme. However, this selection would have to be done according to the criteria for selection laid down by the Mahaweli Authority which would also require to be provided with data in respect of all such selections done by the Provincial or District Councils.

10. The Mahaweli Authority further would have the right to decide on the area of selection. By "Area of Selection" is meant those areas throughout the Island from which selection of allottees would be made.

Column III in Annex II gives the number of persons settled in the respective system who were displaced by the settlement scheme. The new settlements are those referred to in Columns IV and V of Annex II.

The settlement of the balance 45,766 allotments have to be completed.

4. System B comprises of 37,483 allotments of which 18,792 allotments fall within the Polonnaruwa District of the North Central Province and 18,691 allotments fall within the Batticaloa District in the Eastern Province. Of these allotments, 22,927 allotments fall on the Left Bank area of the Maduru Oya and comprises of the entirety of the allotments fall within the Batticaloa District. The balance 14,506 allotments fall within the Right Bank area of the Maduru Oya within the Batticaloa District—vide Annex III.

The number of allottees to be selected from each of these areas of selection would be determined by the Mahaweli Authority according to the landless or land requirements of the people of that area, but the selection itself could be done by

the Provincial or District Councils as referred to in the preceding paragraph. The number of allottees to be selected from throughout the Island would, however, conform to the national ethnic ratio of the different communities.

B	LB - 22,977	2,067	1,389	2,794	6,250
	RB - 14,506	(33./.)	(23./.)	(44./.)	
C	22,000	1,702	5,586	2,325	9,613
		(18./.)	(58./.)	(24./.)	
G	2,900	754	-	-	754
		(100./.)			
					39,622

Explanatory Note: (1) Column III. - These selectees were living in the Project Areas before the inauguration of the Accelerated Mahaweli Development Scheme. They were residing in and cultivating private lands / State lands. Majority of them were Purana Villagers.

(2) Column IV. - These are the displaced families from the construction sites and lands submerged as a result of the Victoria/Kotmale/Randenigala reservoirs and Transbasin Canal.

(3) Column V -. These are settlers who were selected from outside the Project Areas through the normal procedure by the Government Agents.

Annex I

MAHAWELI DEVELOPMENT PROGRAMME - EXTENT OF NEW IRRIGABLE LAND UNDER THE PROJECTS

Irriga- System	New Irriga- ble Ex- tent per UNDP / FAO Plan (1969 '000) Acres	Per Revision by Nedeco Study (September '79)		President Position with Revisions Feasibility Studies and Development, Environ- ment Policy Changes. The Balance is Based on Nedeco Figures	Consequent Based on ;
		'000 Acres	'000 ha Acres		
A	100.0	75.36	30.5	35.75	Feasibility Study Vol. 1 June '81
B	118.1	118.11	47.8	92.48	Implementation Plan & Feasibility Study
C	73.6	52.88	21.4	47.02	Implementation Plan & Feasibility Study
D 1	47.2	27.92	11.3	27.92	NEDECO
D 2		9.14	3.7	9.14	NEDECO
E	10.0	-	-	-	Dropped (Wasgomuwa Park)
F	8.2	8.15	3.3	8.15	Likely to be revised
G	6.4	6.42	2.6	6.43	Implementation Plan
H	56.9	-	-	56.9	Implementation Plan (Project complete)
I	87.8	87.7	35.5	87.72	NEDECO
J	24.8	49.17	19.9	49.17	NEDECO
K	19.4	19.52	7.9	19.59	NEDECO
L	76.5	76.35	30.9	76.35	NEDECO
M	24.9	24.96	10.1	24.86	NEDECO
	653.8		541.52		

Sheet No. 1

Annex II

NEW SETTLEMENTS MADE SINCE THE START OF THE ACCELERATED MAHAWELI DEVELOPMENT SCHEME UPTO 30TH JUNE, 1985 - 2 1/2 ACRE IRRIGABLE LOTS AND 1/2 ACRE HOMESTEADS

System	Total No. of Allotments	Settlers selected from within the Project Area - i.e. Resettlers	Displaced families from the construction sites outside the Project Area	Settlers brought from outside the Project Area excluding (IV)	Total settled excluding the allotments in the settlement schemes which were in existence before the Mahaweli Programme and which fall within the Systems
(I)	(II)	(III)	(IV)	(V)	(VI)
H	Settlement completed	17,231 (75./.)	1,709 (7.5./.)	4,065 (17.5./.)	23,005

SYSTEM B - DISTRIBUTION OF ALLOTMENTS ACCORDING TO DISTRICTS - 2 1/2 ACRE IRRIGABLE LAND AND 1/2 ACRE HOMESTEAD

Polonnaruwa District	Batticaloa District
18,792	18,691

Details below

Left Bank Total No. of allotments - 22,977

18,792 in Polonnaruwa District
4,185 in Batticaloa District

Total 22,977

Right Bank Total No. of allotments - 14,506

14,506 in Batticaloa District

Total Left Bank 22,977
Total Right Bank 14,506

37,483

PROPOSALS SENT TO THE GOVERNMENT OF INDIA BY THE GOVERNMENT OF SRI LANKA BASED ON DISCUSSIONS WITH THE INDIAN DELEGATION LED BY HON. P. CHIDAMBARAM, MINISTER OF STATE

09th July, 1986

CONTENTS

- Preamble
- Note on Provincial Councils
- Note on Law and Order (vide Note on Devolution of Power in respect of Law and Order-25.06.86 appearing in His Excellency the President's Statement to the Political Parties' Conference on Wednesday, 25th June, 1986-reproduced again)

4. Note on Land Settlements.

Political Parties' Conference
Secretariat,B. M. I. C. H.,
Buddhaloka Mawata,
Colombo 7.
9th July, 1986.

PREAMBLE

The Sri Lanka Government has made certain proposals and states that the said proposals may be examined within the framework of the undermentioned principles to which the Sri Lanka Government subscribes:

- maintenance of the unity integrity and sovereignty of Sri Lanka;
- the maintenance of the unitary character of the Sri Lanka Constitution;
- the principle of devolution of powers upon the Provincial Councils within the framework of the Constitution of Sri Lanka as proposed to be amended.

2. With reference to the Northern and Eastern provinces, in order to allay the apprehensions of any community, the Sri Lanka Government is prepared to consider the following alternative suggestions:

(i) Suitable institutional arrangements to provide for the Provincial Councils in the Island especially in the Northern Province and the Eastern Province to consult with each other and act in co-ordination on matters of interest and concern;

(ii) Suitable legal and institutional arrangements to ensure that the ethnic groups in each Province participate in the Government of the Province;

(iii) Establishment of units to give to the ethnic groups a large measure of local self-government under the control of the Provincial Government such as;

- (a) community-oriented AGA Divisions;
- (b) Pradesheya Sabbas in the AGA Divisions;
- (c) Any other unit of local self-Government.

3. A detailed Note containing observations on the proposals of the Sri Lanka Government on the framework is appended as Annexure I. The Sri Lanka Government believes that further negotiations are possible to arrive at final agreement.

4. A separate Note is annexed (Annexure II) on law and order and the scope of the powers devolved thereunder.

5. A separate Note is annexed (Annexure III) on land settlement and the scope of the powers devolved thereunder.

04.05.86.

Annexure I

NOTE ON PROVINCIAL COUNCILS

1. A Provincial Council shall be established in each Province, Law-making and Executive (including Financial) powers shall be devolved upon the Provincial Councils by suitable constitutional amendments, without resort to a referendum. After further discussion, subjects broadly corresponding to the proposals contained in Annex I to the Draft Framework of Accord and Understanding of 30.8.85 and the entries in List II and List III of the Seventh Schedule of the Indian Constitution shall be devolved upon the Provincial Councils. This will, however, be subject to the accompanying Notes relating to (LAW AND ORDER: AND. (ii) land settlement.

2. In the Northern Province and in the Eastern Province, the Provincial Councils shall be deemed to

be constituted immediately after the constitutional amendments come into force. Elections to the said Provincial Councils shall be held immediately thereafter on the basis of proportional representation.

3. In regard to the other Provinces, the existing District Councils in a Province may, at any time, opt to constitute a Provincial Council. Where a Provincial Council is constituted in any other Province, the said Provincial Council may exercise legislative powers in respect of any or all subjects devolved upon the Provincial Councils. The Provincial Council may also resolve to request Parliament to exercise legislative powers on its behalf in respect of any devolved subject.

4. There shall be a High Court in each Province. The Supreme Court of Sri Lanka will exercise Appellate and Constitutional jurisdiction.

5. The leader of the party which commands a majority in the Provincial Council shall be appointed as the Chief Minister. The other Ministers of the Council of Ministers shall be appointed on the advice of the Chief Minister.

6. The Sri Lankan side has no objection to the proposal to appoint a Governor in each Province. However, this question may be further examined.

7. Any amendment to the Constitutional provisions or any other laws providing for devolution of legislative and executive (including financial) powers shall require a 2/3rd majority as provided in the present Constitution. Any further safeguards, for example a further requirement of a referendum, may also be discussed.

8. On the establishment of a Provincial Council, it may, by a resolution, decide to grant right of audience in the Provincial Council, but without a right to vote, to the Members of Parliament elected from the Province. Such resolution shall be in force for the duration of the term of the Provincial Council.

9. A Bill passed by the Provincial Council shall become law on certification by the Chairman of the Council. If the President is of opinion that the constitutional validity of the Bill has to be decided by the Supreme Court, he may, before the Bill comes into operation, refer the same to the Supreme Court for a decision thereon. Such reference shall be made within a specified period. This may be further discussed.

10. The circumstances under which the President may dissolve a Provincial Council or remove the Pro-

vincial Government, and the conditions and limitations under which such powers may be exercised, shall be further discussed and suitable provision made.

11. Elections to the Provincial Council shall be on the basis of proportional representation. The number of members to be elected shall be determined having regard to the population and the area of each District in the Provincial Council. The scheme of proportional representation may be discussed on the basis of the clarifications appended to the August 1985 document.

12. Disputes relating to elections to the Provincial Council shall be decided by Courts on election petitions filed before them, in the same manner as is provided now in the case of elections to Parliament.

13. The Sri Lanka side desires that the concept, powers and functions of Pradesheya Sabbas as units of local government under a Provincial Council may be further examined and discussed.

14. The Sri Lanka side also desires that the powers and functions of other units of local government, either in existence now or which maybe created in the future, may also be further examined and discussed.

15. The above represents the cardinal features of the proposed structure of government in each province. They will be supplemented by suitable consequential and incidental provisions.

04.05.86

NOTE ON LAW AND ORDER

NOTE ON DEVOLUTION OF POWER IN RESPECT OF LAW AND ORDER - 25-06-1986)

1. The subject devolved shall be described as follows: Public order within the province but not including-

- (a) national defence,
- (b) national security, and
- (c) The use of any armed forces or any other forces under the control of the Government of Sri Lanka in aid of the civil power.

2. The Sri Lanka Police Force which shall function under the overall direction and control of the I. G. P. shall consist of -

- (i) the National Division (including Special Units).
- (ii) a Provincial Division for each Province.

2.1. The National Division shall consist of the I. G. P., D. I. G.s, S. S. Ps, A. S. Ps and other ranks recruited at the National level.

2.2. The National Division shall consist of the D. I. G., S. S. Ps, S. Ps and A. S. Ps, all seconded from the National Division and Provincial Division and Provincial Asst. Superintendents of Police, Chief Inspectors, Inspectors, Sub-Inspectors, Sergeants and Constables recruited in the Province. Members of the Provincial Division shall be eligible for promotion to the National Division.

3. Recruitment to the National Division and promotions of Police Officers in the Provincial Divisions to the National Division shall be made by a National Police Commission composed of three members, namely-

- (a) the I.G.P.
- (b) a nominee of the President, and
- (c) a nominee of the Chief Justice

3.1. The Commission shall also be responsible for promotions, transfers and disciplinary control of members of the National Division other than the I.G.P. subject to paragraph 4.1 below.

3.2. It shall hear and determine appeals from officers seconded to Provincial Divisions against whom disciplinary action has been taken by Provincial Police Commissions.

3.3. It shall set standards for recruitment and promotion of Police Officers of all Divisions and such standards shall be uniform for all Provincial Divisions.

4. Recruitment to each Provincial Division shall be made by a Provincial Police Commission composed of three members, viz.

- (a) the D.I.G. of the Province,
- (b) a nominee of the President, and
- (c) a nominee of the Chief Minister of the Province.

4.1. A Provincial Police Commission shall be responsible for transfers, promotions and disciplinary control over officers in the Provincial Division; for promotion of officers of the National Division seconded to the Provincial Division up to the rank of S.S.P.; and for transfer and disciplinary control over officers seconded to the Provincial Division except the D.I.G.

Provided that any such officer against whom disciplinary action has been taken by a Provincial Police Commission shall have the right of appeal to the National Police Commission whose decision on such appeal shall be final.

5. The National Police Commission or a Provincial Police Commission shall be entitled to delegate such of its powers as may be prescribed to such other person or authority as may be prescribed.

6. The I.G.P. shall appoint a D.I.G. for each province with the concurrence of the Chief Minister of the Province. However, where there is no agreement between the Inspector-General of Police and the Chief Minister the matter will be referred to the President who after due consultations with the Chief Minister shall make the appointment.

7.1. The cadres of police Officers of all ranks of the National Division shall be fixed by the Government of Sri Lanka. The cadre of Officers and other ranks of each Provincial Division shall be fixed by the Provincial Administration with the approval of the President having regard to:

- (i) area of the Province;
- (ii) population of the Province; and
- (iii) such other criteria, as may be agreed to or prescribed.

These principles shall be uniformly applied to all Provincial Divisions.

7.2. The cadres of the Provincial Divisions shall be fixed on ascertained principles such as population, area, number of Police Stations involved and other relevant considerations. These principles shall be applied to all Provincial Divisions without distinction.

7.3. The salary scales and perquisites of office enjoyed by the various ranks in the National and Provincial Divisions shall be determined by Government of Sri Lanka after consultation with the Chief Ministers of the Provinces. The salary scales and perquisites of office as enjoyed by Members of the Provincial Divisions shall apply uniformly to all Provincial Divisions.

8. The nature, type and quantity of fire-arms and ammunition and other equipment for the National Division shall be determined by the National Police Commission. The nature, type and quantity of fire-arms and ammunition and other equipment for all Provincial Divisions shall be determined by the National Police Commission after consultation with the Provincial Police Commission and uniform standards and principles shall be applied for all Provincial Divisions.

9. Recruitment to the National Division shall be made at the ranks of P.C., S.I. and A.S.P. Recruitment to the Provincial Division shall be made at the ranks of P.C., S.I.

(and P.A.S.P. rank referred to in para 2.2 above)

9.1. Recruitment to the National Division shall be made by the National Police Commission and recruitment to the Provincial Division shall be made by the Provincial Police Commission having regard to the standards of recruitment and other criteria prescribed in this behalf. Provided also that a recruit shall, on appointment set out his preferences as to the Division in which he wishes to serve and that he shall, if possible be posted to the Division of choice with the consent of the Division concerned.

9.2. The Government of Sri Lanka shall be responsible for the training of all recruits to and of members of all Divisions of the Sri Lanka Police Force.

The Provincial Administration may with the consent of the President provide for additional training for the members of the Provincial Division.

10. Members of the National Division and the Provincial Divisions shall wear the same uniform and insignia of rank, provided that uniforms of the members of each Division shall bear a distinctive shoulder flash indicating the Division to which he belongs.

10.1. There shall be one uniformed police force in each Province comprising of the members of the Provincial Division and the officers seconded thereto. Members of the National Division shall ordinarily be in plain cloths provided that they may wear uniforms when performing any duties in respect of the maintenance or restoration of public order as set out in paragraphs 12.1, 12.2, 12.3 and 12.4. Provided also that the I.G.P. and such other Officers as may be specified shall ordinarily be attired in uniforms.

11. All Police Officers serving in units of the National Division and Provincial Division in any Province shall function under the direction and control of the D.I.G. of such Province.

11.1. The D.I.G. of the Province shall be responsible to and under the control of the Chief Minister thereof in respect of the maintenance of public order in the Province.

11.2. The provisions of para 11.1 above are subject to the qualifications that:-

- (i) Upon the declaration of any emergency the President may assume such powers and responsibilities of the Chief Executive and the Provincial Administration in respect of public order within the Province as he may by regulation provide.

(ii) Where the President is of the opinion that the security of or public order in a Province is threatened by grave internal disturbance, he may without the declaration of an emergency but in consultation with Chief Minister of such Province, by order deploy in aid of the civil power any unit of the National Division or the Armed Forces in the Province for the purpose of restoring public order.

Provided that every such order shall cease to be in force as soon as the President is satisfied that public order has been restored or on the expiry of sixty days from the date of the order, whichever is earlier.

12.1. The Provincial Division shall be responsible for the preservation of public order within the Province and the prevention, detection and investigation of all offences (except the offences specified in the Schedule) and subject to the powers of the Attorney-General in terms of the Code of Criminal Procedure Act, the institution of prosecutions in the relevant Courts in respect of such offences.

The National Division of the Sri Lanka Police Force shall be responsible for the prevention, detection and investigation of all offences specified in the Schedule and subject to the powers of the Attorney-General in terms of the Code of Criminal Procedure Act, for the institution of prosecutions in the relevant Courts in respect of such offences.

12.2. Where the Provincial Administration seeks the assistance of the National Division to preserve public order within a Province, the I.G.P. shall deploy such personnel of the National Division as are necessary for the purpose, and place them under the control of the D.I.G. of the Province.

12.3. Where a State of Emergency is declared the I.G.P. may deploy such units of the National Division as he deems necessary in any Province for the restoration and maintenance of public order within such Province.

12.4. Any offence which may ordinarily be investigated by a Provincial Division may be investigated by the C.I.D. or any other unit of the National Division-

(a) Where the Chief Minister requests that such investigation be undertaken by the C.I.D. or any other unit of the National Division.

(b) Where the Attorney-General / I.G.P. is of opinion that an investigation of such offence by the C.I.D. or any other unit

of the National Division is necessary in the public interest and directs, after consultation with the Chief Minister, that such offence be investigated by the C.I.D. or any other unit of the National Division.

12.5. In a case falling under (a) or (b) of para 12.4 the prosecution of the offence shall be under the supervision and control of a Director of prosecutions to be appointed in this behalf.

13. The National Division shall perform all the functions vested in the Provincial Division in any Province until a Provincial Division is established in such Province.

14. All gazetted officers of the National Division and Provincial Divisions shall be required to attain the prescribed standard in Sinhala and Tamil. All Officers of the rank of A.S.P. and above shall also be required to attain the prescribed standard of English.

Every recruit to the Sri Lanka Police Force shall have proficiency in his mother tongue. For the first promotion he shall acquire proficiency in a language other than his mother tongue. For the next promotion he shall acquire a knowledge of the third language. The three languages recognised for this purpose are Sinhala, Tamil and English.

Annexure III

NOTE ON LAND SETTLEMENTS

The Subject matter of Devolution

Land, that is to say, rights in or over land, land tenures, transfer and alienation of land and land improvement shall be a devolved subject, except as provided hereinafter.

1.1. Lands which are vested in the State (State lands), will be alienated, used and disposed of in the following manner.

1.2. Lands which are required for the purpose of the Government of Sri Lanka, in respect of subjects not devolved on the Provincial Council, may be utilised without any restriction by the Government of Sri Lanka.

1.3. Insofar as any such lands are required for the purpose of the Provincial Council, in respect of subjects devolved on the Provincial Council, the Provincial Council shall formulate schemes for the use of such land in accordance with any applicable national policy. If for the purpose of such scheme it becomes necessary for such land to be alienated or otherwise disposed of to any citizen or any other body, such alienation or disposition shall be made by the President on the advice of the Provincial Council.

(To be continued)