

TAMIL TIMES

VOL II

NO. 3

40 PENCE

JANUARY 1983

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AN ALL-PARTY COMMITTEE FOR 'NATIONAL UNITY' -A PRECURSOR TO 'NATIONAL GOVT'

The formation of an all-party parliamentary committee with the declared purpose of seeking ways and means of ensuring communal harmony and 'national unity' has been mooted in Sri Lanka.

The government parliamentary group which recently met has already adopted a resolution on a suggestion made by President J.R. Jayawardene to set up such a committee.

Prior to the intervention by the President at the United National Party (UNP) parliamentary group meeting, Mr. W.J.M. Lokubandara, who has achieved a reputation for his anti-Tamil outpouring, moved a motion to proscribe all political parties and groups, including the Tamil United Liberation Front (TULF), which advocated the setting up of a separate state for the Tamil speaking people. Although Mr. Jayawardene and his party were pleased about the role played by the TULF leadership during the Presidential election campaign, the TULF's open campaign for a NO vote at the recently held referendum would appear to have angered a substantial section of the government party.

President Jayawardene is reported to have rejected, at least for the time being, the proposal for a ban on 'separatist' organisations to avoid a situa-

tion of confrontation between the Sinhalese and Tamils which, according to him, would disrupt the government's development plans. On the other hand, he considers that such a step would undermine the efforts he is making to set up a 'national

government'. Political observers believe that Mr. Jayawardene's proposal for an all-party committee is designed as a precursor to a 'national government'.

The Opposition Leader and TULF General Secretary, Mr. A. Amirthalingam, is said to have described the proposal for an all-party committee as one worthy of consideration, but added that it was for the Working Committee of the TULF to decide on the matter.

"Will the TULF collaborate in

a 'national government' under the leadership of J.R. Jayawardene?" is the question that is being debated in political circles in Sri Lanka. The TULF leadership's indirect support to J.R. during the Presidential election campaign in not putting up a candidate against him or campaigning against him, and the protracted negotiation it has had with the government prior to the campaign, lend credence to the speculation that the TULF, at least at leadership level, might view the proposal for a national government with favour.

The visit to Sri Lanka of Dr. A.J. Wilson, the Sri Lankan Professor of New Brunswick University in Canada, is said to be not without significance. He was the architect who masterminded the commencement of the previous round of negotiations between the TULF and the government. He is said to be presently playing a similar role.

Before either collaborating with or joining a 'national government', the TULF leadership has to sell the idea to its rank and file, which has become increasingly impatient and suspicious about the leadership. The TULF also cannot ignore the other youth groups which operate outside the TULF and which have shown no hesitation in using violence as a means of struggle. Nor can it forget the massive rejection suffered by the UNP at the recently held referendum from the Tamil speaking people. However, JR will not forget or hesitate to remind the TULF leaders that the proposal to ban all 'separatist' organisations has not been altogether

PRIESTS TO BE CHARGED

Three Roman Catholic priests, along with three others, are to be charged before the High Court in Colombo under the Prevention of Terrorism Act which has been denounced by the International Commission of Jurists as a statute that violates fundamental human rights.

Rev. Fr. A. Singarayer, Rev. Fr. S. Sinnarasa, Rev. Fr. Jayatilakurajah, Dr. Jayakularajah, University Lecturer Mr. Nithianandan and his wife Mrs. Nirmala Nithianandan are the suspects concerned.

According to Sri Lankan news-



Fr. Singarayer

paper reports, which seem to know more about the action that is to be taken against these persons than the suspects themselves or their lawyers, the three priests are to be charged for 'helping in the concealment of the proceeds from the raid at the Neerveli Bank'. The other suspects are reported to be facing charges connected with harbouring three youths injured in the attack on the Chavakachcheri Police Station.

Fr. Jayatilakurajah and Dr. Jayakularajah are presently held at the Magazine Prison while Fr.

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TAMIL TIMES

COMMITTEE FOR
NATIONAL UNITY

The Sri Lankan ruling party's parliamentary group's decision to set up an all-party parliamentary committee to discuss ways and means of ensuring racial harmony would appear to be in the right direction. Anyone who is interested in resolving the apparently never ending ethnic conflict should welcome any step that is taken to raise this issue above party politics.

The 'Sinhala-Tamil issue' was deliberately created by designing and opportunist politicians to rouse the communal passions of the ordinary people in order to gain power. Many of them are still around and there is no shortage of them either within the government or in the opposition. And, at last, if they realise that they have to resolve the conflict to which they have contributed in no small measure, they deserve support in their effort.

However, the success of such an effort depends on several factors. The participants, particularly those in authority, should have good faith and not entertain ulterior motives such as consolidating themselves in power. They should recognise the reality that the country is inhabited by two major ethnic groups, both determined to retain their identity. The feeling of discrimination and oppression suffered by the Tamil speaking people is not a figment of their fertile imagination. The gradual transformation of 'national political parties' and the policies they pursued while in power have turned the Tamil speaking people into political outcasts.

They have suffered the direct and indirect consequences of overt and covert acts of racial discrimination. Periodically they have been subjected to racial violence in the course of which their lives and property have been lost.

Among the Tamil speaking people, there is a genuine fear that their identity and existence as a 'Tamil Nation', within the physical confines and constitutional framework of a single state, have been threatened. The proved failure of the parliamentary method to amicably do away with the intense discrimination against the Tamil speaking people and the growing threat to their identity have resulted in the inevitable recourse to the use of political violence as a means of struggle.

That is the reality. The success of the proposed all-party committee for national unity, or for that matter any other effort made to resolve the ethnic conflict in Sri Lanka, depends on the recognition of that reality. The parties that are represented in such a committee should pledge themselves not to exploit the 'Sinhala Tamil issue' at any time to gain popular support or power. Let them keep themselves free and independent to fight for power or support among the people on the basis of their preferred ideological or political positions.

POLICE INVADE CHURCH
PEOPLE TEAR-GASSED,

KICKED & BEATEN

"We the religious leaders of Vavuniya very strongly protest to you regarding the brutal behaviour of the Vavuniya police officers in tear-gassing, humiliating, harassing and assaulting innocent people assembled at the St. Anthony's Church on 15th December 1982.

"In this country so far, places of religious worship have been treated with respect and sanctity and, therefore, we view this incident very seriously and ask you to take very stern action against these officers immediately and also ensure freedom of assembly, worship and security of life in places of religious worship". This is the text of a letter sent to the President of Sri Lanka, Mr. J.R. Jayawardene, by religious leaders of seven denominations protesting against the brutal police attack upon the people, including women and children, at St. Anthony's Church, Vavuniya on 15th December 1982.

The seven religious leaders who sent the letter of protest to the President are Rev. Kurunthugoda Rathanasara Thero, Viharathipathi of Madukande Buddhist temple; Rev. Siyambalagaswewe Wimalasara Thero, Viharathipathi of Vavuniya Vihare; Rev. Fr. Alban Rajasingham, Parish Priest of Vavuniya R.C. Church; Rev. Dr. D.J. Kanagaratnam, Parish Priest, Anglican Church; Moulavi A. Badurdeen, Town Mosque, Vavuniya; Brahma Sri M.K. Kandasamay Iyer, Kudiyeruppu Pillayar Temple and Siva Sri R. Balachandra Kurukkal, Kandasamy Kovil, Vavuniya.

About 500 people had assembled in the church premises to observe a whole day of religious prayers and fast to peacefully protest against the Prevention of Terrorism Act and recent arrests, especially of Christian priests.

At about 9.35 a.m., police officers arrived at the scene and ordered the people to leave the church premises. The people continued to sit. The police, under orders from the Superintendent of Police, commenced an unprovoked brutal attack

on the people, many of whom were at this time worshipping inside the church. The police threw tear gas grenades into the crowd and the people started running in different directions crying, shouting and many fainting. They attacked the men, women and children within the precincts of the church itself. Some of the women and girls were pulled by their hair, kicked and beaten. People were indiscriminately kicked, beaten with batons and abused in the most offensive language. The police did not spare even those who were worshipping. Those who happened to belong to the Sinhala community among the people present were abused in the most vulgar language and thrashed. The police shouted abuse at them: "Thopi Sinhalayektha" (Are you a Sinhalese?); "Thopige thatha Demelektha" (Is your father a Tamil?), etc. The vehicles belonging to the participants were stoned and damaged.

Many were taken into custody, including S. Rajasundaram, the Organising Secretary of Gandhiyam, R. Vasudevan, Eelaventhana, S. Karunanithi, S. Kandiah, Innasimuthu, David Naganathan, Dr. Nanda Fernando, Dr. Kanagaratnam, the Vavuniya Branch Secretary of the Movement for Inter Racial Justice and Equality and many others. Mr. Rajasundaram's camera and tape recorder were confiscated. One of the jeeps belonging to Gandhiyam also was seized by the police. All were remanded in custody.

The police remained at the entrance to the premises until 5 p.m. preventing anybody leaving the church.

Cont from P.1

Singarayer, Fr. Sinnarasa and Mr. and Mrs. Nithianandan are held at the Welikade Prison in Colombo.

Meanwhile, it is reported that the father of Mrs. Nirmala Nithianandan, Mr. A. Rajasingam, Vice Principal of Jaffna College and Manager of MORNING STAR, the oldest English journal in Asia, has filed a Habeas Corpus application in the High Court of Colombo in respect of

REFERENDUM- A POSTMORTEM

BY R.GANESHAN

JR'S PARLIAMENT WITHOUT ELECTIONS

A political observer was heard to say after hearing the results of the referendum held on 22nd December 1982, "J.R. Jayawardene built a new and imposing parliamentary complex spending over a thousand million rupees; once it was completed and declared open with all pomp and pageantry, he did away with parliamentary elections. Now Sri Lanka has a parliament without parliamentary elections".

Sri Lanka claims to be a democracy but not a single country in the world worthy of such a name has so far had the life of its parliament extended without elections. The constitution of the country has been amended extending the present parliament for a further period of six years following the 'victory' at the referendum. The United National Party (UNP) government of President J.R. Jayawardene which was elected in July 1977 will continue in office until August 1989 without having to go before the people.

It is argued that the 'victory' at the referendum meant that the people of the country have given their approval for the extension of parliament agreed to their own disfranchisement on the question of electing a new government. Does this argument have any substance? Let us examine the facts and circumstances surrounding the referendum and the results.

NOT FAIR OR FREE

Did the people have a free and fair chance to express their views at the poll? The only opposition daily paper, *ATHATHA*, was closed down under emergency regulations no sooner than the campaign began. Leading members of the strongest opposition party, the Sri Lanka Freedom Party, including its Secretary were taken into custody and kept in detention.

Opposition campaign meetings were attacked and disrupted by pro-government thugs. Even meetings organised by Buddhist monks and Christian priests were not spared from attack. Although the election laws prohibited the putting up of posters

displaying the lamp exhorting the people to vote 'Yes' were permitted to be put up everywhere including government and public buildings, state transport vehicles, etc. whereas the election laws were strictly enforced on the opposition. The state-owned press, radio and television network were employed in the most scandalously partisan manner to campaign for a 'yes' vote. The state security services were used to terrorise and disrupt the opposition campaign.

On the day of the poll itself, thuggery and intimidation reigned supreme. There were reports of opposition polling agents being attacked and chased away from polling stations by gangs of pro-government thugs. The scale of impersonation of votes was such

that even the vote of Mr. Hector Kobbekaduwa, the SLFP candidate in the Presidential election, had been cast by the time he went to exercise his vote.

In this context, one could hardly come to the conclusion that the people of the country had a free and fair opportunity to express their views at the referendum.

ONLY 38% VOTED YES

Let us examine the voting at the referendum itself. In normal circumstances, the average voter turnout in any general election in Sri Lanka had been about 85 per cent of the total registered voters. The total number of registered voters stands at 8,145,015. On this basis, 6,923,262 should and would have voted at the referendum. However the vote at the referendum was only 5,768,662 which constituted only 70 per cent of the total registered votes. 3,141,223 constituting just 38 per cent of the total electorate voted



'yes'. What does this signify? 62 per cent of the registered voters either voted against the government or did not vote at all. In fact the government's vote at the referendum plummeted by over 400,000 from the votes it obtained at the presidential election in October.

More revealing is the fact the government was defeated outright in 48 of the 168 constituencies. These included constituencies represented by five cabinet ministers, five Deputy ministers and 19 UNP MPs. Electorates represented by leading figures in the UNP such as the Finance Minister Ronnie de Mel, Minister of State Anandatisa de Alwis, Minister of Health Dr. Ranjith Attapattu, Minister of Home Affairs Mr. K.W. Devanayanam, Minister of Regional Development Mr. C. Rajadurai, the Speaker Mr. Bakeer Markar, the Deputy Speaker Mr. Norman Waidiyaratne, Deputy Minister of Private Omnibus Services Mr. P. Gunasekera, the Deputy Minister of State Mr. V.L. Wijemanne, the Deputy Minister of Sports Mr. E. Tillakeratne, and the Deputy Minister of Rural Industrial Development Mr. M. Kularatne voted 'NO'. While the people in these electorates have demonstrably and clearly rejected the government and its MPs by voting 'no', these electorates will continue to be represented by the rejected MPs for the next six years!

TOWARDS ONE PARTY RULE....

"Mr. Jayawardene obviously has his own notions of democracy. He imposes an emergency in the country even as the people are asked to take part freely in the referendum. Many Opposition leaders are put behind prison bars and thus literally incapacitated from taking part in the related campaign. There is an atmosphere of fear among the people in the northern and eastern provinces, especially where the authorities have stationed forces in the name of maintaining law and order in the face of a call for boycotting the referendum given by the Tamil United Liberation Front. As Mr. Jayawardene's main concern seems to be to have captive Parliament for the entire period he is going to be President, he has gone through his projected idea with a rare sense of thoroughness and a lack of inhibition. The results indicate that the Government polled 54.7 per cent of the votes cast and the combined Opposition 45.3 per cent. And in the new Parlia-

ment they will still continue to enjoy the five sixths majority he has at present. Worse, under the Constitution Mr. Jayawardene (as boss of the UNP) can pick, choose and manipulate his party's new members of Parliament. A significant aspect of the political situation is that he has lost the referendum heavily in the Tamil areas, a clear indication that the Sinhala-Tamil rift is actually widening under this dispensation. The Tamil United Liberation Front has announced that it will, in protest, refuse to nominate new MPs to fill the vacancies arising out of the proposed resignations in August. If he does not in the meanwhile make meaningful moves to bring the Tamil leaders to the conference table, Mr. Jayawardene will be virtually leading the country towards one-party rule with all its menacing implications and, in the end, may have won nothing more than a Pyrrhic victory."

(EXTRACTS FROM "HINDU" EDITORIAL)

Cont. on Page 11

TAMIL INSCRIPTION ON MAORI BELL

Prof. R. Muniappan, Associate Dean of Arts, University of Guam, Guam, writing in "The Hindu" of December 18, states. "Recently I came to know the existence of a "Tamil Bell" in the National Museum of New Zealand in Wellington. A missionary, Rev. William Colenso, first discovered this bell while visiting the Maoris in the West Coast of New Zealand in 1830's. The inscription on the bell written in Tamil translates to "Mohoyiden Buk's Ship's Bell".

I am in communication with some of the New Zealand historians on the history of the bell. I would like to bring this information to the attention of the Tamil historians, and would appreciate receiving any information that would help us trace the history of the bell.

I am sure it will be of use not only for furthering the history of New Zealand, but also shed light on the history of Tamil traders."

2 MILLION LANKANS ILLITERATE

As many as 1.9 million (14 per cent) of the population of Sri Lanka have had no schooling whatsoever, according to the results of a recently conducted survey by the Department of Census and Statistics.

Only 2.6 per cent have passed their GCE 'A' Levels. Although university education has been available in Sri Lanka for over forty years, the number of graduates in the country is relatively small. According to the survey, there are 74,980 graduates amounting to 0.6 per cent of the population. Of those who have graduated, 47,170 were men and 27,810 women

Of those who have been to school, 41.3 per cent have had only primary (grades 1 to 5) education; 33.1 per cent have had middle grade (6 to 10) schooling, and 10.9 per cent have passed the G.C.E. O Levels.

SEVERE DAMAGE CAUSED BY FLOODS

Several parts in the Matale District and parts of the Eastern Province in Sri Lanka were seriously affected by heavy floods and earth slips which occurred during the third week of December.

As many as fifty people were reported to have been buried in landslides in the Matale district. A massive boulder, about forty feet in diameter, crashed down the mountainous slopes flattening several mara trees and every thing on its downward track. The boulder, after travelling more than a quarter of a mile, finally came to a stop about five hundred yards from the power station.

Thousands were rendered homeless in the areas affected by the floods. Several bridges were blown off and the roads were seriously damaged making relief work immensely difficult. Heavy rains swelled the main five tanks in the area, breaching their bunds and causing extensive damage to the surrounding areas.

In the Eastern Province, the Mahaweli food plains were submerged and the Muttur and Seruwila divisions of the Trincomalee district were cut off from the mainland. According to the Government Agent of Batticaloa, over 25,000 families had been affected.

INDO-LANKAN FERRY TO RESUME

The ferry service for passengers, parcels and goods between India and Sri Lanka will be resumed in January.

This was agreed to at a meeting held in Colombo recently, Mr. B.P. Tilakaratne, High Commissioner for Sri Lanka in New Delhi, told members of the Indo-Sri Lanka Chamber of Commerce and Industry.

Representatives from the Indian and Sri Lankan Government Railways, Shipping Corporation of India which operates the service and officials of the Customs/Immigration Departments from both the countries participated in the Colombo meeting.

LETTERS TO THE EDITOR TULF & UNP

It is a well-known fact that the Tamils of the Northern & Eastern parts of Sri Lanka obtain water for cultivation by squeezing the stones which they dig out from the arid earth. No colonisation is possible in such terrain. People in the North & East are starved of good cultivable land and water for cultivation. The Sinhalese of the South will find the terrain and weather in these two areas very hard going for their existence.

Under the circumstances the Government should declare these two areas (inhabited mainly by Tamils) a homeland for Tamil people and Tamil culture. This suggestion is without prejudice to Sinhalese as the state language of the entire Island. If accepted, it will remove all obstacles to national unity and national progress.

The Australian Government has granted a certain amount of autonomy to the Aborigines, retaining certain key functions like defence and communications for itself. A similar arrangement could be worked out here so that the Tamils of the North and East could enjoy a certain amount of freedom within the framework of the Government.

This is the age of co-existence. A solution is within easy reach if the leaders of the UNP and TULF will concede the fact that the days of Kings and Kingdoms are long over.

D.J.Thamotheram
9 Vivekananda Avenue,
Colombo 6.

Economic Development

I thank you for your interesting paper which I have been receiving regularly for the past several months.

May I suggest that you include articles on the various possibilities of economic development of the Tamil areas? I am sure that it will be of great advantage to expatriate Tamils who wish to back such development and also to readers at home. Perhaps you might wish to think of giving a whole issue to this theme.

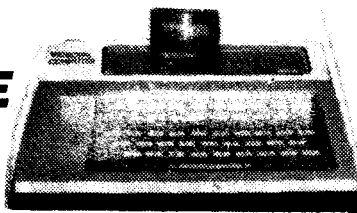
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NIRMALA, PRISONER OF CONSCIENCE

The national oppression of Tamils in Sri Lanka has reached a grave and critical situation. For the first time, the Sri Lankan state has extended its arm of repression against the Tamil intelligentsia and the members of the church. One of the outstanding figures who fell a victim to this recent wave of state terrorism is NIRMALA NITHIYANANDAN. Nirmala is a renowned feminist and a popular progressive writer. She hails from Jaffna, daughter of Mr. A. Rajasingam (Vice Principal, Jaffna College and Manager, Morning Star) and is aged thirty. She was arrested on the 18th of November 1982 by the state security forces and since then held incommunicado and subjected to indignity, harassment and possibly torture. Nirmala is one of the latest victims of the infamous law called the 'Prevention of Terrorism Act', which has been universally denounced by world civil rights movements, including the International Commission of Jurists and Amnesty International, as repressive

and as violating fundamental human liberties. This draconian law denies trial by jury and admits confessions extracted by torture in evidence.

NIRMALA'S UNIQUE CASE.

The case of Nirmala is unique since this is the first time the Government has cracked down on a popular artiste. Her case is also unique since she is

BY B. RAJESWARY

subjected to a dual form of oppression, both as a Tamil and as a woman. On one hand, she is a member of the oppressed Tamil nation and therefore subjected to vicious forms of racist attack at the hands of her oppressors. Secondly, as a woman, she is subjected to indignity and harassment by male chauvinists. It is well documented that in wars and in national liberation struggles specific tortures, humiliations and atrocities were perpetrated on women by the very fact that the victims are females. Nirmala

is caught up in this specific situation. She is detained at Gurunagar Army Camp, Jaffna, a place notorious for military torture and tyranny. She is held at this military centre without female guards, manned by Sinhala male soldiers some of whom are infamous torturers and racial fanatics. It is a well known fact that during the youth insurrection of 1971 a number of women detainees were raped by soldiers and Prema Mannamperi was sadistically murdered. Nirmala's detention under these conditions has given rise to grave concern among the Tamil public.

COMMITMENT TO FREEDOM.

Nirmala sympathised and supported the struggle of the Tamil people to gain their right of self-determination. Her commitment to the cause of national freedom of the oppressed Tamil nation has earned her respect from wider sections of the popular masses. As a writer, dramatist, sociologist and political scientist she contributed immensely to raise the level of social and political consciousness of the Tamils, particularly the youth. She wrote and produced plays, translated literary and political works. Her translations introduced the national and socialist struggles of the Latin American and African people. Nirmala was also a literary critic. In her critical writings on literature she emphasised the role of culture in the national struggle of the Tamils. Literature and drama, she always argued, should reflect social and political realities and should advance the struggle of the oppressed and exploited masses. One of Nirmala's primary concerns has been the emancipation of the oppressed Tamil women. To this task she dedicated herself fully in actively organising and participating in women's liberation campaigns. By her unrelenting work she became an outstand-

ing radical feminist in the Tamil homelands.

Nirmala was arrested along with her husband, who himself is a known educationist (a lecturer at the Jaffna University) and a literary critic. Simultaneously, a number of Catholic priests were also taken into custody. These arrests sparked off mass protests by the Tamil nation. The leaders of the Church, politicians and human rights groups have appealed to the Government for their release. The Army High Command insists that the arrested persons, including Nirmala, provided sanctuary to some wounded youths alleged to be 'terrorists'.

Terrorism is a concept in the Sri Lankan context utilised by the State ideological and propaganda apparatus to describe the resistance movement of the Tamils which arose as a consequence of nearly thirty-five years of national oppression, practised by successive Sinhala Governments against the Tamil people. The oppression assumed a multi-dimensional thrust, attacking simultaneously at different levels the conditions of existence of this nation language, education, culture, land and the economy, threatening the very identity of this people. This continuing oppression has driven the people to fight for the right of national self-determination.

The struggle for political independence at a particular historical juncture (in the early seventies) took the form of armed resistance signifying the desperate struggle of the people to win national freedom at any cost. As a consequence, the Government has tightened its arm of oppression by introducing repressive legislation (Prevention of Terrorism Act) and bringing the Tamil nation under total military siege. Yet the freedom struggle continues, and Nirmala as a lover of freedom is caught up in the storm, of struggle.



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"A nation may be said to consist of its territory, its people and its laws. The territory is the only part which is of certain durability."

-ABRAHAM LINCOLN (1862)

SRI LANKA NEWS IN BRIEF

● **SLFP MP EXPELLED:** Mr. S. D. Bandaranaike, the Sri Lanka Freedom Party MP for Gampaha, has been expelled from the party for his refusal to withdraw his support for a 'national government' under the leadership of President J.R. Jayawardene.

● **PLANTATION YOUTH FOR POLICE:** It is reported that the government of Sri Lanka has decided to fill vacancies at police stations in the plantation areas with Tamil speaking youth from the plantation areas. As a first step, 15 will be appointed to each police station as police reservists, to be later progressively assimilated into the regular service.

● **EYE DONATION:** The Ceylon Eye Donation Society donated 2606 eyes abroad in the year 1982.

● **STRIKE BAN:** A strike by workers at the Port of Colombo in the middle of December was called off following the promulgation of an Essential Services Order under the State of Emergency and a threat to sack all strikers and to recruit new workers.

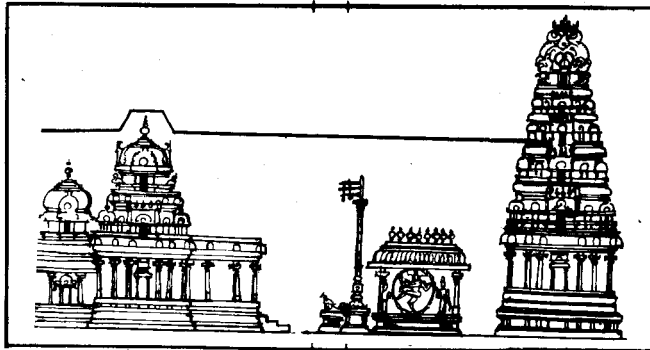
● **CANADIAN PM'S VISIT:** The Prime Minister of Canada, Mr. Pierre Trudeau, is expected to visit Sri Lanka in March this year. He is to commission the Maduru Oya Reservoir which was built with a generous loan from the Canadian government. This reservoir is eventually expected to provide irrigation for 125,000 acres in Polonnaruwa.

● **INDIAN MINISTER'S VISIT:** Mr. P.V. Narasimha Rao, the Indian Foreign Minister, is expected to visit Sri Lanka in February this year.

● **EMERGENCY EXTENDED:** The state of emergency that has been in existence in Sri Lanka since October has been extended for a further one month.

● **MUSIC FESTIVAL:** The Music Society of Sri Lanka held its 12th Annual Music Festival lasting two days during the second week in December at the Sri Manikka Vinayagar Temple, Bambalapitiya, Colombo. The Indian High Commissioner, Mr. S.J.S. Chatwal, was the Chief Guest.

HIGHGATE MURUGAN TEMPLE



SCULPTOR'S VIEW OF THE HIGHGATE MURUGAN TEMPLE, 200 ARCHWAY ROAD, LONDON N 6. THE TEMPLE BUILDING IS PROGRESSING SATISFACTORILY AND THE TRUSTEES EXPECT COMPLETION BEFORE TARGET DATE IN 1983.

10 SLFP MEN FACE 41 CHARGES.

Ten leading members of the Opposition Sri Lanka Freedom Party (SLFP) have been indicted on a total of fortyone charges including a charge of having attempted to cause disaffection to a lawfully elected government.

The men charged include the Secretary of the SLFP, Mr. Ratnasiri Wickremanayake, the former Minister of Justice,

Mrs. Tamara Illangaratne, the wife of former Minister Mr. T.B. Illangaratne and Anurudha Ratwatte, the brother of former Prime Minister Mrs. Sirima Bandaranaike.

The ten SLFP'ers who were charged and produced before the High Court of Colombo were released on bail in a sum of Rs.25,000 each. The trial has been fixed for February 14.

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HOUSE OF LORDS RULES

IMMIGRANT STUDENTS ENTITLED TO GRANTS

Overseas students who came to this country and were habitually normally resident here, apart from occasional or temporary absences, should be regarded as 'ordinarily resident' in the United Kingdom and therefore entitled to receive grants from local authorities, provided they satisfied the three year residential qualification in accordance with the Local Education Authority Awards Regulations. This was the judgement of the House of Lords who considered five appeals against the decisions of the Court of Appeal in cases where Local Authorities had refused to award grants on the ground that they were not 'ordinarily resident' in this country.

The House of Lords judgement delivered on 16th December, 1982, will not only be of enormous benefit to overseas students in the future, but they are also likely to be entitled to get back a refund of the full fees they would have paid when they were refused grants on the grounds of 'ordinary residence'.

The National Union of Students was the recently retired Lord Denning, Master of Rolls, who, giving the Immigration Act precedence over the Education Act of 1962, gave the previous Court of Appeal judgement that a student was not entitled to a mandatory grant from the Local Education Authority when he or she had any restrictions in regard to his or her stay on the passport.

The National Union of Students, which had been spearheading the fight on behalf of the overseas students, was delighted at the decision of the House of Lords. Its President, Neil Steward, said that "there is now a reasonable working definition which the local authorities can apply and they no longer have to ask to see passports before considering the award of grants. This ends a form of humiliation which is tantamount to educational apartheid, and this just goes to show what an organisation like the NUS can do when it shows total persistence

towards achieving natural justice".

Lord Scarman, with whose judgement all four other Lordships concurred, stated that in each case the student had entered the United Kingdom some three years ago, or earlier for the purpose of seeking an educational qualification by pursuing a course of study at some school or college, paying his own fees and relying upon family resources for his maintenance.

After obtaining his educational qualification he applied to a local education authority for an award in respect of a first degree, or comparable, course of further education. In each case the application was refused.

Each student had applied for judicial review on the ground that the local education authority had erred in law in reaching the conclusion that the student had failed to prove that he had been ordinarily resident in the United Kingdom throughout the three years preceding the first year of the course in question.

All five students were immigrants. None of them had the right of abode in the United Kingdom.

The limited leave included a condition that on completion of his studies the student would depart from the country - although, of course, it would be open to him to apply for an extension, in which event the secretary of state could grant a limited or unlimited extension or refuse the application.

The question was as to the meaning to be given in the context of the Education Acts to the words "ordinary resident in the United Kingdom".

Section 1 of the 1962 Act imposed a duty on every local education authority to bestow awards ("mandatory" as they were called) on persons ordinarily resident in its area who possessed the requisite education authority and the educational qualification. There was no hint of nationality, country of origin, or domicile as a condition of eligibility; but the duty was subject to and in accordance with regulations made under the Act.

Regulations which had been made from time to time had always included an exception based on a requirement of three years' ordinary residence in the United Kingdom as a condition of eligibility for a mandatory award.

Two questions of statutory interpretation arose: (1) What was the natural and ordinary meaning of "ordinary residence in the United Kingdom"?

(2) Did the statute in the context of the relevant law against the background of which it was enacted, or in the circumstances of today, including in particular the impact of the Immigration Act 1971, compel one to substitute a special and if so, what meaning to the words "ordinary resident in the United Kingdom"?

His Lordship answered the questions by stating (1) The natural and ordinary meaning of the words had been authoritatively determined in the House in two tax cases reported in 1928.

(2) No, the 1962 Act and the regulations were to be construed by giving to the words "ordinary resident in the United Kingdom" their natural and ordinary meaning.

"Ordinarily resident" was not a term of art in English law. Ordinary or habitual residence had, in effect, now supplanted domicile as the test of jurisdiction in family law and, as Lord Justice Eveleigh recalled in the Court of Appeal (p 483) the concept was used in a number of twentieth century statutes, including, very significantly, the Immigration Act 1971.

Though the meaning of ordinary words was a question of fact, the meaning to be attributed to enacted words was a question of law. So a question of law arose as to the meaning of "ordinarily resident in the United Kingdom", even though it arose only at a preliminary stage in the process of determining a question of fact, namely, whether the propositus (in the present appeals, the student applicant) had established the fact of ordinary residence for the prescribed period.

Cont. on Page 10

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KAILAS - THE WRITER, EDITOR, LITERARY MIDWIFE AND DON

The news of the sudden demise of Prof. K. Kailasapathy came as a rude shock. It will take a long time to get over that sense of lament that has enveloped our hearts and without exception benumbed us all.

The writer became acquainted with him in 1953 when as a school boy he published a quarterly Journal in Tamil called "Tamil Osai". This literary acquaintance later became converted into a permanent bond of friendship and mutual trust and respect.

Kailas, as he was fondly called by his friends, was always unassuming and treated all alike irrespective of social standing. He always greeted everyone with a spontaneous and simple smile and courteous words. He never hesitated to gather information from ordinary people when he wanted such information.

At the Peradeniya University.

As a student at the Peradeniya University, he displayed an unique interest in Tamil studies under the late Professors K. Kanapathipillai and V. Chelvanayagam. Prof. S. Vithiananthan, the present Vice-Chancellor of Jaffna University, then a young and active lecturer in Tamil, groomed and selected promising undergraduates to be what they are today and Kailas was one of them.

Prof. S. Vithiananthan carried further the impetus given to spoken Tamil, folk - literature and folk drama by the late Prof. K. Kanapathipillai. He directed and produced such dramas at the University and Kailas and Sivathamby were two of the early actors. Kailas played his roles well and earned the admiration of the audience and critics. Kailas wrote a few short - stories as well.

His career as a journalist

Even as an undergraduate Kailas wrote a series of articles in the VIRAKESARI on THOLKAPPIYAM the oldest Tamil work available. He developed his flair for writing while still an undergraduate and became an accomplished writer and critic. He was also a voracious reader.

Having completed his

University career he worked as a journalist at the Lake House. He was first editor of the Weekly edition of THINAKARAN and later rose to be its Editor-in-Chief. His career in journalism as a working journalist bears an indelible impression on the Tamil literary scene in Sri Lanka. There was a time when the traditional Tamil Pundits and scholars reckoned only the old Tamil literature- the Sangam and Post-Sangam literature and literature both religious and secular of the romantic periods of Pallava, Pandia, Chola, and Vijayanagara dynasties. They discounted modern literature like short-stories, novels, modern poetry and drama. Kailas broke this tradition.

BY. A.THEVA RAJAN

Kailas gave every encouragement to promising writers particularly the young, in fact a large number of Tamil writers today in various fields came to the limelight and established their inherent worth during this period. This period, in the early sixties, was one of intense literary activity. This new wave of modernity in literary enterprise lapped the shores of the entire Tamil Press and invariably contributed to the emergence of the modern period of Tamil literature.

Through his role of literary midwife, Kailas attracted the attention of foreign Tamil scholars and writers both within Tamil Nadu and abroad. Foreign Tamil scholars began to recognise Sri Lankan Tamil literature as an important and indispensable addition to modern Tamil literature. In fact novelists like Ilankerean Ganeshalingam, Agastiar, Bebedict Balan, Daniel and many short story writers, poets and critics- their inherent talents apart- became known to the world at large and had their works translated into Sinhalese, English and other foreign

languages through Kailas's singular contribution. The folklore and literature of the Tamils of the plantation areas, and spoken dialects of different parts of Sri Lanka not only became known to the outside world but also came to be seriously studied both within and without.

Kailas gave up his position as a working journalist to take up his academic call at the University. His rich experience through direct journalistic contacts made him an authority in modern literature. His career as an academician is equally characterized by distinctive contributions.

Tamil literature which was hitherto looked upon as a past-time and pleasure reading was re-interpreted as a mirror of contemporary socio-economic changes, and reflection of a given period. Kailas excelled in this field and many of his writings were looked upon as

standard works. In Indian, Malaysian, Singapore and other foreign Universities where Tamil is a subject of learning and research, Kailas's books are given recognition as either text books or reference books. He made a daring deviation from traditional approaches in literary criticism and has come to be accepted by all, though there are some dissenters with regard to some of his conclusions.

Thesis for his Doctorate

From the University he went to Birmingham where he obtained his Doctorate for his thesis on "Tamil Heroic Poetry." This is a unique work and I cannot help quoting the late Rev. Fr. Thani Nayagam the greatest Tamil Scholar-cum-Ambassador of Tamil culture. He said: "K. Kailasapathy in his TAMIL HEROIC POETRY (1968) followed earlier suggestions by scholars like G.U. Pope and studied the PURAM Cankam poems as reflecting the Tamil heroic age like the Homeric poems. This was a new line of development which equated Tamil poetry with similar European classical poetry." This work was published by the Oxford Clarendon Press in 1968. Kailas pub-

lished an abridged Tamil rendering of this work later. He with Dr. A. Sanmugadas wrote the book NATIONAL LANGUAGES OF SRI LANKA which was published by the Department of Cultural Affairs Colombo in 1976. He also wrote the book "CAMPUS PLANNING IN SRI LANKA WITH SPECIAL REFERENCE TO COLOMBO AND JAFFNA CAMPUSES OF THE UNIVERSITY OF SRI LANKA" assisted by D.P.P. Samarasekera and B. Daniskei. It was published by the UNESCO.

Kailas's contribution to Sri Lankan Tamil literature in another field is unique. It has been accepted by Tamil critics that the romance of the nineteenth century owes its major share to Sri Lanka. The forerunner of this new wave for Tamil activity during the late periods of European domination which paved the way for the emergence of Tamil nationalism was Arumuka Navalar supported and continued by C.W. Thamotherampillai, Sabapathy Navalar, Senthinatha Aiyar, N. Kathiravetpillai and others. Kailas explored and presented the significance and inalienable importance of this period in many of his writings and works. He edited the NAVALAR CENTENARY VOLUME IN 1979 which mirrors the "glory that was" during this period. Kailas, at the insistence of the writer, was interested in bringing out such a volume on N. Kathiravetpillai, the distinguished lexicographer, scholar and commentator. But the cruel stroke of fate has removed him from our midst.

Kailas was devoted admirer of Bharati whose centenary is being celebrated this year. His comments on Bharati have been highly esteemed and the writer is personally aware of many Editors of journals and Bharati Centenary volumes, even from India who had sought articles from him. It is unfortunate that most of these publications will be posthumous.

Kailas's contributions and thoughts have influenced many a contemporary critic and scholar. He served as the fount of a new wave of thought. His contributions cannot be analysed in such a brief sketch.

Cont. on Page 9

CONGRESS (I) ROUTED IN THREE STATES

ANDHRA PRADESH TO BECOME 'TELUGU NADU'

The personal charisma of the Indian Prime Minister, Mrs Indira Gandhi, miserably failed to prevent the shattering rout that Congress (I) suffered in the two southern States of Andhra Pradesh and Karnataka and the north-eastern State of Tripura in the recently held State elections. The ignominious defeat of Congress (I) in the Andhra Pradesh at the hands of Telugu Desam, a party that came into existence just nine months ago, under the leadership of the popular film actor, Mr.N.T.Rama Rao, was described as a personal defeat for Mrs.Gandhi herself as she turned this election "into an epic fight between her and N.T.Rama Rao as though it was a referendum on her own rule". She paid the price for

"belittling Mr.Rama Rao's mass appeal by looking down on him as though no more than a cruel joke on the Telugu people".

The setback for Congress(I) was even more greater in the State of Karnataka where the outcome resulted in the formation of the first ever non-Congress administration and the defeat of C(I) Chief Minister himself and several of his ministerial colleagues.

In Tripura, the DPI(M) led four party Left Front secured an absolute majority in the sixty member Assembly.

NO CONFIDENCE

The outcome of these elections has been a tremendous morale booster for the opposition parties which have been in serious disarray. They regard these results, particularly in Karnataka and Andhra Pradesh, as a vote of no-confidence in Congress(I) and Mrs.Gandhi personally as Prime Minister. The President of the Bharatiya Janata Party, Mr.A.B.Vajpayee, has called upon Mrs.Gandhi to resign on the ground that the "results have clearly and decisively shown that Mrs.Gandhi has ceased to have a mandate to rule the country". The CPI (M) leader, Mr.P.Ramamurti, went further and said, "It is a massive mandate of the people against the policies pursued by the Prime Minister, Mrs. Indira Gandhi".

The magnitude of the defeat, despite the fact that Mrs.Gandhi spent over three weeks blazing her way through the two southern States, which have hitherto been Congress strongholds, addressing over 1000 meetings, has demonstrated that her personality and charisma are no longer a sure guarantee for Congress(I)'s continued survival in power. Already the defeat has shown that Congress(I) is in a bad shape with large scale defections and dissidents crossing over in other States like Maharashtra, Gujarat and Rajasthan where her party men have

begun to campaign openly against Chief Ministers who were handpicked and appointed by Mrs.Gandhi. Political commentators believe that in the coming period, Mrs.Gandhi would find it immensely difficult to resist the mounting pressure for drastic changes in these and other States which are plagued by crass incompetence and unconcealed nepotism and corruption.

SUCCESS OF 'TELUGU DESAM'

The stunning success of the Telugu Desam Party in Andhra Pradesh winning 202 of the total 294 seats in the Assembly, and which was formed just nine months previously should be regarded as a remarkable personal triumph for the popular film star, Mr.N.T.Rama Rao. The transformation of a film star into a Chief Minister in such a short space of time is as historic as it is without precedent. Comparisons can be made of Mr.Rama Rao with Mr.M.G.Ramachandran, the film actor Chief Minister of Tamil Nadu. However, when MGR became Chief Minister, he was already a seasoned politician and a leading figure in the Dravida Munetra Kazhagam.

Mr.Rama Rao has already brought in some fresh air into the politics of the State. The 15 member Ministry headed by him sworn in on January 9th is the smallest since 1962. Representation has been given to all major communities of the State in his administration.

Mr.Rama Rao has said that a great effort would be needed to cleanse the 30 years of "pollution" created by previous administrations and pledged to provide a clean and honest administration. He would draw only a token salary of one rupee a month as Chief Minister and has laid strict rules of conduct for his Ministers and legislators. "The people have elected us with great expectations. We have to go to them as servants. Our objective is not power, but selfless service" he said. He advised

his party men to avoid felicitation functions and dinners and not to accept gifts, large or small.

On questions of policy, Mr. Rama Rao said that "our policies and programmes will be leftist", and land reforms would be implemented and other measures would be adopted to help the poorer sections of the society. As a first step, rice would be distributed at two rupees a kilo and free mid-day meal would be provided for school children. The testing ground of Mr.Rama Rao's resolve will certainly be on the question of 'land reforms' in a State where the landed 'gentry' constitute a powerful economic and social force.

MGR, MY ELDER BROTHER.

Although Telugu Desam was a regional party, Mr.Rama Rao has made it clear that it did not believe in separatism. The party's pleas for more autonomy should not be confused with separatist demands. His party would rename Andhra Pradesh as TELUGU NADU. The three language (Telugu, English and Hindi) policy would continue, but Telugu would be the first language.

Some thought that the ascent of a regional party like Telugu Desam to power would lead to a hardening of stance in regard to the disputed question of sharing of Krishna Water with the neighbouring State of Tamil Nadu. Mr.Rama Rao dismissed such thoughts by saying, "India is one country. We all belong to one nation. Whatever is in the interest of the people as a whole should be done".

On the question of his relationship with Tamil Nadu, Mr.Rama Rao said, "MGR (M.G. Ramachandran, Chief Minister of Tamil Nadu) is my elder brother and he has always treated me kindly as his younger brother". He had known MGR for more than 25 years and their friendship should make it easier for the two neighbouring States to get on well to mutual advantage.

Cont. from Page 8

Punitham Tiruchelvam Memorial lecture

He has been a visiting lecturer in many Indian and American Universities. He has participated in many international conferences and has presided over some sessions of such conferences. He has also delivered some memorial Lectures. This year he delivered the Punitham Tiruchelvam endowment lecture on Tamil nationalism. He took part in the International Conference-Seminars of Tamil studies held at Madras, Paris and Madurai. His Press commentaries on the *Madras and Paris Conference Seminars* are worthy of note. At Madurai he presided over one of the plenary sessions. He was the first President of the Jaffna Campus of the University of Ceylon when it was opened and he carefully built the infrastructure of a promising future University.

He was an accomplished scholar, a versatile speaker and an indefatigable intellectual. Though his life-span was relatively short, he rose to eminence and international recognition.

By COURTESY OF "SATURDAY REVIEW".

Cont From P7

His Lordship said that it was unnecessary to go further into such case law as there was in search of the natural and ordinary meaning of the words. He agreed with Lord Denning that in their natural and ordinary meaning the words meant "that the person must be habitually and normally resident here, apart from temporary or occasional absences of long or short duration". The significance of "habitually" was that that it recalled two necessary features mentioned by Lord Summer in Lysaght's case, namely, residence adopted voluntarily and for settled purposes. Parliament had evinced a strong legislative preference as a jurisdictional substitute for domicile; and the choice had to be respected by the courts.

His Lordship unhesitatingly subscribed to the view that "ordinarily resident" referred to a man's abode in a particular place or country which he had adopted voluntarily and for settled purposes as part of the regular order of his life for the time being, whether of short or long duration.

A single important exception existed: if his presence was unlawful.

There were two, and no more than two, respects in which the mind of the propositus was important in determining ordinary residence. The residence must be voluntarily adopted, and there must be a settled purpose. The purpose might be one, or there might be several, it might be specific or general. All the law required was that there was a settled purpose.

That was not to say that the propositus intended to stay where he was indefinitely; indeed, his purpose while settled might be for a limited period. Education, business or profession, employment, health, family, or merely love of the place sprang to mind as common reasons for a choice of regular abode. And there might well be many others. All that was necessary was that the purpose of living where one did had a sufficient degree of continuity to be properly described as settled.

An attempt had been made in the present case to suggest

that education could not be a settled purpose. His Lordship had no doubt that it could be.

The choice of ordinary residence for determining the test of eligibility for a mandatory award suggested a legislative intention not to impose on local education authorities who were entrusted with the duty of making mandatory awards the infinitely difficult, if not impossible, task of determining whether student had established a permanent home in the United Kingdom.

The basic error of law in the judgements below was the failure by all the judges save Lord Denning to appreciate the authoritative guidance given by the House in the Levene and Lysaght cases as to the natural and ordinary meaning of the words "ordinarily resident".

They attached too much importance to the particular purpose of the residence; and too little to the evidence of a regular mode of life adopted voluntarily and for a settled purpose, whatever it might be, whether study, business, work or pleasure. In so doing they were

influenced by their own views of policy and by the immigration status of the students.

The way in which they used policy was an impermissible approach to the interpretation of statutory language. Judges might not interpret statutes in the light of their own views as to policy.

Both courts below - the Court of Appeal, and the Queen's Bench Divisional Court from which an appeal had been brought - also agreed in attaching decisive importance to what the Divisional Court called "the immigration status" of the students.

"Immigration status", unless it be that of one who had no right to be here, in which event presence in the United Kingdom was unlawful, meant no more than the terms of a person's leave to enter as stamped on his passport. That might or might not be a guide to a person's intention in establishing a residence in this country; it certainly could not be the decisive test, as in effect the courts below had treated it.

A further error was their view

(Cont on P.14.)

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Cont. from Page 3

STUNNING DEFEAT

The defeat of the government in the Tamil districts of Jaffna, Wanni, Tricomalee and Batticaloa was more stunning and decisive. In the Jaffna district, a record 92 per cent of those who went to the poll voted against the UNP giving it only a derisory 25,315 votes as against 265,534 who voted 'no'. While in Wanni (which included Vavuniya, Mannar and Mullaitivu) and Batticaloa districts over 60 per cent of the voters voted against the government, in the Trincomalee district 56 per cent registered a 'no' vote.

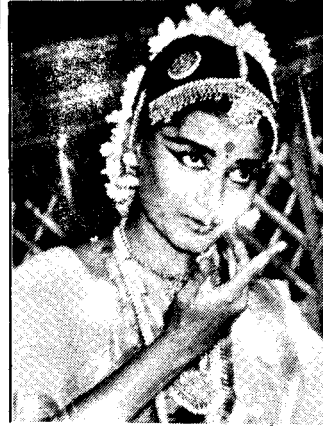
The message for the government from the Tamil speaking people of the Northern and Eastern provinces was loud and clear. They had demonstrated their opposition to the government and rejected its undemocratic proposal for the extension of the life of parliament in no unmistakable terms by registering an overwhelming 'NO' vote. They also had demonstrated their rejection of and opposition to the government's repressive and strong-

arm methods against the Tamil speaking people. The government's arbitrary use of the obnoxious provisions of the Prevention of Terrorism Act and the indiscriminate and arbitrary arrest and detention without trial of youths, Christian priests and academics, and the continued harassment of ordinary people by the security forces also played no small part in the categorical rejection of the government by the Tamil speaking people.

JR's DESPOTISM

Parliament's life has been extended with the 'approval' of a minority of the Sri Lankan people. A government, which obtained only 38 per cent of the total voting population, using questionable and even illegal methods, is to continue to govern the country with 85 per cent representation in parliament until August 1989.

The opposition which received 32 per cent of the votes will continue to remain in opposition with only 15 per cent representation in parliament! Whether even this opposition will be permitted to function as an effective political force is



Subhadra Sundharalingam, daughter of Mr. V. Sundharalingam, Producer, Tamil Section, B.B.C. and of Mrs. Sundhara-

SUBHADRA SUNDHARALINGAM

lingam, former Vembadi teacher, gave a delightful performance of Bharata Natyam at the Bhatiya Vidya Bhavan, Castletown Road, West Kensington, London on January 15. Subhadra learnt the basics in Bharata Natyam in Sri Lanka under Shanthi Rajendram and later went to Madras to continue her training under the Dhana-jayans. She had her Arengetram in Madras where she is also reading for a degree in Sociology.

in grave doubt under the 'just and righteous' regime of JR. If the current guiding political philosophy is that parliamentary elections and change of government are an obstacle to the 'development plans' of the government, then the inevitable next target must be the suppression of political opposition, whether parliamentary or otherwise, in the 'interests'

of the government's 'development plans'. History knows no despot ever admitting that he has set up the despotism for his own sake. He always does so in the "interest of the people and the country". So also did the Hitlers, the Mussolinis, the Batistas, the Shahs, the Pinochets, the Amins, the Zias, the Suhartos, etc. of the world.

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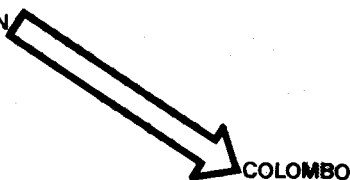
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ABOUT PEOPLE

PROF. K.KAILASAPATHY

Sri Lanka's leading Tamil scholar and the Dean of the Faculty of Arts of Jaffna University, Prof. K. Kailasapathy (49), died at the Colombo General Hospital on December 6 after a brief illness. He was the first President of the Jaffna campus of the University of Sri Lanka, and had edited the Tamil newspaper 'Thinakaran' from 1959 to 1961.

A reputed Tamil scholar known for his comparative method and for his grounding in the social sciences, he wrote a number of books including 'Tamil Heroic Poetry', published by Oxford University Press, and a critical study of the Tamil novel. He was working on a major study of the work of Subramania Bharathi, to estimate the poet's place in relation to his times and the modern movement in Tamil. He leaves his wife and two children.

In a tribute, Dr.V.C. Kulandai-swami, Vice-Chancellor of the Anna University, Madras, said Dr. Kailasapathy was "easily one of the most outstanding

literary critics that we have had in this part of the world". A person of high objectivity and discriminating scholarship, he was a towering personality, in the field of Tamil research, and always endeavoured to relate scholarship and research to the problems of the people.

DR. S.P.ADINARAYAN

Dr.S.P. Adinarayan, former Vice-Chancellor of the Annamalai University, died at Ottawa, Canada, on December 13 after a brief illness. He was 78 and is survived by his wife, two daughters and a son.

After a brilliant academic career, Dr. Adinarayan worked for some time as Professor of Philosophy at the Madras Christian College, and joined the Annamalai University in 1957 as Head of the Department of Philosophy. He was a member of the Syndicate for several years and acted as Deputy to the Vice-Chancellor for some time before he was appointed Vice-Chancellor in August, 1969. He held the post for about seven years. An author

of several books on philosophy and psychology, he was invited to the USA thrice as visiting professor.

Dr. Adinarayan had gone to Canada a year ago to be with his daughter.

DR. C.D.S.DEVANESAN

Dr. Chandran D.S. Devanesan, former Vice-Chancellor of the North Eastern Hill University, died in Madras on December 19 following a heart attack. He was 65.

A well-known educationist, Dr.Devanesan was the first Indian Principal of the Madras Christian College, Tambaram, and was appointed Vice-Chancellor of the North Eastern Hill University at Shillong in January, 1974. He founded the Institute for Development Education in Madras three years ago.

A popular speaker and a prolific writer, Dr. Devanesan was also a poet and had to his credit a volume of verse.

He is survived by his wife Norma (sister of Leslie Goonewardene) and three sons, one of whom is married to a granddaughter of the late A.J.R. Vethavaman, Principal of the Government Training College when it was located at Thurstan Road, Colombo. Dr. Devanesan's early education was at Kingswood College, Kandy.

Mrs. S.T. Aseerwatham

Mrs. S.T. Aseerwatham, affectionately called "Gnani Acca", passed away peacefully in her home at Sri Lanka on 6 January 1983 after a brief illness. She was a remarkable woman of character who played an active role as teacher, leader, friend, mother and counsellor in addition to the several years of pastoral duties that she shared with her husband. She also assisted her late brother Rev S.Selvaratnam (founder of the Ashram) in his great work.

Her sense of humour and the wonderful capacity to extend her boundless affection and service to all who knew her were spontaneous and infectious. She took an active part in other organisations such as the Y.M.C.A., S.C.M., Women's Centre and youth groups both in Jaffna and Colombo. She leaves behind her husband and three sons Dr.Sayan Aseerwatham (Sri Lanka).

Her deeds of goodness will

live forever.

In the words of Tagore:

"Death is not extinguishing the light; it is only putting out the lamp because the Dawn has come".

R.W.K.

Mr. K.J. Chelvarajan

Mr. K.J. Chelvarajan, son of the late Rev and Mrs J.M. Kanagaratnam, grandson of the late Mr and Mrs J.V. Chellish, husband of Ranji and father of Suji and Raji serenely greeted his journey's end on 19 December 1982 at the Horton General Hospital in Banbury.

As a student and teacher at Jaffna College he was held in high esteem. Since 1969 he was Principal of Nuffield College, Kaithady and later he also served at the Jaffna Campus, and the Technical College, until he fell ill. He was an excellent teacher and also had acted with great ability in several plays. His vision was dynamic and he testified to this with a very cheerful disposition. Until the very end of his life he radiated hope, courage and comfort to all those who met him. He was a sincere friend who cared for all.

A short service was held in the chapel prior to the cremation at Warwick, when Rev Miss Constance Nash paid great tribute to a man who gracefully bore pain and suffering with outstanding joy and faith. To 'Chelva', as affectionately called by the hospital staff, 'Death was Life's finest form of adventure'. He often quoted Shakespeare's words.

"After Life's fitful fever, he sleeps well".

R.W.K.

J.F. Ponnambalam

The death occurred at Colombo on January 5 1983 of Mr.J.F. Ponnambalam of 25 Deanstone Place, Colombo 3. Mr. Ponnambalam was the Registrar of Companies at the time of his retirement from the public service in 1972.

J.F. started life as a Proctor of the Supreme Court and had a lucrative civil and criminal practice in Jaffna where he was also the Secretary of the Jaffna District Lwa Society.

After the war Mr.Ponnambalam moved over to Colombo to assume duties as the first Assistant Registrar of Companies when the new Department of

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SWAMI PREMANANDA TO VISIT UK

Swami Premananda of Poobala Krishna Ashram, Matale, Sri Lanka is expected to arrive in the United Kingdom on 7th February, 1983. He hopes to spend about two weeks in the UK.

Swami Premananda will conduct the LINGOTPAVAN ceremony at the 'Geeta Bavan Mandir', Swami Premananda of Poobala Krishna Ashram, Matale, Sri Lanka is expected to arrive in the United Kingdom on 7th February, 1983. He hopes to spend about two weeks in the UK.

Swami Premananda will conduct the LINGOTPAVAM ceremony at the 'Geeta Bavan Mandir', 107-115 Heathfield Road, Birmingham on Maha Sivarathri day which falls on Friday 11th February, 1983.

Swami Premananda will also visit the Ganapathy Temple, Effra Road, Wimbledon, London on Saturday, 19th February, 1983.



Full details of his programme during his stay in the UK may be obtained by telephoning either 01 660 3604 or Birmingham (0203) 419264.

WEDDING

The marriage took place on Sunday, 16 January, at Lola Jones Hall, Greaves Place, London SW17 of Sujenthiran, eldest son of Mr. & Mrs. N.S. Kandiah of 6 Merton Road, London S.W.18, and Anustuya, daughter of Mr. S. Sri Shanmuganathan (Kuwait Airways) and Mrs. Sri Shanmuganathan, presently of 145 Sheldon Road, Edmonton, London N.18.

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the Registrar of Companies was set up in the early 1940s. An old boy of Jaffna College, Vaddukkoddai he held office in the Jaffna College Alumni Association for several years. He was also a prominent member of the Tamil Union Cricket Club, Colombo.

He leaves behind his widow Kit (nee Thevathasan) and five daughters Saro Edwards, Karuna Nalliah (both in Canada) Jayanthi Nagulendran (UK) Chrishanthi and Vasantha (Sri Lanka). He is also survived by four sisters and one brother, his eldest brother Mr. A.S. Ponnambalam, Retired District Judge, having predeceased him.

A.R.A.

REV. S. THEVANESAN

★ The Rev. S. Thevanesan of the Methodist Church has returned to Sri Lanka after having completed his study in the U.S.A. He received his M.A. degree in Psychology and Theology from the University of Rochester in New York in May 1981 and then underwent a year of training in Clinical Psy-

chology at the Lutheran Medical Centre, Brooklyn, New York. He is now Circuit Superintendent at Kalmunai.

WEST LONDON TAMIL SCHOOL

As part of its programme for expansion, Violin Classes for adults and children are to start at the West London Tamil School. A leading Violinist, Dr. Luxmi Jayam, will conduct the classes. Those interested are requested to contact the Headmaster (Telephone 01 904 3937) for further particulars.

The school will continue to provide, among other facilities, lessons in the learning and use of the Tamil language, dancing, vocal music and veena.

S.C.O.T. LUNCH AND RAFFLE.

The Tamil New Year Lunch and Raffle will take place on Sunday, 24th April, 1983 at Lola Jones Hall, Greaves Place, off Garratt Lane, London S.W. 17. Tickets are available from Mr. M. Thiagarajan, Treasurer, SCOT, 24 Brook Avenue, Edgware, Middlesex HA8 9XF. Tel: 01-958 2739.

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that a specific limited purpose could not be a settled purpose. The notion of a permanent or indefinitely enduring purpose as an element in ordinary residence derived not from the natural and ordinary meaning of the words "ordinarily resident" but from a confusion of it with domicile.

His Lordship rejected the conclusions and reasoning of the courts below. He rejected the "real home" test. In his view neither the test nor a variation of it was consistent with the natural and ordinary meaning of the words.

Once it was accepted that it was not legitimate to look to the "recoupment" provisions of the Education Act for guidance, there was nothing in the Acts to suggest that the words should bear any other than their natural and ordinary meaning.

Local education authorities, when considering an application for a mandatory award, had to ask themselves the question: has the applicant shown that he has habitually

and normally resided in the United Kingdom from choice and for a settled purpose throughout the prescribed period, apart from temporary or occasional absences?

If an authority asked that, the correct question was then for it, and it alone, to determine whether as a matter of fact the applicant had shown such residence. An authority was not required to determine his "real home", whatever that meant; nor need any attempt be made to discover what his long-term intentions or expectations were. The relevant period was not the future but one which had largely (or wholly) elapsed, namely, that between the date of the commencement of his proposed course and the date of his arrival in the United Kingdom.

The terms of an immigrant student's leave to enter and remain here might or might not throw light on the question; it would, however, be of little weight when put into the balance against the fact of continued residence over the prescribed period, unless the resi-

dence was itself a breach of the terms of his leave, in which event his residence being unlawful, could not be ordinary.

THE LEAGUE OF FRIENDS OF THE UNIVERSITY OF JAFFNA

The League has had a very successful year with the various projects embarked upon in 1982. It sent over 500 books and another 500 journals to the University Library. Sending books and journals to the University has been the most important activity of the League since its inception in February 1981. The League has also been involved in various other activities such as a. Preparation and transport of Histology teaching slides (with Microscope). b. Helping to arrange the visit of eminent scientist to the Jaffna Campus from London to deliver lectures and conduct seminars in his field of research. c. Importing Palm Oil seeds and initiating experiments on OIL PALM growth in Jaffna climatic conditions. e. Helping to arrange training for three Medical Students from UK at the Jaffna Hospital and

at the Medical Faculty.

PLANS FOR 1983

a. To send more books and journals (at least 2000 publications). b. To send more Histology slides. 900 slides were sent in 1982, another 2100 will be sent in 1983. c. To send Projection Slides for teaching purposes. d. To help establish a University Press which will co-ordinate the publication of research material available in the Peninsula. e. to make arrangements for staff and students to obtain overseas training. f. To send visiting lecturers to the University whenever possible. h. To help improve the state of the University wards at the Hospital. In order to work more effectively and fulfil its aims. The league requests all members to send their subscriptions and donations to any of the five office-bearers.

President:

Dr. T. Raja Chandran, MBBS, DRCOG,

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| Colombo | 335,179 | 52.95 | 295,631 | 46.70 | 633,001 | 2,192 | 39,548 |
| Gampaha | 330,265 | 57.36 | 243,643 | 42.32 | 575,749 | 1,841 | 86,625 |
| Kalutara | 170,495 | 49.28 | 174,413 | 50.41 | 345,943 | 1,035 | 3,918 |
| Kandy | 265,986 | 62.15 | 160,349 | 37.37 | 427,907 | 1,572 | 105,637 |
| Matale | 110,689 | 73.46 | 39,348 | 26.11 | 150,667 | 630 | 71,341 |
| Nuwara Eliya | 117,585 | 72.70 | 43,371 | 26.82 | 161,722 | 768 | 74,214 |
| Galle | 162,934 | 47.15 | 181,621 | 52.55 | 345,565 | 1,010 | 18,687 |
| Matara | 146,705 | 50.55 | 142,647 | 49.15 | 290,225 | 873 | 4,058 |
| Hambantota | 73,113 | 45.06 | 89,126 | 54.94 | 162,239 | 440 | 16,030 |
| Jaffna | 25,325 | 8.71 | 265,534 | 91.30 | 290,849 | 1,775 | 240,219 |
| Wanni | 25,986 | 34.46 | 48,968 | 64.94 | 75,401 | 447 | 22,982 |
| Batticaloa | 47,482 | 39.14 | 72,971 | 60.15 | 121,311 | 858 | 25,489 |
| Digamadulla | 91,129 | 58.93 | 62,836 | 40.64 | 154,633 | 668 | 28,293 |
| Trincomalee | 39,429 | 42.96 | 51,909 | 56.44 | 91,776 | 438 | 12,480 |
| Kurunegala | 340,935 | 61.88 | 208,349 | 37.81 | 550,957 | 1,673 | 132,586 |
| Puttaram | 109,951 | 60.47 | 71,339 | 39.24 | 181,820 | 530 | 38,622 |
| Anuradhapura | 140,460 | 68.24 | 64,618 | 31.39 | 205,825 | 747 | 75,842 |
| Polonnaruwa | 51,709 | 58.44 | 36,442 | 41.18 | 88,486 | 355 | 15,267 |
| Badulla | 152,413 | 69.92 | 64,427 | 29.55 | 217,992 | 1,152 | 97,986 |
| Moneragala | 58,265 | 64.24 | 31,860 | 35.12 | 90,705 | 580 | 26,405 |
| Ratnapura | 177,079 | 57.81 | 128,367 | 41.90 | 306,286 | 840 | 48,712 |
| Kegalle | 168,119 | 56.73 | 128,234 | 43.27 | 296,353 | 1,034 | 39,885 |
| TOTAL | 3,141,223 | 54.66 | 2,605,983 | 45.34 | 5,768,662 | 21,460 | 535,240 |

Cont. from Page 1

abandoned; it has only been shelved for the present. The use of such behind the scene threats on the one hand, and publicly extending the olive branch on the other, is all part

of JR's political armoury.

As far as the other opposition parties, like the Sri Lanka Freedom Party (SLFP), CP and the LSSP, are concerned, they have dismissed the idea of a national government outright.

They even seem to be suspicious about the motives behind the proposal for an all-party committee for national unity.

Mr. Sarath Muttetuwegama, a CP Member of Parliament for Kalawana, welcomed the idea of an all-party committee to bring about racial harmony and said that if such an effort was to succeed, the committee should include all recognised political parties, both inside and outside parliament. However, he warned, that if the Committee was intended as a precursor to the formation of a national government, the CP

would not participate.

The SLFP has not declared its hand yet on the proposal for an all-party committee. If one looks at its past record, the SLFP, like the UNP, has always used the Tamil speaking people as a political football in its effort to gain power. Why should it, therefore, help the UNP to consolidate itself in power? Rather, it would prefer to keep the ethnic conflict continuing so that it can present itself as the saviour of Sinhala and Buddhism when the opportunity arises to regain power.

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