

The Sansoni Commission Evidence

The Story of the Sri Lanka Race Riots 1977

GO & TELL COL.

No 9.

Saturday October 14, 1978

Re. 1

AMIRTHALINGAM

VALLIPURAM THAMOTHHERAMPILLAI: Affirmed. 54 Years residing now at Urumpirai.

Mr. Bartlett: Q. You were a train controller on 16th August, 1977? A. Yes.

Q. Your office is up-stairs in the D. S.'s office about 150 yards from the Station? A. Yes.

Q. You were one of those officers who was similarly, like the last witness taken from your duty room and put in the Retiring Room of the Station for safety? - A: Yes.

Crowd came into Retiring rooms

Q. On that day while you were in the retiring room a large crowd came to the Retiring Room? - A. Yes; at 8 p. m., a crowd came into the Retiring Room.

Q. Did they extract from you any money?

A: They demanded all our belongings. They hit me and I fell to the ground.

Q. Then what happened? - A: They demanded money. I had to give even my clothes.

Q. How many were assaulted?

A. About 80 of my brother officers were assaulted and looted.

S. P. said: Shut up, and went away

Q. Who attacked you?

A. Some of them were railway employees and others were outsiders.

Q. Can you mention the names of some? A. Kalu

Banda, the Kangani; Samaranayake, the Running Bungalow Cook and a driver. About five were severely injured and the others had bleeding injuries. There were two distinct attacks. First they assaulted and looted. Later they assaulted with deadly weapons on the second occasion. Iron rods, clubs and various other deadly weapons were used.

Q. What was the interval between the two attacks?

A. There was an interval of about one and a half hours between the two attacks. From 6 p. m., till the following morning I was there. On the 16th night I was the controller. I summoned chellathurai on the 17th morning. On the 17th night after the assault we were taken to the Police Station.

"At that stage S. P., Mr. Liyanage came there and we told him what had happened and he told us, "Go and tell Colonel Amirthalingam". "What happened here is nothing when compared to what happened in Jaffna". We pleaded with him to take us away. He said, "Shut up" and walked away.

'S. P. was very irresponsible'

Q. You say that the statement of Mr. Walter Liyanage, S. P., would have created a tension?

A. He spoke to us furiously. We were surprised to see a responsible officer behaving in that fashion, particularly when public servants who were on duty were being assaulted. We knew him. He used to ask for berths and sleeperettes and we always helped him by going out of our way.

Q. You would have regarded S. P., Liyanage as a very irresponsible officer?

A. I regard him as a very, very irresponsible officer. I was told by my brother officers to run to our bungalow. I told them that we are not going away when passengers are being assaulted. I ordered Nadarajah not to leave the room and asked him to be there. I did not know what to do. I passed on the information readily to Colombo and requested that the G.M.R. and the others should be informed.

S. M. Chettikulam died of injuries

Q. Was the Station Master of Chettikulam injured?

A. Yes. He is Mr. Nadarajah. Subsequently I learnt that he died. Mr. Sathasivam also died of injuries.

Q. What was his designation? A. Station Master, Anuradhapura.

Q. All of you were in the Retiring Room at Anuradhapura? A. Yes.

Q. You have suffered mentally? A. More than that there was the high tension. I had nothing from 16th evening till the 19th or the 20th. I had nothing to eat or drink. When we were taken in a convoy, the crowd watching on the road waved their hands and made signs to indicate that if we returned we would be cut.

Q. You had asked that you be retired from service as it is not possible for you to work at Anuradhapura?

A. In Jaffna the Doctor who treated me recommended that I go before a Medical

Board. I have tremors of the hand as a result of the trauma that I have undergone.

'They transferred me to Galle'

Q. When you asked for a transfer you were asked to report for duty at Galle?

A. Yes.

Q. Have you got this letter asking you to go to Galle?

A. No. It was a notice sent to Anuradhapura. I was asked to go to Galle. Later I sent an appeal to the G. M. R., and the Operating Superintendent. The Operating Superintendent promised to transfer me to Jaffna if I am fit.

Q. Now you want to go before a Medical Board to secure your retirement?

A. Yes.

Q. You have asked that the Medical Board be held in Jaffna and there is no response to that? A. No. To the best of my knowledge if any officer was ill the Medical Board was held in Jaffna but in my case I was asked to go to Anuradhapura.

'I cannot work any more'

Q. You suffered anxiety neurosis and shock and you supported that by medical certificates? A. Yes.

Q. The D. S., is unconcerned about your problems?

A. Yes.

Q. You are asking that the Commission be pleased to secure your retirement because you feel that you cannot work in that area or as a matter of fact you cannot work in any part of the island? A. Yes.



From issue No. 2

From the evidence of Mr. A. Amirthalingam, Leader of the Opposition in Parliament, before the Sansoni Commission of inquiry:-

".....In this connection I want to mention the role played by the S. P. Anuradhapura. As I said Mr. Liyanage had come to Jaffna on the 16th and seen for himself what had happened. Not one Sinhalese person was touched. There are Tamil doctors and others who reported to me that this officer who should have been responsible for maintenance of law and order had openly told people when a number of Tamils had been killed, "What is this when compared to what is happening to our Sinhalese people in Jaffna? Sinhalese girls had been nailed to the walls....."

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

- Santayana - American philosopher 1863-1952

'TAMIL P. C. TOO GOT A POLICE BEATING: HE WAS IN 'VERTY'!'

CHELLAPPAH NADA — RAJAH, Affirmed.

P. C. 5890, 49 years of age.

Q: How long have you been in the Police Force?

A: 24 years.

Q: You have served in many parts of the island?

A: Yes, I have worked in Colombo, Matara, Ratnapura and Jaffna.

Q: When were you posted to Jaffna? A: In January 1973. Presently I am at Headquarters at Jaffna. In August, 1977 I was at Headquarters, Jaffna;

Q: You remember 17th August, 1977? A: Yes.

Q: You were assaulted that day? A: Yes. I was assaulted at Naga Vihara junction.

Q: Were you in uniform or civil? A: I was in plain clothes. I was wearing a verty and shirt,

Q: Who assaulted at Naga Vihara Junction? A: I was assaulted by some Police Constables but they were not wearing their numbers.

Q: Were they in uniform?

A: Yes.

Q: Is it proper for a Police Officer to wear the uniform without wearing the number?

A: It is not proper.

Q: Is it unusual for Police Officers to be out in uniform without the numbers?

A: It is unusual.

Q: Did they intimate to you why they assaulted you?

A: They did not identify me. I was in civil

Q: They took you for a civilian? A: Yes.

Q: They took you for a Tamil civilian because you were wearing a verty?

A: Yes.

'I informed H. Q. I. Gunasekara'

Q: How many of them were there? A: Seven or eight persons.

Q: Did they assault you or the others also?

A: At that time they only assaulted me.

Q: When you came to the Police Station did you report this to any Police Officer?

A: I informed the Headquarters Inspector Gunasekara.

Q: Did you make any entry? A: I made an entry in the Information Book of the Special Crime Investigation Branch. Sergeant Sarath was incharge of that branch at that time.

Q: Do you know Sattanathapillai? A: Yes, he was in the branch when I returned to the station. I informed him about the situation.

Q: Was any action taken in respect of that complaint?

A: Immediately the Headquarters Inspector telephoned Naga Vihare and asked the men to be taken from the road and put them in the temple premises.

Mr. de Silva: Q: The Police Constables who assaulted you were attached to the Jaffna Police? A: They were not in the Jaffna Police.

Q: You did not know from where they came? A: No.

Q: With what did they assault you?

A: With batons.

Q: Upon your complaint what was the action that was taken?

A: Immediately he telephoned Naga Vihare and ordered to take all men from the road and put them in the Vihare premises.

Q: He directed the Police Constables who were on duty on the road to get into the Vihare premises and not to stay on the road? A: Yes.

'P. C. ASKED FOR A CIGARETTE: MAN SAID - WAIT A LITTLE MACHANG - & SMASHED UP A TAMIL SHOP'

AMBALAM MAHASIVAM: Affirmed: 49 years: Asst. Commissioner of Labour, Kalmunai.

Q: In August 1977 you were the Asst. Commissioner of Labour attached to Anuradhapura? A: Yes.

Q: In pursuance of a notice published by this Commission, you made written representations to this Commission dated 9.1.78? A: Yes.

'ACL: My car was set on fire'

Q: You have attached to the representations sent to this Commission a letter addressed to the S. P. Anuradhapura. (That letter is marked A12A. A12A is dated 10.9.77)

Q: You lost your car? A: Yes.

Q: What is the value you place on your car? A: Rs.20,000

"I had some spare parts that I had brought. I had also some cash. I assess the loss of my car and the cash at Rs. 25,000/-. It is

much more than that, but since I made that estimate in the applications to the Social services I did not want to make another estimate because it would mislead the Social Services Dept.

Q: In addition to the car you lost your spare parts and cash and at what amount do you assess your loss?

A: At about Rs.30,000/-.

Q: You came to know that your car was set on fire? A: Yes.

To Mr. Bartlett:

Q: In A2 you narrated the conversation you had with Mr. Liyanage at Anuradhapura? A: Yes.

Q: You had that conference at noon on the 18th? A: Yes.

Q: You have stated "There was no town". By that what do you mean? A: The town was destroyed.

Q: You also stated that Sivapathasunderam was present during this talk?

A: Yes. He is my friend whom I took. He is attached to Buildings Dept.

Q: Where are you presently employed?

A: I am the District Labour Officer, Kalmunai from 1.11.77.

Q: How long were you in Anuradhapura?

A: I was there for 3 years and 4 months.

Q: You were entitled to a transfer at that time? A: No.

Q: You asked for a transfer? A: Yes.

Q: Why did you ask for a transfer from Anuradhapura?

A: I could not work because my car was lost. The police was co-operative. I don't say that of the full police force. From my experience and from what I have seen they are not co-operative.

Q: You say they were not prepared to protect the workers on work sites.

"I mentioned one incident. When I was at the clock tower junction two persons approached the P. C. on duty and tendered something. The P. C. asked him whether there was a cigarette with him and he said "wait a little Machan," and he went and smashed Ananda Bavan and other shops and I left the place.

Mr. Bartlett: Q: That was one of the reasons why you did not take your car to the Police Station? A: Yes.

Q: You felt that the police were inciting the people and creating trouble?

A: I did not hear the statements of the Superior Officers in the Police Force. As far as the Police Constables were concerned they were involved in the rioting and I felt that they were behind that.

Q: You are not aware of the statements made by Mr. Liyanage to the Railway Officers? A: No.

Q: Did you understand that the public officers were not safe there?

A: I felt so. I did not attach my claim to this memorandum. If necessary I can produce it. I did not receive any reply even to the letter that I sent to the S. P.

'SERVED 14 YEARS IN GALGAMUWA: LOST ALL HIS THINGS'

Mr. G. P. S. de Silva: I have short witness; may I call him.

Commissioner: Yes.

KANAGARATNAM — SELVARAJAH, affirmed, 35 years, Field Assistant Anti Malaria Campaign, Galgamuwa.

Examined by Mr. G. P. S. de Silva.

"In 1977 I was attached to the Health Department, Anti Malaria Campaign. In August, 1977, I was working in Pahalakiribawa, Galgamuwa in the Kurunegla District. I was living there with my family in a private house.

Q: In pursuance of the notice issued by this Commission, you sent a letter to the Commission which you mark as A19? A: Yes.

Q: In A19, you refer to certain incidents of the 18th August 1977? A: Yes.

'Villagers did not expect me'

Q: Tell His Honour briefly what that incident is?

A: On the 18th of August, 1977 in the morning, I went for work. When I was going, people on the road were pointing out at me and saying something. Then I went to the field and started to do my work. I supervise the spraying. We go house to house. On that particular morning, the villagers

told me that they did not expect me to come for work and therefore, they did not make any arrangements to spray their houses. I told them, now that I have come let us start with the spraying at about 8-05 a.m.

"At about 11 a.m. our Departmental jeep came with the Public Health Inspector and one Field Assistant. The driver of the jeep also came. They told me that there is tension at Galgamuwa and invited me to join them. Then the PHI asked me to hand over the Checkroll and the Stock Book to the senior labourer. I handed these books and my push bicycle to him.

Police refused protection, he said

"On the way I dropped in at the house of an interdicted Apothecary. He is one Moorthy. He is practising at Pahalagiribawa. I told him that there is a tension at Galgamuwa. He told me that he had gone to the Pahalagiribawa police station and asked for protection and they had refused to give him. He suggested that we all should go to Galgamuwa in the vehicle.

(Continued next page)

'40 RIFLES WERE REMOVED FROM ARMOURY ON THE 16TH MORNING'

MANUELPILLAI AUGUSTINE: Sworn: P. C. 4191.

Q: How long have you been in the police force?

A: For 22 years.

Q: You have served in several parts of the Island?

A: Yes

Q: Mention the Districts and police stations you have been? A: I have been at Panadura, Horana, Colombo Division and Jaffna.

Firearms issue: the procedure

Q: You have been summoned to give evidence in regard to the procedures prevailing in the police force in regard to the issue of firearms and ammunitions?

A: Yes.

Q: How long have you been in the Jaffna police station?

A: For the last six years.

Q: You remember 16.8.77?

A: Yes.

Q: Was it a part of your duty on 16.8.77 to be in charge of the Armoury at the Jaffna police station?

A: Yes.

The types of firearms

Q: How many firearms and what type of firearms are there?

- A: 303 Rifles 268
- 7.62 S. L. R. shot guns 11
- .22 Rifles 2
- Sterling guns 13
- Revolvers now 13

Q: There is a stock of ammunition for these different types of firearms?

A: Yes.

Q: On 16.8.77 at about 6.30 a. m. you handed over the armoury to another officer? A: Yes.

Q: Up to 6.30 a. m. you were in charge of the armoury? A: Yes.

A: Close to the police station.

Q: At about 8 a. m. when you were at your quarters you heard and saw the moving of police vehicles having picked up police officers?

A: That was at about 8.30 a. m.

Q: The police personnel at the Jaffna police station

A: They were Sinhalese.

Q: The police officers conveyed in the trucks were of what nationality?

A: Both Sinhala and Tamil.

Q: At about 9 a. m. you saw smoke and flames rising from the direction of the market? A: Yes.

Q: When you went there you found that a number of Sinhalese officers were not there? A: Yes.

Q: You went to the armoury and found it empty?

A: About forty rifles had been removed.

Q: Did you ask what happened to them and as to why there was a marked absence of police officers and why the rifles were not in the armoury?

A: Weerasena to whom I handed the armoury informed me that the alarm had been rung and the officers were brought and on instructions of the senior officers he had issued rifles and that they had left the police station.

Q: They had left ammunition also? A: Yes.

Q: Were the names of any senior officers who asked the officers to arm themselves with rifles and march out, noted?

'Entries made on piece of paper

A: Weerasena made me understand that he did not get direct instructions from Mr. Noordeen to issue firearms. He had seen Mr. Noordeen standing out and asking the officers there to arm themselves with rifles and get into the truck.

Q: Registers are maintained in the station to record the issue of firearms?

A: Yes.

(Continued over)



Q: To whom did you hand over the armoury? A: To P. C. 7299 Weerasena.

Q: And you left to your quarters? A: Yes.

Q: Where are your quarters? A: At Pannai.

Q: Where is that?

consisted of Tamils and Sinhalese? A: Yes.

'Majority of Police were Sinhalese'

Q: The greater portion was of what nationality?

Q: You also heard gun shots? A: Yes.

Q: It was clear to you that firearms were being used? A: Yes.

Q: Feeling very concerned you rushed to the police station? A: Yes.

'WHAT THE GALGAMUWA P. C. TOLD ME'

(Continued from page 2)

"Immediately I rushed to my wife along with the others and asked my wife and children to come in the jeep. Then I locked up the house and handed the key to the land lady.

"At about 11-45 a. m. I left my house. I went to the house of W. Dingiri Banda, Field Assistant, and stayed for one day. I went to his house at 1-30 p. m. I spent the night there with my family. From his house, I was able to see people carrying looted articles like tobacco, cement and other items.

'My wife was in pain'

"On the 19th morning, my friend's father had asked his son to persuade me to leave the house. I told my friend to get some help from the PHI, Galgamuwa. On the same day, at 10 a. m. PHI, Galgamuwa, W. R. Banhami came. I gave him the almirah key and asked him

to take my things with him. He promised to do so:

"At 3 p. m. the PHI came along with F. A. Somasiri and Dingiri Banda. They took us to our office at Galgamuwa. Then I went to see the D. M. O. Galgamuwa to admit my wife because she was eight months pregnant; she was in pain.

'Constable said: That's not enough'

"The hospital is situated by the side of the police station. I left my wife in the hospital and I stayed at the police station. At 8 p. m. some police officers told me that my house had been looted. Then I started to laugh. So the constable called me and asked 'why are you laughing'. I told him 'I have served 14 years at Galgamuwa. I have lost all my things. In a depressed state, I am smiling'. Then he said 'That is not enough. We have to murder all of you. We are treating you too well'.

At that time there were about 400 refugees at Galgamuwa police station from the nearby police areas. This was on the 19th of August at about 9 p. m. At about midnight about 180 of us were packed in a co-operative lorry and were sent to St. Anne's refugee camp at Kurunegala. The doors of the lorry were all closed,

"In my statement I submitted, I have given an estimate of my loss which I estimate at Rs. 15,020/-. The original estimate was Rs. 18,659/-. The police returned some goods to the value of Rs. 3650/- and now the balance loss is Rs. 15020/-. I produce marked A19 the representations I made to this commission.

To Mr. Bartlett:

Q: Where are you working now?

A: At the Government Dispensary Tamuttegama.

'I have seen many rape cases'

Q: Why did you go there?

A: Because I have seen many rape cases. The police

do not give us protection. We work for the public but the police do not give us any protection.

Q: You are not prepared to work in any affected area?

A: Yes, Not in any Sinhalese area.

Q: Before you left Kurunegala your pregnant wife was in the lorry? A: Yes.

Q: From Kurunegala to Jaffna? A: Yes.

Refugees charged Rs. 12-50

From Kurunegala they arranged to bring the refugees to Jaffna. They charged Rs. 12-50 for the transport. I went and asked the G. A. about the fare charged and he said "If you have money get into the lorry". At that time I

got some money and got into the lorry and came. The others came by ship through Colombo.

Q: In Jaffna how long were you?

A: I came on the 20th.

Q: Did you report back for work? A: On the 27th I reported.

Q: Did you ask for a transfer? A: Yes. On 1.11.77 I got a transfer to the Kili-nochi area.

Q: Have you made any other request to the Department? A: No.

'I brought my wife'

Q: Apart from the one police constable, did you speak to any other police officer? A: No.

He helped me to come to the fence. I went to the hospital with his help and got to the hospital and brought back my wife I did not get any help from the Social Services Dept.

'15 ROUNDS WERE

Continued from page 3)

Q: You have had occasion to make such entries in the registers when firearms were issued? A: Yes.

Q: You questioned Weerasena as to whether he had made entries in the relevant registers with regard to the issue of firearms and ammunition that day?

A: He said that he was not in a position to make the entry. He said he had made that entry on a piece of paper and issued the firearms.

Q: Did he say anything as to the quantity of ammunition issued?

A: Some were issued 20 and some 10.

Mr. Kadirgamar: Q: Were Tear Gas shells issued? - A: Only one constable was issued with ten Tear Gas shells.

Q: Did Weerasena tell you that he issued the rifles or that the constables came there and took the rifles when A.S.P. Noordeen was there?

A: He said that the officers removed the rifles themselves and while they removed them he noted down the numbers of the rifles and the numbers of the Police Officers.

'He heard A.S.P shouting'

Q: Did anybody instruct him to issue the rifles?

A: He was not given any direct instructions by anyone. A.S.P., Noordeen was shouting from outside to take the rifles and get into the truck. He said that when he heard that he allowed the Police Officers to take the rifles.

Q: In the Armoury how are these rifles stacked?

A: The racks are not locked. The rifles are positioned on the rifle racks. Those racks are not locked at any time.

Q: The men could just take the rifles from the rifle rack at any time? A: Yes.

Q: You have brought with you a register. what is this register called?

A: These were the numbers written out by me when I came on duty from the sheet of paper which Weerasena gave me.

Mr. Kadirgamar: I will mark it "X48", the register for the period 9.6.77 to 21.8.77

Rifles Movement

Register

Q: What is this register?

A: It is the Rifles Movement Register.

Q: It is a register printed for prisoners detained but later it has been used as a Rifles Movement Register? A: Yes.

Mr. Kadirgamar: I mark as "X48A, page 14 which consists of two sheets.

Q: The Prisoners Detained Register has been adopted for writing this? A: Yes.

Q: There are several columns? - A: Yes.

Q: Can you explain the several columns?

A: One column is for the date. The second column is for the rank and name of the person to whom the rifle is issued. The third column is for the number of the rifle. The fourth column is for the quantity of the ammunition released. The next column is for the rifle slings. The next column is for the issue of steel helmet. People who want to have steel helmets are given. The next column is for the signature of the officer who remarks such as the type of duty to which he is going, whether on special duty or on guard duty. Then the other column is for the signature of the officer when he returns the rifle and the date of return.

Q: There are entries for 16th August? A: Yes.

Q: Those entries for the 16th August are in your hand writing? A: Yes.

Q: You made those entries from Weerasena's sheet of paper? A: Yes.

Q: You made those entries when you came back on duty? A: Yes.

Q: At what time? A: I was on duty from 9 a.m. Immediately after this I came to Station and assumed duty at 9 a.m.

Subject to close scrutiny

Q: You resumed your functions as officer in charge of the Armoury?

A: I assumed charge of the Armoury and Weerasena was under my charge.

Q: You had not issued those rifles? A: No.

Q: Because of the Police procedures you made those entries from Weerasena's sheet of paper? A: Yes.

Q: According to Police procedure the entries should have been made before the rifles were issued? A: Yes.

Q: The sole object of this register is for security reasons? A: Yes.

Q: The issue of rifles and ammunition for removal out from the police Station is always subject to close and careful scrutiny? A: Yes.

Q: This system was adopted by order in the force for a long time and adopted at every Police Station in the Island? A: Yes.

'Officers' names not entered'

Q: Look at that register. Have you set out the names of the Police Officers? A: No. Only the numbers of the rifles and the numbers of the Police Constables are given there.

Q: Weerasena's list would have the official numbers of the Police Constables? A: Yes.

Q: Have you entered the number of the rifles? A: Yes.

Q: Weerasena's paper had the numbers of the rifles? A: Yes.

Q: Were any revolvers issued? A: No.

Q: Were any Sterling guns issued? A: Yes.

Q: There are separate registers for revolvers and sterling guns? A: Yes.

A: That is done only during trouble days otherwise they must return the arms immediately they return to the Station.

Q: For a Police Officer to continue in possession of the rifle and the ammunition, could he do so without the orders of his superior?

A: People who are on stand-by duty are allowed to keep their rifles with them.

A: Yes, if the A. S. P., or S. P., is out of home.

Q: But if the S. P., or the A. S. P., is available in the station or in the District then I take it that the order must come either from the A. S. P., or the S. P.? A: Yes.

Q: Do you take charge of the ammunition upon return?

A: Yes.

Q: Can you say by checking the register how much



Yet another scene of alleged Police destruction in Jaffna

Q: Have the Police Officers signed the Register on their return?

A: We use a mark to indicate the return.

Q: According to the register on the 16th on their return did the Police Officers sign the register? A: No.

'They did not sign register'

Q: The normal procedure is for each Police Officer when he returns the rifle to sign the register?

A: Yes. They have to sign the register. On this particular day he has only entered the number of the rifle issued and the number of the Police Constable who took it

Q: You were back in the armoury from 9 a.m., on 16th August? A: Yes.

Q: Were all the rifles returned that day? A: No. Some were returned on the same day. Some rifles were returned after a lapse of a week and some others were returned ten days later.

Q: It means that in respect of those rifles which were removed and kept away from the armoury for a week or ten days must have continued to be in the possession of the Police Officers who removed them? A: Yes.

Q: Is that the normal procedure for Police Officers to keep them with them?

Q: What is meant by stand-by duty?

A: That is a party which is always ready to go out.

Q: How many would make a stand-by duty party?

A: That depends on the Officer-in-charge.

Q: So that, the composition of a stand-by party and the necessity for a stand-by party are decided by the Officer-in-charge? A: Yes.

Q: Therefore the decision for a Police Constable to be in possession of the rifles and ammunition is also a decision of the officer in charge?

A: Yes.

A decision for the O, I. C.

Q: When you say Officer-in-charge whom do you refer?

A: The Headquarters Inspector, the Acting Headquarters Inspector.

Q: The Headquarters Inspector must receive the orders from an A. S. P., or the S. P.? A: Yes.

Q: Can the Headquarters Inspector decide to maintain a stand-by party without the orders of the A. S. P., or the S. P.?

each officer was issued and how much each officer returned?

A: Immediately they return I check to find how much each officer took and how much they returned.

Q: In the fashion you can know the quantity of ammunition that had not been returned? A: Yes.

Check on the ammunition

Q: Did you make the entry? A: Yes.

Q: Is it in the book?

A: Yes.

Q: P. C. 3260 removed ten rounds and returned nine rounds and rifle No. 130?

A: Yes. P. C. 597 removed rifle No. 77 with ten rounds of ammunition and returned only eight rounds. P. C. 13210 removed rifle No. 74 with ten rounds of ammunition and returned only eight rounds. P. C. 10692 removed rifle No. 266 with ten rounds of ammunition and returned only eight rounds. P. C. 2646 removed rifle No. 6 and ten rounds of ammunition and returned only eight rounds.

(Continued next page)

FIRE D ON 16TH

(Continued from Page 6)

P. C. 8734 removed rifle No. 8 with ten rounds of ammunition and returned only eight rounds. P. S. 5483 removed rifle No. 132 with ten rounds of ammunition and returned only eight rounds. P. C. 10791 removed rifle No. 139 with ten rounds of ammunition and returned only nine rounds. P. C. 14677 removed rifle No. 55 with ten rounds of ammunition and returned only nine rounds.

15 rounds had been fired

Q: In that way how many rounds of ammunition were not returned?

A: Fifteen rounds.

Q: Does it mean that fifteen rounds must have been fired?

A: Yes.

Q: Under Police regulations the empty cartridges must be returned?

A: It is returned to the Officer-in-charge of productions.

Q: Police Officers must return the empty shells?

A: Yes.

Q: On the 16th August were the empty shells returned?

A: Not to me. The empty shells are returned to the Officer-in-Charge of productions and they are kept in the Strong Room. The Sergeant in charge of the productions at present is Weerasinghe and I think P. C. 2646 Jayatileke was in charge at that time.

Guard duty and mobile duty

Q: Now look at the 15th. Is there a record of rifles having been issued in the 15th of August?

A: Yes, a number of rifles were issued.

Q: Now go back to the 16th. Under the remarks column, have you written anything?

A: No.

Q: Now we come to the 15th. Look at the remarks column. Has that remarks column been entered?

A: Yes.

Q: What are the reasons given under the remarks column?

A: Some are guard duty, mobile duty, and that is all.

Q: In whose handwriting are those entries made?

A: Mine as well as the P.C. who came after me.

Q: The other in the handwriting of?

A: PC Werasesa,

Q: Guard duty - where?

A: Kachcheri and Prisons.

Q: What is meant by mobile duty?

A: To go in jeep round the city with arms and ammunition.

Q: For you to write down 'mobile duty' or 'guard duty' in the remarks column, you got that information from whom?

A: From the administration branch.

Order book has to be seen first

Q: How does that come to you?

A: Sometimes in writing and sometimes given verbally.

Q: And orders given to you by whom?

A: By the office sergeant or directly from the officer-in-charge.

Q: That is, authority to you to issue rifles for specific duty? A: Yes.

Q: If a constable came up to you and said that he wants to go round on mobile duty and wants a rifle, would you give him?

A: Firstly we will have to see the order book. If no instruction is given in the order book, we will have to get the orders from the officer in-charge or the sergeant. The order book is maintained in the reserve room.

Aug. 14: only 3 rifles issued

Q: That is the way the orders are written for the information of the police officers who are on duty in the police station and the officers will know what are the special orders for the day?

A: Yes.

Q: Will you please look for the 14th August? Was there an issue of rifles for the 14th?

A: Only 3 rifles had been issued.

Q: And from the remarks column?

A: Colombo prison escort and guard duty at the prison gate.

Aug 17: more than 50 issued

Q: 12th and 13th of August? A: 13th only 3 rifles had been issued. That is also for the escort.

Q: 12th?

A: Kachcheri guards and Prison guards.

Q: On the 17th?

A: More than 50 rifles had been issued.

Q: 18th? A: Same amount had been issued.

Q: 19th? A: About 25 to 30.

Q: 20th? A: 15 rifles.

Q: 21st? A: 25 to 30 rifles

Q: Go on to the 28th?

A: On the 22nd more than 50 rifles had been issued.

On the 23rd the same amount had been issued.

On the 24th about 40 rifles had been issued.

On the 25th about 50 rifles had been issued.

On the 26th about 40 rifles had been issued.

On the 27th about 30 rifles had been issued.

After the 3rd October, there was a decrease in the issue of rifles.

Q: Now go back to the 17th, 18th and 19th. Look at the remarks column. What is the reason given?

'EXTRAORDINARY MOVEMENT OF RIFLES BEGAN ON 15TH'

A: No reasons had been recorded for the issue of rifles on the 17th.

Q: 18th? A: No reasons.

Q: 19th? A: No reasons.

Q: No reasons had been set out in the register from the 17th? A: Yes.

Q: Up to when? A: Up to 3rd October.

Q: After 3rd October, are reasons given?

A: I did not bring the other book.

Q: Although no reasons are set out in the remarks column on the 17th, it is known that rifles had been issued to constables at various points of duty?

Not all return them to armoury

A: Yes.

Q: Mention some of those places?

A: Naga Vihara, Railway station, bus stand, mobile patrol, stand-by, etc.

Q: And when constables come back, once their roster of duty is over, another batch takes their place? A: Yes.

Q: For those duties rifles are given? A: Yes.

Q: Men who come back return their rifles?

A: Some of them hand over to the next man and the others bring it back to the armoury.

Q: There was a curfew in Jaffna? A: Yes.

Q: Was that on the 20th of August? A: Yes.

Q: Was that a 24 hours curfew? A: I cannot remember.

Q: There came a point where there was a night curfew? A: Yes.

Q: That went on for how long? A: I cannot remember.

Q: Do you know that Mr. Rudra Rajasingam came to Jaffna as Co-ordinating Officer? A: Yes.

Q: And he was here for sometime? A: Yes.

Q: Do you know whether this rifle movement register was called for by him and examined?

A: I don't know.

Q: During this period, from the 16th August to the end of August, to your knowledge, was this register sent for examination to any superior officer?

A: I don't know.

Q: X48 commenced in June? A: Yes-

Q: But the issue of rifles, pre-election and for a short time post election, would be recorded in this register?

A: Yes.

Q: So, what I am saying is there might be a movement of rifles from the armoury during the pre-election and post-election period in July? A: Yes.

Q: Leaving out this election period, was there any other mobile duty from June to the 14th August, 1977?

A: Yes, on 7. 7. 77, 8. 7. 77, 9. 7. 77, 10. 7. 77, 13. 7. 77, and 17. 7. 77 we issued rifles for mobile duty;

Q: From June, 1977 to the 16th August, 1977, the issue of rifles was for routine duty and escort duty? A: Yes.

Q: Does the register show that for the period from June, 1977, the first day when there was, shall we call it extraordinary movement of rifles, was the 15th of August?

A: On the 15th I issued about 25 rifles.

Q: The reasons being?

A: The reasons not given. To my knowledge, it was called for mobile duty.

Q: That is armed police were on mobile from 15th August in Jaffna? A: Yes.

Q: According to the register, from June to the 14th August, there was no mobile duty by armed police in Jaffna?

A: No, on a number of occasions, they were on mobile duty.

Q: During that period from 16th June? A: Yes

Election duty: A separate book

Q: About how many rifles? Just check one particular page where they were on mobile duty?

A: On the 17th of July, 1977, five rifles were issued on mobile duty.

Q: That is for the pre-elections? A: May be. On 17/7 15 rifles were issued for area blocking. That is on main junctions, policemen will be posted to check the vehicles.

Q: The general elections in Ceylon were on the 21st of July, 1977? A: Yes. We maintained a separate book for election duty.

Q: Now turn to the other register—The Register for Sterling sub-machine guns and revolvers. You produce it marked X49? A: Yes.

Q: You mark the page dated 16. 8. 1977 as X49A? A: Yes;

Q: Are there entries for the 16th August? A: Yes.

Q: What is the entry prior to the 16th?

A: 15th.

Q: Prior to that?

A: On the 14th, 13th and 12th.

Q: Is there a remarks column?

3 revolvers were issued

A: No.

Q: Is there a remarks column maintained?

A: No. It is not maintained because if it is maintained, it is meant for our reference only.

Q: Look at the entries for revolvers - that was also on the 16th? A: Yes.

Q: In whose handwriting is that?

A: In my handwriting. Two revolvers were issued on the 16th with 10 and 20'ammunitions. I am sorry, three revolvers have been issued. They are issued only to sub-inspectors and above.

Q: Sterling guns are issued to Sergeants? A: Yes.

Q: S. L. Rs are issued to whom?

A: To officers qualified to handle a S. L. R.

(Continued overleaf)

'A.S.P. NOORDEEN KEPT HIS REVOLVER WITH HIM FROM THE TIME HE CAME TO JAFFNA'

(Continued from Page 5)

Q: Are there any names of the officers to whom revolvers were issued on the 14th on Weerasena's sheet of paper?

A: One had been issued to S. I. Dharmaratne, one to S. I. Nadarajah and a third to someone else.

Q: Are there revolvers issued to officers who keep them?

'He came sometime before Aug. 16

A: They must be returned to the armoury. Revolvers are issued to S. Ps and A.S.P.s. A.S.P. Mr. Noordeen had his revolver in his personal charge from the time he came to Jaffna. He came to Jaffna sometime before the 16th August. S. I. Mr. Khan was also issued a revolver. He was issued that on the 16th. He was issued a sterling gun.

Q: How many clips of ammunition? A: 25.

Q: 25 clips? A: 25 rounds. With one sterling gun.

Q: When did he return that? A: On the 17th.

Removed on 17th, returned on 21st

Q: Did he take it again?

A: On the 17th he removed again and returned on 21st August.

Q: Did he take it again?

A: Yes. On 21st August he removed with 25 rounds and returned on the 2nd September in the night.

Q: Is there a record of issue of revolver to any other officer on the 17th?

A: One revolver was issued to S. I. Ranasinghe and one each to I. P. Ramanayaka, S. I. Perera and S. I. Mendis. These were all for the 17th.

S. P. also had it with him

Q: The procedure for the return of ammunition both expended and used must be as in the case of revolvers and rifles? A: Yes.

Q: On the 16th was there a return entry?

A: Yes. They were returned unused. On the 17th and 18th also they were returned unused.

Q: Apart from the weapons in the armoury can you give the names of officers to your knowledge who had revolvers in their personal custody?

A: Only A. S. P. Mr. Noordeen and also the S. P.

Q: Is there any register or book which records the stock of ammunition held by the Jaffna police? A: Yes.

Q: What is that?

A: The Inventory.

Q: It will show the amount of arms and ammunition?

A: Yes.

Q: Apart from these registers you have brought, is there any other register which records the use of ammunition? A: No. Used ammunition are entered in the Inventory Book.

Q: That is to subtract from the Stock? A: Yes.

No time to enter in the book

To Mr. Bartlett:

Q: You said that P. C. 7299 had prepared a list of the persons to whom rifles had been issued on the 16th - what happened to that list?

A: It was destroyed by me as it was useless.

Q: Have you made a record of that? A: Yes.

Q: Weerasena's explanation that you entered in the book was that because he had no time? A: Yes.

Q: Was that a valid explanation? A: Yes.

(To Mr. Underwood)

Q: You referred to a register containing the names of the officers who took the rifles and ammunitions and the returns they made - is that X. 48? A: Yes.

'Some rifles not returned

Q: About the P. Cs' numbers you mentioned that they were P. Cs who had five figures? A: Yes.

Q: They are recruits?

A: Yes.

Q: When were they recruited? A: After 1970.

Q: You said about 40 rifles were issued? A: Yes.

Q: The number used could have been about 10?

A: Nine rifles were used.

Q: What is the proportion of the five figure numbered police officers in the Jaffna Police Station - How many police officers were there in August 1977? A: About 250.

Q: How many are Sinhalese and how many are Tamils? A: About 1/4 are

Tamils and Muslims. Balance are Sinhalese.

Q: Would it be correct to say about 30 or 40?

A: About 50.

Q: You also referred to certain rifles not returned immediately that day but returned about a week or 10 days later? A: Yes.

Q: That is because of standby duty? A: Yes.

Q: If a rifle is not brought the same day what do you do? A: I made a note,

Q: Have you made a note?

A: I got a list of numbers of the P. C. on standby duty.

Q: How do you know they were on standby duty?



Q: What are the names of the other armourers?

A: Weerasena and Marasena.

'I came early hearing a noise'

Q: When was the duty list given to you covering 16th to 18th August?

A: That is according to the duty roster. From the 15th night 10 p. m. I was on duty till 10 a. m. on the following day.

Q: You came at 9?

A: Because I heard a noise

Q: The man on duty who should have performed duty from 6 a. m. on the 16th to 2 p. m. was Weerasena?

A: Yes.

A: There is a book with the Reserve called the R.I.B. In that Book all the particulars will be given; the officer's name, the name of the jeep and other particulars.

Mr. G. P. S. de Silva.

Q: You said you were in the Police service for 30 years? A: Yes.

Q: Can you recall an emergency situation where the Police would have to act promptly? A: Yes.

Q: On 16th August did you hear the Police alarm bell being rung?

A: No, I was half a mile away from the Police Station.

Q: On this day P. C. Weerasena had written out the numbers of the firearms issued on a piece of paper?

A: Yes

Q: You said that there was nothing wrong in that

'5 - Figure P. Cs recruited after 1970: 250 of them in Jaffna in Aug. 1977

Mrs. Sirimavo Bandaranaike who was returned to power in 1970

Mr. Underwood: Why did you assume the task of entering those records?

because of the emergency situation that had arisen?

A: Yes.

A. It is my duty. I am in charge of the Armoury.

Q: According to the Duty Roster you were off?

A: Yes.

Q: Weerasena had to make the entries? A: Yes.

Q: He was the man who noted those entries in the piece of paper and he was the man who should have made the entries? A: Yes.

R. I. B. gives all the particulars

Commissioner: Q Why did you not ask him to enter?

A. He was there after he gave me the list. There was no time because people who came in were removing the rifles.

Mr. Underwood: Q: When rifles are handed to officers who go on mobile duty, is there any entry made as to who the person was who was using a particular rifle and in which particular jeep this person went?

Q: What was the emergency? A: Because the alarm bell had been rung and because the people were fighting the Police.

Q: Who were fighting the police? A: There was a small fight between the Public and the Police. On the 17th when the Police Constables were going to the bank, people got together and robbed a gun and after that the trouble started.

Q: You did not see this? A: No.

Q: This was something which you heard, about the people robbing the gun from a Police Constable who was going on guard duty?

A: Yes.

Q: On the 16th were you present when the Police Constables and Sergeants assembled in the charge room?

A: No.

Q: You came in after that? A: Yes.

Q: You came there at what time? A: At 9 a. m.

(Continued next page)

Mr. Manivasagam Underwood draws attention to:

'SWORN EVIDENCE AGAINST THOSE IN HIGH POSITIONS'

Mr. Underwood:

On behalf of the Association of Tamil affected Officers I mark the appearance of Mr. R. Balasubramaniam and Mr. C. Kodeeswaran in addition to the appearances already marked. I will be conducting the case mostly with the assistance of Mr. Balasubramaniam and Mr. Kodeeswaran instructed by Mr. Ravindran Mr. Kodeeswaran was a public servant. Now he is an Attorney-at-Law. He successfully challenged the Sinhala only Act as a violation of Section 29 of the earlier Soulbury Constitution.

'We will not, hesitate...'

"I am taking this opportunity of stating what our approach is to the witnesses that we call and the evidence that we place before the Commission.

"We have no intention of pursuing some preconceived notion and try to fix any political party like the S. L. F. P. or the U. N. P. or to go gunning for any particular individual in order to attach the blame. At the same time if the material available to us shows that some person, no matter how highly placed, is involved we will not hesitate to place that evidence before Your Honour.

'Police witness was transferred'

"There is another matter that arises out of my questioning of the earlier police witness Mr. Sattanathapillai. Even before I questioned him, he stated that he had been told by his superior officer that although he could give evidence in regard to certain matters, but by revealing the police secrets, he was letting down the police force.

"He said on my questioning him that he had been transferred to another branch after he became a witness and after he had given evidence, he had been shifted directly under the man who had complained about his evidence. We are deeply



MR. C. KODEESWARAN

disturbed by the situation reflected by this incident.

"It is to the credit of the Government that they appointed this Commission with its wide terms of reference. I am sure, that the Government and the President who were responsible for the appointment of this Commission, will have the courage not only to face the true facts that are placed before the Commission but also to see that all obstructions and impediments to the placing of the true facts before the Commission are removed.

'Persons in high places'

"We were aware of certain rumours before the Commission sat, but now we have sworn evidence before the Commission making certain allegations against those in high positions. These allegations and the statements attributing to these high persons may or may not be capable of an innocent explanation, but the fact that these persons against whom allegations are made continue to be in those high places

and have direct control over the witnesses and those who intend to be witnesses have a very depressing effect on the evidence that becomes available.

"I am not suggesting that they become guilty merely because an allegation is made. But, when sworn evidence is given with certain things they said, or happened, it is highly undesirable that those against whom allegations are made should continue to be in control.

'The law has special powers'

Commissioner: If any kind of undue influence is being brought to bear on those who may be coming forward to give evidence or who have already given evidence, it will not be a matter which will come under the rules of contempt. I think, the law has special power to deal with cases of that nature. Of course, I have no power to deal with them. If that kind of thing comes up, they can be reported to the Supreme Court for action.

Mr. Underwood: Ctd.

"Whatever the powers of the Commission may be, it is up to the Government and the commission to take the necessary steps. In order that the true facts be placed before the Commission to enable it to come to a proper finding, it is necessary that the Government and the Commission should take note of the fact that the witnesses fear to give evidence when the persons against whom allegations are made continue to be in control.

Commissioner: I like to mention that if there are police officers or any other people against whom allegations have been made, they will be entitled to be heard later on. We cannot do that now, but they will be given a chance before this Commission.

Newspaper reporting

M. Underwood: ctd.

"The other matter is, I want to refer to the question of newspaper reporting of the proceedings before Your Honour. The Shah Commission is investigating into the alleged offences of Indra Gandhi. The Tamils all over the country have been killed and assaulted on the basis of false rumours that the Sinhalese in Jaffna were being killed that Sinhalese girls and women were being molested and that the Buddhist shrines and temples had been damaged.

"Yet, when unchallenged evidence was placed before the Commission, both by Mr. Amirthalingam and Mr. Yogeswaran that in the entire Jaffna District consisting of 11 Parliamentary electorates, not a single Sinhalese had been killed during the period under reference, not a single Sinhalese girl or woman had been molested and not a single Buddhist temple had been damaged, it received little prominence in the Sinhalese newspapers.

'Sinhala public not told'

"The Sinhalese reading public should have been told this both in the interest of justice and to achieve the purpose mentioned in the third paragraph of the terms of reference, namely, to prevent a recurrence of the trouble. They assaulted the Tamils in 1958 on false rumours and they did so again in 1977. I therefore ask that the truth unfolded before this Commission should be made known to the Sinhala reading public.

10 05 a. m. — 1-3-78

Mr. Kadirgamar:

"I myself want to make certain submissions in that connection. I wish to say that I have also found that

witnesses from the Police Service, especially Tamils, are afraid to give evidence. If they do want to give evidence they want to give it in camera because they have been both directly and indirectly pressurised by their superiors to keep away from this Commission.

'Pressure brought to bear'

"In the case of Mr. Sattanathapillai, he said that immediately after he gave evidence on the 18th the Headquarters Inspector spoke to him and transferred him from the S.C.I.B.

That is how demoralization comes to set in. I bring this to Your Honour's notice that I have information, in fact that is my instruction, that pressure had been brought to bear or by other means to see that they do not come before this Commission.

'Horrible chain of events'

"I shall be marking three copies of the Hansard to explain why I am giving at this stage, namely, at the highest level in the land information had been passed and the truth is known that it is the Police in Jaffna who were responsible for the horrible chain of incidents that took place and escalated across this country.

"I shall place that evidence before Your Honour at the right stage and explain that. That is also part of our case, namely, we have set out to establish the view already formed. That is probably known that these overt acts starved off Your Honour's Commission of the testimony of men who have observed and seen and who have something to say other than what the Police would have to say.

(Continued on page 8)

I MADE MY ENTRIES FROM WEERASENA'S SLIP OF PAPER

(Continued from page 6)

Q. By that time the Police Constables had left the Police Station? A. Yes.

Q. When you came in Weerasena handed over to you the piece of paper? A. Yes.

Q. You proceeded to make entries in the Register? A. Yes.

Q. You were the senior officer in charge of the armoury? A. Yes.

Q. It was your duty to make the entries in the register? A. Yes.

Q. Is there any Police order to your knowledge which says that when ammunition is issued that should be written in a particular register? A. There is a book.

Mr. Kadirgamar: He has adopted the Detained Prisoners Book to conform to the specified rule.

Q. On the 16th August all the entries made in the

register by you were according to the paper that was given to you by Weerasena? A. Yes.

Q. You say subsequently you destroyed that paper? A. Yes.

Mr. Underwood: Q. "X48" consists of about 28 pages and at the top of it are columns really meant for prisoners detained? A. Yes.

Q. Under the name you get the name of arrested persons and so on? A. Yes.

Q. It is in this book that you have made entries with regard to armoury? A. Yes.

Q. Why did you not get a register? A. There is no register as such for this.

Q. Under the orders you have to maintain an Arms Movement Register? A. There is no register in the department. There are no special books for this.

Mr. Kadirgamar: I am calling Police Constable Nadarajah.

(P. C. Nadarajah's evidence on page 2)

"Nothing is ever settled until it is settled right"
— Rudyard Kipling.

The Sansoni Commission Evidence

The Story of the Sri Lanka Race Riots 1977

(Continued from page 7)

"I mentioned Mr. Sattanathapillai not because he wants police protection. This is the first instance of a case where pressure was exerted and which has come to light before Your Honour. I am mindful of Your Honour's powers and I do not want to make an application for the invocation of the powers that Your Honour has. I hope that at least today's proceedings might by itself be sufficient deterrent to cover up their acts. I associate myself with Mr. Underwood in his submissions.

Commissioner: I hope that apart from the allegations already heard here against the Police, we will not hear anymore allegations that the Police have been attempting to prevent witnesses from giving evidence here or from modifying their evidence.

Unnamed Police

'officer...'

Mr. Underwood: "That was very much in our mind. We are not in a position to bring it to Your Honour's notice. I will not name the Police Officer but in due course it will be known that a certain Police Officer who gave evidence here has modified his evidence by attempting to say something to Your Honour that his superior officer wanted him to say.

"The other matter is that there are a large number of statements submitted direct to the Commission. It is out of the question to assume that these statements will be productions. People take the trouble to submit their statements and they are wondering why they have not been sent for. Probably they are waiting for some communication.

Shortage

of staffs

Commissioner: I understand that these statements were not acknowledged perhaps because they are short of staff.

Mr. Kadirgamar: About 3000 odd statements have been received.

Commissioner: I had a letter from Mr. Krishnadasan that he had no acknowledg-

ment to his letter sent to the Commission. On inquiry I found that his letter was received and in fact no statement had been acknowledged because of the shortage of staff.

Commissioner's

direction

Mr. Kadirgamar: Why I am mentioning this is because there are several persons who had sent statements direct to the Commission and they are asking us. That is because of the failure to acknowledge them.

Commissioner to Secretary:

Put a notice in the papers saying that those who sent statements and who wish to give evidence can come here and mention it. I want the notice to be published immediately both in Tamil and in English. I do not think any Sinhalese statement had been received. Have any come?

Mr. de Silva: A few have come.

'I will go if

there is need'

Commissioner: Those who have not given evidence can come before this Commis-

ion and give evidence; those who wish to come and give evidence in Jaffna.

Mr. Kadirgamar: In the notice which was published by the Commission in the papers, I think the public were told that those who wished to make statements should state there the nearest Kachcheri Town where they would wish to give evidence. Probably many indicated that they would wish to give evidence in a particular Kachcheri Town. The Commission may not be going to such place as Kurunegala.



DR. BALASINGAM

COUNSEL ON MR. RUDRA RAJASINGHAM'S REPORT

1st March, 1978. (12th day) Same appearances as before.

Mr. G. P. S. de Silva: Deputy Solicitor General:-

"My learned friend desires to have the reports made by the D. I. G. Mr. Rudra Rajasingham to the Security Council. There is a reply sent by Rudra Rajasingham to the effect that no minutes of the Security Council meetings were maintained." (The reply sent by Mr. Rudra Rajasingham is handed to Mr. Sam Kadirgamar.)

Mr. Sam Kadirgamar:-

"Sir, I want to bring this matter to your notice for your kind direction. You will recall, Sir, it is recorded at page 36 of the proceedings when we commenced, that I indicated to the Commission that there are likely to be and there will be from responsible officers like the Co-ordinating Officer, the

Army Commander, and the Navy Commander reports sent from here, their own observations and documents and that those are likely to be of assistance to the Commission. We said we will hand over to the Secretary a schedule or list of the documents which each one of those gentlemen could make available to the Commission.

"We did hand over such a list to the Secretary. I mean not to the Secretary who is present today Sir. Then we received from my friend the original of a letter from Mr. Rudra Rajasingham dated 14th February together with certain schedules.

"You will find in his letter, Sir, he says 'Reference to your telephone conversation - that is to the Secretary - calling for a list of incidents of violence reported during the months of

Commissioner: If there is any need I will go to Anuradhapura and Kurunegala.

'The public is in doubt'

Mr. Kadirgamar: I think in fairness to the Commission the public who responded should not feel that they are ignored. If the Commission had acknowledged them, the public would know that their statements had been received. Now the public is in doubt as to whether their statement had been received by the Commission. They think that their statements would not have been received by the Commission due to the inefficiency of the postal service.

Commissioner: I think we will have post cards printed where one or two details are filled and sent so that they will know that we have received their statements.

Mr. Underwood: Even an organization like the Affected Officers Association has sent in their memorandum. Dr.

Balasingham says that he had not received any acknowledgment.

Commissioner's

warning

Mr. Bartlett: On behalf of that association I wish to state that Dr. Balasingham would come before this Commission to give evidence. This Commission would protect this witness from any threats. State Officers could be warned that action would be taken against them if they interfered with the witnesses.



MR. UNDERWOOD

Commissioner: I hope this will not happen again. If it happens I will have to take a very serious notice of that.

Mr. de Silva: Mr. Joseph, Assistant Government Agent is here and he wishes to give evidence.

August and September in Jaffna and my reply by telephone message of 8.2.78 sent to you through S. P. Jaffna, I am now attaching the following particulars,"

"First thing is, Sir, apparently the Secretary had talked to Mr. Rudra Rajasingham on the telephone instead of sending to him those schedules that we had handed over. The result is Mr. Rajasingham has sent something that we even did not ask for.

Commissioner: You did not want a list of incidents of violence?

Mr. Sam Kadirgamar: "No Sir. We have specified a number of things. The description of damage, reports and reports to the Security Council. It will probably be in the Secretary's file. Unfortunately we did not maintain a copy. It is clear to me that Mr. Rudra Rajasingham has really formed a wrong impression from a telephone message. Clearly his letter says that he has been told on the telephone 'please send a list of the incidents'. We asked for very much more.

next week

* Complete evidence by A. G. A. Jaffna, Mr. A. A. JOSEPH