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NO. 28.

Delimitation Commission

JAFFNA NOT A SPECIMEN FOR EXPERIMENTING

"The Educated Voices"

Mr. G. G. Ponnambalam who led the Deputation from the All-Ceylon Tamil Congress in continuation of his evidence in Colombo told the Delimitation Commission in unequivocal terms that Jaffna should not be sought out as a specimen in the political laboratory for experimenting in multi-member constituencies.

"I should not be opposed to multi-member constituencies. But what I object to is the jerry-mandering of constituencies. Let multi-member constituencies be uniform through out the provinces" said Mr. Ponnambalam.

Mr. Ponnambalam was supported by Messrs A. V. Kulasingham, V. Joseph, R. Sivagurunather, K. Shanmukam, T. Muttusamy Pillai, C. N. Devarajan, Alfred Swampillai, S. Nadarajah, T. Thambiappah, Mudir, Kanagasabapathy and Dr. O. Sivathamparam and Chevalier S. Arulantham.

Mr. Ponnambalam said: "It would be to the abiding and permanent injury of the depressed classes to have a representative labelled as such. The other representatives would follow a policy of 'you carry the baby'."

Referring to Mr. Bandaranaike's evidence before the Commission at Colombo, Mr. Ponnambalam said that the Ministers had agreed in their memorandum that the minorities should be given adequate representation.

A Contradiction In Terms

Making his observations on Dr. Jennings's evidence, Mr. Ponnambalam said: "Academic pundits have told you that multi-member constituencies increase communalism. On the other hand, communalism is itself the result of frustration. It is suppression that brings revolution."

CHAIRMAN: Dr. Jennings gave various views.

MR. PONNAMBALAM: The purport of his view was to assist a racial majority. His evidence was a contradiction in terms. The venom is at the end.

Continuing his evidence Mr. Ponnambalam said that the object behind the Soulbury Commissioners' two-pronged scheme was to secure additional representation for the minorities. The problem of representation was important in a country like Ceylon with a polyglot population. It was evident from the Soulbury Commissioners' Report that the Commissioners were quite convinced that disparity in representation would be removed under their scheme of representation. They wanted to evolve a scheme which would give adequate representation to the minorities. The Soulbury Commissioners have given a greater latitude to the Delimitation Commission to consider the present disparity.

His submission was, Mr. Ponnambalam concluded, that, if not weightage, at least proportional representa-

tion should be granted to the minorities. A reasonable proportion of representation might be achieved.

Farmers Support Jaffna Association

Mr. P. Chinnadurai, who led a deputation from the Kaddudai Farmers' Association supported the views as put forward by the Jaffna Association.

Referring to the so-called depressed classes the speaker expressed the opinion that what that section of the Tamil community stood most in need was the improvement of its economic condition. Mr. Chinnadurai also urged that the Tambankaduwa district in the N. C. P. should be provided with a separate electorate where there was every possibility of a Tamil or a Muslim being returned.

Mr. C. R. Tambiah, Crown Proctor, with whom was associated Mr. V. S. Karthigesu said that he would not advocate a separate seat for the Christians of the North as there was always the possibility of a Christian being returned by a general electorate.

Mr. V. S. Karthigesu told the Chairman that Mr. Tambiah himself was a Christian.

In reply to a question from the Chairman about the exclusion of Karainagar from the Islands constituency as suggested by some earlier witnesses, Mr. Karthigesu said: "The inner urge of certain politicians made them demarcate their own constituency before the Delimitation Commission published their findings and that is why evidence is being placed before the Commission to see that the administrative limits are not retained."

Referring to the depressed classes, Mr. Karthigesu said: "We have given all freedom to them and their agitation is brought about by interested politicians of the higher caste so that they might have an easy walk-over."

Mr. Tambiah said that the so-called depressed classes were not depressed. They had admissions to all schools and hostels.

Mr. Tambiah added that they supported the recommendations of the Jaffna Association.

Mr. V. Sivapragasam who led a deputation from the Jaffna Peninsular Maritime Association urged the need for creating a separate constituency for the inhabitants of the Northern coast between Kudathana and Kankasanturai.

"Educated Voices"

Mr. K. Ambalavanar, President of the Pungudutivu Mahajana Seva

(Continued on page 2)

SUNDRY ALLIANCES

Tamils Must Guard Against

By S. A. NATHAN

"The fruit of dreamy hoping is, waking, blank despair."

The changing political fortunes have called into being strange conglomerate bodies. We have already taken note of the strangest of bodies, the United National Party, an association of strange bed-fellows. There can be neither unity nor anything national amongst them for aught we know of them. It would be nothing short of an unbelievable miracle, if they were really united on the high level of justice to all and no favours to anybody. The proof of such a contingency is yet to come forth. But proof to the contrary, which is the incontrovertible truth, is abundant and the latest is supplied by a new group, an equally bewildering conglomerate body, which describes itself as the Lanka Swaraj Party. This party too presents an equally tremendous brag of a programme which also is too good either to be true or to be practicable. Judged by party programmes of political alliances in western lands, it leaves us breathless and one wonders how the authors of it could have been so wide-paced and therefore vain as all that. We do not believe that any man or woman of commonsense could believe for a moment that it is all meant earnestly and seriously, but not as a guttering prize for a political stunt.

There is yet something lacking to complete the unraucous picture. We are yet to know, or hear of the programme of a few other mushroom-like the Nationalist Tamils, the Tamil Youth Congress and that organised and sponsored by Mr. H. W. Amarasuriya. It is hoped that they too before long will tell the world of their dreams, brittle and fragile, and hope on them to drive the voters to help them to work out their miracles. But the Ceylon villager, whom many a European observer has credited with ability for commonsense inference, is not likely to swallow the bait. In that respect the Tamil organisations which run counter to the Tamil Congress are less likely to deceive the Tamil villager than their Sinhalese counterparts.

While the United National Party as an organisation preaches a sphere politics and economics Mr. Senanayake, its inspirer, originator and leader, is at large bursting out tirades on the Ceylon Indian Congress reassembling all and sundry that the Sinhalese blood is yet as warm as in the days of desperadoes of Vijaya and his accomplices, one feels a family likeness between Mr. Senanayake's latest resolve not to

see the just claims of Knavesmire Indian settlers and by implication, of other minorities, and the proceedings of Dr. Jennings before the Delimitation Commission on the multi member constituency. In a plural society like that of Ceylon and India, if the constitution maker really wants to be fair-minded without loading the constitution with statutory safeguards for the minorities, he should bank on the multi-member constituency. Bertrdale Keith whose international reputation as a constitutional authority is yet to be challenged and overthrown by Dr. Jennings, has emphasised the multi-member electorate as an eminently reasonable device to give the minority as sporting chance. Dr. Jennings's fear that it might lead to further divisions based on religion and other grounds, are untenable if they are not intentional to a brief.

Tamils of Ceylon, Jaffna Tamils wherever you may live scattered in Ceylon, you have in your keeping the security and welfare of your race of the present and of the generations to be. Will you not therefore think seriously many times before you are led by the Himalayan hoas of the United National Party, of the Lanka Swaraj Party at the initiative of some Burghers, who as a community, have shown more in common with the Sinhalese than with the Tamils, and of your own well-meaning but spine-less kith and kin who are gathered into the two small insignificant bodies of the Youth Congress and Nationalist Tamils? The Youth Congress, now more dead than alive, damaged the Tamil cause years ago by the boycott and you are yet paying the penalty for it. A few stragglers of that body are yet in the field to misguide you. The Nationalist Tamils are a breed of drivelling jokers who would rather play the fiddle like Nero of old while the citadel of Tamil rights and of the safety of the race, was in imminent peril. These two bodies, whose misanthropic in the Press is reputed to be financed from Colombo, preach co-operation with Mr. Senanayake at any price. Will you not ask the candidates run by these bodies, to seek election in the South with the aid of Mr. Senanayake? If Mr. Senanayake would prove his bona fides by having one at least of the candidates returned uncontested or otherwise for a Sinhalese electorate, the Tamil Congress might wind up business and go on a holiday. If these two bodies are really convinced of the intentions of Mr.

(Continued on page 3)

BIRTH

Sangarappillai—To Thangarane, wife of Dr. V. Sangarappillai, D. M. O., Murunkan the gift of a daughter on 10-7-1946 at Sri Rama Manthiram, Manipay.
(Mis. 111, 12)

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Mis. 106, 12 & 16)

**Hindu Organ**

FRIDAY, JULY 12, 1946.

MINISTERS AND THE MINORITIES

IT IS SIGNIFICANT THAT SO far neither Mr. D. S. Senanayake nor his colleagues, with the exception of Mr. S.W.R.D. Bandaranaike, have given evidence before the Delimitation Commission. It will be remembered that neither in the Ministers' Draft Constitution nor in their explanatory memorandum did Mr. Senanayake attempt to meet the demands of the minorities beyond taking his stand on a system of representation based on population plus area, which, according to Mr. Senanayake, would give the minorities adequate representation in the Legislature. This was challenged by the Tamil Congress, and, though the more radical demands of the latter were rejected by the Soulbury Commission, the Commissioners accepted the view of the Congress that, even under the Constitution proposed by the Ministers, the representation of the minorities would not be adequate. The Commissioners, therefore, improved on the Ministers' proposals in regard to representation by retaining these proposals and by recommending in addition the provisions which are now embodied in subsections 4 and 5 of section 41 of the Order-in-Council relating to the carving out of electorates with the object of giving representation to any substantial concentration of interests, including minority interests, in any particular area, and to the powers of the Commissioners with reference to the creation of multi-member

constituencies. If the provisions are faithfully and justly carried out by the Delimitation Commission, there is reason to hope that the present disparity between the representation of the majority community and that of the minorities, having regard to their respective numerical strength, may disappear. It is this disparity that is responsible for the sense of frustration that prevails today among the minority communities. It is this that places the more selfish and weak-minded of their leaders entirely at the mercy of anyone like Mr. D. S. Senanayake who hopes to rule Ceylon even without an Opposition. Once this disparity is removed, even to an appreciable extent, the voting power of the minority representatives will be an important factor in the situation. The creation of multi-member constituencies in suitable areas will also help to bring to the surface of public life points of view among members of the majority community which are now submerged. The importance of this cannot be exaggerated. We have always refused to believe that Mr. Senanayake's mentality is fully representative of the Sinhalese people. There are elements amongst the latter who are more attached to the ideal of individual and national liberty than their present leader. Under the new Constitution the minorities, particularly the Tamils, will find themselves in the happy position of co-operating with all sections of the population for the realisation of this ideal in the fullest possible measure. The agitation that preceded the Soulbury Commission is an episode which will be forgotten by both parties in a joint endeavour not only to safeguard the liberties that have been won, but also to widen their range and scope. Mr. Senanayake himself, in his famous speech on the resolution for the acceptance of the White Paper on reforms, was good enough to pay a just tribute to the part played by the Tamils in the political emancipation of this island. It is but fitting that the Tamils and other minorities should take up the threads of their work for the welfare of the island as a whole.

Just as the minorities accept the Order-in-Council as the only possible basis for building up the future of Ceylon, the majority too must with good grace do the same thing. Mr. D. S. Senanayake, however, has so far refused to give his views on the subject of minority representation, leaving it to Mr. Bandaranaike to tell the Commissioners what he thinks about the relevant provisions in the Order-in-Council. The reports of Mr. Bandaranaike's evidence that have appeared in the columns of the press afford amazing evidence of the tortuosity of his mental processes. It is obvious that

he was speaking not only for himself but also for his colleagues including Mr. Senanayake. Instead of interpreting the Order-in-Council in a spirit of judicial detachment, Mr. Bandaranaike argued that multi-member constituencies for instance, would strengthen communal cleavages. He forgot that this very matter had already been decided by the Soulbury Commission and cannot be re-agitated by anyone at the present stage. As we have said, the object of the provisions in question was to satisfy the legitimate demands of the minorities and secure their co-operation in working the new Constitution. The ostrich-like attitude of the Ministers in this matter is certainly not helpful. It is not even decent. What is the use of prating about being fair and generous to the minorities if a member of the Board of Ministers resorts to an argument of this sort to prop up a bad case?

Art Teachers Protest

At a meeting of the art teachers of the Northern Province at Vaidyeshwara Vidyalyaya, Jaffna, held on Saturday, the 6th instant, it was unanimously resolved that a memorandum should be submitted to the authorities concerned with regard to the injustice perpetrated on Art Teachers in the recommendations of the Salary Committee.

HARTAL CALLED OFF

At the Instance of
Indian Congress

In deference to the wishes of the Working Committee of the Indian National Congress the Ceylon Indian Congress has suspended the hartal of Indian Estate Workers organised in connection with the Knavesmire dispute.

It is reported that the hartal was discussed by the Working Committee of the Indian National Congress, and the Committee passed a resolution expressing the view that the hartal should be discontinued in order to create "an atmosphere favourable to conciliation."

EMERGENCY KACHCHERIES TO CLOSE DOWN

Emergency Kachcheries may be closed down shortly. The Home Committee feels that some of them do very little work at present and that such work can easily be transferred to the permanent Kachcheries without causing any inconvenience to the public.

If they are closed down the staff employed, it is stated, can revert to their old posts. There is also a great shortage of Civil Servants at the moment and if the Kachcheries are closed, the shortage will be largely remedied.

The question of closing down these places has been discussed on an earlier occasion, but the Minister of Agriculture and Lands Mr. D. S. Senanayake, was not in favour of the suggestion.

OBITUARY

We regret to record the death of Miss. Vijayalechumy Elyathamby daughter of Mr. S. Elyathamby of the tutorial staff of the Urumpirai Hindu College, which occurred on the 1st instant at their residence at Urumpirai.

Jaffna Not A Specimen For Experimenting

(Continued from page 1)

Sangam, said that his Association wanted to put forward the case of the Islands which today were in a backward state. All these years they really had had no representation in the legislature.

The professional politicians of the town looked after their own interests with the result that transport and other facilities continued to be in a primitive state in the Islands.

If the Islands continue to be linked up with Karainagar, the "educated and influential voice" of the latter would tend to dominate the other Islands.

The Chairman asked the witness whether there would not be the possibility of "educated voices" from places other than Karainagar dominating the rest of the Islands.

The witness replied that that possibility existed.

Then the Chairman observed that the exclusion Karainagar from the rest of the Islands would not help them, and that the Commission had no power to exclude the "educated voices" from the other places dominating the rest of the Island.

Mr. V. Allegacone, Proctor, Mannar, urged that the present Mannar-Mullaitivu electoral area be split up into two electoral areas—one Mannar and the other Mullaitivu-Vavuniya.

Mr. R. J. Paul, Retired District Judge, spokesman of the Jaffna Catholic Diocesan Union, submitted that the Jaffna Urban Council area be constituted into one electoral area.

CO-OPERATORS' DAY

A well-attended public meeting under the auspices of the Tholpuram-Moolai Co-operative Supervising Union was held on Saturday the 6th inst. at the Sittankerny Ganesa Vidyasalai to celebrate the Co-operators' Day. The meeting was presided over by the President of the Union, Mr. K. Ariacuddy, retired Maniagar of Valikam West. Messrs. V. Veerasingham J. P., President of the Northern Division Co-operative Federation, R. Rajaratnam, Asst. Registrar of Co-operative Societies, Jaffna, S. Mailvaganam, E. Arumugam and other co-operators addressed the meeting on the Co-operative Movement. This was followed by a tea party.

Industrial Rally And Carnival At Manipay

A large and representative gathering of Old Boys and Girls and well-wishers of the Memorial English School, Manipay, met on a Carnival Committee with Mr. S. V. Alagaratham as President, Mr. C. Thiagarajah Vice-President, Messrs. S. Rajendran and R. Rajaretnam Joint Honorary Secretaries, Mr. S. Shanmuganathan Treasurer and S. Muttukumaraswamy Asst. Treasurer. Ten sub-committees were elected.

The General Committee decided to hold the Carnival during the second week of August 1946, the dates to be decided at the next meeting of the Carnival Working Committee.

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[Mis. 105-9-7 to 9-10-46]

Sundry Alliances

(Continued from page 1)

Senanayake and if they commend his confidence, an earnest must be sought of them in the manner suggested. In the name of your race and its future security I ask of you not to be led away by glittering talk, but to weigh the situation and act thoughtfully.

There are teachers in certain Jaffna villages who as old pupils of some candidates or other, allow their better judgement to yield place to a sense of respect to an individual. Let them know that the Tamil race is greater than an individual Tamil, however good, honest and competent he may be. Let them know that mere idealism of their idol will count for nothing as against the calculated activities of an anti-Tamil clique. A fair game imposes obligations on both parties. Teachers should be able to see the picture full and whole and give the correct lead, not for an ideal of chimera, but for a safe place and position under matter of fact, and better conditions of life. The blood of the unborn generations of Tamils shall be upon your head if you don't by your actions make secure their life.

The Tamil Congress is reorganising for the new situation. It shall rally for an opposition. Therefore it stresses the utter importance of all Tamil members to the Parliament owing allegiance to a common party stand. Therefore it seeks for the election of Tamil members on its own ticket. That way alone lies the security of the Tamil race.

Order Absolute in the First Instance

IN THE DISTRICT COURT OF JAFFNA [Held at Point Pedro]

In the matter of the Last Will and Testament of the late Thambu Ambalavanapillai of Puloly East Deceased.

Testamentary Jurisdiction No 298 P.T. Namasivayam Murugesu of Puloly East Petitioner

This matter coming on for disposal before E. Wijeyawardena Esquire Additional District Judge, Jaffna, on the 2nd day of February 1946 in the presence of Mr C. Thanabalasingam proctor on the part of the petitioner above named and on read-

ing the Last Will of the abovenamed deceased dated the 16th day of June 1943 and a tested by K. Subramaniam Notary Public under No. 15663 and now deposited in this court and the affidavit of the petitioner and of the attesting Notary and the witnesses thereto.

It is ordered that the said Last Will be and the same is hereby declared proved.

It is further ordered that the petitioner be and is hereby declared the executor of the said Last Will and that as such he is entitled to obtain probate thereof and that probate thereof be accordingly issued to the petitioner. The 2nd day of February 1946.

Sgd. E. wijeyawardena Addl. District Judge.

(O 35, 12 & 16.)

ORDER NISI

IN THE DISTRICT COURT OF JAFFNA (held at Point Pedro)

In the Matter of the intestate estate of the late Samvel Neelappiar Arumugam of Puloly West, Point Pedro Deceased.

Sarah Sellammah widow of Arumugam of Puloly West, Point Pedro. Petitioner.

Testamentary Jurisdiction No. 302 P.T.

1. Joseph Nalliah Arumugam of No. 98, Cotta Road, Borella.
2. Elizabeth Nallammah widow of Veluppillai of No. 32, Chapel Street Jaffna
3. Emily Thangammah wife of Isaac of Kerkovlam
4. Daniel Isaac of Madlagedera Estate, Mullugama.
5. Ma y Ras mmah wife of Sinniah of F. M. S.
6. Moothathamby Sinniah of F. M. S.
7. Marthi Gnanammah wife of Pckianathan of No. 25 Chapel Street, Jaffna
8. Chinnathan by Alfred Packianathan of do. Respondents

In this matter of the petitioner praying for Letters of Administration to the estate of the abovenamed deceased Samvel Neelappiar Arumugam of Puloly West, Point Pedro, coming on for disposal before E. Wijeyawardena Esquire Additional District Judge on the 28th day of February 1946 in the presence of Mr. C. Thanabalasingam Proctor on the part of the petitioner and the petition and affidavit of the petitioner having been read, it is ordered that the petitioner be declared entitled to take out Letters of Administration as the widow of the said deceased and that Letters of Administration be accordingly issued to the petitioner unless the respondents or any other person shall on or before the 18th day of July 1946 shew sufficient cause to the satisfaction of this court to the contrary.

The 29th day of June 1946. Sgd. E. Wijeyawardena Addl. District Judge

(O. 35, 12 & 16)

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ORDER NISI

IN THE DISTRICT COURT OF JAFFNA
Testamentary Jurisdiction No. 554.

In the matter of the last will and
testament of the late Nannitamby
Thuraiappah of Changanai West
Deceased

Thangammah widow of Nannitamby
Thuraiappah of Changanai West.
Vs. Petitioner.

Minors, {
1. Annaledchimy daughter of
Thuraiappah, 2. Thuraiajah son
of Thuraiappah, 3. Thuraiappah
Thuraiajasingam, 4. Thuraiappah
Nadarajah,
5. V. Ponnampalim Sabaratni
pillai all of Changanai West
Res. and nr.

This matter coming on for dispo-
sal before R. R. Selvadurai Esq.,
District Judge Jaffna, on the 10th
day of May 1946 in the presence of
Mr. S. Sivagnanam, Proctor on the
part of the Petitioner and the af-
fidavits of the Petitioner, Notary
and attesting witnesses to the last
will dated the 9th day of May 1946
filed of record having been read.

It is ordered that the last will and
testament bearing No. 733 dated
29th December 1945 and attested by
S. Sivagnanam, Notary Public, the
original of which is deposited in
Court be and the same is hereby
declared proved and that the Peti-
tioner as the Executor named in
the said Last Will Probate be granted
to her accordingly unless the Res-
pondents or any other persons shall
appear before this Court on the 17th
day of July 1946 and show sufficient
cause to the satisfaction of this Court
to the contrary.

It is further ordered that the above-
named 5th respondent be and he is
hereby appointed guardian ad item
over the minors the 1st to 4th res-
pondents for the purpose of watch-
ing their interest in these proceed-
ings unless the respondents above-
named or any other person or per-
sons interested in these proceedings



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(Mis. 248, 15-3-46 to 14-3-47.)

appear before this Court on the 17th
day of July 1946 and show sufficient
cause to the satisfaction of this Court
to the contrary.

This 10th day of May 1946.

Sgd. R. R. Selvadurai,
District Judge.

(O. 34, 9 & 12-7-46)

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[Mis. 103, 5-10-46]

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(Mis. 154, 3-12-45-30-11-46, F)

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[Misc. 247, s. 12/1-19/0] F