



THE
CEYLON GOVERNMENT
GAZETTE
EXTRAORDINARY.

No. 7,850 — WEDNESDAY, APRIL 29, 1931.

Published by Authority.

PART I.—GENERAL.

(Separate paging is given to each Part in order that it may be filed separately.)

PROCLAMATION BY THE GOVERNOR.

C 40/30

IN the Name of His Majesty GEORGE THE FIFTH, by the Grace of GOD of Great Britain, Ireland and the British Dominions beyond the Seas King, Defender of the Faith, Emperor of India.

PROCLAMATION.

By His Excellency Sir GRAEME THOMSON, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Knight Commander of the Most Honourable Order of the Bath, Governor and Commander-in-Chief in and over the Island of Ceylon and its Dependencies.

GRAEME THOMSON.

WHEREAS by Letters Patent under the Great Seal, bearing date at Westminster the Twenty-second day of April, 1931, and constituting the Office of Governor and Commander-in-Chief in and over the Island of Ceylon, with the Territories and Dependencies thereof, it is provided that the said Letters Patent shall come into operation on a day to be fixed by the Governor by Proclamation in the *Ceylon Government Gazette*.

Now, therefore, We, the Governor, do hereby proclaim and order that the said Letters Patent shall come into operation on the date of this Proclamation.

Given at Nuwara Eliya, in the said Island of Ceylon, this Twenty-ninth day of April in the year of our Lord One thousand Nine hundred and Thirty-one.

By His Excellency's command,

B. H. BOURDILLON,
Colonial Secretary.

GOD SAVE THE KING.

CEYLON.

LETTERS PATENT passed under the Great Seal of the Realm, constituting the Office of Governor and Commander-in-Chief of the Island of Ceylon and its Dependencies.

Letters Patent dated 22nd April, 1931.

George the Fifth, by the Grace of God of Great Britain, Ireland and the British Dominions beyond the Seas King, Defender of the Faith, Emperor of India:

To all to whom these Presents shall come Greeting.

Recites Letters Patent of 11th September, 1920, and 13th August, 1929.

WHEREAS by certain Letters Patent under the Great Seal, bearing date at Westminster the Eleventh day of September, 1920, We did constitute the office of Governor and Commander-in-Chief in and over Our Island of Ceylon, with the Territories and Dependencies thereof: And whereas by further Letters Patent bearing date at Westminster the Thirteenth day of August, 1929, We did amend the same:

Recites Order in Council of 20th March, 1931.

AND WHEREAS by an Order made by Us in Our Privy Council bearing date the Twentieth day of March, 1931, and entitled the Ceylon (State Council) Order in Council, 1931, provision is made for the administration of the Government of Our said Island and for the constitution of a State Council for the Island in lieu of the Legislative Council now subsisting:

AND WHEREAS We are minded to make other provision for the constitution of the said office of Governor and Commander-in-Chief:

Revokes Letters Patent of 11th September, 1920, and 13th August, 1929.

NOW THEREFORE We do hereby revoke as from the date of the coming into force of these Our Letters Patent the above recited Letters Patent of the Eleventh day of September, 1920, and of the Thirteenth day of August, 1929, but without prejudice to anything lawfully done thereunder, and in lieu thereof We do order and declare Our will and pleasure as follows:—

Office of Governor constituted.

I. There shall be a Governor and Commander-in-Chief (hereinafter called the Governor) in and over Our Island of Ceylon, with the Territories and Dependencies thereof (which said Island, Territories, and Dependencies are hereinafter referred to as the Island), and appointments to the said office shall be by Commission under Our Sign Manual and Signet.

Publication of Governor's Commission.

II. Every person appointed to fill the office of Governor, or to administer the Government of the Island, shall, with all due solemnity, before entering on any of the duties of his office, cause the commission appointing him to be read and published in the presence of the Chief Justice, or of some other Judge of the Supreme Court, and of such Members of the Board of Ministers of the Island, or of the Executive Council if then still subsisting, as can conveniently attend, which being done he shall then and there take before them the Oath of Allegiance in the form provided by an Act passed in the session holden in the thirty-first and thirty-second years of the reign of Her Majesty Queen Victoria, intituled "An Act to amend the Law relating to Promissory Oaths," and likewise the usual Oath for the due execution of the Office of Governor and for the due and impartial administration of justice, which Oaths the said Chief Justice or Judge is hereby required to administer.

Imperial Act, 31 and 32 Viet. c. 72.

Governor's powers and authorities.

III. We do hereby authorize and command the Governor to do and execute in due manner all things that shall belong to his said office according to the tenor of these Our Letters Patent, and of the Ceylon (State Council) Order in Council, 1931, or any Order or Orders in Our Privy Council adding to, amending or substituted for the same, and of such Commission as may be issued to him under the Royal Sign Manual and Signet, and according to such Instructions as may from time to time be given to him under Our Sign Manual and Signet, or by Our Order in Our Privy Council, or by Us through one of Our Principal Secretaries of State, and to such laws as are, or shall hereafter be, in force in the Island.

Constitution of Executive Council continued temporarily.

IV. Notwithstanding the revocation by these Our Letters Patent of the said Letters Patent of the Eleventh day of September, 1920, the constitution, appointment and powers of the Executive Council of the Island constituted by or in pursuance of the said Letters Patent shall continue in force until the first election of Executive Committees and the first appointment of Ministers under the Ceylon (State Council) Order in Council, 1931, shall be complete, but no longer.

Public Seal.

V. The Governor shall keep and use the Public Seal of the Island for sealing all things whatsoever that shall pass the said Seal.

Governor empowered to make grants of lands.

VI. The Governor, in Our name and on Our behalf, may make and execute, under the Public Seal of the Island, grants and dispositions of any lands which may lawfully be granted or disposed of by Us within the Island: Provided that every such grant or disposition be made in conformity either with some law in force in the Island or with some Instructions addressed to the Governor under Our Sign Manual and Signet, or through one of Our Principal Secretaries of State, or with some regulation in force in the Island.

Governor empowered to appoint Judges and other officers.

VII. Subject to the provisions of the Ceylon (State Council) Order in Council, 1931, the Governor may constitute and appoint such Judges, Commissioners, Justices of the Peace, and other necessary officers in the Island as may lawfully be appointed by Us, all of whom, unless otherwise provided by law, shall hold their offices during Our pleasure.

LETTERS PATENT constituting the Office of Governor and Commander-in-Chief of the Island of CEYLON.

VIII. When any crime or offence has been committed within the Island, or for which the offender may be tried therein, the Governor may as he shall see occasion, in Our name and on Our behalf, grant a pardon to any accomplice in such crime or offence who shall give such information and evidence as shall lead to the conviction of the principal offender or of any one of such offenders if more than one; and, further, may grant to any offender convicted of any crime or offence in any Court, or before any Judge, Justice, or Magistrate, within the Island a pardon, either free or subject to lawful conditions, or any remission of the sentence passed on such offender, or any respite of the execution of such sentence, for such period as the Governor thinks fit, and may remit any fines, penalties, or forfeitures which may become due and payable to Us; Provided always that the Governor shall in no case, except where the offence has been of a political nature unaccompanied by any other grave crime, make it a condition of any pardon or remission of sentence that the offender shall be banished from or shall absent himself from the Island.

Grant of pardons.

IX. The Governor may, upon sufficient cause to him appearing, dismiss any public officers not appointed by virtue of Warrant from Us, whose pensionable emoluments do not exceed four thousand five hundred rupees or three hundred pounds sterling, according as the said emoluments are fixed with reference to rupees or pounds sterling, as the case may be.

Remission of fines.
Proviso: Banishment prohibited.
Exception: Political offences.Dismissal and suspension of
Public Officers.

The Governor may, upon sufficient cause to him appearing, also suspend from the exercise of his office any person holding any office in the Island, whether appointed by virtue of any Commission or Warrant from Us, or in Our name, or by any other mode of appointment. Such suspension shall forthwith be reported to one of our Principal Secretaries of State, together with a recommendation that the officer should be dismissed. If that recommendation is approved the Governor shall dismiss the officer and thereupon his office shall become vacant.

The Governor may dismiss any public officer not appointed by virtue of a Warrant from Us in receipt of pensionable emoluments exceeding the sums hereinbefore mentioned, who may have been convicted on a criminal charge.

In proceeding to the dismissal or suspension of any public officer in the exercise of the powers vested in him by this Clause the Governor is strictly to observe the directions in that behalf given to him by Our Instructions as aforesaid.

X. Whenever the office of Governor is vacant, or if the Governor becomes incapable or is absent from the Island, or is from any cause prevented from acting in the duties of his office, then such person or persons as We may appoint under Our Sign Manual and Signet, and in case there shall be no person or persons within the Island so appointed, then the person for the time being lawfully discharging the functions of Chief Secretary shall, during Our pleasure, administer the Government of the Island, first taking the Oaths hereinbefore directed to be taken by the Governor and in the manner herein prescribed; which being done, We do hereby authorize, empower, and command any such Administrator to do and execute all things that belong to the office of Governor and Commander-in-Chief according to the tenor of these Our Letters Patent and of any Order or Orders by Us in Our Privy Council relating to the Island and according to Our Instructions as aforesaid, and the laws of the Island; provided that the Governor during his passage to or from any Dependency of the Island of Ceylon or the Maldiv Islands or while in the Maldiv Islands shall not be considered absent from the Island within the meaning hereof.

Succession to Government.

Administrator to take Oaths.

XI. In the event of the Governor having occasion at any time to be temporarily absent for a short period from the seat of Government, or to leave the Island of Ceylon for the purpose of visiting any Dependency thereof, or the Maldiv Islands, he may by an instrument under the Public Seal of the Island appoint any person resident in the Island to be his Deputy during such temporary absence, and in that capacity to exercise, perform, and execute for and on behalf of the Governor during such absence, but no longer, all such powers and authorities vested in the Governor as shall in and by such instrument be specified and limited, but no others. Every such Deputy shall conform to and observe all such instructions as the Governor shall from time to time address to him for his guidance. Provided nevertheless that by the appointment of a Deputy as aforesaid the power and authority of the Governor shall not be abridged, altered, or in any way affected otherwise than We may at any time hereafter think proper to direct.

Appointment of Deputy to
Governor.

XII. And We do hereby require and command all Our Officers, civil and military, and all the other inhabitants of the Island, to be obedient, aiding and assisting unto the Governor, and such person or persons as may from time to time, under the provisions of these Our Letters Patent, administer the Government of the Island.

Officers and others to obey and
assist the Governor.

XIII. In the construction of these Our Letters Patent the term "the Governor" shall, unless inconsistent with the context, include every person for the time being administering the Government of the Island.

Term "the Governor"
explained.

XIV. We do reserve to Ourselves, Our heirs, and successors, Our and their undoubted right with the advice and consent of Parliament, or with the advice of Our or their Privy Council, to make from time to time all such laws as may to Us or them appear necessary for the peace, order and good government of the Island, as fully and effectually as if these presents had not been made.

Power of legislation reserved to
the Crown.

XV. And We do hereby reserve to Ourselves, Our heirs and successors, full power and authority from time to time, to revoke, alter, or amend these Our Letters Patent as to Us or them shall seem meet.

Power reserved to His Majesty
to revoke, alter, or amend the
present Letters Patent.

Publication of Letters Patent.

XVI. And We do further direct and enjoin that these Our Letters Patent shall be published in the Ceylon Government Gazette and shall commence and come into operation on a day to be fixed by the Governor by Proclamation in the said Gazette.

In witness whereof We have caused these Our Letters to be made Patent. Witness Ourselves at Westminster, the Twenty-second day of April in the Twenty-first year of Our Reign.

By Warrant under the King's Sign Manual.
SCHUSTER.

GOVERNMENT NOTIFICATION.

C 40/30

HIS Excellency the Governor has been pleased to direct that the following Instructions passed under the Royal Sign Manual and Signet substituting fresh Instructions bearing date the Eleventh day of September, 1920, and Additional Instructions bearing date the Tenth December, 1926, be published for general information.

By His Excellency's command,

B. H. BOURDILLON,
Colonial Secretary.

Colonial Secretary's Office,
Colombo, April 29, 1931.

INSTRUCTIONS passed under the Royal Sign Manual and Signet, to the Governor and Commander-in-Chief of the Island of Ceylon and its Dependencies.

Dated the Twenty-second day of April, 1931.

GEORGE R. I.

INSTRUCTIONS to Our Governor and Commander-in-Chief in and over Our Island of Ceylon and its Dependencies, or to any other Officer for the time being administering the Government of Our said Island and its Dependencies.

Preamble.

Recites Letters Patent of even date constituting Office of Governor.

WHEREAS by certain Letters Patent, bearing even date herewith, We have constituted, ordered, and declared that there shall be a Governor and Commander-in-Chief (therein and hereinafter called the Governor) in and over Our Island of Ceylon with its Territories and Dependencies (therein and hereinafter called the Island): And whereas We have thereby authorized and commanded the Governor to do and execute in due manner all things that shall belong to his said office, according to the tenor of Our said Letters Patent and of the Ceylon (State Council) Order in Council, 1931, or of any Order or Orders in our Privy Council, adding to, amending or substituted for the same, and of such Commission as may be issued to him under the Royal Sign Manual and Signet, and according to such Instructions as may from time to time be given to him under Our Sign Manual and Signet, or by Our Order in Our Privy Council, or by Us through one of Our Principal Secretaries of State, and to such laws as are, or shall hereafter be, in force in the Island:

Recites "The Ceylon (State Council) Order in Council, 1931."

AND WHEREAS We did issue certain Instructions under Our Sign Manual and Signet, bearing date the Eleventh day of September, 1920, and also certain Additional Instructions bearing date the Tenth day of December, 1926:

Recites Instructions of 11th September, 1920, and Additional Instructions of 10th December, 1926.

AND WHEREAS We are minded to substitute fresh Instructions for the aforesaid Instructions and Additional Instructions:

Revokes recited Instructions and Additional Instructions.

NOW THEREFORE We do by these Our Instructions under Our Sign Manual and Signet revoke, as from the date of the coming into force of Our above recited Letters Patent of even date, the aforesaid Instructions and Additional Instructions, but without prejudice to anything lawfully done thereunder, and instead thereof We do direct and enjoin and declare Our will and pleasure as follows:—

General Instruction.

I. In the exercise of the powers conferred upon him by the Ceylon (State Council) Order in Council, 1931, the Governor shall have regard to Our desire to promote by that Order the devolution upon the inhabitants of Ceylon of responsibility for the management of the internal affairs of the Island.

In all matters in which powers and functions are by that Order assigned either to the State Council, or to the Board of Ministers, or to Executive Committees, the Governor, in the exercise of that authority which is reserved to him in relation to those matters, shall give the most favourable consideration to the views expressed and to the advice tendered to him by the body in which those powers and functions reside. In all such matters he shall exercise his authority according to his own deliberate judgment, but in such manner that it shall be supervisory rather than executive, and he will not act contrary to the views or to the advice aforesaid unless he shall consider that the principles of Our said Order, or his own responsibility thereunder, shall so require.

Consultation between Governor and Ministers and communication of despatches, to Board of Ministers.

II. The Governor shall consult freely with his Ministers and shall seek to keep himself fully informed of their wishes and opinions and those of the people of the Island. He shall communicate to the Board of Ministers all public despatches which he shall address to or receive from any of Our Principal Secretaries of State relating to any subject or function with which the Board of Ministers, or any Executive Committee, is concerned, and such other despatches as he shall think it expedient to communicate for the purpose of informing his Ministers of the tenor of current correspondence between him and any of Our Principal Secretaries of State.

INSTRUCTIONS to the Governor and Commander-in-Chief of the Island of CEYLON.

III. The Governor may, whenever he thinks fit, require any person in the public service of the Island to take the Oath of Allegiance in the form prescribed by the Act mentioned in Our said Letters Patent, or an affirmation in the corresponding form, together with such other Oath or Oaths or affirmation or affirmations as may from time to time be prescribed by any laws in force in the Island. The Governor is to administer such Oaths or affirmations or cause them to be administered by some public officer in the Island.

Oaths to be administered by the Governor.

IV.—(1) Except in accordance with the provisions of the second sub-clause of this clause, the Governor shall not assent in Our name to any Bill falling within any of the following classes:—

Description of Bills not to be assented to by Governor.

- (1) Any Bill for the divorce of persons joined together in holy matrimony:
- (2) Any Bill whereby any grant of land or money, or other donation or gratuity, may be made to himself:
- (3) Any Bill whereby the rights or privileges of public servants may be prejudiced:
- (4) Any Bill affecting the currency of the Island, or relating to the issue of Bank Notes:
- (5) Any Bill establishing any Banking Association, or amending or altering the constitution, powers, or privileges of any Banking Association:
- (6) Any Bill whereby in the opinion of the Governor the financial stability of the Island may be endangered:
- (7) Any Bill imposing differential duties:
- (8) Any Bill the provisions of which shall appear inconsistent with obligations imposed upon Us by Treaty:
- (9) Any Bill interfering with the discipline or control of Our Forces by land or sea or air:
- (10) Any Bill relating to questions of defence or public security, or any matter affecting naval, military, or air forces or volunteer corps or the control of aerial navigation or aircraft or the transport or means of communication of naval, military, or air forces:
- (11) Any Bill of any extraordinary nature and importance whereby Our prerogative, or the rights and property of Our subjects not residing in the Island, or the trade and shipping of any part of Our dominions, may be prejudiced:
- (12) Any Bill relating to or affecting trade outside the Island, or docks, harbours, shipping, or any lands, buildings, or other matters of naval, military, or aerial interest or of Imperial concern:
- (13) Any Bill whereby persons of any particular community or religion are made liable to any disabilities or restrictions to which persons of other communities or religions are not also subjected or made liable, or are granted advantages not extended to persons of other communities or religions:
- (14) Any Bill diminishing or prejudicing any of the rights or privileges to which at the date of these Our Instructions, persons emigrating, or who have emigrated, to the Island from India may be entitled by reason of such emigration:
- (15) Any Bill the principle of which has evoked serious opposition by any racial, religious, or other minority, and which in the opinion of the Governor is likely to involve oppression or unfairness to any such minority:
- (16) Any Bill relating to or affecting the administration of justice in the Island:
- (17) Any Bill containing provisions to which Our assent has been once refused, or which have been disallowed by Us.

(2) The Governor may assent in Our name to any Bill falling within any of the classes described in the preceding sub-clause of this clause in any of the following cases:—

- (a) if he shall have previously obtained Our Instructions upon such Bill through one of Our Principal Secretaries of State:
- (b) if such Bill shall contain a clause suspending the operation thereof until the signification in the Island of Our pleasure thereupon:
- (c) if, save in the case of a Bill which is repugnant to the law of England or inconsistent with any obligations imposed upon Us by Treaty, he shall have satisfied himself that an urgent necessity exists requiring that such Bill shall be brought into immediate operation, provided that he shall transmit to Us, by the earliest opportunity, any Bill to which he shall have so assented, together with a statement of his reasons for assenting thereto.

V. The Governor shall not declare that he refuses his assent to any Bill until he shall have obtained Our Instructions thereon through one of Our Principal Secretaries of State.

the Govern
ed.

VI. Every Bill intended to affect or benefit some particular person, association, or corporate body, shall contain a section saving Our rights, the rights of Our Heirs and Successors, all bodies politic and corporate, and all others except such as are mentioned in the Bill, and those claiming by, from, and under them.

Bills involving important questions of principle.

No such Bill shall be introduced into the Council until due notice thereof shall have been given by the publication of the Bill, together with a statement of its general nature and objects, in the *Ceylon Government Gazette*, and in at least one newspaper circulating in the Island, not less than one month before the Bill shall be introduced in the Council, and the Governor shall not assent thereto in Our name until it has been published as aforesaid. A certificate under the hand of the Governor shall be transmitted to Us with the Bill signifying that such publication has been made.

Provisions to be observed in the enactment of Ordinances.

VII. In the making of Ordinances the Governor and the Council shall observe, as far as practicable, the following provisions:—

- (1) All laws shall be styled "Ordinances," and, save as provided by Article 22 of the Ceylon (State Council) Order in Council, 1931, the enacting words shall be, "enacted by the Governor of Ceylon, with the advice and consent of the State Council thereof."
- (2) All Ordinances shall be distinguished by titles, and shall be divided into successive clauses or paragraphs numbered consecutively, and to every such clause there shall be annexed in the margin a short indication of its contents. The Ordinances of each year shall be distinguished by consecutive numbers, commencing in each year with the number one. Except in the case of Bills reserved for the signification of Our pleasure, all Bills passed by the Council in any one year shall, if assented to by the Governor, be assented to by him in that year, and shall be dated as of the day on which the assent of the Governor is given and shall be numbered as of the year in which they are passed. Bills not so assented to by the Governor, but reserved by him for the signification of Our pleasure, shall be dated as of the day and numbered as of the year on and in which they are brought into operation.
- (3) Each different matter shall be provided for by a different Ordinance, without intermixing in one and the same Ordinance such things as have no proper relation to each other; and no clause shall be inserted in or annexed to any Ordinance which is foreign to what the title of such Ordinance imports, and no perpetual clause shall be part of any temporary Ordinance.

Delegation of powers of Governor as to appointment, promotion or dismissal of public officers.

VIII. The Governor may, with the approval of one of Our Principal Secretaries of State, delegate to such public officers having authority in or over departments of Government as he shall think fit, all powers vested in him in regard to appointments or promotions to public offices of which the initial emoluments do not exceed six thousand seven hundred and fifty rupees or four hundred and fifty pounds sterling a year, according as the said emoluments are fixed with reference to rupees or pounds sterling as the case may be. The Governor may, with the approval of one of Our Principal Secretaries of State, likewise delegate all powers vested in him in regard to the dismissal of public officers whose annual pensionable emoluments do not exceed four thousand five hundred rupees or three hundred pounds sterling according as the said emoluments are fixed with reference to rupees or pounds sterling as the case may be.

Appointments to be provisional and during pleasure.

IX. All Commissions to be granted by the Governor, or by any public officer acting under his authority, to any person or persons for exercising any office or employment shall, unless otherwise provided by law, be granted during Our pleasure only; and whenever the Governor shall appoint to any vacant office or employment of which the initial emoluments exceed six thousand seven hundred and fifty rupees or four hundred and fifty pounds sterling a year, according as the said emoluments are fixed with reference to rupees or to pounds sterling as the case may be, any person not by Us specially directed to be appointed thereto, he shall at the same time expressly apprise such person that such appointment is to be considered only as temporary and provisional until Our allowance or disallowance thereof be signified.

Suspension, interdiction and dismissal of officers.

X.—(1) Before taking proceedings for the dismissal of any public officer whose annual pensionable emoluments exceed four thousand five hundred rupees or three hundred pounds sterling according as the said emoluments are fixed with reference to rupees or to pounds sterling as the case may be, the Governor shall signify to such officer by a statement in writing the grounds on which it is proposed to dismiss him, and shall call upon him to state in writing the grounds upon which he relies to exculpate himself, and if the officer does not furnish such a statement within the time fixed by the Governor, or fails to exculpate himself to the satisfaction of the Governor, the Governor shall appoint a Committee consisting of such persons as he may think fit to investigate the charges made and to make a full report which shall be forwarded to him through the Public Services Commission who shall advise the Governor thereon. If after considering the report of the said Committee and the advice of the Public Services Commission thereon the Governor is of opinion that the officer should be dismissed, he shall forthwith suspend him from the exercise of his office and from the enjoyment of his salary and shall without loss of time transmit to one of Our Principal Secretaries of State the report of the Committee, the evidence taken by it, a statement of the advice given by the Public Services Commission, and all material documents relating to the case together with the recommendation that the officer should be dismissed. But if in any case the interests of Our service shall appear to the Governor to demand that any public officer shall cease to exercise the powers and

functions of his office instantly, he shall interdict such person from the exercise of the powers and functions of his office, provided that proceedings for his dismissal are being taken or are about to be taken, or that criminal proceedings are being instituted against him.

(2) Notwithstanding Our foregoing Instruction, if the Governor shall consider that any public officer whose annual pensionable emoluments exceed the sum mentioned in the first sub-clause of this clause should be removed from office on grounds of general inefficiency which cannot properly be dealt with in the form of specific charges in accordance with Our Instruction aforesaid, he shall transmit to one of Our Principal Secretaries of State a full report upon the case, together with the reports of the heads of departments in which the officer has served and a statement of the advice given by the Public Services Commission, and if the Secretary of State is satisfied that the officer's removal is necessary in the interests of the public service, it shall be carried into effect by an intimation to the Governor that it is Our pleasure that the officer shall no longer hold office.

(3) If any public officer, not appointed by virtue of a Warrant from Us, in receipt of pensionable emoluments exceeding the sum mentioned in the first sub-clause of this clause, is convicted on a criminal charge, the Governor may cause the proceedings of the Court on such charge to be considered by the Public Services Commission, and if, after considering those proceedings and the advice of the Public Services Commission, he is of opinion that the officer should be dismissed, he may dismiss the officer but in every such case he shall transmit a full report upon his action to one of Our Principal Secretaries of State for approval.

(4) Before the Governor shall proceed to the dismissal of any public officer in receipt of annual pensionable emoluments which do not exceed the sum mentioned in the first sub-clause of this clause, save when the officer has been convicted on a criminal charge, the grounds of intended dismissal shall be definitely stated in writing and communicated to the officer in order that he may have full opportunity of exculpating himself, and the Governor shall investigate the case with the aid of the head of the department in which the officer shall then be serving.

If such an officer has been convicted of a criminal charge, the Governor may call for the records of the trial and form his decision thereon, with the assistance, if necessary of the officer who tried the case.

(5) Notwithstanding Our foregoing Instruction, if the Governor shall consider that any public officer in receipt of annual pensionable emoluments which do not exceed the sum mentioned in the first sub-clause of this clause should be removed on grounds of general inefficiency, he shall call for a report upon the service of such officer from the heads of departments in which the officer has served; and, if satisfied after considering those reports that it is necessary in the interests of the public service, he may dismiss the officer.

XI. Whenever any offender shall have been condemned to suffer death by the sentence of any Court in the Island, the Governor shall call upon the Judge who presided at the trial to make to him a written report of the case of such offender, and he may summon the said Judge to appear before him to produce his notes. The Governor shall not pardon or relieve any such offender unless according to his own deliberate judgment it shall seem expedient to him so to do. In every case in which the Governor shall pardon or relieve any such offender he shall forward a report of his action to Us through one of Our Principal Secretaries of State.

Pardon.

XII. Whenever the Governor shall transmit to one of Our Principal Secretaries of State any law passed by the Council, he shall transmit, together with such law, a statement from the Legal Secretary to the effect that, in his opinion, the Governor's assent may or may not be properly given thereto, and also a report from the Governor or from the Legal Secretary or, pending the appointment of a Legal Secretary, from the Attorney General, giving all requisite explanation respecting the object of the law and any legal or political question with which it may be concerned. If the law shall involve important financial considerations the Governor shall include with the statement and report aforesaid a statement from the Financial Secretary to the effect that, in his opinion, the law is or is not likely to endanger the financial stability of the Island.

Reports accompanying laws sent to the Secretary of State.

XIII. The Governor shall punctually transmit to Us, from year to year, through one of Our Principal Secretaries of State, the Annual Book of Returns for the Island, commonly called the "Blue Book," relating to the Revenue and Expenditure, Defence, Public Works, Legislation, Civil Establishments, Pensions, Population, Schools, Course of Exchange, Imports and Exports, Agricultural Produce, Manufactures, and other matters in the said Blue Book more particularly specified, with reference to the state and condition of the Island.

Blue Book.

XIV. Except for the purpose of visiting for a short period the Maldiv Islands or any Dependency of the Island, the Governor shall not quit the Island without having first obtained leave from Us for so doing under Our Sign Manual and Signet, or through one of Our Principal Secretaries of State.

Governor not to absent himself without leave.

XV. In these Our Instructions the term "the Governor" shall, unless inconsistent with the context, include every person for the time being administering the Government of the Island.

Term "the Governor" explained.

XVI. The Governor shall forthwith cause these Our Instructions to be published in the *Ceylon Government Gazette*.

Publication of Instructions.

Given at Our Court at Saint James this Twenty-second day of April, 1931, in the Twenty-first year of Our Reign.