

# The Sansoni Commission Evidence

The Story of the Sri Lanka Race Riots 1977

**C. T. B. Depot. Supdt. Testifies :**

**'D. I. G.**

**SAID**

**STOP**

**No 4.**

**Saturday September 9, 1978**

**Re. 1**

## the beating **FOR SOMETIME'**

Giving evidence before the Commission at its sittings in Jaffna, Mr. NAGALINGAM THIYAGARAJAH, Depot Superintendent, C. T. B. Kondavil, recalled a conference held at the Jaffna Kachcheri on the 17th August, 1977, at which the then D I. G. (Northern Range) Mr. Ana Seneviratne was also present.

Mr. Thiyagarajah said that Mr. Ana Seneviratne had asked him to arrange transport for the evacuation of campus students from Jaffna. He had informed him that his drivers and conductors were reluctant to operate bus services, because they were afraid of the actions of the Police in Jaffna.

Mr. Thiyagarajah stated in his evidence:- ".....When I went up to the G. A.'s table to telephone the Point Pedro depot, I heard Mr. Ana Seneviratne telephoning the Jaffna Police Station and asking for Mr. Noor Deen A. S. P.

"I don't know whether Mr. Noor Deen or somebody else spoke. I listened to the conversation. He said on the phone: Stop the beating for some time; I have to arrange the transport of the campus students."

Here is the full text of the statement made by Mr. Thiyagarajah. He was being examined by Mr. Sam Kadirgamar.

I have a statement with me which I mark X17. I am a Depot Superintendent of the C.T.B. attached to the Kondavil Depot. I am working in the Ceylon Transport Board from its inception 1. 1. 1958. I have served in Batticaloa, Colombo, Kili-nochchi and Jaffna. I have my statement with me.

### **Saw buses going back to the depot**

Q. Can you read from that statement? A. Yes.

I was Depot Superintendent, C. T. B. Depot, Kondavil during August, 1977. On 16. 8. 77, while I was returning to the Depot by car at about 0900 hours, I observed several buses going towards the direction of the Depot. I immediately stopped one of the buses and inquired as to why they were all hurrying towards the Depot. The crew of the bus informed that

there was a big battle between the police and the Public at Jaffna Town and the members of the public are being assaulted by the police and as a result of that they feared to work in the bus and are taking the buses to the Depot.

On hearing this, I immediately rushed to the Jaffna bus stand along the Palaly road and entered the bus stand premises. While I was entering the bus stand premises, I saw a large number of people running towards the Hospital road towards the direction of the hospital and they were being chased by the police.

When I entered the Jaffna bus stand premises, I saw the entire bus stand deserted; there were no passengers and no buses. I went inside. One of the officers in the bus stand informed me that there was an assault by the police on the members of the public; even vehicles were damaged and as a result the bus stand was deserted.

I immediately contacted the Depot over the bus stand telephone and spoke to my assistant and asked him the situation there. He informed me that almost 70% of the buses had returned to the depot. I then informed my assistant not to allow the conductors and drivers to book off until I come there as we have to transport the school children who had already been transported to the schools back to their homes.

### **'I contacted the Schools'**

I then proceeded to every schools in the town where bus service is provided and informed the Principals of those schools not to allow the children to go out until I arranged transport for them. They all agreed.

Then I came to the depot and spoke to the bus crew who were there. They refused

to work the buses and told me that members of public and others are being assaulted by the police and they feared to work the buses. I then appealed to them at least to work a few buses to transport the school children back to their residences and about 20 buses were sent out to various schools and the children were transported back to their homes.

Then I tried to contact the Jaffna police over the telephone on receipt of an

information that one of the buses was hijacked at Urumpirai at about 1100 hours on 16. 8. 77. I could not contact them as there was no answer from the police station. I then tried to contact the G. A. that also I could not do.

I then made a log entry about the incident in the depot log book and in the evening at about 3.30. p. m. I was requested by the G. A.

(Continued on Page 3)



Mr. Ana Seneviratne, the Deputy Inspector General of Police (Northern Range) in August last year. He is today the Inspector General of Police.

**"Those who do not remember the past are condemned to relive it"**

— Santayana - American philosopher 1863-1952



# 'POLICEMEN HOOTED AT JAFFNA G. A. LAL WIJEPALA TOO'

**Mr. Thillaampalam Thamotharam**

*continuing his evidence said:-*

When S. P. Mr. Seneviratne left the station on transfer, I did not go and speak to him. I felt that I should not go and meet him. As a subordinate officer I thought I should not go and speak to him and then go and make a complaint against him.

"Immediately after he left, a letter was sent asking me to note that I am strongly communal minded. I was asked to note that. That was a confidential report to Headquarters by him about me. I like to mention, Sir, that the same officer had recommended that I should be made an Inspector in May last year. I have submitted an appeal on this giving all the facts to the Department and I was promised just two days prior to this incident three increments by the D. I. G. of the range.

**No adverse report except the S.P.'s**

"I have now completed 36 years service in the Department and I never had an occasion for anyone to say that I am of that calibre. I have worked under a good number of officers; they all speak about my character and behaviour. Some of them are even there today. Except S. P. Mr. Seneviratne, no other officers have said anything against me.

**D. I. G.'s name was Ana Seneviratne**

COMMISSIONER: What is the name of the S. P.?

WITNESS: Mr. A. S. Seneviratne, Sir.

COMMISSIONER: And the D. I. G.?

WITNESS: Mr. Ana Seneviratne.

"In the same appeal, I have minuted that I will be giving evidence before this Commission. I submitted this appeal towards the early part of December, 1977.

EXAMINED by Mr. Somasunderam;

Q. You mentioned about your complaint against Mr. Seneviratne. Did you convey that complaint to the D. I. G. who would have been there during that time?

A. When the D. I. G. came to the station on the following day, I told him 'my son was assaulted and lot of injustice had been done by police officers and my complaint may be taken'. He looked at the S. P. S. P. was present at that time. He asked him to look into that.

Q. Could I remind you about the activities of the police against the Tamil parliamentarians and the G.A.?

A. On the day the Co-ordinating Officer arrived at the King's House, I was living in my house. When the Tamil Members of Parliament returned from Fort, they were hooted by the police officers. From their barracks, they came running towards the road and hooted them.

**Continuous hooting it was**

"Thereafter at 9 or 9.30 when the Government Agent of Jaffna was on his way from Fort to his residence, he too was hooted by the police officers at the station and that hooting would have been heard even up to the Rest house. It was a case of continuous hooting.

"There was another incident — I was not present when this happened. I only heard — When A. S. P. Jayasooriya, who was detailed to investigate into the complaints against police, army and navy officers, went to the police barracks, he too was hooted. I am very certain about that because some correspondence is going on regarding this matter,

Q. Can you remember the reaction of the S. P. against the G.A. over the conference held at the Co-ordinating office?

A. Mr. Seneviratne S. P. was always against the G. A. They were not able to see eye to eye.

**'D. I. G. felt sorry for policemen'**

"On the day the Co-ordinating Officer left Jaffna, the present D. I. G. held a conference; first conference was at K. K. S. and from K. K. S. he had come to Jaffna. We were there. First he said he was feeling sorry that the officers had undergone much hardship in Jaffna. Then he said he will be considering giving increments and promotions to them. Thereafter he told the officers about my complaint and also about the complaint of hooting.

Questioned by Mr. G. P. S. Silva:

Q. At the commencement of your evidence, you referred

ed to two Sub-Inspectors, Kariyawasam and Peramuna? A. Yes.

Q. You referred to some incidents relating to these officers? A. Yes.

Q. Those incidents are matters which you heard from others? A. Yes.

Q. As regards the Carnival incident, you were not present on that occasion?

A. No, regarding the second incident, I was asked to investigate.

Q. On the 16th August you said about some security officers? A. Yes, they are not police officers. They are civilians employed by a private person.

Q. To do what? A. To look after the town. There are about 30 or 40 employees. One Chandran is the employer. Earlier they were called Town guards.

Q. You met this security officer; can you tell his name?

A. I did not ask his name?

Q. At what time did you see him?

A. At about 7 a. m.

Q. You say you don't know his name but he had showed you a paper in which he had recorded the number of the jeep? A. Yes.

A. I was at the police station.

Q. Then you referred to S. P. Seneviratne giving instructions to you? A. Yes.

Q. To ask the police constables to wear their numerals? A. Yes.

Q. When? A. 17th August

Q. At what time?

A. At about 9-30 or 10 p. m.

Q. Then you went round and found that constables were not wearing numerals?

A. At least two constables attached to my branch did not have their numerals and I asked them why they were not wearing.

MR. THAMOTHARAM: (continued)

To Mr. Somasundaram:

Q. You also referred to an attack on the Sivan Temple?

A. That is something that I heard. I heard about the attack on Gunasena Book Shop.

Q. According to police rules, can you say that every police constable is expected to wear the police numerals? A. Yes.

list in the process of searching them they started shooting them.

To Mr. Underwood

Q. You spoke of a Gerard? A. Yes.

Q. What is he — a Tamil or Sinhalese?

A. He is a Christian Tamil.

Q. From where is he?

A. He was attached to the Jaffna police and was working in my branch and he was transferred to Delft.

Q. You connected that with some incidents the next morning?

A. Yes. About 2 or 3 days later I came to know that.

Q. What is the procedure when an officer is transferred?

A. They make an entry.

Q. If he went the same night they would have recorded so? A. Yes.

Q. If he goes by vehicle it is so recorded?

A. Yes.

Q. The vehicle number is also recorded? A. Yes.

Q. You mentioned of a P. C. under interdiction and armed with a rifle and that he also was asked to go?

A. I do not know whether he was asked to go.

Q. What is the procedure when a police officer is given a rifle — are his name, number of the rifle entered in a book?

A. Yes. They are entered in the R. I. B.

**'S. P. AND C. A. DID NOT SEE EYE TO EYE'**

Q. Then on the 16th August you referred to some shooting incident? A. Yes.

Q. Did you investigate into that? A. No.

The shooting took place at Ottumadam within the Jaffna town.

Q. At what time was that? A. 9-30 p. m.

Q. Who was the injured person?

A. My office P. C. Alwis and another PC attached to Jaffna; I don't know his name.

Q. They were shot at?

A. Yes.

Q. And where did you meet them?

Q. On the 17th night you found that they were not wearing the numerals?

A. Yes.

Q. There were several shooting incidents — could I remind you of the Putur incident — what inquiry did you make?

A. We get instructions from the S. P. of that division. Monthly we have to perform area blocking duties — three stations join at a point and the supervisor will take them and put them in different places and they have to do patrol duty.

Q. What actually happened there?

A. Three youths had come cycling and when the police stopped them and whi-

Q. Who enters them?

A. Sgt., S.I., or A.S.P.

Q. Do you know of the Muniappar Temple incident. When did you come to know of it?

A. It was on the following day when I went to the station. The police officers spoke about an incident where the United Club had been set fire to, and Muniappar Temple had been damaged.

Q. On what road is that?

A. On the K.K.S. road.

To Commissioner:

Sir, I would be at Vuvuniya on Monday. I cannot say how long I will be there.

Q. Can you come home as soon as that case is over? A. Yes. I can do so.

**"Nothing is ever settled until it is settled right"**

— Rudyard Kipling.



# 'D. I. G. SAID - IF ONE SINHALESE STUDENT IS HARMED, ALL TAMILS IN SOUTH WILL BE MURDERED'

(Continued from Page 1)

and the M. P. for Jaffna to arrange transport for several hundreds of people who were stranded at the hospital from the morning of 16.8.77.

I then had discussions with my crew and persuaded them to work 10 buses to transport the stranded people at the hospital and I arranged the buses and had them sent to the hospital on a convoy and then I followed them in a car.

As I approached the Victoria road junction I saw people running here and there on the road. I also observed several people throwing away their bicycles and running. I asked one of my drivers as to what was happening. He informed me that the police were assaulting people and as a result, they are running and in one case, one of my drivers was assaulted when he refused to run over the bicycles that were on the road side.

## 'Ordered to run over bicycles'

I was also informed that one of my drivers on the orders of the police ran the bus over the bicycles and I saw those bicycles lying damaged there. I immediately instructed my bus crew to take the buses and get back to the depot. After about 15 minutes, the buses were taken back to the depot.

On the 17th I was informed by the G. A. Jaffna and the M. P. for Jaffna to arrange transport for refugees who were coming by train from Anuradhapura. They informed me that the train is expected to come to Jaffna railway station at about 0900 hrs. and I accordingly, arranged ten buses for the transport of the refugees from Jaffna railway station and reported at the Jaffna railway station with ten buses.

## Unrest at the Railway Station

When I came to the railway station I found a large gathering and there was unrest among most of the people who were there. The unrest was due to information they had received that a large number of injured refugees were coming by the train.

I then suggested to the M. P. for Jaffna who was present at the railway station at that time that it would not be advisable to transport the refugees from there and suggested to him to stop the train at Navatkuli so that we could take the buses there and arrange for the transport. My suggestion was

accepted. Then I took the buses and went to Navatkuli railway station.

## The Conference at the Kachcheri

When I reached Navatkuli railway station, the train had already come there. The refugees were loaded into the buses and they were sent in different routes. After supervising the transport at Navatkuli, I returned to the depot and when I returned to the depot I was requested by my assistant Area Controller to accompany him to the Jaffna Kachcheri to attend a conference.

"There were several officers present at the conference and I and the Asst. Area Controller were also present. Among the various things we discussed, transport was also one of them. I was asked why buses are not being operated. I informed those present at the conference that the crew were refusing to work because they were frightened of the police and on the early morning of the 15th one of my conductors was assaulted by the police personnel and thrown into the lake. In those circumstances I told them that they were refusing to work until the situation returns to normal.

"At the conference, the D. I. G. Mr. Ana Seneviratne was present and he asked me to arrange transport for the campus students. I informed him that my drivers and conductors are reluctant to operate and that they are afraid of the actions of the police officers in Jaffna and as a result they are unwilling to work. I also told him that we have ten buses from Colombo depots sent to Point Pedro for the Sellasannathy festival and these ten buses could be released for the transport of the Campus students.

They agreed to this and I went up to the G. A.'s table to telephone the Point Pedro depot. The telephone lines were not working normally and we had to get at the trunks and an officer from the postal department put us to the special line and then I managed to call the Point Pedro Depot.

## 'I will get Army to work the buses'

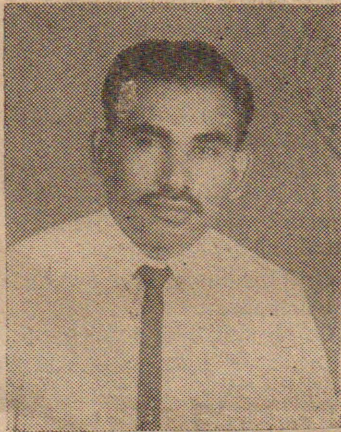
"At that time, Mr. Ana Seneviratne D.I.G. also came up to the table and spoke to me. He told me "If one Sinhalese student is harmed here, the entire Tamil population in the South will be murdered". He also told me "If your drivers and conductors are not prepared to work the

buses, I would get down drivers from the Army and work your buses."

"I informed him that I took orders only from my superiors, that I am the custodian of the CTB property at Jaffna and in order to hand over the vehicles, I must get instructions from my Chairman.

## Told of Police misbehaviour

"At the conference at the Kachcheri, several officers including the SHS, the Asst. Collector of Customs complained to the D. I. G. and other senior police officers



there was no reason for the police officers to hijack the bus. Then I made a log entry and I also got ready to send an express report to be sent to the Chief Operations Manager.

"In the meantime, the bus returning from Kurikaddvan returned to the depot with the driver and the conductor along with the security guard Mr. Parameswaran. They came and told me that when they returned from Kurukaddvan, the bus was stopped by armed police personnel in uniform and the driver was ordered to take the bus to Kannathitty where they looted two jewellery shops. I recorded their statements

"In the evening, I was informed that the Hon'ble Minister of Cultural Affairs and the Junior Minister of Defence and External Affairs had come to the depot and inquired for me. At that time, I had gone home. When I came back, I received a telephone call from the M. P. for Jaffna re-

MR. N. THIYAGARAJAH

"I said I take orders only from my superiors"

about the misbehaviour of the police, and at that time when I went up to the G. A.'s table to telephone the Point Pedro depot, I heard Mr. Ana Seneviratne telephoning the Jaffna police station and asking for Mr. Noor Deen A. S. P.

"I don't know whether the A.S.P. Noordeen or somebody else spoke; I listened to the conversation. He said on the phone "Stop the beating for sometime as I had to arrange the transport of the Campus students."

"After the conference at the Kachcheri, I returned back to the depot. When I returned back to the depot, my Assistant informed me that he had received a telephone call that bus No. 23 Sri 2227 which was returning from Kurikaddvan was hijacked by some police personnel opposite Naga Vihara and was taken to Kannathitty where two jewellery shops, were looted.

I immediately telephoned the Jaffna police; there was no answer. I contacted the G. A. I could not get him. I tried to contact the D.I.G. I could not contact him. I then knew that A.S.P. (KKS) Mr. Silva was at the Campus supervising the loading of the campus students. I contacted him.

"I informed him that I had received information like this and wanted him to take action. Immediately he told me that he had checked up and there was rumour and

estimating me to come to the Kachcheri to meet the Hon'ble Minister regarding the hi-jacking of the bus.

"When I was unable to contact the G. A. the D.I.G. and the S. P. I contacted the M. P. for Jaffna and asked him to take up this matter with the higher authorities.

"Then I went to the Kachcheri along with the driver, the conductor and the security guard and related to the Hon'ble Minister and the Deputy Minister for Defence, the DIG the S. P. and the G. A. and several of the MPs who were present as to how this bus was hi-jacked. Then I produced my driver, security guard and my conductor and related how this incident took place. The driver related the entire incident to the Hon. Minister in Sinhala because he could not speak English.

"Later I contacted my Chief Operation Manager and sent an express report to him. On 17.8.77 when I was in the depot Mr. K. Balasubramaniam, Welder attached to Kondavil Depot and R. Kandiah, Driver attached to Kondavil Depot were assaulted by the police. This matter was reported to me. I immediately took them to the Kachcheri. Their statements were recorded there.

To Mr. KADIRGAMAR:

Q: Do you know K. Balasubramaniam? A: Yes.

Q: Do you know R. Kandiah? A: Yes.

Q: They were both assaulted? A: Yes.

Q: Did they make a report? A: Yes.

Q: To whom? A: To me.

A: On what date? A: On the 18th.

Q: Were their statements recorded?

A: Yes. A. S. P., Jayasooriya recorded them, at the Jaffna Kachcheri.

Q: Why were they recorded at the Kachcheri?

A: Because people were frightened to go to the police station and special arrangements were made by the co-ordinating officer.

To Mr. DESILVA: Deputy Solicitor (General)

Q: You produced marked X, k7 a statement made by you? A: Yes.

Q: In that statement you would have mentioned about all the important matters?

A: Yes.

Q: In the course of your evidence you stated that D. I. G. Mr. Ana Seneviratne made two statements - one was that he said, "If one Sinhalese student is harmed, the entire Tamil population in the South would be murdered? A: Yes.

Q: The other statement attributed to Mr. Ana Seneviratne was that he telephoned the police and said, "Stop the beating for sometime"? A: Yes.

Q: It would have struck you that those were very significant statements?

A: Yes.

Q: Have you referred to those in your statement X.17?

A: (Witness goes through X.17 and states) I have not mentioned it.

To Mr. KADIRGAMAR:

Q: You handed to the commission a statement which you had prepared and signed? A: Yes.

Q: When did you prepare that statement? A: Yesterday.

Q: Was there a statement prepared subsequently?

A: No.

Q: Was there a statement prepared earlier? A: No.

(Continued on page 4)



# 'POLICE OFFICERS BUS OPPOSITE

**Mr. Nagalingam Thiyagarajah, C.T.B. Depot Manager** who had earlier made a Statement, was subsequently questioned by **Mr. Manivasagam Underwood**, on behalf of the Tamil Refugees Rehabilitation Organisation (T.R.R.O.) and the Federation of Tamil Trade Unions.

**Mr. UNDERWOOD:** Q: In Your statement on Saturday you began with the incidents of 16th August but you also referred to the incidents on 15th August? A: Yes.

Q: The incidents on 15th August was in connection with C. T. B., employees? A: Yes.

Q: Tell us briefly about the incident on that day?

A: On the morning of 15th August, 1977 at about 4.28 a.m., when Conductor Jasudasan was coming for duty to the bus stand from his residence he was assaulted by Police personnel near Regal Theatre on the Muniapper Kovil Road and he was thrown inside the pond opposite Regal Theatre.

Q: You are the Superintendent of the Depot? A: Yes.

Q: You were in charge of the employees at that depot numbering about how many? A: About 1000.

Q: Covering practically the whole peninsula? A: Yes.

## G. A. wanted ten buses at hospital

Q: You also spoke to an incident when you were requested by the G. A. to send 10 buses to the hospital, and they were sent you said? A: Yes.

Q: Where were you when you sent those 10 buses? A: At the depot.

"I followed the buses about 10 or 15 minutes later. When I came to Victoria Road junction I found all those buses stopped on the road facing the Girls' College. They were stopped near Mr. Yogeswaran's house M. P. for Jaffna. They were stopped on the road.

Q: Did you find out what happened? A: I checked up and one driver informed me that the police stopped them and they were chasing the crowd. I asked him what the reason was and he informed me that he did not know the reason, but the buses were stopped on police orders.

Q: What happened to the buses? A: One driver complained to me that he was assaulted by the police when he refused to run the bus over the bicycles on the road when ordered by the police. Selvaraja was the one who complained. He was driving bus No. 23 Sri 4615.

The driver of bus No. 23 Sri 4598 Nagamony complained to me that he had to run over the bicycles on the orders of the police officers and showed me the damaged bicycles on the road.

Q: He showed you the damaged bicycles? A: Yes.

Q: Where were they?

## What happened at Railway Station

A: They were on the centre of the road. The bus had gone over them.

Q: Did you inform of this to anyone?

A: I informed the G. A. the D. I. G., S. P., and others at the conference on the 17th morning.

A. S. P. Jayasuriya recorded the statements of the bus drivers on the 18th.

Q: on the 17th did you have occasion to send your buses to anywhere?

A: I had occasion to send 10 buses to the Jaffna Railway Station on the orders of the G. A. I sent them to transport the refugees coming from Anuradhapura. Those buses went to the Jaffna Railway Station. There was a big gathering there and there was unrest among them.

Q: These buses were for the refugees involved on the previous night? A: Yes.

## Buses were taken to Navatkuli

Q: They were due to transport refugees coming from Anuradhapura? A: Yes. I went and informed Mr. Yogeswaran, M. P. that since there was unrest among the people I could not transport them and asked him to send the train to Navatkuli and the train was taken there. The buses too were taken there.

Q: When a bus is taken to a place is the fact entered anywhere?

A: It is entered in the log book.

Q: What is entered?

A: The number of the bus, the name of the conductor and driver.

Q: Thereafter what happens?

A: The driver makes the entries regarding the times of departure and arrival.

Q: You had ten log sheets for the 10 buses? A: Yes.

Q: By whom is the log sheet entered?

A: By the driver.

Q: In addition to the log sheet what is there?

A: The way bill and the luggage bill book.

The way bill is a document in which tickets issued are entered and the revenue collected is also entered there.

Q: One of the buses was the hi-jacked bus? A: Yes.

Q: You have with you the log sheet of the hi-jacked bus?

A: Yes. It is the log sheet relating to bus 23 Sri 2227.

Q: This bus, with its driver and conductor carried the refugees? A: Yes.

Q: Each bus was given a destination? A: Yes.

Q: Where was it to go?

A: To Kurikattuwan.

Q: Did it go there?

A: Yes.

Q: You have the log sheet of that bus? A: Yes.

I produce the log sheet of the hi-jacked bus as X. 20) It relates to bus No. 23 Sri 2227 dated 17-8-77.

Q: This bus in fact reached Kurikattuwan? A: Yes.

Q: Having dropped the refugees what happened to it?

# 'Back to Naga Vihare after looting of jewellery shops'

A: It had to return to the depot.

Q: Did it reach the depot?

A: It did not reach the depot on schedule.

Q: Why?

A: It had been hi-jacked.

Q: Where was it hi-jacked?

A: Opposite Naga Vihare.

Q: By whom?

A: By police officers.

Q: Where had it been taken to? A: To Kannathiddy.

Q: There was the looting of a jewellery shop there?

A: Yes. From there it came to Naga Vihare and came to the depot.

Q: In the log book you get the entries entered by the bus driver? A: Yes.

Q: What are the entries in the log sheet regarding bus 23 Sri 2227?

A: Left at 8-30, Driver G. James, Conductor P. S. Selvarajah. The bus left the depot at 0830 hours, Reached Jaffna Railway Station 0850 hrs, Left Jaffna Railway Station at 0900 hrs, Reached Navatkuli 1040 hrs, Left Navatkuli at 1050 hrs, Reached Kurikattuwan at 1135, Left Kurikattuwan at 1140 hrs, Arrived Depot at 1415 hrs.

(Counsel refers to the evidence of Mr. Amirthalingam regarding this incident.)

Q: Is there any other entry made by the driver?

A: There is an entry made regarding the delay and failures.

Q: Is there any other entry? A: Yes.

Q: In what language?

A: In Tamil.

Q: The earlier entries - in what language are they?

A: In English and Tamil.

Q: The numerals in English and the letters are in Tamil? A: Yes.

Q: What does it state?

A: "Ariyakulam 1315 hours. At this point a batch of police officers boarded my bus and the bus was taken to Kannathiddy, where a jewellery shop was looted and then it was brought back to Naga Vihare, and I was allowed to proceed - signed by driver James."

Q: You spoke about the the way bill? A: Yes.

Q: You produce it marked X 21? A: Yes.

Q: You have the log sheets with regard to the other nine buses?

A: Yes, I have with me the log sheet relating to bus No. 23 Sri 2227.

I must have reached the depot at about 1 p.m.

A. About 400 to 500 were transported.

Q: After that you did not collect any money as fares?

A: We got orders from the G. A. to give the buses on credit hires.

Q: Taking the refugees from Navatkuli took place from the morning?

A: Between 10-20 and 10-40.

Q: After that what did you do? A: I returned back to the depot.

Q: Did you have any official duty to perform thereafter? A: I was instructed by my Asst. Area Controller to accompany him to the Jaffna Kachcheri for a conference.

## 'I get the news about hijacking'

The conference was at 11 a.m. When we went there, the conference had commenced already. The conference was over at about 12.30 p.m. From there, I came straight to the depot.

I must have reached the depot at about 1 p.m.

Q: What have you entered in the way bill?

A: The number of passengers transported 78, Navatkuli to Kurikattuwan. The tickets issued and the money recovered are also entered there.

Q: Did you charge the fare from the refugees?

A: Yes. Because I did not have instructions to the contrary.

## Fares collected from refugees

Q: They were refugees from Anuradhapura? A: Yes.

Q: They had lost all their belongings? A: Yes.

Q: How much did you collect as fares?

A: Rs. 71-30. The ten buses collected about Rs. 600/-.

Q: Did you collect all the fares?

A: Thereafter - after the 17th we did not collect the fares?

Q: Did you get instructions for that?

A: We got instructions from the G. A.

Q: From where did you transport the refugees?

A: From Naga Vihare to Anuradhapura on the 18th.

Q: About 700 refugees were transported to Navatkuli?

Q: When you entered the depot at 1 o'clock, what happened? A: All the employees came and surrounded me. They were talking about the hi-jacking of the bus by police personnel.

Q: Till then you did not know that the bus was hi-jacked? A: No.

Q: You finished your work at the Navatkuli railway station, attended the conference at the Kachcheri and came back to the depot? A: Yes.

Q: As you went back, you were told about this hi-jacking? A: Yes.

Q: Who surrounded you? A: The employees.

The drivers and conductors of the other buses had finished their mission at Navatkuli and by that time they had come back to the depot. They informed me one bus was missing. That was my first knowledge of the hi-jacking. When I entered the Depot Office, I went to the Depot Operating Assistant's room. He is one Sokalingam. He is the Depot Operating Assistant. I saw him at that time making a log entry. No sooner he saw me, he got up and said bus No. 22 Sri 2227 had been hi-jacked by police personnel and used for the looting of the jewellery shops.



# HIJACKED C. T. B. NAGA VIHARE'

Q. Did he complete that entry?

A. He was writing down the entry. After speaking to me, he completed the entry.

Q. Where was that entry made?

A. It was made in the depot log book.

Q. That is the book that you keep in the course of your duties? A. Yes.

Q. It is available now? A. Yes.

Q. Did you make any entry? A. Below Mr. Sockalingam's entry, I also made my entry.

Q. What do you normally enter in that log book?

A. Important occurrences like strike etc.

Q. Those are entered there and kept for official use? A. Yes.

Q. Where is it normally kept? A. It is kept in the depot office.

Q. Is there an entry of Mr. Sockalingam there? A. Yes.

Q. This book contains entries beginning from what date?

A. 1. 4. 76.

Q. 1. 4. 76. is an entry at page what? A. Page 1.

Q. The very last entry in that book?

A. Dated 11. 2. 78 at page 77.

Q. Sockalingam's entry is at what page? A. At page 54.

Q. And what is the date that is entered there? A. 17. 8. 77.

Q. Did you also mention the time? A. Yes, 1240 hrs.

## Two civilians who spoke Sinhalese

Q. Will you please read that entry? A. Yes. "240 Hours. Today at about 1230 hours, Security Guard Mr. Parameswaran informed me over the phone from Jaffna bus stand that our C. T. B. bus No. 23 Sri 2227 was hijacked by about 12 police officers in uniform and two civilians who speak Sinhalese directed the bus towards Kannathiddy Road -

Q. Kannathiddy road, is a road far away from Naga-Vihara? A. About half a mile and looted a few jewellery shops. Later he had managed to get down from the bus and had proceeded to the Jaffna bus stand. Later he informed that looting was confirmed by some members of the public. The bus was hi-jacked near Naga Vihara. I immediately contacted the Jaffna police number: it was ringing, but there was no answer. Later I informed this to the Depot Superintendent who arrived from the Kachcheri after attending a conference. He has made attempts and the

incident was informed to the ASP (KKS) who was available at the Jaffna Campus".

## 'A.S.P., KKS. said it cannot be'

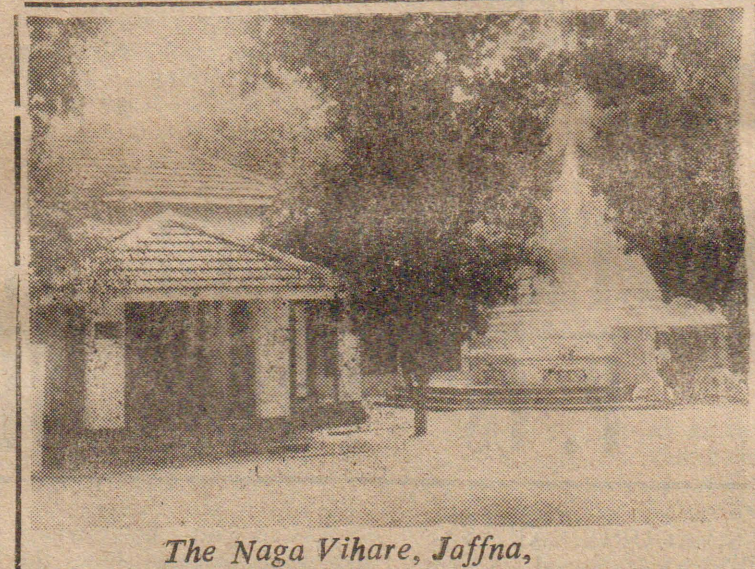
Q. You have referred to a Parameswaran, the Security Guard. What was he doing?

A. He got into the bus that was coming from Kurikattuvan.

Q. According to you, he had dropped off from the hi-jacked bus trip? A. Yes, at Wellington junction. Then he had telephoned the depot from the Jaffna bus stand and later he had come to the depot. I also made a log entry immediately.

Q. At what time was that? A. It would have been 1010 hrs. This is what I wrote in the log book. (reads)

"When I returned from the Kachcheri conference to the depot, I was informed by my DCA that bus No. 3 Sri 2227



The Naga Vihare, Jaffna,

had been hi-jacked by some police personnel at Ariyakulam junction opposite Naga Vihara and used for looting all jewellery shops. I tried to contact the DIG and the G. A. at the Kachcheri and King's House but I could not contact them. Then I contacted ASP (KKS) who was at the Jaffna campus and informed him about this incident. The ASP (KKS) informed me that he had checked up and it cannot be the police. There was unrest among the bus crews as the bus had not returned back and they were anxious to know about the crews of bus No. 23 Sri 2227. I made all efforts to contact the police and at about 1415 hours the bus returned to the depot. The driver and the conductor reported the incident that the bus was hi-jacked and taken to the jewellery shops where they were looted".

Q. This entry was made by yourself? A. Yes. I mark it X23.

Q. You have made that entry immediately following the entry of Mr. Sockalingam? A. Yes.

Q. You referred to the worry of the crews about the driver and conductor of the hi-jacked bus? A. Yes.

Q. Did the hi-jacked driver and conductor finally turn up? A. Yes. They returned to the depot at 2.15 p. m.

Q. Most of the conductors and drivers had come back? A. Yes.

Q. At about what time? A. About thirty minutes before.

Q. Did you question them? A. Yes.

Q. Parameswaran, the Security Guard also came there? A. Yes.

Q. Were any statements recorded at that time?

A. Yes, their statements were recorded at the depot.

Q. Were their statements recorded by any authority?

A. Yes, by the DIG Mr. Ana Seneviratne.

Q. When was that? A. On the 18th of August, I think

permitted to question this witness fully about this conference?

Commissioner: Yes.

Q. You said in between the visit to the Punkankulam station and your return to the depot, you attended a conference? A. Yes.

Q. Where was that?

A. At the Jaffna Kachcheri.

Q. Please let us know the persons who were present at the conference?

A. The conference was presided by the G. A., DIG, Mr. Ana Seneviratne was present. S. P. Jaffna, Mr. A. S. Seneviratne was present. Mr. Liyanage, S. P. was present. Then several heads of departments were present. Superintendent of Health Services, Special Commissioner, Jaffna Municipal Council, Mr. Sivagnanam, Asst. Collector of customs, Mr. Seneratne - they were all present. I don't know the name of the S. H. S.

Q. Anybody else?

A. Assistant Government Agents, D. R. O.s, Telecommunication officers and postal department officers were also present.

Q. I suppose, a number of matters were discussed?

A. Yes.

## S. H. S. also spoke of police assaults

Q. Could you mention a few of the matters you remember that were discussed?

A. There was a discussion about the transport of food supplies.

Q. In that connection, was there any reference to any difficulty in regard to the transport?

A. Some of the AGAs - there were about 8 or 9 of them - said that police personnel were assaulting members of the public and as a result, their drivers were finding it difficult to transport the food supplies.

Q. Anything in addition to that?

A. Bus transport and telecommunication - those things were also discussed.

Q. Was there a discussion about the campus students? A. Yes. We were asked to transport the campus students. They wanted ten buses.

Q. Apart from the reference made by the AGAs, did any particular reference was made to what the police were doing?

A. The Superintendent of Health Services did make a complaint about the police

Q. Do you know whether he is a Tamil or Sinhalese gentleman? A. He is a Sinhalese gentleman. He said police officers were misbehaving and assaulting people.

Q. Did any other speak?

A. Mr. Sivagnanam, Special Commissioner, spoke.

Q. Was anybody else there? A. Assistant Collector of Customs, Mr. Seneratne was there.

Q. What did he say?

A. He also mentioned about the assault on people by the Police. He was complaining.

## D. I. G. asked for A. S. P. Noordeen

Q. Are you aware of any decision that was arrived at about those complaints?

A. Most of the officers agreed that the public were frightened to go to the Police Station and it was decided to entertain complaints at the Kachcheri. A special officer was detailed to record complaint against the Police Officers. The D. I. G., said that.

Q. In the statement you made yesterday did you mention everything that you knew?

A. No. I could not give everything in the statement of yesterday.

Q. As far as you can remember give the entirety of what was said over the telephone by the D. I. G.?

A. He took the telephone on the G. A.'s table. I was standing by the side of the D. I. G., Mr. Ana Seneviratne, to use the telephone to arrange the buses for the campus students. I had to telephone the Point Pedro Depot. When I went to the telephone the D. I. G. was there. Before that he talked to me.

Q. Have you referred to what he said? A. I referred to that in the statement.

Q. He said that if one Sinhalese student was harmed the entire Tamil population in the south would be wiped out? A. Yes.

Q. Then he began the telephone conversation?

A. Yes.

Q. Tell us what you heard? A. He asked for Noordeen, A.S.P. Then he asked, "Where is he?" Then he said, "There are complaints about the misbehaviour by police personnel". Then he told him to stop the beating and also asked him to speak to him no sooner he comes.

Q. When you finished the conference and went back you learnt about the hijacking? A. Yes.

Q. You went to the depot against 6-30? A. I went to the depot after the conference?

Q. Then you returned again in the evening?



# FOUR WITNESSES SAY THEY WERE INJURED BY POLICE SHOOTING ON THE 16th

**SINNARAJAH VARATHARAJAH:** Affirmed: Kandarmadam.

To Mr. Kadirgamar

Q. How old are you?  
A. I am 19 years old.  
Q. Your address is 150, Arthisoodi Lane? A. Yes.  
Q. You remember 16-8-1977? A. Yes.  
Q. At about 8-30 a.m. you were going along Stanley Road, Jaffna, to your place of work? A. Yes.  
Q. You were a welding learner? A. Yes.  
Q. You were going towards Wellington Theatre junction? A. Yes.

Q. As you were going along you found a crowd of people? A. Yes.  
Q. You inquired what the trouble was? A. Yes.

Q. You were told that the police were chasing and assaulting people? A. Yes.  
Q. Then a police jeep came along Clock Tower Road junction? A. Yes.  
Q. Shots were fired? A. Yes.  
Q. Two or three shots were fired? A. Yes.

Q. Those were fired into the air? A. Yes.

Q. You took shelter in a garage near Muniswaram Temple? A. Yes.

Q. When you were taking shelter there the police opened the garage? A. Yes.  
Q. About how many of them were there?  
A. I was hiding. I did not notice how many came.

Q. The Police officers who opened the garage went on smashing up the car in the garage? A. Yes.  
Q. Were there other people hiding in the garage?  
A. Yes.

Q. After that the police officers left the garage?  
A. Yes.

Q. You then jumped over the fence in the rear of the garage? A. Yes.  
Q. And you came to the Clock Tower Road? A. Yes.

Q. At that time there were some people-students coming towards you from the Wellington Theatre junction?  
A. Some boys came.

Q. Were they walking or running?  
A. They came running.

Q. You were told that the police were chasing them and that is why they were running? A. Yes.

Q. You also joined them and ran? A. Yes.

Q. The police arrived at the Wellington Theatre Junction? A. Yes.

Q. And they started firing at the crowd? A. Yes.  
Q. You were trying to enter a house and escape?  
A. Yes.

Q. You received a bullet on your right knee? A. Yes.

Q. Some of the boys whom you did not know, took you to the hospital? A. Yes.

Q. Your right leg, below the knee was amputated at the hospital? Yes.

Mr. Kadirgamar: Q. You are still in hospital?  
A. No. I have gone home now.

Mr. G. P. S. Silva:  
Q. Did the Police at any time record your statement in hospital? A. Yes.

Q. Do you remember when your statement was recorded? A. No.

Mr. Underwood: Q. How soon after the Police arrived did they fire?  
A. Immediately after they arrived they fired?

Mr. Kadirgamar: That is all from this witness. I next call Suriyakumaran.

**SELLATHURAI GOPALAKRISHNAN:** Affirmed. 23 Years, residing on Road No. 3 Allaipiddy.

**MR. KADIRGAMAR:** Q. You remember 16th August 1977? - A. Yes.

Q. You were working in a shop? A. Yes.

Q. Where was the shop? - A. At Manipay Road, Jaffna.

Q. At about 8. 30 a.m., you were going to your place of work? - A. Yes.

Q. Was your shop open for business that day. - A. No.

Q. It was closed because of the disturbance created by the Police damaging other shops and setting fire to the shops? A. Yes.

Q. You were returning now along Kasthooriyar Road walking? - A. Yes.

Q. Were the police walking very fast? - Yes.

Q. You were also walking with the people? - A. Yes.

Q. You suddenly received a bullet fire from a rifle injuring your right hand - A. Yes.

Q. The bullet went through your wrist? - Yes.

Q. This happened when you were turning from the Power House Road from Kasthooriyar Road? - A. Yes.

Q. Show the place where your hand was injured? - A. Witness shows the injury, I cannot stretch my arm for the injury.

Q. You cannot open your hand? - Yes.

Q. You have suffered loss of power of that hand? - A. Yes.

Q. There were about five or six police officers whom you saw and they were firing shots at the crowd? - A. Yes.

Q. It was one of the bullets fired by the Police Officers that hit you? - Yes.

Q. Having received the bullet you ran back along Kasthooriyar Road? - A. Yes.

Q. You could not proceed along because of the injury? A. - Yes.

Q. Some of your friends took you to Dr. Gengatharan's dispensary? - A. Yes.

Q. The Doctor wanted you to be taken immediately to the hospital? - A. Yes.

Q. You were taken to hospital? A. Yes.

Q. In the Doctor's jeep? - Yes.

(Continued next page)

## 'INSPECTORS WERE TRYING TO STOP THE P. Cs FROM SHOOTING'

**THIYAGARAJAH SURIYAKUMARAN:** Affirmed. 34, Yarl Veedhi, Perumal Kovilady, Jaffna.

Mr. Kadirgamar: How old are you?  
A: I am 17 years old.

Q: You were working in an Aluminium Factory, at Manipay Road in Jaffna?  
A: Yes.

Q: You remember the 16th August, 1977? A: Yes.

Q: At about 8-15 that morning you were going for work along Stanley Road in Jaffna? A: Yes.

Q: You found a number of people running saying that the Police were chasing them? A: Yes.

Q: You were walking along the road? A: I was also running.

A: First you were walking?  
Q: Yes.

Q: When you were found that the people were running you also ran? A: Yes.

Q: You ran back home along Stanley Road. A: Yes. I was running home.

Q: As you were passing Wellington Theatre you received a bullet in your right hand? - A. After I passed Wellington Theatre I received a bullet on my right hand.

Q: The Police were firing? A. Yes.

Q. One of the bullets fired by the Policemen hit you? - A. Yes.

Q. Holding your injured hand you ran towards your home? - A. Yes.

Q. Some people there took you to a boutique? - A. Yes.

Q. From there you were taken to the hospital? - A. Yes.

Q. You were in the hospital for one and a half month? - A. Yes.

Q. Even now your right arm is in plaster? - A. Yes.

Q. The hospital authorities have asked you to come back for an operation? - A. The operation is not over.

Q. Are you in hospital now? - A. I am in hospital.

Q. You have come from the hospital today? - A. Yes.

Q. You have not been able to go for work from 16th August, 1977? A. Yes.

Mr. SILVA: No questions.  
Mr. UNDERWOOD: Q. Where did you get the bullet?  
A. Near the elbow.

Q. Was there a fracture of the bone? - A. Yes.

Q. You were running when you got the bullet? - A. Yes.

Mr. KADIRGAMAR: My next witness is Kailasapillai.

**SIVAGURU KAILASAPILLAI:** Affirmed. 25 Years, residing at Lotus Road, Vannarponnai.

Mr. KADIRGAMAR: Q. You remember 16th August 1977? - A. Yes.

Q. At About 10 a.m., you were walking along the road in order to buy some motor car parts for a car which was under repairs in the garage? - A. Yes.

Q. You were working as a mechanic at that time? - A. Yes.

Q. What is the name of the garage? - A. Poovilingam garage.

Q. You were walking along hospital road? - Yes.

Q. Then you turned towards Kasthooriyar Road? A. Yes.

Q. There is a coffee shop there? - A. Yes.

Q. What is the name of that shop? - A. It is called the Anna Coffee Bar.

Q. When you were opposite that Coffee shop you received a bullet which had been fired and you received it in your right upper arm? - A. Yes.

Q. Can you show where that was? (Witness shows the right upper arm.)

Q. The wound shows the entry and the exit of the bullet? A. Yes.

Q. There was a crowd of some people there at the time you received the shot? - Yes.

Q. There were Police Officers? - A. Yes.

Q. Police constables and Inspectors? - A. Yes.

Q. How many constables and how many Inspectors? A. Two Inspectors and five constables.

Q. The shots were fired by the Police Officers? - A. Yes.

Q. How far were the people who fired from the crowd? - A. About 10 yards.

Q. You know Mr. Amirthalingam, M.P., and Mr. Yogeswaran, M.P.? - A. Yes.

Q. Were they there when the Police fired? - A. Yes.

Q. Was Mr. Amirthalingam assaulted by the Police? - A. Yes.

Q. This firing was immediately after Mr. Amirthalingam was assaulted? A. Yes.

Q. After the rifle shot injury you were in hospital for about a month? A. Yes.

Q. Later you were admitted for another month as you could not use your right hand? - A. Yes.

Q. The two Inspectors whom you saw were trying to stop the constables who were shooting? - A. Yes. They were trying to stop the P.Cs from shooting.

Q. Were there any Police officers in civil? A. Yes.

Q. By civil what were they wearing? - A. They were in khaki shorts and Tee shirts.

Q. Were some of the Police officers in uniform? - A. Yes.

Mr. SILVA: No questions.

Mr. UNDERWOOD: Q. Are you able to use your right hand? - A. No.

Mr. KADIRGAMAR: I call Gopalakrishnan.



# DRIVER DESCRIBED HIJACKING TO MINISTER HURULLE & OTHERS

## No bus Service after 9 a.m

A. I did not meet any higher-ups in the Depot. I got a telephone message from Mr. Yogeswaran and I was asked to be present at a conference with the Minister of Cultural Affairs and Deputy Minister of Defence and D. I. G. He did not speak to me but left a message for me. The Minister and the Deputy Minister had asked for me. Mr. Ana Seneviratne, D. I. G., had asked the Night Duty Officer whether any officers had operated the buses that day. He had come on duty at that time and he said that he was not aware whether any buses had operated.

Q. You told him about what happened? A. Yes.

Q. At that time the buses were not operating but they were operating on the 15th? A. Yes.

Q. Did they operate on the 16th? A. Up to 9 a.m. they had been operating but after that there was no bus service. There was no normal bus service on the 17th. There was not even a skeleton service on the 16th, 17th or 18th. Finally we had a skeleton service on the 23rd. The normal service was on 1st October, 1977.

## Mr. Hurulle was also present

Q. You went to the Residency of the G. A. Who were present there?

A. Hon'ble Hurulle, Mr. Werapitiya, Deputy Minister D. I. G., Mr. Ana Seneviratne, S. P., Mr. Seneviratne, G. A., the M. P., for Jaffna, the M. P., for Chavakachcheri, the M. P., for Uduppidy and the M. P., for Kopay were there. That was on the 17th late in the night.

Q. This was the second conference that you were attending? A. Yes.

Q. Did they tell you what the conference was about?

## 4 Witnesses..

(Continued from Page 6)

Q. You were in Jaffna Hospital for 40 days? - A. Yes

Q. You received treatment at the hospital? A. Yes.

Q. But even now you can not use your right hand? A. Yes.

Q. You are the only earner in Your family? A. Yes

Q. Are you a married man? A. No.

Q. The family for whom you earn consists of whom? A. My father, mother and two younger sisters.

Q. Father's age? A. 58 years.

Q. Mother's age? A. 52 years.

Q. Is your father employed? A. No.

No questions by Counsel,

A. I was asked to come with the crew of the bus that was hijacked, bus no. 23 Sri 2227; Driver James, Conductor Selvarajah and Security Officer Parameswaran. I was asked by the Minister and the Junior Minister as to what happened and I told them.

## D. I. G. was asked to record statement

Q. Was your statement recorded? A. No.

Q. Did the driver, conductor and the security officer give an account of what happened to them?

A. The driver of the bus related the incident in Sinhalese to the Minister as to what exactly happened. At that conference the Deputy Minister had made an order that their statements should be recorded by the D. I. G. The following day their statements were recorded.

Q. As Superintendent in charge of the Jaffna C.T.B., Depot you had been responsible for the transport of the refugees coming from the South to the North by train, by plane and by ship and also for the transport of refugees from the north to the south? A. Yes.

Q. Do you have any idea of the total number of people the C. T. B. buses under your charge had transported the refugees?

A. Including buses from Kandy, Kurunagala and Kilinochchi about 50,000 had been transported.

Q. Do you have any record about this? A. All entries have been recorded.

Q. Did you have any occasion to enter those transported from the ship?

A. Yes.

## Refugee ships at Kankesanturai

Q. To Navatkuli station you sent buses and transported the refugees? A. Yes.

Q. The ships arrived at Kankesanturai on what day?

A. On 26th August, 1977.

Q. Were you told about it? A. On the 25th I was told to make arrangements. I have made an entry at page 60 on 25.8.77.

Q. You mark that entry as "X25"? A. Yes.

Q. Who made the entry?

A. My assistant, one P. Tharmalingam made the entry. Mr. Dharmarajah, S. P., telephoned me and told me that three ships would arrive at Kankesanturai on the 26th at 09 hours and that buses should be arranged to transport 1900 persons coming in those three ships. He wanted a small bus to be sent to the Medical Superintendent, Jaffna Hospital, the following day at 8.30 hours to transport Doctors, Nurses and first aid equipment to Kankesanturai. The area

controller took the message and it was confirmed by the S. P., on 25.8.77.

## 5000 transported from Naga Vihara

Q. Buses transported about 500 who came by train and about 2000 who came by ship? A. Yes.

Q. How many came by plane? A. About 2000.

Q. Did you transport any Sinhalese from Naga Vihara to Anuradhapura? A. About 5000 were transported at various intervals. The Campus students were transported by the Colombo Depot buses which had been sent

to Colombo by bus. Except one, all the others went to Naga Vihara on the 17th. We transported them by our car. They were kept there. One was staying opposite our Depot and he was staying there.

Q. You had two conferences on the 18th; the day you arranged transport to the railway station and the same day the bus was hijacked? A. Yes. On 18th I attended a conference for transporting the Sinhalese refugees from Naga Vihara at about 10 a.m.

Q. Before that did anything happen? A. Two of my employees were assaulted at Ariyakulam junction.

assaulted at Ariyakulam junction at different times.

Q. You produce the entry made in regard to Kandy marked "X27" dated 18.8.77 at page 56? A. Yes.

Q. Read that? (Witness reads the entry.)

Q. Who was the D. S.?

A. I was the D. S.

Witness continues reading.

Q. Did you make any complaint? A. This was reported to the D. I. G., and the statements were recorded by A. S. P., Mr. Jayasuriya.

Q. What was the number mentioned? A. 951.

## '12 Sinhalese employees; nothing happened to them'

to the Point Pedro Depot for the Sella Sannathi festival.

Q. Did you have anything to do with it? A. No. The Assistant Area Controller arranged it but it was under the Depot Superintendent, Point Pedro.

Q. Did you not have Sinhalese workers at Your Depot? A. There were about 12 employees.

Q. What happened to them?

A. Nothing happened to them. On the 16th four employees complained to me that they were frightened to stay there. They did not complain that they were assaulted. I kept them at my home for two days and then sent them

They reported this at the Depot at 8 a.m. A. Balasubramaniam, a Tinker and R. Kandiah a driver were assaulted. Their statements were recorded.

Q. Did you make an entry? A. My assistant had made a log entry.

Q. What date is that?

A. That is at pages 55 and 56 dated 18.8.77.

Q. You produce it marked "X26"? A. Yes.

Q. Read it? (Witness reads it.)

Q. Was an entry made in respect of the assault on Kandiah? A. Yes. The complaint was recorded by Sockalingam. They were

Q. Was it the correct number? A. 851 is the correct number.

To Mr. de SILVA, Deputy / S. G.

Q. The evidence you give in relation to the hi-jacking is what you learnt from the bus crew?

A. From the bus crew the D. O. A. and the Security Guard.

Q. You referred to a statement made by Mr. Ana Seneviratne at a conference held on 17.8.77? A. Yes.

Q. At about what time

A. At about 11 or 11.30.

Q. The statements you attributed to Mr. Ana Seneviratne were made at that conference on 17.8.77? A. Yes.

## Municipal Special Commissioner Testifies

Mr. KANDIAH SIVAGNANAM:

Affirmed: 39 years; Special Commissioner, Municipal Council, Jaffna.

(Mr. Kadirgamar states that once the summons was served on this witness he came to him with the file and that he (Mr. Kadirgamar) went through it. He states that this witness is ill and has to enter hospital for a major operation. Witness is given permission to sit and give his evidence.)

Q. I take it you are a member of the Local Govt. Service? A. Yes.

Q. When did you join the L. G. S.? A. In 1960.

Q. What was your designation then and what is it now? A. I joined as a book keeper and I became the accountant and now I am the Special Commissioner, Municipal Council, Jaffna, at 7 a.m. A. Yes.

Q. From When? A. From February 1972.

Q. When were you appointed Special Commissioner?

A. On 28.7.77.

Q. Was the Municipal Council dissolved?

A. It was not in office from August 1975.

Q. In August 1977 you were the Special Commissioner? A. Yes.

Q. You were the person in charge of the administration of the Municipal Council, Jaffna? A. Yes.

Q. You have to report back to the Ministry of Local Govt.? A. Yes.

Q. You remember 16.8.77? A. Yes.

Q. On 16.8.77 you received a telephone call from the Market Supervisor that certain shops were damaged at 7 a.m. A. Yes.

Q. Were they property of the Municipal Council?

A. Yes.

Q. Who was he who gave you the telephone message?

A. Sinnathamby, Caretaker, Model Market.

Q. This caretaker Mr. Sinnathamby told you that people had come there to organise a protest against the police as they had caused damage to the public?

A. This message was given by Christie, the Supervisor of the Model market.

Q. You got that information and was anything expected of you-what did you do?

A. Christie informed me over the telephone of the damage caused. He told me that there was some protest about closing shops. There were 100 shops in the market and he sought my advice. I said it was left to the shop keepers to do what they desired. I wanted the main gates to be kept open. If they were closed it would mean that we had closed the market.



# The Sansoni Commission Evidence

The Story of the Sri Lanka Race Riots 1977

(Continued from Page 7)

Q: Can you give a short set-up of the market?

A: There are about 102 shops downstairs and 30 shops upstairs.

Q: Who owns the shops?

A: The Municipal Council, Jaffna.

Q: Does it rent out the shops? A: Yes. To traders.

Q: They carry out business from there? A: Yes.

Q: What did you do next?

A: I said I would come and inspect the place. I went to the bazaar at about 7.50 a.m. I went there from my home.

Q: Tell the commission what happened?

A: When I came I went to the Power House which is a part of the Municipal Council property. While I was speaking to the employees there for about 15 minutes I was able to see a crowd of people - men and women, rushing to the Power House for safety.

Q: Could you describe them as being in a state of panic? A: Yes.

Q: Some of them actually came into the Power House?

A: Yes.

Q: Did you inquire why they did that?

A: They said there was a clash between the police and the public and they came for shelter.

After that I went to the Municipal Council Office proper by about 8.30 or so.

I asked my officers to be seated in their seats without going out. By about 9.15 or 9.20 I received a telephone message from the caretaker. Sinnathamby informed me that the vegetable market portion was on fire. I asked him whether I could come there. He told me it was not safe for anyone to come to the market area at that time because the police cordoned off that place.

Q: Did you ask whether any steps were taken to put out the fire?

A: He said the people inside the market were trying to put it out but the police obstructed them.

Q: The police were obstructing the fire being put out.

A: Yes. That is what he told me.

Q: What did you do then?

A: I telephoned the S. P., A. S. P. and H. Q. I. As a matter of fact I could not find any officer at the police station. They were not there.

Q: Who was the A. S. P. - When you telephoned did you ask for him by name?

A: As regards the S. P. I took the direct line.

Q: Did you ask for the A. S. P. by name? A: No.

Q: Thereafter what did you do?

A: I rang the Govt. Agent Mr. Lal Wijepala. He was not there.

Q: Then what did you do?

A: I rang up the Additional G. A. Mr. A. A. Joseph.

Q: Did you contact him?

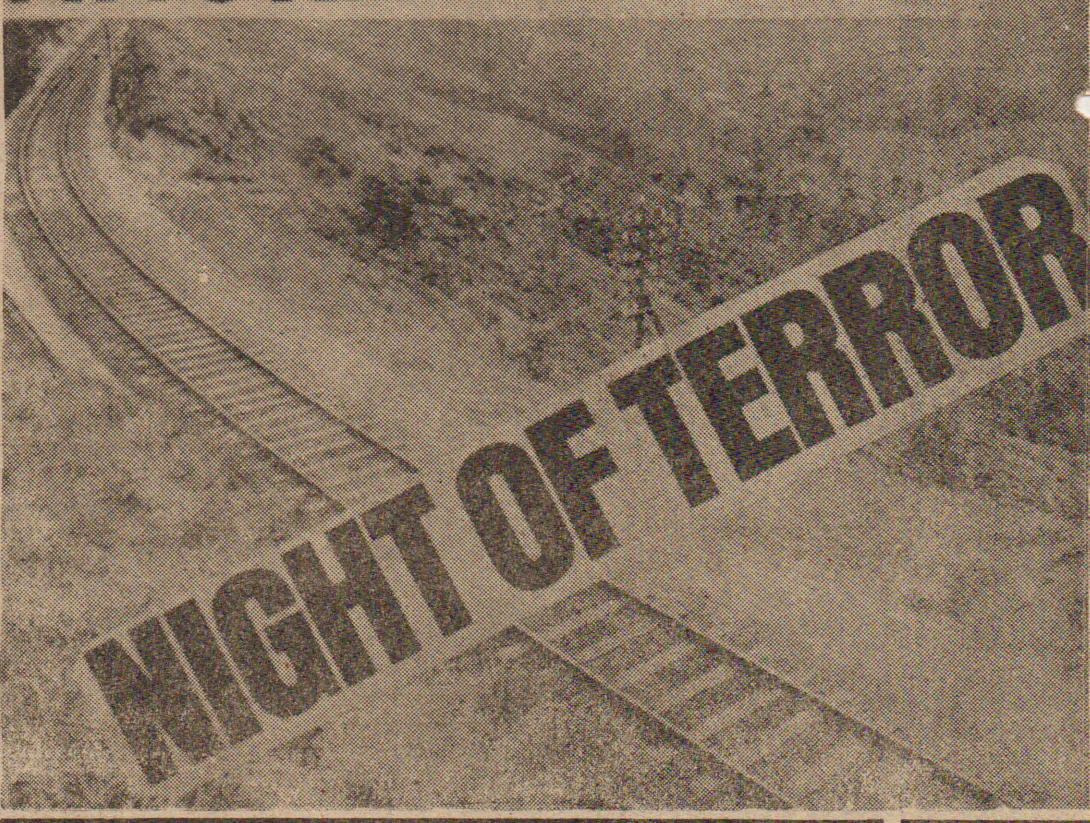
A: Yes.

Q: Did you pass the information to him? A: Yes.

Q: The object was to con-

## LOOK OUT! IN FORTHCOMING ISSUES

### ANURADHAPURA



Subsequently, he said that the people said that the police had done it.

Q: Did you pass on the information that the police had done it?

A: I said I had information from this officer to that effect. I said I was not sure.

Q: Did you try to contact the army?

A: By about 10 a.m. I was informed by Sinnathamby that a shop in the model market was set on fire. I contacted the Army at Palaly.

Q: You rang up the army?

A: Yes.

Q: Whereat? A: At Palaly.

Q: You asked for assistance?

A: I asked specially for water bowsers.

Q: From where were they to come? A: From the Airport.

come down and I was particular to see that the model market was safe because it cost about 2 million to the Council. It meant loss to the traders also. I wanted his assistance to put out the fire. He said the G. A. was not there.

Q: What did you do?

A: He said he was going to Palaly to meet the I. G. P., Army Commander and the high officials who were coming from Colombo.

Q: What did you do next?

A: I think by about 12 o'clock, the area was deserted; I had to allow some of my officers to leave home for safety. At about 1.15 p.m. I received a message from Mr. P. L. Patrick, Public Relations Officer, Kachcheri

Q: Anything else on the 16th August?

A: At the end we had to come out because it was felt by the officers there that it was unsafe to remain there. Then we came to the Municipal Council and then dispersed.

Q: Now, can you tell us - when did the IGP, the Army Commander and Mr. Jayasinghe return to Colombo? Did they return on the 16th?

A: I think they returned on the 16th.

Q: On the 16th, when the IGP and Army Commander came to the scene of this fire, was the S. P. Mr. A. S. Seneviratne there? A: I cannot distinctly remember.

Q: Was any other Gazetted officer present?

A: Yes, they were there. The G.A. was present. The addl G.A. was also present.

Q: At the scene of this fire, how long did the Inspector General, the Army Commander and the party remain?

A: For about 10 minutes they were there. They went round the place.

Q: At that time, were there police personnel, P. C., Sergeants, of that rank?

A: I was able to see them at a distance. They were near Subhas Cafe.

Q: You saw several of them? A: Yes.

Q: Can you tell roughly about how many?

A: On Hospital road, I may have seen about 30 to 35 police personnel.

Q: Can you recollect having seen Sub-inspectors and Inspectors of police? A: There might have been.

Q: Now we came to the 17th. You attended office in the morning? A: Yes.

Q: You had a number of problems to deal on that day? A: Yes.

(To be continued in the next issue)

Commissioner was told:

## POLICE WERE OBSTRUCTING MARKET FIRE BEING PUT OUT

tact them and pass on the information you had received?

A: And also to seek assistance to put out the fire.

Q: A fire in the model market is a very serious thing - if the fire spreads it would be a conflagration in such a congested area?

A: Yes.

Q: What did you do after that?

A: I rang up the Senior Assistant Secretary at Colombo.

Q: You gave them this information you received?

A: Yes.

Q: The information which you received - did you receive information as to who caused the fire?

A: The message was that the market was on fire.

Q: This fire that Mr. Sinnathamby had reported to you - up to that time you had not seen or gone to that place?

A: Yes. I had not gone. I went a little later.

Q: You had telephoned the Army but they were not able to help you?

A: They said they were unable to come.

Q: Then did you receive another message from Sinnathamby?

A: Yes. About the fire in the shop in the model market.

Q: What did you do?

A: I contacted the A. G. A. and said that the other side - the vegetable market had

Jaffna. He informed me that the army personnel will be coming to the market and that I can go there.

With some of my officers I went to the scene at about 2.30 p.m. I also took with me some equipments to draw water. When I went there, I saw the I. G. P., the Army Commander, Mr. Jayasinghe, Secretary to the Ministry of Defence and some others. Then I spoke to the Army Commander to help us to put out the fire that had spread upstairs. The Army Commander on that day was Gen. Sepala Attiyala. That morning I had opened all the taps and we were able to use the water hose and things like that to put out the fire from upstairs. We were there till about 4.30

The Sansoni Commission Evidence

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