



THE

# CEYLON GOVERNMENT GAZETTE

No. 8,548 – FRIDAY, NOVEMBER 10, 1939.

*Published by Authority.*

## PART I.—GENERAL.

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1963—J. N. 89530-1,004 (11/39)

## PROCLAMATIONS.

BY HIS EXCELLENCY THE OFFICER ADMINISTERING THE GOVERNMENT.

A PROCLAMATION.

M. M. WEDDERBURN.

KNOW Ye that by virtue of the powers vested in the Governor by section 13 (4) of the Defence Force Ordinance (Chapter 258), I, Maxwell MacLagan Wedderburn, Officer Administering the Government of Ceylon, do by this Proclamation declare, in respect of such of the Defence Force Corps called out for active service by Proclamation published in *Gazette Extraordinary* No. 8,485 of September 1, 1939, as are enumerated in column 1 of the schedule hereto, that the period of active service of the members whose names are set out in column 2 of that schedule, shall be deemed for all purposes to have ended on the respective dates set out in column 3 of that schedule.

By His Excellency's command,  
E. R. SUDBURY,  
Secretary to the Governor.

Colombo, November 7, 1939.

GOD SAVE THE KING.

SCHEDULE.

Column 1.	Column 2.	Column 3.
1. (1) Ceylon Planters' Rifle Corps	.. Lieutenant F. Leach, M.C. .. Rifleman E. R. Sudbury .. .. Rifleman J. A. Mulhall .. .. Rifleman W. Holmes .. .. Rifleman R. H. D. Manders .. .. Rifleman S. M. Duff .. .. Rifleman T. S. S. Sydenham-Clarke .. .. Rifleman R. H. Bassett .. .. Rifleman P. J. Hudson .. .. Rifleman A. C. M. Hingley .. .. Rifleman M. K. T. Sandys .. .. Rifleman A. K. J. Henderson .. .. Rifleman J. W. H. O'Regan ..	} September 1, 1939
(2) Ceylon Planters' Rifle Corps	.. Rifleman W. H. Moore ..	} September 8, 1939
(3) Ceylon Planters' Rifle Corps	.. Lance-Corporal P. M. Renison ..	} September 9, 1939
(4) Ceylon Planters' Rifle Corps	.. Rifleman P. J. C. Sherrard ..	} September 17, 1939
(5) Ceylon Planters' Rifle Corps	.. Corporal C. E. Tilney .. .. Rifleman G. Bradford .. .. Rifleman H. C. Cocks ..	} October 1, 1939
(6) Ceylon Planters' Rifle Corps Reserves	.. Major W. E. Hobday, E.D. .. .. Rifleman R. B. Naish ..	} September 1, 1939
2. Ceylon Army Service Corps	.. Brevet-Colonel C. J. D. Lanktree .. .. 2nd Lieutenant W. D. Godsall ..	} September 1, 1939

L. D.—B 30/39

A.L./A T 786/39

BY HIS EXCELLENCY THE OFFICER  
ADMINISTERING THE GOVERNMENT.

A PROCLAMATION.

M. M. WEDDERBURN.

KNOW Ye that in pursuance of the powers vested in the Governor by section 15 of the Interpretation Ordinance (Chapter 2), and by section 16 of the Tea Control Ordinance (Chapter 299), I, Maxwell MacLagan Wedderburn, Officer Administering the Government of Ceylon, do, with the advice of the Executive Committee of Agriculture and Lands, by this Proclamation—

- (a) revoke the Proclamation under the said section 16, published in *Gazette* No. 8,439 of March 17, 1939;
- (b) declare that the Ceylon quota of export in respect of the period of assessment commencing on the first day of April, 1939, shall be 239,008,611 pounds.

By His Excellency's command,  
E. R. SUDBURY,  
Secretary to the Governor.

Colombo, November 4, 1939.

GOD SAVE THE KING.

L. D.—B 50/32

M. L. A.—B 1341

BY HIS EXCELLENCY THE OFFICER  
ADMINISTERING THE GOVERNMENT.

A PROCLAMATION.

M. M. WEDDERBURN.

KNOW Ye that I, Maxwell MacLagan Wedderburn, Officer Administering the Government of Ceylon, do hereby proclaim the by-law set out in the Schedule

hereto made by the Municipal Council of Colombo under sections 109 and 244 of the Municipal Councils Ordinance (Chapter 193); and confirmed by me by virtue of the powers vested in the Governor by the said section 109.

By His Excellency's command,  
E. R. SUDBURY,  
Secretary to the Governor.

Colombo, November 6, 1939.

GOD SAVE THE KING.

SCHEDULE.

The by-law published by Proclamation dated February 29, 1916, in *Gazette* No. 6,782 of March 3, 1916, as last amended by by-law published by Proclamation in *Gazette* No. 8,463 of July 7, 1939, is hereby further amended by the addition of the following item to the list set out in the first-mentioned by-law:—

- " 22. The curing, by the use of sulphur fumes, of cinnamon, cardamom or fibre."

## APPOINTMENTS, &c.

No. 583 of 1939.

HIS EXCELLENCY THE OFFICER ADMINISTERING THE GOVERNMENT has been pleased to make the following appointments:—

Mr. K. KANAGARATNAM to act as Deputy Auditor-General with effect from November 2, 1939.

J 72/38

Mr. B. PONNIAH, Cadet attached to the Ratnapura Kachcheri, to be Cadet attached to the Kegalla Kachcheri with effect from November 1, 1939, until further orders.

By His Excellency's command,  
Chief Secretary's Office, G. S. WODEMAN,  
Colombo, November 1, 1939. Acting Chief Secretary.

No. 584 of 1939.

J 75/39

BY virtue of the powers vested in him by section 2 of the Control of Prices Ordinance, No. 39 of 1939, HIS EXCELLENCY THE OFFICER ADMINISTERING THE GOVERNMENT has been pleased to appoint Mr. H. C. GOONEWARDENE, to be, in addition to his other duties, an Assistant Controller of Prices for the Island, with effect from November 1, 1939, until further orders.

By His Excellency's command,

Chief Secretary's Office, G. S. WODEMAN,  
Colombo, November 4, 1939. Acting Chief Secretary.

No. 585 of 1939.

J 75/39

BY virtue of the powers vested in him by section 3 of the Food Control Ordinance (Chapter 132), HIS EXCELLENCY THE OFFICER ADMINISTERING THE GOVERNMENT has been pleased to appoint Mr. H. C. GOONEWARDENE, to be, in addition to his other duties an Assistant Food Controller with effect from November 1, 1939, until further orders.

By His Excellency's command,

Chief Secretary's Office, G. S. WODEMAN,  
Colombo, November 4, 1939. Acting Chief Secretary.

No. 586 of 1939.

J 53/38

BY virtue of the powers vested in him by section 4 of the Trade Unions Ordinance (Chapter 116), HIS EXCELLENCY THE OFFICER ADMINISTERING THE GOVERNMENT has been pleased to appoint Mr. S. D. CUMARASWAMY to be, in addition to his other duties, an Assistant Registrar of Trade Unions with effect from October 1, 1939, until further orders.

By His Excellency's command,

Chief Secretary's Office, G. S. WODEMAN,  
Colombo, November 3, 1939. Acting Chief Secretary.

No. 587 of 1939.

J 19/38

IT is hereby notified that Mr. D. H. BALFOUR ceased to be an Assistant Food Controller under the Food Control Ordinance (Chapter 132), with effect from November 3, 1939.

By His Excellency's command,

Chief Secretary's Office, G. S. WODEMAN,  
Colombo, November 2, 1939. Acting Chief Secretary.

No. 588 of 1939.

N 11/39

HIS EXCELLENCY THE GOVERNOR has been pleased to approve the following promotion in the Ceylon Engineers with effect from September 1, 1939, to fill an existing vacancy:—

To be Major.—Captain JOHN HENRY ERHARDT DE KRETZER.

By His Excellency's command,

Chief Secretary's Office, G. S. WODEMAN,  
Colombo, November 2, 1939. Acting Chief Secretary.

No. 589 of 1939.

HIS EXCELLENCY THE OFFICER ADMINISTERING THE GOVERNMENT has been pleased to make the following appointments:—

J 71/36

Mr. S. KANAGASABAI to be Additional District Judge, Additional Commissioner of Requests and Additional Magistrate Jaffna and Additional Magistrate and Additional Commissioner of Requests, Point Pedro, during the absence of Mr. S. RODRIGO on November 14 and 15, 1939.

CJ 92/37

Mr. K. D. DE SILVA to be an Additional District Judge, Ratnapura, an Additional Commissioner of Requests and an Additional Magistrate, Ratnapura, and an Additional District Judge, Avissawella, from November 3, 1939, until further orders.

J 138/37

Mr. C. L. WICKREMASINGHE to be Additional Commissioner of Requests, Additional Magistrate, Additional Municipal Magistrate, and Additional District Judge, Galle, during the absence of Mr. A. L. JAYASURIYA, from December 16 to 31, 1939.

CJ 50/39

Mr. T. P. P. GOONETILLEKE to act as Magistrate and Commissioner of Requests, Gampaha, Additional Magistrate, Colombo and Negombo, and Additional District Judge, Colombo and Negombo, during the absence of Mr. D. E. WIJEYWARDENA from November 3, 1939 to January 2, 1940.

J 50/38

Mr. M. VYTHIALINGAM to be Additional Magistrate, Jaffna, at Mallakam, on November 9, 1939, to hear M. C., Mallakam, cases Nos. 18,666 and 18,931.

J 19/36

Mr. S. RAJARATNAM to be an Additional Magistrate, Jaffna, on November 17, 1939, to hear M. C., Jaffna, case No. 7,117.

J 5/36

Mr. K. THAMBIAH to be Additional Magistrate, Batticaloa, on November 10, 1939, to try M. C., Kalmunai, case No. 23,795.

By His Excellency's command,

Legal Secretary's Office, J. C. HOWARD,  
Colombo, November 7, 1939. Legal Secretary.

No. 590 of 1939.

G 24/36/4

IN pursuance of the powers delegated by HIS EXCELLENCY THE GOVERNOR to me in that behalf, Mr. W. F. T. RAJAKARUNA has been appointed, under section 120 of the Criminal Procedure Code to be an Inquirer for the Vidane Arachchies' divisions of Welitara, Kosgoda, and Uragaha in the Bentota-Walallawiti korale, and Additional Inquirer for Wellaboda pattu, Galle District, during the absence of Mr. K. A. DE S. R. WIJAYASINHA on November 8 and 10, 1939.

Legal Secretary's Office,  
Colombo, November 6, 1939.

J. C. HOWARD,  
Legal Secretary.

## No. 591 of 1939.

IT is hereby notified that HIS EXCELLENCY THE GOVERNOR has been pleased to appoint the Municipal Commissioner, Kandy, to be the Local Authority under the Petroleum Ordinance (Chapter 141), for the area within the administrative limits of the Kandy Municipal Council.

D. B. JAYATILAKA,  
Ministry of Home Affairs, Minister for Home Affairs.  
Colombo, November 4, 1939.

## No. 592 of 1939.

HIS EXCELLENCY THE GOVERNOR has been pleased to appoint Mr. THILLAIAMPALAM CHELVADURAI to be a Notary Public throughout the judicial division of Colombo and to practise as such in the English language.

G. C. S. COREA,  
Minister of Labour, Industry and Commerce.  
Colombo, October 31, 1939.

## No. 593 of 1939.

HIS EXCELLENCY THE GOVERNOR has been pleased to appoint Mr. DON CHARLES WIJAYASINHA to be a Notary Public throughout the judicial division of Colombo with residence and office at Colombo and to practise as such in the English and Sinhalese languages.

G. C. S. COREA,  
Minister of Labour Industry and Commerce.  
Colombo, October 31, 1939.

## GOVERNMENT NOTIFICATIONS.

L. D.—B 75/38

H. A./A.678/39

## THE CRIMINAL PROCEDURE CODE.

BY virtue of the powers vested in the Governor by section 440B of the Criminal Procedure Code (Chapter 16), I, Maxwell MacLagan Wedderburn, Officer Administering the Government of Ceylon, do by this Notification approve that the institutions mentioned in the Schedule hereto shall be "approved homes" within the meaning of that section.

M. M. WEDDERBURN,  
Officer Administering the Government of Ceylon.  
Colombo, November 2, 1939.

## SCHEDULE.

- (a) Miss Cary's Home at Kudapaduwa.
- (b) Miss Topper's Home at Miriswatta.
- (c) The Salvation Army Home, Slave Island.
- (d) Mr. R. D. A. Peiris' Home, Trincomalee street, Kandy.
- (e) The Siddharta Women's School Boarding House Orphanage, Balapitiya.

L. D.—B 269/31

## THE PILGRIMAGES ORDINANCE.

## Regulations for the Kataragama Ilmaha Kachchi Festival.

BY virtue of the powers vested in the Governor by section 2 of the Pilgrimages Ordinance (Chapter 133), I, Maxwell MacLagan Wedderburn, Officer Administering the Government of Ceylon, do by this notification

make the regulations set out hereunder, in anticipation of the customary pilgrimage to Kataragama for the Ilmaha Kachchi Festival commencing in November, 1939.

M. M. WEDDERBURN,  
Officer Administering the Government of Ceylon.

Colombo, November 2, 1939.

## REGULATIONS.

1. In these regulations "camp area" includes—
  - (a) the area within a radius of half a mile of the Maha Dewale at Kataragama; and
  - (b) the area within a quarter of a mile of the Pillayar Kovil at Sella Kataragama.
2. (a) The duration of the Kataragama Ilmaha Kachchi Festival, 1939, and of the stay of pilgrims at Kataragama, shall be limited to three days, namely, November 25 to 27, inclusive.
  - (b) No pilgrims shall arrive before November 25, or stay after November 27 in the camp area.
3. The camp area shall be under the general control of the Government Agent of the Province of Uva, and under the immediate supervision of an officer designated the "Supervising Officer" who shall be assisted by the Medical Officer and by the Chief Officer of Police in charge of the camp.
  - (1) The Supervising Officer shall have power on the line of march to and from Kataragama and at Kataragama—
    - (a) to appoint particular places to be exclusively used by the pilgrims for washing and bathing, for drawing water, for drinking, and for natural offices;
    - (b) to appoint places for the occupation of each class of pilgrims;
    - (c) to prescribe routes for the journey of any body of pilgrims;
    - (d) to regulate the distribution of all food given to pilgrims;
    - (e) to fix separate places of abode for pilgrims who fall ill, to prohibit communication with them and to detain them if unfit to travel.
  - (2) No person shall disobey any lawful order given by the Supervising Officer for any of the purposes specified in paragraph (1).
5. No person shall ease himself within the camp area, except at a place provided for that purpose by or with the approval of the Government Agent.
6. No person shall deposit any refuse, whether liquid or solid, within the camp area except in a place or receptacle provided for that purpose by, or with the approval of the Government Agent.
7. No person shall bathe in or enter the river within the camp area above the spot appointed by the Supervising Officer.
8. No person shall bring any cattle or cart bulls within one quarter of a mile of the camp area without a permit from the Supervising Officer or any person authorized by him to issue such permits.
9. Every permit issued under regulation 8 shall be subject to such conditions as may be imposed by the Supervising Officer for the purpose of enforcing the sanitation and maintaining the health of the camp and regulating traffic within the camp area.
10. No person shall establish or maintain any bakery, aerated water manufactory, tea or coffee boutique, eating-house or gala within the camp area unless he has obtained a licence in that behalf from the Government Agent. The licence shall be issued free of charge.
11. (1) No person shall expose any commodity of any description for sale within the camp area in any place not appointed for the purpose by the Supervising Officer.

(2) No person shall sell food which has been condemned as unwholesome by the Supervising Officer or by the Medical Officer, or in their absence, by the Chief Officer of Police.

(3) It shall be lawful for any Police Officer or any Sanitary Assistant to seize and destroy any food condemned as unwholesome by the Supervising Officer, or by the Medical Officer or in their absence, by the Chief Officer of Police.

12. (1) All eating houses and tea and coffee boutiques shall be kept in a clean and sanitary condition.

(2) All cakes, sweetmeats, and other cooked food exposed for sale shall be kept in properly constructed fly-proof glass cases.

(3) No waste tea, coffee, or milk or remnants of food, cooking waste or other refuse shall be thrown on the ground. All such refuse shall be collected in the receptacle hereinafter prescribed and be kept at all times ready for removal by the sanitary authorities.

(4) Every building, structure, or place used for the purposes of any trade or business shall be provided with a metal or wooden dust bin not less than 4½ cubic feet in capacity. All refuse collected in such building, structure or place shall be deposited in such bin, and except when refuse is being deposited or taken from the bin, it shall at all times be covered with a metal or wooden cover.

13. No person shall bring any person suffering from any infectious or contagious disease into the camp area or aid or abet any such person in entering the camp area.

14. In the event of an epidemic breaking out in the camp area during the festival, it shall be lawful for the Government Agent to direct the pilgrims to leave the camp area and to prescribe the route and the conveyance by which or the manner in which the pilgrims shall depart.

15. Every person within the camp area who contracts an infectious or a contagious disease, and every person who resides with any other person knowing that such other person has contracted an infectious or contagious disease shall report the case to the Medical Officer in charge of the camp.

16. No person shall, without the previous sanction of the Government Agent, construct any booth, or extend any building so as to encroach on any land used or set apart for use as a street within the camp area.

#### THE DEFENCE (FINANCE) REGULATIONS.

ORDER made by the Officer Administering the Government of Ceylon in pursuance of the powers vested in the Governor by regulation 5 (1) of the Defence (Finance) Regulations published in *Gazette Extraordinary* No. 8,509 of September 19, 1939.

By His Excellency's command,

E. R. SUDBURY,

Secretary to the Governor.

Colombo, November 8, 1939.

#### Order.

The Order made by the Governor in pursuance of the provisions of regulation 5 (1) of the Defence (Finance) Regulations and published in *Gazette Extraordinary* No. 8,510 of September 19, 1939, is hereby amended as follows:—

(1) in paragraph (a), by the substitution for the words "Hong Kong, British Honduras, and Sudan"; of the words "Hong Kong and British Honduras or with Egypt or Iraq"; and

(2) in paragraph (d), by the substitution for the words "Hong Kong, British Honduras, and Sudan.", of the words "Hong Kong and British Honduras or to Egypt or Iraq."

L. D.—B 90/34

CF 1567c/35

#### THE DEFENCE FORCE ORDINANCE.

REGULATION under sections 9 and 12 of the Defence Force Ordinance (Chapter 258), made by the Officer Commanding the Troops, after consultation

with the Commandant, and approved by the Officer Administering the Government, by virtue of the powers vested in the Governor by the said sections.

By His Excellency's command,

Chief Secretary's Office,  
Colombo, November 1, 1939.

G. S. WODEMAN,  
Acting Chief Secretary.

#### REGULATION.

The regulations for the Ceylon Defence Force published in the *Supplement to Gazette* No. 8,074 of August 24, 1934, as last amended by regulation published in *Gazette* No. 8,466 of July 21, 1939, are hereby further amended—

(a) in regulation 31, by the addition of the following at the end thereof:—

"Where for any reason the number of officers of an effective modified unit on active service falls below the authorized Establishment, and is likely so to remain for a period of one month or over, the Governor may grant temporary promotion to suitable persons to make good such deficiency.

The grant of such temporary promotion shall entitle the person to the pay and allowances of the corresponding substantive rank, after such person has held the temporary rank for 21 consecutive days. When pay is issuable, it will be retrospective to the date on which the temporary rank became effective."; and

(b) in regulation 90, by the addition of the following at the end thereof:—

"Where for any reason, the number of Warrant Officers and Non-commissioned Officers of an effective modified unit on active service falls below the authorized Establishment, and is likely so to remain for a period of one month or over, the Officer Commanding the Unit may grant temporary promotion to suitable persons to make good such deficiency. The grant of such temporary promotion shall entitle the person to the pay and allowances of the corresponding substantive rank, after such person has held the temporary rank for 21 consecutive days. When pay is issuable, it will be retrospective to the date on which the temporary rank became effective."

(D. S. 284)

PN 976

PURSUANT to the 2nd section of the Minutes on Pensions dated February 5, 1934, it is hereby notified that the holder of the office specified below is entitled to pension:—

*Colombo Port Commission.*—First Engineer, Harbour Tugs (while held by Mr. C. W. V. FERDINANDS).

By His Excellency's command,

Financial Secretary's Office,  
Colombo, November 8, 1939.

H. J. HUXHAM,  
Financial Secretary.

A 96/39

#### NOTICE UNDER SECTION 22 (1) OF THE NOTARIES ORDINANCE (CAP. 91).

IT is hereby notified that His Excellency the Governor has, under section 19 of the Notaries Ordinance (Cap. 91), cancelled the Warrant granted to Mr. Wilson Punnasoma Abeywardene Wickramasinghe to practise as a Notary in the English language throughout the judicial division of Matara.

By His Excellency's command,

Legal Secretary's Office,  
Colombo, November 1, 1939.

J. C. HOWARD,  
Legal Secretary.

L. D.—B 181/33

## THE PRISONS ORDINANCE.

IT is hereby notified that the following rule made by the Executive Committee of Home Affairs in pursuance of the powers vested in that Committee by section 83 of the Prisons Ordinance (Chapter 44) has been approved by the State Council and ratified by the Governor.

Colombo, November 4, 1939.

D. B. JAYATILAKA,  
Minister for Home Affairs.

## RULE.

The general rules published by Notification dated August 12, 1926, in *Gazette* No. 7,542 of August 20, 1926, as last amended by rule published in *Gazette* No. 8,384 of July 29, 1938, are hereby further amended with effect from October 1, 1940, as follows :—

(1) by the substitution for rule 222 of the following new rule :—

“ 222. (1) Every prisoner shall be supplied with a sufficient quantity of plain and wholesome food.

(2) On first admission to a prison every prisoner shall be placed on Dietary Scale A set out in Schedule I. to these rules : Provided, however, that any prisoner may be placed on Dietary Scale B set out in that schedule where the Medical Officer is of opinion that that scale is desirable in the interests of the health of that prisoner, having regard to the circumstances in which the prisoner lived, and the diet to which he was accustomed, before his admission to prison.

(3) Every prisoner placed on Scale A or Scale B shall continue on that scale throughout the term of his imprisonment, and no departure from the diets authorized by the scale on which he is placed shall be made in any case except as hereinafter provided for by these rules :

Provided, however, that in the case of any individual prisoner variations of articles of food, which do not cause any excess in the total cost of the diet supplied, may, for medical reasons, be permitted at the discretion of the Superintendent for such period of time as may appear to him to be necessary.

(4) Where in the scale of diets provision is made for an alternative vegetarian diet, such vegetarian diet shall be given to a prisoner who is a vegetarian on religious or other grounds, throughout the term of his imprisonment.

(5) In the event of an outbreak of any epidemic in a prison or in any case of a shortage of food, or in other similar emergency, or on the occasion of any religious observance or in any similar special circumstances, the Inspector-General may authorize such variations in the diets as to him may seem fit or necessary.

(6) (a) On Christmas Day, Hindu New Year's day, the Full Moon day of the Sinhalese month Wesak, and on the Muslim Hadji Festival day, the Inspector-General may authorize a variation of the diet laid down in these rules for prisoners who belong to the religion or community which celebrates each of these festivals, and may permit those prisoners to receive gifts of food or drink from their friends, well wishers or relatives. Provided, however, that this concession shall not be granted unless those prisoners are placed in such classes as may have been authorized to receive gifts, and unless they are in the opinion of the Superintendent of exemplary conduct.

(b) Gifts of food or drink to prisoners shall be permitted to be brought into the prison subject to such conditions as to time of delivery, inspection, and the nature and quantity of the articles as may be laid down by the Inspector-General.

(c) Nothing in these rules shall authorize the introduction into a prison of any articles which are prohibited by section 62 of the Ordinance.

(7) Where no express provision is made in these rules as to the stages at which or the circumstances in which the several classes of diets set out in Scale A or Scale B may be given to prisoners, the following provisions shall have effect :—

(a) Full diet on Scale A shall be given to the following classes of prisoners placed on that scale :—

- (i.) unconvicted prisoners ;
- (ii.) convicted prisoners whose appeals are pending ; and
- (iii.) civil prisoners.

(b) Ordinary diet on Scale B shall be given to the following classes of prisoners placed on that scale :—

- (i.) prisoners who are on remand ;
- (ii.) convicted prisoners whose appeals are pending ;
- (iii.) convicted prisoners after they have completed the penal stage ;
- (iv.) prisoners under sentence of death ; and
- (v.) civil prisoners.

(c) Punishment diet No. 1 shall be given to prisoners who, under section 68 (c) of the Ordinance, are reduced to the penal stage as a punishment or are ordered to be confined in a punishment cell. This diet shall not be given for a period exceeding 14 days.

(d) Punishment diet No. 2 shall be given to prisoners who, under section 68 (f) of the Ordinance, are ordered to undergo close confinement. This diet shall not be given after the expiry of the period of close confinement to which they are sentenced.

(e) Casual diet shall be given to prisoners who are admitted to prison at any time after rations for the day have been drawn.

(f) Transfer diet shall be given, at the discretion of the Superintendent, to prisoners (other than unconvicted prisoners) who are on transfer from one prison to another, in place of the diet which would otherwise be given to them under these rules. The maximum period for which a prisoner may be given transfer diet shall not exceed 54 hours.

(g) Low, light labour, or diabetic diet may be given to any prisoner on the recommendation of the Medical Officer for such period as may be prescribed by him.

(8) The penal diet in Scale A or Scale B shall be given to prisoners in accordance with the provisions of rules 290 (a) and 296 (a). This diet shall not be given to prisoners who are under nineteen years of age.

(9) No prisoner, who has been on a punishment diet continuously for the maximum period prescribed in sub-paragraphs (c) or (d) of paragraph 7, shall be placed on that diet as a punishment for a fresh offence, until an interval of a period equal to the period already passed by the prisoner on that diet shall have elapsed.

(10) Infant children at the breast who have been admitted to prison under rule 165 shall be provided with such diet as may be recommended by the Medical Officer and approved by the Superintendent."

(2) by the insertion immediately after rule 222 of the following new rules 222A and 222B :—

" 222A. (1) Any prisoner, in respect of whom a bedhead ticket is drawn up either in the prison hospital or in the prison itself, may be given the whole or any part of any one of the hospital diets prescribed in Schedule IA as the Medical Officer may direct by means of entries made on such bedhead ticket, but in no case shall any combination of parts of two or more of any such diets be given to any such prisoner.

(2) The Medical Officer may direct any of the hospital diets to be supplemented in the case of any sick prisoner with such articles of food or drink or such medicinal preparations as may be specified by him in writing.

222B. A copy of the dietary scales referred to in these rules shall be hung up in some conspicuous part of each prison."

(3) by the substitution for rule 226 of the following new rules :—

" 226. Every prisoner below fifteen years of age shall receive three-fourths of the diet to which he may otherwise be entitled under these rules."

(4) by the substitution for the existing Schedule I of the following new schedule :—

SCHEDULE I.

SCHEDULE I. (referred to in Rule 222).  
Dietary Scale A.

Nature of Diet.	Kurakkan grain.	Bread.	Rice.	Meat.	Fish.	Plantains (green).	Plantains (ripe).	Vegetables.	Dhall.	Sugar.	Coconuts.	Limes.	Onions.	Chillies (tpe).	Pepper.	Salt.	Chillies (dry).	Garlic.	Karpapneha leaves.	Turneric.	Coriander seed.	Cumin seed.	Tamarind.	Ginger.	Mustard.	Sago.	Rusk.	Tea.	Milk.	Oranjal.	Saccharine tablets.	Potatoes.	Eggs.	Dripping.	Coconut oil.	Butter.	Papaw.		
Penal Ordinary No. 1 (non-vegetarian)	4	—	16	—	—	2	—	4	2	—	4	—	—	4	1/10	4	4	4	1 1/2	5/12	2	4	—	—	1/5	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Ordinary No. 2 (non-vegetarian)	4	4	16	—	2 1/2	4	—	4	4	—	4	—	—	4	1/10	4	4	4	1 1/2	5/12	2	—	—	1/5	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Full (non-vegetarian)	4	4	16	2	2	4	—	4	4	4	—	—	—	4	1/10	4	4	4	1 1/2	5/12	2	—	—	1/5	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Punishment No. 1	4	4	16	2	2	4	—	4	4	1	—	—	—	4	1/10	4	4	4	1 1/2	5/12	2	—	—	1/5	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Punishment No. 2	4	4	16	2	2	4	—	4	4	1	—	—	—	4	1/10	4	4	4	1 1/2	5/12	2	—	—	1/5	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Casual	4	4	16	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Transfer	4	—	10	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	
Low	24	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	
Light Labour (non-vegetarian)	—	—	20	—	3	—	—	4	2	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Diabetic (non-vegetarian)	—	—	20	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
" (Vegetarian)	4	16	6	6	6*	—	—	6	2	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Dietary Scale B.

Penal (non-vegetarian)	20	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Ordinary (vegetarian)	20	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Ordinary (non-vegetarian)	20	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Punishment No. 1	24	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Punishment No. 2	24	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Casual	16	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Transfer	24	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Low	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Light Labour (non-vegetarian)	16	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Diabetic (vegetarian)	16	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
" (Vegetarian)	6	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

\* Fresh fish.





## THE EXCISE ORDINANCE, No. 8 OF 1912.

HIS Excellency the Governor has been pleased under section 7, sub-section (c), of the Excise Ordinance, Chapter 42, to appoint Mr. Madaramuttu Rengasamy, Chairman of the Puttalam Pattu Village Committee in Puttalam District, an Unofficial Excise Officer to perform throughout the Island the acts and duties mentioned in sections 32, 34, and 45 (a) of the said Ordinance, *vice* Mr. S. Kandasamy.

D. B. JAYATILAKA,  
Minister for Home Affairs.

The Ministry of Home Affairs,  
Colombo, October 28, 1939.

L. D.—B 128/37

## THE IRRIGATION ORDINANCE.

RULES under section 7 of the Irrigation Ordinance (Chapter 312), made by the prescribed majority of the proprietors within the Irrigation District of Matale North, in the Matale District of the Central Province, and approved by the Officer Administering the Government by virtue of the powers vested in the Governor by section 14 of the Ordinance.

D. S. SENANAYAKE,  
Minister for Agriculture and Lands.

Colombo, November 7, 1939.

## RULES.

*Definitions.*

1. In these rules, unless the context otherwise requires—

- “Ordinance” means the Irrigation Ordinance ;  
 “Irrigation Headman” means an Irrigation Headman elected or appointed under the provisions of Chapter IV. of the Ordinance, and commonly known in the Matale District as “Vel Muladeniya”, “Vel Vidane”, “Vel Dewaya”, “Vel PEDIYA”, “Vel Duraya”, “Vel Panikkiya” or by any other name of similar import ;  
 “Supervising Officer” means a Chief Headman or other officer appointed by the Assistant Government Agent to supervise the work of irrigation or cultivation in irrigable lands ;  
 “area” means the part of the irrigation district for which an Irrigation Headman is elected or appointed.

*Duties of Irrigation Headmen.*

2. (1) It shall be the duty of every Irrigation Headman—

- (a) to reside within 3 miles of the area for which he is elected or appointed ;  
 (b) to operate and maintain in good order all sluices, regulators, and other structures in his charge ;  
 (c) to issue the necessary notice, call out labour, and supervise all earthworks and repairs and all works of irrigation and paddy cultivation within his area, subject to instructions from and the control of, the Assistant Government Agent or the Supervising Officer ;  
 (d) to report the occurrence of any damage to any bund, spill, sluice or any other work connected with irrigation work, or any leak at the sluice, to the Irrigation Sub-Inspector and also to the Supervising Officer ;  
 (e) to prepare before the thirtieth day of June in each year a list for the ensuing year of pangus or shares under each tank or other irrigation work in his charge, with the names and shares of the owners, and forward such list to the Wew Lekama.  
 (f) to enforce these and all other Irrigation Rules and to report all breaches thereof to the Assistant Government Agent.

(2) Every Irrigation Headman shall maintain a register of irrigable lands in his area, showing the name and the extent of each irrigable field, the name or names of the proprietors thereof, and the share of each proprietor in such field. Such register shall be revised annually and shall show the length of channel to be cleared and the length of fence to be erected by the proprietors in proportion to their holdings. Such register shall be open for inspection by the proprietors. For the purpose of the preparation of the register every proprietor of an irrigable

land shall give notice to the Irrigation Headman of the area within which such land is situated of any changes of ownership of such land.

(3) *Remuneration of Irrigation Headmen.*—Every Irrigation Headman of the Udugoda korales of the Matale North division shall be entitled to receive as his remuneration one laha of paddy for each pela sown : Provided that those Vel Muladeniyas in the Udugoda korales of Matale North who are in charge of tanks shall be entitled to receive two lahass for each pela sown. Every Irrigation Headman of the rest of the Matale North division shall be entitled to receive as his remuneration two lahass of paddy for each pela sown. Where more than one Irrigation Headman is appointed for the same area, the remuneration shall be divided equally between them. The paddy shall be delivered to the Irrigation Headmen at the threshing floor before any part of the crop is removed.

*Cultivation Meetings.*

3. Before the commencement of each cultivation season a meeting of the proprietors of each area shall be convened by the Supervising Officer or any Irrigation Headman authorized in writing by the Supervising Officer for the purpose.

(2) Of the time and place fixed for the meeting by the Supervising Officer or person deputed by him as aforesaid, at least seven days' notice shall be given in such manner as shall appear to him best adapted for giving publicity thereto.

4. The meeting convened under rule 3 shall determine—

- (i.) the nature and extent of the land to be cultivated,  
 (ii.) the dates for the commencement and completion of each of the works of—  
 (a) clearing channels,  
 (b) fencing fields,  
 (c) sowing,  
 (d) erection of watch-huts, and  
 (e) reaping ;  
 (iii.) the kind of paddy to be sown ;  
 (iv.) the place and manner in which black cattle and buffaloes are to be confined during cultivation ;  
 (v.) the last date for issue of water ;  
 (vi.) the exemption from cultivation duties to be allowed on application made by proprietors.

5. If for any reason it is not possible to commence cultivation on the date determined under rule 4, or if the supply of water is likely to be insufficient to irrigate the whole area decided on originally, a further date, or the proportion of the tracts to be abandoned for that season, shall be determined at a further meeting of the proprietors duly convened for the purpose. Each of the proprietors of the area which it was originally decided to irrigate, shall have a right to cultivate a proportionate share of the reduced area.

6. In the event of any of the matters mentioned in the foregoing rules 4 and 5 remaining undetermined by reason of the failure of the majority of the proprietors either to attend a meeting of which due notice is given, or to arrive at a decision thereon, such matter shall be determined by the Assistant Government Agent or person deputed by him to preside over the meeting.

7. The Assistant Government Agent or person deputed by him to preside over the meeting shall cause all matters determined under rules 4, 5, and 6 to be published by beat of tom tom or by affixing written notices in conspicuous places within the area or by other suitable means. Every proprietor shall be bound by any matter so determined and published.

8. *List of Cultivators.*—Each proprietor shall deliver to the Irrigation Headman, not less than two days before the date fixed for the commencement of cultivation, a list of cultivators to be employed in his land. Such list shall be countersigned by the respective cultivators as proof of their undertaking to cultivate the land.

*Repairs to Amunas, Potawas, Channels, Tanks, &c.*

9. All field channels, dams, amunas, potawas, and tanks which are not in charge of the Irrigation Department shall be repaired and maintained throughout the season by the proprietors whose lands are irrigated thereby with labour contributed in proportion to their respective holdings.

10. The portion of the channels, dams, amunas or bunds for the repair and maintenance of which each proprietor is responsible shall be demarcated with pegs or blocks by the Supervising Officer or the Irrigation Headman acting under the authority of the Supervising Officer.

11. On the day and at the time appointed by the Irrigation Headman for any work of construction or repair each proprietor shall proceed to the place appointed by such headmen with all the necessary tools for the commencement of work. No proprietor shall cease work for the day without good and sufficient cause, or unless the proportion of labour due from him has been duly and properly rendered to the satisfaction of the Irrigation Headman.

12. (1) Each proprietor shall repair and maintain in good order the portions of feeding channel immediately adjoining his land. The entire length of any feeding channel above the tract of fields and not immediately adjoining any paddy field shall be repaired and maintained jointly by the proprietors of the fields benefited thereby with labour contributed in proportion to the holding of each such proprietor: provided however that any breach in a bund adjoining an oya or main stream adjacent to a paddy field shall be repaired by all proprietors jointly with labour contributed in such proportion as may be determined by the Irrigation Headman.

(2) Every main channel shall be repaired and maintained by the proprietors jointly by labour distributed in proportion to the holding of each such proprietor, whether or not such proprietor is benefited by the part of the channel which is assigned to him for repairs.

(3) The decision as to whether any part of a channel shall be considered a main channel or not shall be made by the Supervising Officer; but any proprietor dissatisfied with the decision may appeal therefrom to the Assistant Government Agent whose decision shall be final.

13. If the majority of proprietors at any time refuse to repair or keep in order any amuna, potawa, channel or tank, any proprietor may complain of such refusal to the Assistant Government Agent who shall decide whether or not the work shall be proceeded with by such proprietor and such decision of the Assistant Government Agent shall be final.

14. If the work of repair of a channel, amuna or tank should happen in any particular season to be attended with more difficulty than in ordinary years, and if some of the fields in the tract be left in consequence uncultivated the owners of the fields so left uncultivated shall notwithstanding contribute their usual quota of labour towards the repair of the channel, amuna or tank as fixed or apportioned by the Irrigation Headman although they may fail to be thereby benefited by the work for that season.

15. The proprietors shall maintain the bunds on either side of any water-courses in paddy fields as far as possible at the same height and breadth, so as to enable surplus water or flood water to flow over the fields on either side equally.

16. Except with the written consent of the proprietors of any land which is under cultivation and is irrigated by any main stream or existing channel, no new amuna on the main stream, or new channel from the existing channel shall be constructed for the irrigation of any lands cultivated for the first time or for any other purpose in any manner likely to affect the interest of any such proprietor.

17. (i.) Application for permission to construct any new channel, dam, amuna or other work decided on by the majority of proprietors in any tract shall be made in writing to the Assistant Government Agent.

(ii.) Any work the construction of which is permitted by the Assistant Government Agent shall be carried out in such manner and within such time and according to such specifications as may be prescribed by the Assistant Government Agent or the Supervising Officer.

(iii.) For the construction of such work every proprietor of lands within the tract, shall be liable to contribute labour in proportion to his holding.

18. (i.) Every proprietor of new lands which have been surveyed and demarcated by landmarks, with reservations for field channels for irrigating such lands, shall construct his proportion of such field channels in accordance with alignments approved by the Department of Irrigation.

(ii.) If any proprietor of such land is unable to obtain water for irrigation owing to any default on the part of any other proprietor in constructing his share of the field channels after notice from the Supervising Officer, the Irrigation Headman may, with the approval of the Supervising Officer, cause the work to be done and recover the cost thereof from the defaulter in accordance with section 19 of the Ordinance.

19. (i.) Every proprietor shall grant way leave for field channels, dams or other works notwithstanding that his own lands may not be benefited thereby.

(ii.) All proprietors whose lands are benefited by any work referred to in paragraph (i.) shall be liable under this rule to pay to the owners of lands which suffer damage by the construction of such work, compensation for any land taken or damage done, in proportion to the area of the holdings benefited, and according to such rates of

compensation as may be determined by the Assistant Government Agent: provided that, unless the Assistant Government Agent otherwise directs, no compensation shall ordinarily be payable in respect of lands lying within the fields or tract of fields benefited.

#### *Ridges and Paths.*

20. (i.) The Imniyara or liminary ridge between two fields shall be made, repaired, and maintained by the proprietor of the field which is on the higher level.

(ii.) No person shall cut, alter, scrape or otherwise remove soil from any liminary ridge, or break, cut down or remove any landmark of a field, without the consent of all persons who have an interest in the land on either side of the ridge or landmark.

(iii.) No person shall remove any Crown landmark in any circumstances whatsoever.

(iv.) No person shall reduce the size of any path, or any ridge serving as a path, through a paddy field, or place any obstruction other than a stile, gate or indikada across such path or ridge.

21. Every Gansabhawa path through a field, whether or not such field is cultivated, shall be maintained at a width of three feet and kept in repair by the proprietors jointly by labour contributed in proportion to the holding of each such proprietor. Any proprietor who prefers to substitute and maintain during the cultivation season a six-foot "Pitapara" in place of a three-foot path through his paddy land, may do so with the consent of the other proprietors and the approval of the Irrigation Headmen.

#### *Regulation and Distribution of Water.*

22. (i.) In the order beginning with the field furthest from the tank or amuna and ending with the nearest, each proprietor shall take his supply of water strictly in turn and only in proportion to the extent of his holding, at such intervals and for such number of hours as the Irrigation Headman may fix.

(ii.) No proprietor who neglects to utilize his share of water in his proper turn, shall be allowed any supply until his next turn comes round: provided that for any special reason a proprietor may exchange his turn with any other proprietor with the approval of the Irrigation Headman.

(iii.) No proprietor shall take water out of his turn or for a longer period than he is entitled to, or negligently allow any water to run to waste after having had his full share of such water, or misappropriate his neighbour's water through the boundary ridges. Every proprietor who contravenes this paragraph shall forfeit his right to his share of water in the turn next following.

(iv.) No person shall obtain any water for the use of any field except through the proper wakkadas or gaps, and except at such times and for such periods as may be prescribed by custom or where there is no such custom, as may have been fixed by the Irrigation Headman.

(v.) No proprietor shall without the consent of the other proprietors, make any alteration in the size, position or number of the wakkadas or gaps. After a sufficient quantity of water has been obtained for a field, the water shall be allowed to run into, and be taken for the use of, the adjoining field.

(vi.) The proprietors of two or more tracts irrigated by the same principal water-course shall determine at a meeting to be convened for the purpose the proportion of water to be allowed to each tract. At the entrance to each wakkada or gap through which the water is turned off to the respective tracts, a stone shall be placed in the presence of the several Irrigation Headmen in order to regulate the supply of water. All such stones shall be so placed as to be on the same level. No proprietor shall increase the quantity of water so regulated without the consent of the other proprietors. Any dispute among the proprietors as to the regulation of the supply of water under this rule shall be determined by the Assistant Government Agent after such inspection and inquiry as he may deem necessary, and such decision shall be final.

(vii.) When there is a deficiency of water in the tank, no proprietor who has neglected to commence cultivation at the proper time or who has sown paddy of a kind other than that determined by the majority of proprietors of lands in the tract, shall take or be allowed any water for his cultivation.

(viii.) Where there are no tanks, anicuts, amunas or channels, the water shall first be let into the field on the highest level and the other fields shall be irrigated in succession down to the lowest.

#### *Damage to Irrigation Works.*

23. (i.) No person shall, without the previous permission of the Assistant Government Agent, cut or injure the bund of a tank, or block, damage or interfere with the spill or spill gates, the sluices, regulators or other contrivance,

(ii.) In any case where it is necessary to cut the bund of a tank to prevent otherwise inevitable damage and it is impossible to communicate in time with the Assistant Government Agent or the Irrigation Officer in charge, such permission from the Assistant Government Agent may be dispensed with, but the Irrigation Headman shall forthwith report such action to the Assistant Government Agent and the burden of proving such special circumstances shall lie upon the person or persons who cut the bund.

(iii.) In any tank not provided with sluices, a place (to be approved by an Irrigation Officer deputed by the Assistant Government Agent) shall be fixed for cutting the bund for the purpose of taking water and the bund shall be cut at that appointed place and at no other.

(iv.) No person other than the Assistant Government Agent or an officer or person duly authorized by him in that behalf shall in any way interfere with, or alter the level of, the spill water or sluice of any tank.

24. No person shall cut any gap in any permanent dam or bank of an irrigation channel but wooden or cement pipes may be inserted where necessary by the Irrigation Headman or the Supervising Officer. The cost of the insertion and upkeep of such pipes shall be borne by the owners of the lands dependent on the outlet in proportion to their respective holdings.

25. (i.) No person shall obstruct or encroach upon any channel, water-course, amuna, tank, tank bund or irrigation scheme. No person shall erect any field or garden fence within the reservation of any channel, water-course, amuna, tank bund or bed, or irrigation scheme.

(ii.) No person shall asweddumise any land or erect any fence within a distance of 50 feet from the toe of any bund without the permission of the Assistant Government Agent. Wherever possible a space of not less than 10 feet from the bank of the channel shall be kept clear of cultivation.

(iii.) No person shall divert or empty any channel or other water-course irrigating any paddy land.

26. No person shall clear or cut down the jungle or trees growing on the borders or in the immediate vicinity of any stream, water-course or spring and required for its preservation or protection and no person shall throw any stones, rubbish or other matter into any channel, water-course or spring and thereby impede the passage of the water.

27. No proprietor shall do any act which is likely to affect injuriously any privilege or right which any other proprietor is entitled to, enjoy in common with him.

#### *Field Fences and Watch Huts.*

28. (i.) The fences necessary for the protection of a tract of paddy land shall be erected and kept in a state of good repair and order by the proprietors jointly with labour contributed in proportion to the holding of each such proprietor. The ismatta fence, where it is customary to have such fence, shall be erected and kept in good repair by the proprietor of the adjoining field and such proprietor shall fence his own portion of field according to custom.

(ii.) The common fence round a tract of cultivated land shall be measured by the Irrigation Headman and apportioned by him to each proprietor irrespective of whether or not the fence adjoins the field of such proprietor. The fence shall be constructed with stakes and each proprietor shall complete his share within the time fixed by the Irrigation Headman.

(iii.) No proprietor shall be exempted from contributing his share of any labour due jointly from the proprietors under this rule, on the ground that his land is not cultivated for the season.

(iv.) After the reaping is over, the fence sticks shall if required for a second cultivation, be removed by the proprietors and heaped in a place appointed by the Irrigation Headman. No person shall remove such fence sticks without the permission of the Irrigation Headman.

29. In any area or place where it is customary to erect pelas or watch huts for the protection of a tract of paddy fields, each proprietor shall contribute labour in proportion to his holding for the erection of such pelas or watch huts as may be necessary, and shall keep regular watch in turn until the Irrigation Headman announces that the crop of the whole tract has been reaped and stored at the threshing floor.

#### *Threshing Floors.*

30. (i.) Each threshing floor shall be cleared, prepared and fenced by the proprietors jointly by labour contributed in proportion to the holding of each such proprietor: provided that this rule shall not apply to any proprietor who has a separate threshing floor for his own field.

(ii.) Where a threshing floor is used by several proprietors it shall not be asweddumized or otherwise rendered unfit for use as a threshing floor by any one of them without the written consent of the other proprietors, or by any other person without the written consent of all the proprietors.

#### *Betma Cultivation.*

31. Whenever there is not sufficient water in a tank or amuna to permit of the whole tract of fields under the tank or the amuna being cultivated for the season, it shall be competent for the Irrigation Headman to convene a meeting of the proprietors and to determine with the consent of the majority what extent of the tract shall be cultivated, and to assign to each proprietor his share of the Betma, irrespective of ownership, in proportion to the holding of that proprietor in the general tract.

No proprietor shall neglect or refuse to comply with the terms of the Betma.

32. (i.) The proprietor of any land which may be asweddumized under any tank after the date on which these rules come into force shall—

(a) be liable in like manner as the proprietors of lands under cultivation at that date to contribute his share of labour for the restoration of any tank and double labour for the repair or maintenance of restored tanks.

(b) not be entitled to water for the irrigation of that land except when the tank in full.

(ii.) Whenever new lands are asweddumized, the main channel shall be extended, opened, worked and repaired by the proprietors of such lands with labour contributed in proportion to the extent asweddumized by each such proprietor.

(iii.) When any new tract is asweddumized, the drainage channels shall not be used as irrigation channels, but suitable new channels shall be opened to take water to the new fields, and drainage channels shall wherever possible, be provided at the lowest level of the new fields.

(iv.) The feeding channels from the main channel shall be made and repaired jointly by those proprietors through whose lands such channels pass with labour contributed in proportion to the extent owned by each of them.

(v.) No person shall divert water to asweddumize a new land without the consent of the owners of the existing fields and of the Assistant Government Agent.

(vi.) Where any scheme for the asweddumization of a tract of land has been passed by a majority of the proprietors interested, and when one-tenth of such tract has been asweddumized, the proprietors of such tract shall open up channels as required by paragraph (ii.). If owing to their default the lands on which the work of asweddumization has been commenced are prevented from being irrigated, the necessary channels shall be opened by the Irrigation Headman acting on the orders of the Assistant Government Agent or Supervising Officer, and the cost of such work shall be recoverable from the defaulters under section 19 of the Ordinance.

(vii.) The fencing of new asweddumas shall be carried out by the proprietors of the asweddumas with labour contributed in proportion to the extent asweddumized by each of them.

#### *Tank Bed Cultivation.*

33. (i.) No person shall cultivate the bed of a village tank unless he obtains a permit from the Assistant Government Agent authorizing such cultivation.

(ii.) No permit shall be issued by the Assistant Government Agent under this rule to any person unless such person is a proprietor of a field under the tank.

(iii.) The permit under this rule shall be issued free of charge.

#### *Alternate Cultivation.*

34. No person shall infringe the custom relating to the taking of water to one field or tract of fields during the yala and to another field or tract of fields during the maha season.

#### *Maintenance of Tanks.*

35. (i.) Every restored tank shall be repaired, maintained or improved by the proprietors of lands under such tank whenever they are called upon to contribute labour by the Assistant Government Agent.

(ii.) The Assistant Government Agent shall decide the nature of work to be done and the number of days labour to be performed by each proprietor at the rate of 8 cubes of earthwork to every amunam of land cultivated by such proprietor under the tank: provided however that in the case of lands in the Inamalawa korale the rate shall be 12 cubes per amunam: provided further that in any special case further labour may be called out by the order of the Assistant Government Agent.

36. (1) Every owner of land under a tank which is being restored shall be liable to contribute annually, towards the restoration of such tank, labour at the rate of 8 cubes of earthwork for every amunam of land owned by him: provided however that in the case of lands in the Inamalawa korale, the rate shall be 12 cubes per amunam.

(ii.) Special labour may be called out by order of the Assistant Government Agent whenever he considers that such labour is necessary for any urgent work of repair or of prevention of impending damage.

(iii.) Any person liable to perform any annual labour or special labour under rule 35 of this rule may, in commutation of such labour, make payment in money before the expiry of the date fixed for the performance of such labour, at the rate of Re. 1.50 for each cube of earthwork due from him. No person shall fail either to contribute the annual labour or special labour due from him or to make payment as aforesaid in commutation of such labour.

37. All earthwork on tanks for any given year shall be completed on or before September 30 in that year, and all maintenance work on such tanks shall be completed on or before December 31 of that year; and each proprietor shall complete his share of the bund not later than the month of January next succeeding, and on such completion, shall be given a certificate to that effect by the Wew Lekama.

38. No person shall be exempted from contributing his quota of labour for any work to which he is liable under these rules on the ground that his field has not been cultivated for the season.

#### *Borrow Pits.*

39. (i.) All borrow pits shall be cut inside the tank so that they are wholly outside the slope of the embankment when prolonged, and have at least 50 feet between the bottom edge of the pit and the slope line. Such borrow pits shall be cut on regular base lines as directed by the Irrigation Sub-Inspector.

(ii.) No borrow pits shall be cut outside a tank embankment except with the written permission of the Irrigation Sub-Inspector.

#### *List of Cultivators.*

40. Each proprietor shall deliver to the Irrigation Headman, not later than two days before the commencement of cultivation, a list of the cultivators to be employed in his field.

#### *General.*

41. (i.) In the event of any proprietor neglecting or refusing to cultivate his share of the field in any season, the Irrigation Headman shall submit the matter to the Assistant Government Agent and the Assistant Government Agent may after due notice to the proprietors allow such share of the field to be cultivated by any other proprietor on the condition that he shall pay half the customary ground share to the proprietor of the field.

(ii.) The proprietor who is allowed by the Assistant Government Agent to cultivate the field under paragraph (i.) shall be liable to contribute labour for any work to be carried out under these rules for the season's cultivation, to the same extent as if he were the actual proprietor of the field.

42. Trees or jungle likely to occasion damage by giving cover to wild animals or otherwise, shall be removed or cleared on the orders of the Irrigation Headman by the proprietors of the land whereon they may be growing. Each portion of any jungle surrounding a tract of paddy fields (Wanata) shall be cleared according to ancient custom by the owner of the paddy field adjoining such portion.

43. Where the proprietors at any meeting duly convened, resolve to prohibit the use of any amuna, potawa, tank or channel or any part of an amuna, potawa, tank or channel, for bathing or for the washing of animals or clothes, no person shall bathe or wash animals or clothes in any such place.

44. (i.) Cattle folds shall be established on or removed from the borders or the immediate neighbourhood of fields under cultivation according to the ancient custom of the District; but no cattle shall be tethered or grazed in any portion of an enclosed tract of fields until the crop of the whole tract has been reaped and removed.

(ii.) After cultivation has commenced no cattle shall be admitted to the tract of fields, except for the necessary purposes of cultivation, until all the fields in the tract have been reaped and their crops removed.

(iii.) No person shall allow his cattle to trespass on any tank bund, irrigation channel or Amuna.

45. Whenever practicable an area not less than 10 feet in width round the paddy field, and in addition the banks of the channels irrigating the fields, shall be kept clear of jungle.

46. No person shall open any drain from any high land into a paddy field so as to damage the paddy field.

47. Any existing custom relating to any matters not provided for in these rules, and not inconsistent with them, shall be deemed to be part of these rules and shall have effect accordingly.

48. The rules made under section 11 (now section 7) of the Ordinance by the proprietors within the Irrigation District of Matale North, and published in *Gazette* No. 7,396 of May 30, 1924, are hereby revoked.

L. D.—B 128/37

#### THE IRRIGATION ORDINANCE.

RULES under section 7 of the Irrigation Ordinance (Chapter 312), made by the prescribed majority of the proprietors within the Irrigation District of Matale South, in the Matale District of the Central Province, and approved by the Officer Administering the Government by virtue of the powers vested in the Governor by section 14 of the Ordinance.

D. S. SENANAYAKE,

Minister for Agriculture and Lands.

Colombo, November 7, 1939.

#### RULES.

##### *Definitions.*

- In these rules, unless the context otherwise requires—
  - "Ordinance" means the Irrigation Ordinance;
  - "Irrigation Headman" means an Irrigation Headman elected or appointed under the provisions of Chapter IV. of the Ordinance, and commonly known in the Matale District as "Vel Mula-deniya", "Vel Vidane", "Vel Dewaya", "Vel Pediya", "Vel Duraya", "Vel Panikkiya" or by any other name of similar import;
  - "Supervising Officer" means a Chief Headman or other officer appointed by the Assistant Government Agent to supervise the work of irrigation or cultivation in irrigable lands;
  - "area" means the part of the irrigation district for which an Irrigation Headman is elected or appointed.

##### *Duties of Irrigation Headmen.*

- (1) It shall be the duty of every Irrigation Headman—
  - (a) to reside within 3 miles of the area for which he is elected or appointed;
  - (b) to operate and maintain in good order all sluices, regulators, and other structures in his charge;
  - (c) to issue the necessary notice, call out labour, and supervise all earthworks and repairs and all works of irrigation and paddy cultivation within his area, subject to instructions from and the control of, the Assistant Government Agent or the Supervising Officer;
  - (d) to report the occurrence of any damage to any bund, spill, sluice or any other work connected with irrigation work, or any leak at the sluice, to the Irrigation Sub-Inspector and also to the Supervising Officer;
  - (e) to prepare before the thirtieth day of June in each year a list for the ensuing year of pangus or shares under each tank or other irrigation work in his charge, with the names and shares of the owners, and forward such list to the Wew Lekama.
  - (f) to enforce these and all other Irrigation Rules and to report all breaches thereof to the Assistant Government Agent.

(2) Every Irrigation Headman shall maintain a register of irrigable lands in his area, showing the names and the extent of each irrigable field, the name or names of the proprietors thereof, and the share of each proprietor in such field. Such register shall be revised annually and shall show the length of channel to be cleared and the length of fence to be erected by the proprietors in proportion to their holdings. Such register shall be open for inspection by the proprietors. For the purpose of the preparation of the register every proprietor of an irrigable land shall give notice to the Irrigation Headman of the area within which such land is situated of any changes of ownership of such land.

(3) *Remuneration of Irrigation Headmen.*—Every Irrigation Headman of the Matale South Division shall be entitled to receive as his remuneration one laha of paddy for each pela sown. Where more than one Irrigation Headman is appointed for the same area, the remuneration shall be divided equally between them. The paddy shall be delivered to the Irrigation Headmen at the threshing floor before any part of the crop is removed.

*Cultivation Meetings.*

3. Before the commencement of each cultivation season a meeting of the proprietors of each area shall be convened by the Supervising Officer or any Irrigation Headman authorized in writing by the Supervising Officer for the purpose.

(2) Of the time and place fixed for the meeting by the Supervising Officer or person deputed by him as aforesaid, at least seven days notice shall be given in such manner as shall appear to him best adapted for giving publicity thereto.

4. The meeting convened under rule 3 shall determine—

(i.) the nature and extent of the land to be cultivated ;  
(ii.) the dates for the commencement and completion of each of the works of—

- (a) clearing channels,
- (b) fencing fields,
- (c) sowing,
- (d) erection of watch-huts, and
- (e) reaping ;

(iii.) the kind of paddy to be sown ;  
(iv.) the place and manner in which black cattle and buffaloes are to be confined during cultivation ;  
(v.) the last date for issue of water ;  
(vi.) the exemption from cultivation duties to be allowed on application made by proprietors.

5. If for any reason it is not possible to commence cultivation on the date determined under rule 4, or if the supply of water is likely to be insufficient to irrigate the whole area decided on originally, a further date, or the proportion of the tracts to be abandoned for that season, shall be determined at a further meeting of the proprietors duly convened for the purpose. Each of the proprietors of the area which it was originally decided to irrigate, shall have a right to cultivate a proportionate share of the reduced area.

6. In the event of any of the matters mentioned in the foregoing rules 4 and 5 remaining undetermined by reason of the failure of the majority of the proprietors either to attend a meeting of which due notice is given, or to arrive at a decision thereon, such matter shall be determined by the Assistant Government Agent or person deputed by him to preside over the meeting.

7. The Assistant Government Agent or person deputed by him to preside over the meeting shall cause all matters determined under rules 4, 5, and 6 to be published by beat of tom tom or by affixing written notices in conspicuous places within the area or by other suitable means. Every proprietor shall be bound by any matter so determined and published.

8. *List of Cultivators.*—Each proprietor shall deliver to the Irrigation Headman, not less than two days before the date fixed for the commencement of cultivation, a list of cultivators to be employed in his land. Such list shall be countersigned by the respective cultivators as proof of their undertaking to cultivate the land.

*Repairs to Amunas, Potawas, Channels, Tanks, &c.*

9. All field channels, dams, amunas, potawas, and tanks which are not in charge of the Irrigation Department shall be repaired and maintained throughout the season by the proprietors whose lands are irrigated thereby with labour contributed in proportion to their respective holdings.

10. The portion of the channels, dams, amunas, or bunds for the repair and maintenance of which each proprietor is responsible shall be demarcated with pegs or blocks by the Supervising Officer or the Irrigation Headman acting under the authority of the Supervising Officer.

11. On the day and at the time appointed by the Irrigation Headman for any work of construction or repair each proprietor shall proceed to the place appointed by such headman with all the necessary tools for the commencement of work. No proprietor shall cease work for the day without good and sufficient cause, or unless the proportion of labour due from him has been duly and properly rendered to the satisfaction of the Irrigation Headman.

12. (1) Each proprietor shall repair and maintain in good order the portions of feeding channel immediately adjoining his land. The entire length of any feeding channel above the tract of fields and not immediately adjoining any paddy field shall be repaired and maintained jointly by the proprietors of the fields benefited thereby with labour contributed in proportion to the holding of each such proprietor : Provided however that any breach in a bund adjoining an oya or main stream adjacent to a

paddy field shall be repaired by all proprietors jointly with labour contributed in such proportion as may be determined by the Irrigation Headman.

(2) Every main channel shall be repaired and maintained by the proprietors jointly by labour distributed in proportion to the holding of each such proprietor, whether or not such proprietor is benefited by the part of the channel which is assigned to him for repairs.

(3) The decision as to whether any part of a channel shall be considered a main channel or not shall be made by the Supervising Officer ; but any proprietor dissatisfied with the decision may appeal therefrom to the Assistant Government Agent whose decision shall be final.

13. If the majority of proprietors at any time refuse to repair or keep in order any amuna, potawa, channel or tank, any proprietor may complain of such refusal to the Assistant Government Agent who shall decide whether or not the work shall be proceeded with by such proprietor and such decision of the Assistant Government Agent shall be final.

14. If the work of repair of a channel, amuna or tank should happen in any particular season to be attended with more difficulty than in ordinary years, and if some of the fields in the tract be left in consequence uncultivated the owners of the fields so left uncultivated shall notwithstanding contribute their usual quota of labour towards the repair of the channel, amuna or tank as fixed or apportioned by the Irrigation Headman although they may fail to be thereby benefited by the work for that season.

15. The proprietors shall maintain the bunds on either side of any water-courses in paddy fields as far as possible at the same height and breadth, so as to enable surplus water or flood water to flow over the fields on either side equally.

16. Except with the written consent of the proprietors of any land which is under cultivation and is irrigated by any main stream or existing channel, no new amuna on the main stream, or new channel from the existing channel shall be constructed for the irrigation of any lands cultivated for the first time or for any other purpose in any manner likely to affect the interest of any such proprietor.

17. (i.) Application for permission to construct any new channel, dam, amuna, or other work decided on by the majority of proprietors in any tract shall be made in writing to the Assistant Government Agent.

(ii.) Any work the construction of which is permitted by the Assistant Government Agent shall be carried out in such manner and within such time and according to such specifications as may be prescribed by the Assistant Government Agent or the Supervising Officer.

(iii.) For the construction of such work every proprietor of lands within the tract, shall be liable to contribute labour in proportion to his holding.

18. (i.) Every proprietor of new lands which have been surveyed and demarcated by landmarks, with reservations for field channels for irrigating such lands, shall construct his proportion of such field channels in accordance with alignments approved by the Department of Irrigation.

(ii.) If any proprietor of such land is unable to obtain water for irrigation owing to any default on the part of any other proprietor in constructing his share of the field channels after notice from the Supervising Officer, the Irrigation Headman may with the approval of the Supervising Officer, cause the work to be done and recover the cost thereof from the defaulter in accordance with section 19 of the Ordinance.

19. (i.) Every proprietor shall grant way leave for field channels, dams or other works notwithstanding that his own lands may not be benefited thereby.

(ii.) All proprietors whose lands are benefited by any work referred to in paragraph (i.) shall be liable under this rule to pay to the owners of lands which suffer damage by the construction of such work, compensation for any land taken or damage done, in proportion to the area of the holdings benefited, and according to such rates of compensation as may be determined by the Assistant Government Agent : Provided that, unless the Assistant Government Agent otherwise directs, no compensation shall ordinarily be payable in respect of lands lying within the fields or tract of fields benefited.

*Ridges and Paths.*

20. (i.) The imniyara or liminary ridge between two fields shall be made, repaired and maintained by the proprietor of the field which is on the higher level.

(ii.) No person shall cut, alter, scrape or otherwise remove soil from any liminary ridge, or break, cut down or remove any land mark of a field, without the consent of all persons who have an interest in the land on either side of the ridge or landmark.

(iii.) No person shall remove any Crown landmark in any circumstances whatsoever.



(iv.) No person shall reduce the size of any path, or any ridge serving as a path, through a paddy field, or place any obstruction other than a stile, gate or indikada across such path or ridge.

21. Every Gansabhawa path through a field, whether or not such field is cultivated, shall be maintained at a width of three feet and kept in repair by the proprietors jointly by labour contributed in proportion to the holding of each such proprietor. Any proprietor who prefers to substitute and maintain during the cultivation season a six-foot "Pitapara" in place of a three-foot path through his paddy land, may do so with the consent of the other proprietors and the approval of the Irrigation Headmen.

#### *Regulation and Distribution of Water.*

22. (i.) In the order beginning with the field furthest from the tank or amuna and ending with the nearest, each proprietor shall take his supply of water strictly in turn and only in proportion to the extent of his holding, at such intervals and for such number of hours as the Irrigation Headman may fix.

(ii.) No proprietor who neglects to utilize his share of water in his proper turn, shall be allowed any supply until his next turn comes round: Provided that for any special reason a proprietor may exchange his turn with any other proprietor with the approval of the Irrigation Headman.

(iii.) No proprietor shall take water out of his turn or for a longer period than he is entitled to, or negligently allow any water to run to waste after having had his full share of such water, or misappropriate his neighbour's water through the boundary ridges. Every proprietor who contravenes this paragraph shall forfeit his right to his share of water in the turn next following.

(iv.) No person shall obtain any water for the use of any field except through the proper wakkadas or gaps, and except at such times and for such periods as may be prescribed by custom or where there is no such custom, as may have been fixed by the Irrigation Headman.

(v.) No proprietor shall without the consent of the other proprietors, make any alteration in the size, position or number of the wakkadas or gaps. After a sufficient quantity of water has been obtained for a field, the water shall be allowed to run into, and be taken for the use of, the adjoining field.

(vi.) The proprietors of two or more tracts irrigated by the same principal water-course shall determine at a meeting to be convened for the purpose the proportion of water to be allowed to each tract. At the entrance to each wakkada or gap through which the water is turned off to the respective tracts, a stone shall be placed in the presence of the several Irrigation Headmen in order to regulate the supply of water. All such stones shall be so placed as to be on the same level. No proprietor shall increase the quantity of water so regulated without the consent of the other proprietors. Any dispute among the proprietors as to the regulation of the supply of water under this rule shall be determined by the Assistant Government Agent after such inspection and inquiry as he may deem necessary, and such decision shall be final.

(vii.) When there is a deficiency of water in the tank, no proprietor who has neglected to commence cultivation at the proper time or who has sown paddy of a kind other than that determined by the majority of proprietors of lands in the tract, shall take or be allowed any water for his cultivation.

(viii.) Where there are no tanks, anicuts, amunas or channels, the water shall first be let into the field on the highest level and the other fields shall be irrigated in succession down to the lowest.

#### *Damage to Irrigation Works.*

23. (i.) No person shall, without the previous permission of the Assistant Government Agent, cut or injure the bund of a tank, or block, damage or interfere with the spill or spill gates, the sluices, regulators or other contrivance.

(ii.) In any case where it is necessary to cut the bund of a tank to prevent otherwise inevitable damage and it is impossible to communicate in time with the Assistant Government Agent or the Irrigation Officer in charge, such permission from the Assistant Government Agent may be dispensed with, but the Irrigation Headman shall forthwith report such action to the Assistant Government Agent and the burden of proving such special circumstances shall lie upon the person or persons who cut the bund.

(iii.) In any tank not provided with sluices, a place (to be approved by an Irrigation Officer deputed by the Assistant Government Agent) shall be fixed for cutting the bund for the purpose of taking water and the bund shall be cut at that appointed place and at no other.

(iv.) No person other than the Assistant Government Agent or an officer or person duly authorized by him in that behalf shall in any way interfere with, or alter the level of, the spill water or sluice of any tank.

24. No person shall cut any gap in any permanent dam or bank of an irrigation channel but wooden or cement pipes may be inserted where necessary by the Irrigation Headman or the Supervising Officer. The cost of the insertion and upkeep of such pipes shall be borne by the owners of the lands dependent on the outlet in proportion to their respective holdings.

25. (i.) No person shall obstruct or encroach upon any channel, water-course, amuna, tank, tank bund or irrigation scheme. No person shall erect any field or garden fence within the reservation of any channel, water-course, amuna, tank bund or bed, or irrigation scheme.

(ii.) No person shall asweddumize any land or erect any fence within a distance of 50 feet from the toe of any bund without the permission of the Assistant Government Agent. Wherever possible a space of not less than 10 feet from the bank of the channel shall be kept clear of cultivation.

(iii.) No person shall divert or empty any channel or other water-course irrigating any paddy land.

26. No person shall clear or cut down the jungle or trees growing on the borders or in the immediate vicinity of any stream, water-course or spring and required for its preservation or protection and no person shall throw any stones, rubbish or other matter into any channel, water-course or spring and thereby impede the passage of the water.

27. No proprietor shall do any act which is likely to affect injuriously any privilege or right which any other proprietor is entitled to, enjoy in common with him.

#### *Field Fences and Watch Huts.*

28. (i.) The fences necessary for the protection of a tract of paddy land shall be erected and kept in a state of good repair and order by the proprietors jointly with labour contributed in proportion to the holding of each such proprietor. The ismatta fence, where it is customary to have such fence, shall be erected and kept in good repair by the proprietor of the adjoining field and such proprietor shall fence his own portion of field according to custom.

(ii.) The common fence round a tract of cultivated land shall be measured by the Irrigation Headman and apportioned by him to each proprietor irrespective of whether or not the fence adjoins the field of such proprietor. The fence shall be constructed with stakes and each proprietor shall complete his share within the time fixed by the Irrigation Headman.

(iii.) No proprietor shall be exempted from contributing his share of any labour due jointly from the proprietors under this rule, on the ground that his land is not cultivated for the season.

(iv.) After the reaping is over, the fence sticks shall if required for a second cultivation, be removed by the proprietors and heaped in a place appointed by the Irrigation Headman. No person shall remove such fence sticks without the permission of the Irrigation Headman.

29. In any area or place where it is customary to erect pelas or watch huts for the protection of a tract of paddy fields, each proprietor shall contribute labour in proportion to his holding for the erection of such pelas or watch huts as may be necessary, and shall keep regular watch in turn until the Irrigation Headmen announces that the crop of the whole tract has been reaped and stored at the threshing floor.

#### *Threshing Floors.*

30. (i.) Each threshing floor shall be cleared, prepared and fenced by the proprietors jointly by labour contributed in proportion to the holding of each such proprietor: Provided that this rule shall not apply to any proprietor who has a separate threshing floor for his own field.

(ii.) Where a threshing floor is used by several proprietors it shall not be asweddumized or otherwise rendered unfit for use as a threshing floor by any one of them without the written consent of the other proprietors or by any other person without the written consent of all the proprietors.

#### *Betma Cultivation.*

31. Whenever there is not sufficient water in a tank or amuna to permit of the whole tract of fields under the tank or the amuna being cultivated for the season, it shall be competent for the Irrigation Headman to convene a meeting of the proprietors and to determine with the consent of the majority what extent of the tract shall be cultivated, and to assign to each proprietor his share of the Betma, irrespective of ownership, in proportion to the holding of that proprietor in the general tract.

No proprietor shall neglect or refuse to comply with the terms of the Betma.

32. (i.) The proprietor of any land which may be asweddumized under any tank after the date on which these rules come into force shall—

(a) be liable in like manner as the proprietors of lands under cultivation at that date to contribute his share of labour for the restoration of any tank and double labour for the repair or maintenance of restored tanks.

(b) not be entitled to water for the irrigation of that land except when the tank is full.

(ii.) Whenever new lands are asweddumized, the main channel shall be extended, opened, worked, and repaired by the proprietors of such lands with labour contributed in proportion to the extent asweddumized by each such proprietor.

(iii.) When any new tract is asweddumized, the drainage channels shall not be used as irrigation channels, but suitable new channels shall be opened to take water to the new fields, and drainage channels shall whenever possible, be provided at the lowest level of the new fields.

(iv.) The feeding channels from the main channel shall be made and repaired jointly by those proprietors through whose lands such channels pass with labour contributed in proportion to the extent owned by each of them.

(v.) No person shall divert water to asweddumize a new land without the consent of the owners of the existing fields and of the Assistant Government Agent.

(vi.) Where any scheme for the asweddumization of a tract of land has been passed by a majority of the proprietors interested, and when one-tenth of such tract has been asweddumized, the proprietors of such tract shall open up channels as required by paragraph (ii.). If owing to their default the lands on which the work of asweddumization has been commenced are prevented from being irrigated, the necessary channels shall be opened by the Irrigation Headman acting on the orders of the Assistant Government Agent or Supervising Officer, and the cost of such work shall be recoverable from the defaulters under section 19 of the Ordinance.

(vii.) The fencing of new asweddumas shall be carried out by the proprietors of the asweddumas with labour contributed in proportion to the extent asweddumized by each of them.

#### *Tank Bed Cultivation.*

33. (i.) No person shall cultivate the bed of a village tank unless he obtains a permit from the Assistant Government Agent authorizing such cultivation.

(ii.) No permit shall be issued by the Assistant Government Agent under this rule to any person unless such person is a proprietor of a field under the tank.

(iii.) The permit under this rule shall be issued free of charge.

#### *Alternate Cultivation.*

34. No person shall infringe the custom relating to the taking of water to one field or tract of fields during the yala and to another field or tract of fields during the maha season.

#### *Maintenance of Tanks.*

35. (i.) Every restored tank shall be repaired, maintained or improved by the proprietors of lands under such tank whenever they are called upon to contribute labour by the Assistant Government Agent.

(ii.) The Assistant Government Agent shall decide the nature of work to be done and the number of days labour to be performed by each proprietor at the rate of 8 cubes of earthwork to every amunam of land cultivated by such proprietor under the tank: provided that in any special case further labour may be called out by the order of the Assistant Government Agent.

36. (i.) Every owner of land under a tank which is being restored shall be liable to contribute annually, towards the restoration of such tank, labour at the rate of 8 cubes of earthwork for every amunam of land owned by him.

(ii.) Special labour may be called out by order of the Assistant Government Agent whenever he considers that such labour is necessary for any urgent work of repair or of prevention of impending damage.

(iii.) Any person liable to perform any annual labour or special labour under rule 35 or this rule may, in commutation of such labour, make payment in money before the expiry of the date fixed for the performance of such labour, at the rate of Re. 1.50 for each cube of earthwork due from him. No person shall fail either to contribute the annual labour or special labour due from him or to make payment as aforesaid in commutation of such labour.

37. All earthwork on tanks for any given year shall be completed on or before September 30 in that year, and all maintenance work on such tanks shall be completed on or before the 31st December of that year; and each proprietor shall complete his share of the bund not later than the

month of January next succeeding, and on such completion, shall be given a certificate to that effect by the Wew Lekama.

38. No person shall be exempted from contributing his quota of labour for any work to which he is liable under these rules on the ground that his field has not been cultivated for the season.

#### *Borrow Pits.*

39. (i.) All borrow pits shall be cut inside the tank so that they are wholly outside the slope of the embankment when prolonged, and have at least 50 feet between the bottom edge of the pit and the slope line. Such borrow pits shall be cut on regular base lines as directed by the Irrigation Sub-Inspector.

(ii.) No borrow pits shall be cut outside a tank embankment except with the written permission of the Irrigation Sub-Inspector.

#### *List of Cultivators.*

40. Each proprietor shall deliver to the Irrigation Headman, not later than two days before the commencement of cultivation, a list of the cultivators to be employed in his field.

#### *General.*

41. (i.) In the event of any proprietor neglecting or refusing to cultivate his share of the field in any season, the Irrigation Headman shall submit the matter to the Assistant Government Agent and the Assistant Government Agent may after due notice to the proprietors allow such share of the field to be cultivated by any other proprietor on the condition that he shall pay half the customary ground share to the proprietor of the field.

(ii.) The proprietor who is allowed by the Assistant Government Agent to cultivate the field under paragraph (i.) shall be liable to contribute labour for any work to be carried out under these rules for the season's cultivation, to the same extent as if he were the actual proprietor of the field.

42. Trees or jungle likely to occasion damage by giving cover to wild animals or otherwise, shall be removed or cleared on the orders of the Irrigation Headman by the proprietors of the land whereon they may be growing. Each portion of any jungle surrounding a tract of paddy fields (wanata) shall be cleared according to ancient custom by the owner of the paddy field adjoining such portion.

43. Where the proprietors at any meeting duly convened, resolve to prohibit the use of any amuna, potawa, tank or channel or any part of an amuna, potawa, tank or channel, for bathing or for the washing of animals or clothes, no person shall bathe or wash animals or clothes in any such place.

44. (i.) Cattle folds shall be established on or removed from the borders or the immediate neighbourhood of fields under cultivation according to the ancient custom of the district; but no cattle shall be tethered or grazed in any portion of an enclosed tract of fields until the crop of the whole tract has been reaped and removed.

(ii.) After cultivation has commenced no cattle shall be admitted to the tract of fields, except for the necessary purposes of cultivation, until all the fields in the tract have been reaped and their crops removed.

(iii.) No person shall allow his cattle to trespass on any tank bund, irrigation channel or amuna.

45. Whenever practicable an area not less than 10 feet in width round the paddy field, and in addition the banks of the channels irrigating the fields, shall be kept clear of jungle.

46. No person shall open any drain from any high land into a paddy field so as to damage the paddy field.

47. Any existing custom relating to any matters not provided for in these rules, and not inconsistent with them, shall be deemed to be part of these rules and shall have effect accordingly.

48. The rules made under section 11 (now section 7) of the Ordinance by the proprietors within the Irrigation District of Matale South, and published in *Gazette* No. 7,396 of May 30, 1924, are hereby revoked.

L. D.—B 128/37

#### THE IRRIGATION ORDINANCE.

RULES under section 7 of the Irrigation Ordinance (Chapter 312), made by the prescribed majority of the proprietors within the Irrigation District of Matale East, in the Matale District of the Central Province, and

approved by the Officer Administering the Government by virtue of the powers vested in the Governor by section 14 of the Ordinance.

D. S. SENANAYAKE,  
Minister for Agriculture and Lands.

Colombo, November 7, 1939.

#### RULES.

##### Definitions.

1. In these rules, unless the context otherwise requires—
  - “Ordinance” means the Irrigation Ordinance;
  - “Irrigation Headman” means an Irrigation Headman elected or appointed under the provisions of Chapter IV. of the Ordinance, and commonly known in the Matale District as “Vel Mula-deniya”, “Vel Vidane”, “Vel Dewaya”, “Vel Padiya”, “Vel Duraya”, “Vel Panikkiya” or by any other name of similar import;
  - “Supervising Officer” means a Chief Headman or other officer appointed by the Assistant Government Agent to supervise the work of irrigation or cultivation in irrigable lands;
  - “area” means the part of the irrigation district for which an Irrigation Headman is elected or appointed.

##### Duties of Irrigation Headmen.

2. (1) It shall be the duty of every Irrigation Headman—
  - (a) to reside within 3 miles of the area for which he is elected or appointed;
  - (b) to operate and maintain in good order all sluices, regulators, and other structures in his charge;
  - (c) to issue the necessary notice, call out labour, and supervise all earthworks and repairs and all works of irrigation and paddy cultivation within his area, subject to instructions from and the control of, the Assistant Government Agent or the supervising Officer;
  - (d) to report the occurrence of any damage to any bund, spill, sluice or any other work connected with irrigation work, or any leak at the sluice, to the Irrigation Sub-Inspector and also to the Supervising Officer;
  - (e) to prepare before the thirtieth day of June in each year a list for the ensuing year of pangus or shares under each tank or other irrigation work in his charge, with the names and shares of the owners, and forward such list to the Wew Lekama.
  - (f) to enforce these and all other Irrigation Rules and to report all breaches thereof to the Assistant Government Agent.

(2) Every Irrigation Headman shall maintain a register of irrigable lands in his area, showing the names and the extent of each irrigable field, the name or names of the proprietors thereof, and the share of each proprietor in such field. Such register shall be revised annually and shall show the length of channel to be cleared and the length of fence to be erected by the proprietors in proportion to their holdings. Such register shall be open for inspection by the proprietors. For the purpose of the preparation of the register every proprietor of an irrigable land shall give notice to the Irrigation Headman of the area within which such land is situated of any changes of ownership of such land.

(3) *Remuneration of Irrigation Headmen.*—Every Irrigation Headman of the Matale East Division shall be entitled to receive as his remuneration one laha of paddy for each pola sown. Where more than one Irrigation Headman is appointed for the same area, the remuneration shall be divided equally between them. The paddy shall be delivered to the Irrigation Headmen at the threshing floor before any part of the crop is removed.

##### Cultivation Meetings.

3. Before the commencement of each cultivation season a meeting of the proprietors of each area shall be convened by the Supervising Officer or any Irrigation Headman authorized in writing by the Supervising Officer for the purpose.

(2) Of the time and place fixed for the meeting by the Supervising Officer or person deputed by him as aforesaid, at least seven days notice shall be given in such manner as shall appear to him best adapted for giving publicity thereto.

4. The meeting convened under rule 3 shall determine—

- (i) the nature and extent of the land to be cultivated,
- (ii) the dates for the commencement and completion of each of the works of—
  - (a) clearing channels,
  - (b) fencing fields,
  - (c) sowing,
  - (d) erection of watch-huts, and
  - (e) reaping;
- (iii) the kind of paddy to be sown;
- (iv) the place and manner in which black cattle and buffaloes are to be confined during cultivation;
- (v) the last date for issue of water;
- (vi) the exemption from cultivation duties to be allowed on application made by proprietors.

5. If for any reason it is not possible to commence cultivation on the date determined under rule 4, or if the supply of water is likely to be insufficient to irrigate the whole area decided on originally, a further date, or the proportion of the tracts to be abandoned for that season, shall be determined at a further meeting of the proprietors duly convened for the purpose. Each of the proprietors of the area which it was originally decided to irrigate, shall have a right to cultivate a proportionate share of the reduced area.

6. In the event of any of the matters mentioned in the foregoing rules 4 and 5 remaining undetermined by reason of the failure of the majority of the proprietors either to attend a meeting of which due notice is given, or to arrive at a decision thereon, such matter shall be determined by the Assistant Government Agent or person deputed by him to preside over the meeting.

7. The Assistant Government Agent or person deputed by him to preside over the meeting shall cause all matters determined under rules 4, 5, and 6 to be published by beat of tom tom or by affixing written notices in conspicuous places within the area or by other suitable means. Every proprietor shall be bound by any matter so determined and published.

8. *List of Cultivators.*—Each proprietor shall deliver to the Irrigation Headman, not less than two days before the date fixed for the commencement of cultivation, a list of cultivators to be employed in his land. Such list shall be countersigned by the respective cultivators as proof of their undertaking to cultivate the land.

##### Repairs to Amunas, Potawas, Channels, Tanks, &c.

9. All field channels, dams, amunas, potawas, and tanks which are not in charge of the Irrigation Department shall be repaired and maintained throughout the season by the proprietors whose lands are irrigated thereby with labour contributed in proportion to their respective holdings.

10. The portion of the channels, dams, amunas, or bunds for the repair and maintenance of which each proprietor is responsible shall be demarcated with pegs or blocks by the Supervising Officer or the Irrigation Headman acting under the authority of the Supervising Officer.

11. On the day and at the time appointed by the Irrigation Headman for any work of construction or repair each proprietor shall proceed to the place appointed by such headmen with all the necessary tools for the commencement of work. No proprietor shall cease work for the day without good and sufficient cause, or unless the proportion of labour due from him has been duly and properly rendered to the satisfaction of the Irrigation Headman.

12. (1) Each proprietor shall repair and maintain in good order the portions of feeding channel immediately adjoining his land. The entire length of any feeding channel above the tract of fields and not immediately adjoining any paddy field shall be repaired and maintained jointly by the proprietors of the fields benefited thereby with labour contributed in proportion to the holding of each such proprietor: provided however that any breach in a bund adjoining an oya or main stream adjacent to a paddy field shall be repaired by all proprietors jointly with labour contributed in such proportion as may be determined by the Irrigation Headman.

(2) Every main channel shall be repaired and maintained by the proprietors jointly by labour distributed in proportion to the holding of each such proprietor, whether or not such proprietor is benefited by the part of the channel which is assigned to him for repairs.

(3) The decision as to whether any part of a channel shall be considered a main channel or not shall be made by the Supervising Officer; but any proprietor dissatisfied with the decision may appeal therefrom to the Assistant Government Agent whose decision shall be final.



*Regulation and Distribution of Water.*

13. If the majority of proprietors at any time refuse to repair or keep in order any amuna, potawa, channel or tank, any proprietor may complain of such refusal to the Assistant Government Agent who shall decide whether or not the work shall be proceeded with by such proprietor and such decision of the Assistant Government Agent shall be final.

14. If the work of repair of a channel, amuna or tank should happen in any particular season to be attended with more difficulty than in ordinary years, and if some of the fields in the tract be left in consequence uncultivated the owners of the fields so left uncultivated shall notwithstanding contribute their usual quota of labour towards the repair of the channel, amuna or tank as fixed or apportioned by the Irrigation Headman although they may fail to be thereby benefited by the work for that season.

15. The proprietors shall maintain the bunds on either side of any water-courses in paddy fields as far as possible at the same height and breadth, so as to enable surplus water or flood water to flow over the fields on either side equally.

16. Except with the written consent of the proprietors of any land which is under cultivation and is irrigated by any main stream or existing channel, no new amuna on the main stream, or new channel from the existing channel shall be constructed for the irrigation of any lands cultivated for the first time or for any other purpose in any manner likely to affect the interest of any such proprietor.

17. (i.) Application for permission to construct any new channel, dam, amuna, or other work decided on by the majority of proprietors in any tract shall be made in writing to the Assistant Government Agent.

(ii.) Any work the construction of which is permitted by the Assistant Government Agent shall be carried out in such manner and within such time and according to such specifications as may be prescribed by the Assistant Government Agent or the Supervising Officer.

(iii.) For the construction of such work every proprietor of lands within the tract, shall be liable to contribute labour in proportion to his holding.

18. (i.) Every proprietor of new lands which have been surveyed and demarcated by landmarks, with reservations for field channels for irrigating such lands, shall construct his proportion of such field channels in accordance with alignments approved by the Department of Irrigation.

(ii.) If any proprietor of such land is unable to obtain water for irrigation owing to any default on the part of any other proprietor in constructing his share of the field channels after notice from the Supervising Officer, the Irrigation Headman may with the approval of the Supervising Officer, cause the work to be done and recover the cost thereof from the defaulter in accordance with section 19 of the Ordinance.

19. (i.) Every proprietor shall grant way leave for field channels, dams or other works notwithstanding that his own lands may not be benefited thereby.

(ii.) All proprietors whose lands are benefited by any work referred to in paragraph (i.) shall be liable under this rule to pay to the owners of lands which suffer damage by the construction of such work, compensation for any land taken or damage done, in proportion to the area of the holdings benefited, and according to such rates of compensation as may be determined by the Assistant Government Agent: provided that, unless the Assistant Government Agent otherwise directs, no compensation shall ordinarily be payable in respect of lands lying within the fields or tract of fields benefited.

*Ridges and Paths.*

20. (i.) The imniyara or liminary ridge between two fields shall be made, repaired, and maintained by the proprietor of the field which is on the higher level.

(ii.) No person shall cut, alter, scrape or otherwise remove soil from any liminary ridge, or break, cut down or remove any landmark of a field, without the consent of all persons who have an interest in the land on either side of the ridge or landmark.

(iii.) No person shall remove any Crown landmark in any circumstances whatsoever.

(iv.) No person shall reduce the size of any path, or any ridge serving as a path, through a paddy field, or place any obstruction other than a stile, gate or indikada across such path or ridge.

21. Every Gansabhawa path through a field, whether or not such field is cultivated, shall be maintained at a width of three feet and kept in repair by the proprietors jointly by labour contributed in proportion to the holding of each such proprietor. Any proprietor who prefers to substitute and maintain during the cultivation season a six-foot "Pitapara" in place of a three-foot path through his paddy land, may do so with the consent of the other proprietors and the approval of the Irrigation Headmen.

22. (i.) In the order beginning with the field furthest from the tank or amuna and ending with the nearest, each proprietor shall take his supply of water strictly in turn and only in proportion to the extent of his holding, at such intervals and for such number of hours as the Irrigation Headman may fix.

(ii.) No proprietor who neglects to utilize his share of water in his proper turn, shall be allowed any supply until his next turn comes round: provided that for any special reason a proprietor may exchange his turn with any other proprietor with the approval of the Irrigation Headman.

(iii.) No proprietor shall take water out of his turn or for a longer period than he is entitled to, or negligently allow any water to run to waste after having had his full share of such water, or misappropriate his neighbour's water through the boundary ridges. Every proprietor who contravenes this paragraph shall forfeit his right to his share of water in the turn next following.

(iv.) No person shall obtain any water for the use of any field except through the proper wakkadas or gaps, and except at such times and for such periods as may be prescribed by custom or where there is no such custom, as may have been fixed by the Irrigation Headman.

(v.) No proprietor shall without the consent of the other proprietors, make any alteration in the size, position or number of the wakkadas or gaps. After a sufficient quantity of water has been obtained for a field, the water shall be allowed to run into, and be taken for the use of, the adjoining field.

(vi.) The proprietors of two or more tracts irrigated by the same principal water-course shall determine at a meeting to be convened for the purpose the proportion of water to be allowed to each tract. At the entrance to each wakkada or gap through which the water is turned off to the respective tracts, a stone shall be placed in the presence of the several Irrigation Headmen in order to regulate the supply of water. All such stones shall be so placed as to be on the same level. No proprietor shall increase the quantity of water so regulated without the consent of the other proprietors. Any dispute among the proprietors as to the regulation of the supply of water under this rule shall be determined by the Assistant Government Agent after such inspection and inquiry as he may deem necessary, and such decision shall be final.

(vii.) When there is a deficiency of water in the tank, no proprietor who has neglected to commence cultivation at the proper time or who has sown paddy of a kind other than that determined by the majority of proprietors of lands in the tract, shall take or be allowed any water for his cultivation.

(viii.) Where there are no tanks, anicuts, amunas or channels, the water shall first be let into the field on the highest level and the other fields shall be irrigated in succession down to the lowest.

*Damage to Irrigation Works.*

23. (i.) No person shall, without the previous permission of the Assistant Government Agent, cut or injure the bund of a tank, or block, damage or interfere with the spill or spill gates, the sluices, regulators or other contrivance.

(ii.) In any case where it is necessary to cut the bund of a tank to prevent otherwise inevitable damage and it is impossible to communicate in time with the Assistant Government Agent or the Irrigation Officer in charge, such permission from the Assistant Government Agent may be dispensed with, but the Irrigation Headman shall forthwith report such action to the Assistant Government Agent and the burden of proving such special circumstances shall lie upon the person or persons who cut the bund.

(iii.) In any tank not provided with sluices, a place (to be approved by an Irrigation Officer deputed by the Assistant Government Agent) shall be fixed for cutting the bund for the purpose of taking water and the bund shall be cut at that appointed place and at no other.

(iv.) No person other than the Assistant Government Agent or an officer or person duly authorized by him in that behalf shall in any way interfere with, or alter the level of, the spill water or sluice of any tank.

24. No person shall cut any gap in any permanent dam or bank of an irrigation channel but wooden or cement pipes may be inserted where necessary by the Irrigation Headman or the Supervising Officer. The cost of the insertion and upkeep of such pipes shall be borne by the owners of the lands dependent on the outlet in proportion to their respective holdings.

25. (i.) No person shall obstruct or encroach upon any channel, water-course, amuna, tank, tank bund or irrigation scheme. No person shall erect any field or garden fence within the reservation of any channel, water-course, amuna, tank bund or bed, or irrigation scheme.

(ii.) No person shall asweddumize any land or erect any fence within a distance of 50 feet from the toe of any bund without the permission of the Assistant Government Agent. Wherever possible a space of not less than 10 feet from the bank of the channel shall be kept clear of cultivation.

(iii.) No person shall divert or empty any channel or other water-course irrigating any paddy land.

26. No person shall clear or cut down the jungle or trees growing on the borders or in the immediate vicinity of any stream, water-course or spring and required for its preservation or protection and no person shall throw any stones, rubbish or other matter into any channel, water-course or spring and thereby impede the passage of the water.

27. No proprietor shall do any act which is likely to affect injuriously any privilege or right which any other proprietor is entitled to enjoy in common with him.

#### *Field Fences and Watch Huts.*

28. (i) The fences necessary for the protection of a tract of paddy land shall be erected and kept in a state of good repair and order by the proprietors jointly with labour contributed in proportion to the holding of each such proprietor. The ismatta fence, where it is customary to have such fence, shall be erected and kept in good repair by the proprietor of the adjoining field and such proprietor shall fence his own portion of field according to custom.

(ii.) The common fence round a tract of cultivated land shall be measured by the Irrigation Headman and apportioned by him to each proprietor irrespective of whether or not the fence adjoins the field of such proprietor. The fence shall be constructed with stakes and each proprietor shall complete his share within the time fixed by the Irrigation Headman.

(iii.) No proprietor shall be exempted from contributing his share of any labour due jointly from the proprietors under this rule, on the ground that his land is not cultivated for the season.

(iv.) After the reaping is over, the fence sticks shall if required for a second cultivation, be removed by the proprietors and heaped in a place appointed by the Irrigation Headman. No person shall remove such fence sticks without the permission of the Irrigation Headman.

29. In any area or place where it is customary to erect pelas or watch huts for the protection of a tract of paddy fields, each proprietor shall contribute labour in proportion to his holding for the erection of such pelas or watch huts as may be necessary, and shall keep regular watch in turn until the Irrigation Headman announces that the crop of the whole tract has been reaped and stores at the threshing floor.

#### *Threshing Floors.*

30. (i.) Each threshing floor shall be cleared, prepared, and fenced by the proprietors jointly by labour contributed in proportion to the holding of each such proprietor: provided that this rule shall not apply to any proprietor who has a separate threshing floor for his own field.

(ii.) Where a threshing floor is used by several proprietors it shall not be asweddumized or otherwise rendered unfit for use as a threshing floor by any one of them without the written consent of the other proprietors, or by any other person without the written consent of all the proprietors.

#### *Betma Cultivation.*

31. Whenever there is not sufficient water in a tank or amuna to permit of the whole tract of fields under the tank or the amuna being cultivated for the season, it shall be competent for the Irrigation Headman to convene a meeting of the proprietors and to determine with the consent of the majority what extent of the tract shall be cultivated, and to assign to each proprietor his share of the Betma, irrespective of ownership, in proportion to the holding of that proprietor in the general tract.

No proprietor shall neglect or refuse to comply with the terms of the Betma.

32. (i.) The proprietor of any land which may be asweddumized under any tank after the date on which these rules come into force shall—

(a) be liable in like manner as the proprietors of lands under cultivation at that date to contribute his share of labour for the restoration of any tank and double labour for the repair or maintenance of restored tanks.

(b) not be entitled to water for the irrigation of that land except when the tank is full.

(ii.) Whenever new lands are asweddumized, the main channel shall be extended, opened, worked, and repaired by the proprietors of such lands with labour contributed in proportion to the extent asweddumized by each such proprietor.

(iii.) When any new tract is asweddumized, the drainage channels shall not be used as irrigation channels, but suitable new channels shall be opened to take water to the new fields, and drainage channels shall whenever possible, be provided at the lowest level of the new fields.

(iv.) The feeding channels from the main channel shall be made and repaired jointly by those proprietors through whose lands such channels pass with labour contributed in proportion to the extent owned by each of them.

(v.) No person shall divert water to asweddumize a new land without the consent of the owners of the existing fields and of the Assistant Government Agent.

(vi.) Where any scheme for the asweddumization of a tract of land has been passed by a majority of the proprietors interested, and when one-tenth of such tract has been asweddumized, the proprietors of such tract shall open up channels as required by paragraph (ii.). If owing to their default the lands on which the work of asweddumization has been commenced are prevented from being irrigated, the necessary channels shall be opened by the Irrigation Headman acting on the orders of the Assistant Government Agent or Supervising Officer, and the cost of such work shall be recoverable from the defaulters under section 19 of the Ordinance.

(vii.) The fencing of new asweddumas shall be carried out by the proprietors of the asweddumas with labour contributed in proportion to the extent asweddumized by each of them.

#### *Tank Bed Cultivation.*

33. (i.) No person shall cultivate the bed of a village tank unless he obtains a permit from the Assistant Government Agent authorizing such cultivation.

(ii.) No permit shall be issued by the Assistant Government Agent under this rule to any person unless such person is a proprietor of a field under the tank.

(iii.) The permit under this rule shall be issued free of charge.

#### *Alternate Cultivation.*

34. No person shall infringe the custom relating to the taking of water to one field or tract of fields during the yala and to another field or tract of fields during the maha season.

#### *Maintenance of Tanks.*

35. (i.) Every restored tank shall be repaired, maintained or improved by the proprietors of lands under such tank whenever they are called upon to contribute labour by the Assistant Government Agent.

(ii.) The Assistant Government Agent shall decide the nature of work to be done and the number of days labour to be performed by each proprietor at the rate of 8 cubes of earthwork to every amunam of land cultivated by such proprietor under the tank: provided that in any special case further labour may be called out by the order of the Assistant Government Agent.

36. (i) Every owner of land under a tank which is being restored shall be liable to contribute annually, towards the restoration of such tank, labour at the rate of 8 cubes of earthwork for every amunam of land owned by him.

(ii.) Special labour may be called out by order of the Assistant Government Agent whenever he considers that such labour is necessary for any urgent work of repair or of prevention of impending damage.

(iii.) Any person liable to perform any annual labour or special labour under rule 35 or this rule may, in commutation of such labour, make payment in money before the expiry of the date fixed for the performance of such labour, at the rate of Re. 1.50 for each cube of earthwork due from him. No person shall fail either to contribute the annual labour or special labour due from him or to make payment as aforesaid in commutation of such labour.

37. All earthwork on tanks for any given year shall be completed on or before September 30 in that year, and all maintenance work on such tanks shall be completed on or before the 31st December of that year; and each proprietor shall complete his share of the bund not later than the month of January next succeeding, and on such completion, shall be given a certificate to that effect by the Wew Lekama.

38. No person shall be exempted from contributing his quota of labour for any work to which he is liable under these rules on the ground that his field has not been cultivated for the season.

#### *Borrow Pits.*

39. (i.) All borrow pits shall be cut inside the tank so that they are wholly outside the slope of the embankment when prolonged, and have at least 50 feet between the bottom edge of the pit and the slope line. Such borrow pits shall be cut on regular base lines as directed by the Irrigation Sub-Inspector.

(ii.) No borrow pits shall be cut outside a tank embankment except with the written permission of the Irrigation Sub-Inspector.

*List of Cultivators.*

40. Each proprietor shall deliver to the Irrigation Headman, not later than two days before the commencement of cultivation, a list of the cultivators to be employed in his field.

*General.*

41. (i.) In the event of any proprietor neglecting or refusing to cultivate his share of the field in any season, the Irrigation Headman shall submit the matter to the Assistant Government Agent and the Assistant Government Agent may after due notice to the proprietors allow such share of the field to be cultivated by any other proprietor on the condition that he shall pay half the customary ground share to the proprietor of the field.

(ii.) The proprietor who is allowed by the Assistant Government Agent to cultivate the field under paragraph (i.) shall be liable to contribute labour for any work to be carried out under these rules for the season's cultivation, to the same extent as if he were the actual proprietor of the field.

42. Trees or jungle likely to occasion damage by giving cover to wild animals or otherwise, shall be removed or cleared on the orders of the Irrigation Headman by the proprietors of the land whereon they may be growing. Each portion of any jungle surrounding a tract of paddy fields (wanata) shall be cleared according to ancient custom by the owner of the paddy field adjoining such portion.

43. Where the proprietors at any meeting duly convened, resolve to prohibit the use of any amuna, potawa, tank or channel or any part of an amuna, potawa, tank or channel, for bathing or for the washing of animals or clothes, no person shall bathe or wash animals or clothes in any such place.

44. (i.) Cattle folds shall be established on or removed from the borders or the immediate neighbourhood of fields under cultivation according to the ancient custom of the District; but no cattle shall be tethered or grazed in any portion of an enclosed tract of fields until the crop of the whole tract has been reaped and removed.

(ii.) After cultivation has commenced no cattle shall be admitted to the tract of fields, except for the necessary purposes of cultivation, until all the fields in the tract have been reaped and their crops removed.

(iii.) No person shall allow his cattle to trespass on any tank bund, irrigation channel or amuna.

45. Whenever practicable an area not less than 10 feet in width round the paddy field, and in addition the banks of the channels irrigating the fields, shall be kept clear of jungle.

46. No person shall open any drain from any high land into a paddy field so as to damage the paddy field.

47. Any existing custom relating to any matters not provided for in these rules, and not inconsistent with them, shall be deemed to be part of these rules and shall have effect accordingly.

48. The rules made under section 11 (now section 7) of the Ordinance by the proprietors within the Irrigation District of Matale East, and published in *Gazette* No. 7,396 of May 30, 1924, are hereby revoked.

J 19/38

THE PLANT PROTECTION ORDINANCE (CHAPTER 307).

HIS Excellency the Officer Administering the Government has been pleased to make the following appointment under section 3 of the Plant Protection Ordinance, Chapter 307:—

To be Inspector: Dr. B. A. Baptist.

D. S. SENANAYAKE,  
Minister for Agriculture and Lands.

Ministry of Agriculture and Lands,  
Colombo, November 7, 1939.

L. D.—B 66/38

THE FAUNA AND FLORA PROTECTION ORDINANCE.

IN pursuance of the powers conferred by section 12 (3) of the Fauna and Flora Protection Ordinance (Chapter 325), the Executive Committee of Agriculture and Lands by this Notification extends to January 25, 1940, the period for which the declaration made by the District

Warden of the Batticaloa District, under section 12 (1) of the Ordinance on October 25, 1939, and set out in the schedule hereto, shall be in force.

D. S. SENANAYAKE,  
Minister of Agriculture and Lands.

Colombo, November 7, 1939.

SCHEDULE.

I, M. Prasad, District Warden of the Batticaloa District, do hereby declare under section 12 (1) of the Fauna and Flora Protection Ordinance (Chapter 325), the area specified hereunder to be an area within which damage by elephants is apprehended. A licence authorizing the holder thereof to hunt, shoot, kill, or take any such elephant will, on application made to me, be issued subject to such conditions as may be necessary or expedient, free of charge.

M. PRASAD  
District Warden, Batticaloa District.

The Kachcheri,  
Batticaloa, October 25, 1939.

*Area referred to.*

The area of the land situated in Wewgam pattu of the Batticaloa District of the Eastern Province, and bounded as follows:—

North by southern boundary of Sammanturai pattu,  
East by western boundary of Akkarapattu,  
South by Ambalam-oya, and  
West by Moragahakandura.

THE following additions and amendments to the list of members of the Divisional Agricultural Associations already published in the *Gazette* are hereby notified for general information:—

**Trincomalee District.**

KODDIYAR PATTU DIVISIONAL AGRICULTURAL ASSOCIATION.

(e) *Representatives of Co-operative Credit Societies.*  
Sampur: Mr. K. Marimuttu, vice Mr. P. Murugappan.

**Ratnapura District.**

KURUWITI KORALE DIVISIONAL AGRICULTURAL ASSOCIATION.

(e) *Representatives of Co-operative Credit Societies.*  
Idangoda: Mr. A. W. Udumulla.

**Batticaloa District.**

MANMUNAI SOUTH AND ERUVIL PORATIVU PATTUS DIVISIONAL AGRICULTURAL ASSOCIATION.

(e) *Representatives of Co-operative Credit Societies.*  
Mandur West: Mr. E. Thamotherampillai.  
Mandur East: Mr. P. Kathamuttu.  
Puthukudiyiruppu: Mr. K. Kanapathipillai.

**Kegalla District.**

BELIGAL KORALE DIVISIONAL AGRICULTURAL ASSOCIATION.

(e) *Representatives of Co-operative Credit Societies.*  
Pila-anduwa: Mr. P. Peries Appuhamy.

D. S. SENANAYAKE,  
Minister for Agriculture and Lands.

Ministry of Agriculture and Lands,  
Colombo, November 7, 1939.

M. L. A.—B 1341/L. D.—B 50/32

THE MUNICIPAL COUNCILS ORDINANCE.

IT is hereby notified that under the provisions of section 265 of the Municipal Councils Ordinance (Chapter 193), the Municipal Council of Colombo has, with the sanction of the Officer Administering the

Government, given by virtue of the powers vested in the Governor by the said section, amended the Notification dated March 9, 1916, and published in *Gazette* No. 6,783 of March 10, 1916, as last amended by Notification published in *Gazette* No. 8,464 of July 14, 1939, by the addition in Schedule B to the first mentioned Notification of the item set out in the schedule hereto.

S. W. R. D. BANDARANAIKE,  
Minister for Local Administration.

Colombo, November 8, 1939.

SCHEDULE.

	Licence Fee. Rs. c.
" 22. The curing, by the use of sulphur fumes, of cinnamon, cardamom or fibre ..	10 0"

M. L. A.—B 1341/L. D.—B 50/32

THE HOUSING AND TOWN IMPROVEMENT  
ORDINANCE.

BY-LAW made by the Municipal Council of Colombo, under section 28 of the Housing and Town Improvement Ordinance (Chapter 199), for the area within the administrative limits of that Council, and approved by the Officer Administering the Government by virtue of the powers vested in the Governor by the said section.

S. W. R. D. BANDARANAIKE,  
Minister for Local Administration.

Colombo, November 8, 1939.

BY-LAW.

By-law 4 of the by-laws made under section 27 (now section 28) of the Housing and Town Improvement Ordinance (Chapter 199), and published in *Gazette* No. 7,607 of September 23, 1927, as last amended by by-law published in *Gazette* No. 8,382 of July 15, 1938, is hereby further amended as follows:—

- (1) by the substitution, for the words "the following trades which are hereby declared to be offensive trades and dangerous trades", of the words "the following offensive or dangerous trades"; and
  - (2) by the addition of the following item to the list of offensive trades set out therein:—
- " 15. The curing, by the use of sulphur fumes, of cinnamon, cardamom or fibre."

L. D.—B 56/33

THE QUARANTINE AND PREVENTION OF  
DISEASES ORDINANCE.

REGULATION made by the Governor by virtue of the powers vested in him by sections 2 and 3 of the Quarantine and Prevention of Diseases Ordinance (Chapter 173).

By His Excellency's command,

W. A. DE SILVA,  
Minister for Health.

Colombo, October 24, 1939.

REGULATION.

The regulations under sections 4 and 5 (now sections 2 and 3) of the Quarantine and Prevention of Diseases Ordinance (Chapter 173), published in *Gazette* No. 8,029 of January 26, 1934, as last amended by regulation published in *Gazette* No. 8,526 of October 13, 1939, are hereby further amended, in regulation 4, by the addition, at the end of paragraph (6) of that regulation, of the following:—

" The master of every vessel (other than a vessel registered in the metropolitan territory of any Government which is a signatory, or has acceded, to the International Agreement for Dispensing with Bills of Health, signed at Paris on December 22, 1934), shall, if so required by the Port Health Officer, produce in addition a bill of health duly issued at each of the ports of call at which the vessel may have touched after departure from the original port of clearance.

Every such bill of health, issued at any port other than a British port, shall (except in the case of a vessel registered in the metropolitan territory of any Government which is a signatory, or has acceded, to the International Agreement

for Dispensing with Consular Visas on Bills of Health, signed at Paris on December 22, 1934), bear a visa issued by a British consular officer at that port.

Nothing in this paragraph contained shall be deemed to authorize the Port Health Officer to require the production of a consular bill of health by the master of any vessel registered in the metropolitan territory of any Government which is a signatory, or has acceded, to either of the aforesaid International Agreements."

L. D.—B 43/34

THE REGISTRARS PROCEEDINGS VALIDATION  
ORDINANCE.

IT is hereby notified that in pursuance of the powers vested in him by section 3 of the Registrars Proceedings Validation Ordinance (Chapter 103), the Governor has made order that the Notification dated July 12, 1939, and published in *Gazette* No. 8,466 of July 21, 1939, be amended by the substitution for the expressions "No. 1,453 dated June 3, 1937" and "No. 1,854 dated April 8, 1938", appearing in item V. of Column I. of the Schedule thereto, of the expressions "No. 1,463 dated June 3, 1937", and "No. 1,864 dated April 8, 1938" respectively.

By His Excellency's command,

G. C. S. COREA,  
Minister for Labour, Industry and Commerce.

Colombo, October 30, 1939.

THE CEYLON (STATE COUNCIL ELECTIONS)  
ORDER IN COUNCIL, 1931.

No. 1—Colombo North Electoral District.

NOTICE is hereby given that the revised register of voters relating to the above-named electoral district has been completed, and that it is open for inspection at the Registrar-General's Office, Colombo, during office hours.

Every person who is qualified in accordance with the Ceylon (State Council Elections) Order in Council, 1931, to have his or her name entered in the register for the above-named electoral district and whose name has been omitted or expunged from such register and who claims to have it entered therein, may submit a written claim which must reach the Registering Officer, Registrar-General's Office, Colombo, within two weeks of the date of the publication of this notice in the *Government Gazette*, to have his or her name inserted in such register. Such claims must be in the form "A" in the Second Schedule to the Ceylon (State Council Elections) Order in Council as amended by the Ceylon (State Council Elections) Amendment Order in Council, 1935 (copies of which form may be obtained from the said Registering Officer), must set out the grounds of claim and must give an address for the receipt of notices: Provided that no person shall be entitled to claim to have his or her name inserted in the registers on the ground that he or she is qualified under Article 8 or Article 9 of the above Order in Council, unless an application made by that person in accordance with the requirements of Article 14 was duly received by the said Registering Officer on or before September 15, 1939.

Every person whose name appears in the register for the above-named electoral district who objects to the name of any other person or his or her own name appearing therein, may submit a written application, which must reach the Registering Officer, Registrar-General's Office, Colombo, within two weeks from the date of the publication of this notice in the *Government Gazette*, to have such name omitted from the register. Such application must be in the form "B" in the Second Schedule to the Ceylon (State Council Elections) Order in Council, 1931 (copies of which form may be obtained from the said Registering Officer), must set out the grounds of objection and must give an address for the receipt of notices.

C. E. DE PINTO,  
Registering Officer, Colombo North,  
Central, and South Electoral  
Districts.

Registrar-General's Office,  
Colombo, November 8, 1939.

THE CEYLON (STATE COUNCIL ELECTIONS)  
ORDER IN COUNCIL, 1931.

## No. 29—Hambantota Electoral District.

NOTICE is hereby given under Article 21 (1) of the Ceylon (State Council Elections) Order in Council, 1931, that the revised register of voters relating to the above-named electoral district has been certified and that such register is open for inspection during office hours at the Hambantota Kachcheri.

C. SITTAMPALAM,  
Registering Officer, No. 29, Hambantota  
Electoral District.

The Kachcheri,  
Hambantota, October, 31, 1939.

THE CEYLON (STATE COUNCIL ELECTIONS)  
ORDER IN COUNCIL, 1931.

## No. 49—Ratnapura Electoral District.

## No. 50—Balangoda Electoral District.

NOTICE is hereby given that the revised registers of voters relating to the above-named electoral districts have been certified, and that such registers, or copies thereof, are open for inspection during office hours at the Ratnapura Kachcheri.

R. M. DAVIES,  
Registering Officer, No. 49, Ratnapura  
Electoral District and No. 50,  
Balangoda Electoral District.

The Kachcheri,  
Ratnapura, November 7, 1939.

THE CEYLON (STATE COUNCIL ELECTIONS)  
ORDER IN COUNCIL, 1931.

## No. 38—Kurunegala Electorate.

## No. 39—Narammala Electorate.

## No. 40—Katugampola Electorate.

NOTICE is hereby given under Article 21 (1) of the Ceylon (State Council Elections) Order in Council, 1931, that the revised registers of voters relating to the above-named electoral districts have been certified and that such registers are open for inspection during office hours at the Kurunegala Kachcheri.

N. E. ERNST,  
Registering Officer for No. 38, Kurunegala,  
No. 39, Narammala, and No. 40, Katugampola  
Electoral Districts.

The Kachcheri,  
Kurunegala, November 4, 1939.

THE CONTROL OF PRICES ORDINANCE,  
No. 39 OF 1939.*Rescinding Order.*

IT is hereby notified for general information that the Order dated October 27, 1939, fixing the maximum prices above which sugar, potatoes, and curry stuffs shall not be sold within the limits of the Mullaittivu District and published in the *Ceylon Government Gazette* No. 8,538 of October 27, 1939, is hereby rescinded so far as it relates to sugar only by virtue of the powers vested in me by section 3, sub-section 13 (a), of the Control of Prices Ordinance, No. 43 of 1939.

S. S. NAVARATNAM,  
Deputy Controller of Prices, Mullaittivu District.

Signed at the Vavuniya Kachcheri,  
November 7, 1939.

**RICE.**

## THE CONTROL OF PRICES ORDINANCE, No. 39 of 1939.

*Order.*

BY virtue of the powers vested in the Deputy Controller of Prices by section 3 (read with section 2 (3)) of the Control of Prices Ordinance, No. 39 of 1939, I, Murari Prasad, Deputy Controller of Prices, Batticaloa District, do, by this Order :—

- (1) fix the prices specified in columns 2, 3, 4, and 5 of the Schedule hereto to be respectively the maximum wholesale price per bag, the maximum wholesale price per bushel, the maximum retail price per kottu and the maximum retail price per seer above which rice of the description and grade specified in the corresponding entry in column 1 of the Schedule hereto shall not be sold by wholesale or by retail, as the case may be, for the area within the Urban District Council limits of the town of Batticaloa ;
- (2) direct that every trader who at any premises within the Urban District Council limits of the town of Batticaloa exposes for sale rice of any description and grade mentioned in the Schedule hereto shall exhibit in a conspicuous position at those premises a notice on which shall be set out the maximum prices fixed by this Order in respect of rice of that description and grade ;
- (3) direct that no trader shall sell any rice of any description and grade in the Schedule mentioned hereto which is adulterated with any article or with rice of an inferior description and grade or quality ;
- (4) prescribe that every trader who sells rice of any description and grade mentioned in the Schedule hereto shall give to the purchaser of that rice a receipt on which shall be set out :—
  - (a) the quantity, description, and grade of rice sold,
  - (b) the price paid for the quantity of rice sold,
  - (c) the date of the sale, and
  - (d) the nature of the sale, that is to say, whether the sale was by wholesale or by retail ;
- (5) direct that for the purpose of this Order :—
  - (a) any sale of any quantity of rice for the purpose of resale shall be deemed to be a sale by wholesale,
  - (b) any sale of any quantity of rice for the purpose of consumption or use shall be deemed to be a sale by retail,

- (c) "measure" shall be deemed to be the standard quart dry measure equivalent to 1/32nd part of a bushel,  
 (d) "kottu" shall be deemed to be equivalent to 1/24th part of a bushel,  
 (e) "seer" shall be deemed to be equivalent to 1/28th part of a bushel,  
 (f) a bag of rice other than broken raw rice shall contain not less than 80 measures and 157 lb. nett excluding the weight of the sack, and  
 (g) a bag of broken raw rice shall contain not less than 115 measures and 239 lb. nett excluding the weight of the sack;
- (6) rescind my Order relating to the maximum price of rice dated October 28, 1939, and published in the *Gazette* No. 8,544 of November 3, 1939.

M. PRASAD,  
 Deputy Controller of Prices, Batticaloa District.

Signed at midnight at Batticaloa, Batticaloa District, November 4, 1939.

SCHEDULE.

Maximum Prices for the Urban District Council limits of the Town of Batticaloa.

Column 1. Description and Grade.	Column 2.	Column 3.	Column 4.	Column 5.
	Maximum Wholesale Price per Bag. Rs. c.	Maximum Wholesale Price per Bushel. Rs. c.	Maximum Retail Price per Kottu. Cents.	Maximum Retail Price per Seer. Cents.
1. Milchard No. 1	.. 12 20	.. 4 84	.. 21	.. 18
2. Milchard No. 2	.. 11 80	.. 4 68	.. 20½	.. 17½
3. Muttusamba No. 1	.. 14 35	.. 5 70	.. 24½	.. 21
4. Muttusamba No. 2	.. 14 1	.. 5 56	.. 24	.. 20½
5. Kora	.. 13 75	.. 5 46	.. 23½	.. 20½
6. Broken Raw Rice	.. 14 5	.. 3 84	.. 17	.. 14½

CURRY STUFFS.

THE CONTROL OF PRICES ORDINANCE, NO. 39 OF 1939.

Order.

BY virtue of the powers vested in the Deputy Controller of Prices by section 3 (read with section 2 (3)) of the Control of Prices Ordinance, No. 39 of 1939, as amended by Ordinance No. 43 of 1939, I, Murari Prasad, Deputy Controller of Prices, Batticaloa District, do, by this Order:—

- (1) fix the prices specified in column 2 of the Schedule hereto to be, the maximum retail price above which the article mentioned in the corresponding entry in column 1 of that Schedule shall not be sold by retail in the area within the Urban District Council limits of the town of Batticaloa;
- (2) direct that every trader who exposes for sale any article mentioned in the Schedule to this Order at any premises within the Urban District Council limits of the town of Batticaloa, shall exhibit in a conspicuous position at those premises a notice on which shall be set out the maximum prices fixed by this Order in respect of that article;
- (3) direct that no such trader shall sell any article mentioned in the Schedule which is adulterated with any other article or with an article of an inferior description or quality;
- (4) direct that where any article mentioned in column 1 of the Schedule of this Order is sold by retail, the sale shall be made according to the weight and measure specified in the corresponding entry in column 2 of that Schedule;
- (5) direct that for the purpose of this Order:—
  - (a) any sale of any quantity of any article for the purpose of consumption or use shall be deemed to be a sale by retail,
  - (b) "Seer" shall be deemed to be equivalent to 1/28th part of a bushel;
- (6) direct that every trader who sells any article mentioned in column 1 of the Schedule hereto shall give to the purchaser of that article on demand a receipt on which there shall be set out:—
  - (a) the description and grade of article sold,
  - (b) the quantity of the article sold,
  - (c) the date of the sale, and
  - (d) the price paid for the article sold;
- (7) rescind my Order relating to the maximum prices of Curry Stuffs dated October 19, 1939, and published in *Gazette* No. 8,536 of October 23, 1939.

M. PRASAD,  
 Deputy Controller of Prices, Batticaloa District.

Signed at midnight at Batticaloa, Batticaloa District, November 2, 1939.

## SCHEDULE.

Column 1. Article, Description and Quality.	Column 2. Retail Trader's Maximum Price. Cts.
1. Dry Chillies (Tuticorin) .. ..	26½ per lb.
2. Dry Chillies (Singapore and Calcutta) .. ..	23½ ..
3. Coriander .. ..	16½ ..
4. Cumin Seed (Cyprus) .. ..	33½ ..
5. Cumin Seed (Bombay and Karachi) .. ..	29½ ..
6. Fennel Seed (Bombay) .. ..	25½ ..
7. Fennel Seed (Calcutta) .. ..	21½ ..
8. Mathe Seed .. ..	17½ ..
9. Dry Ginger .. ..	29½ ..
10. Tamarind (Java No. 1) .. ..	11½ ..
11. Tamarind (Calcutta without seed) .. ..	9½ ..
12. Tamarind (Calcutta with seed) .. ..	7½ ..
13. Saffron .. ..	21½ ..
14. Garlic (Hong Kong No. 1) .. ..	19½ ..
15. Garlic (Singapore) .. ..	15½ ..
16. Red Onions .. ..	6½ ..
17. Bombay Onions .. ..	7½ ..
18. Maldivo Fish (Kundira) .. ..	47½ per lb. sold cleaned
19. Maldivo Fish (Male) .. ..	41½ ..
20. Dhal (Kasaly, No. 1) .. ..	21 per seer
21. Dhal (Kasaly, No. 2) .. ..	20 ..
22. Dhal (Mysooree No. 1 (big) ) .. ..	26 ..
23. Dhal (Mysooree No. 2 (small) ) .. ..	24½ ..

*(Continued on page 2022.)***NOTICES CALLING FOR TENDERS.**

THE Chairman, Tender Board, General Treasury, P. O. Box 500, Colombo, will receive tenders up to 12 noon on Tuesday, December 5, 1939, for a contract for the conveyance of mails by motor omnibus or motor lorry for three years from July 1, 1940, between Kandy and Hewaheta Post Offices and intermediate offices.

Tenders should be made on forms obtainable on application from the Postmaster-General from whom all particulars on the subject can be obtained.

General Post Office,  
Colombo, November 7, 1939.

J. R. WALTERS,  
Postmaster-General.

THE Chairman of the Tender Board, General Treasury, P. O. Box, 500, Colombo, will receive tenders for the supply of manure bags up to 12 noon on Tuesday, December 5, 1939.

Tenders should be on forms obtainable from the Government Storekeeper from whom all particulars on the subject can be obtained.

J. W. WARBY,  
Acting Government Storekeeper.

Colombo, November 6, 1939.

TENDERS are hereby invited for the supply of sound second-hand gunny bags of No. 1 quality to the Salt Department at Hambantota for a period of 6 months, *i.e.*, January 1, 1940, to June 30, 1940.

2. All tenders should be in duplicate and sealed under one cover, and should be addressed to the Chairman of the Tender Board, General Treasury (P. O. Box 500), Colombo.

3. Tenders should either be deposited in the tender box in the General Treasury (room No. 223, second floor, Galle Face, Secretariat), or be sent through the post under registered cover.

4. Tenders should be marked "Tender for the Supply of Gunny Bags to the Salt Department at Hambantota" in the left hand top corner of the envelope, and should reach the Chairman of the Tender Board not later than midday on November 28, 1939.

5. The tenders must be made upon forms which will be supplied upon application at the Hambantota Kachcheri, and no tender will be considered unless it is on the recognized form.

6. All alterations and erasures in tenders must be initialled by the tenderers.

7. A deposit of Rs. 20 will be required to be made either at the Treasury or at a Kachcheri, and a receipt produced for the same before any form of tender is issued. Should any person decline or fail to enter into the contract

and bond, or fail to furnish approved security, within 10 days of receiving notice in writing that his tender has been accepted, such deposit will be forfeited to the Crown. Notice of acceptance of the tender will be deemed to have been received by the tenderer if it has been sent by post addressed to, or left at, the address given by the tenderer. All other deposits will be returned upon signature of a contract.

8. Each tender must be accompanied by a letter signed by two responsible persons, whose addresses must be given, engaging to become security for the due fulfilment of the contract.

9. Each tenderer must submit a sample bag of No. 1 quality to the Chairman, Tender Board, along with his tender, and also send a duplicate sample to the Salt Adviser at the same time. The sample bags will not be returned.

10. It will be made a condition of the contract that no patched bags, or bags previously used for storing salt, nor bags used for manure, or fish, or smelly bags will be accepted.

11. The tenderer will be required to deliver at the Salt Stores, Hambantota, quantities up to 15,000 bags within 14 days and any quantity beyond that but not exceeding 50,000 within one month of notice. Tenderers are informed that gunny bags will only be ordered if and when required.

12. Sufficient sureties will be required to join in a bond for the due fulfilment of each contract. The amount of security required will be Rs. 1,000. All other necessary information can be ascertained upon application at the Hambantota Kachcheri.

13. No tender will be considered unless all the conditions above laid down have been strictly fulfilled.

14. The Government reserves to itself the right, without question, of rejecting any or all tenders, and the right of accepting any portion of a tender.

15. No contract may be assigned or sublet without the authority of the Tender Board. The Government reserves to itself the right to refuse to recognize a power of attorney issued by a contractor to any person authorizing him to carry on the contract on the contractor's behalf.

16. The Assistant Government Agent, Hambantota, may, for reasons which appear to him sufficient, give notice in writing of his objection to the employment by the contractor of any person specified in such notice, and no such person shall be employed by the contractor.

17. A tenderer who has not previously held a Government contract, when applying for tender forms, should furnish the officer issuing the forms with a written statement giving his full name and permanent address, stating in which district or districts he owns landed property or other interests. The extent of landed property, and the nature and extent of other interests should also be given.

A tenderer who has carried out contracts with the Department, but not in the division or district concerned in the notice calling for tenders, should state in which division or district or divisions or districts he has held contracts.



A tenderer who has carried out Government contracts with any other department should state the name of such department and the district in which the service was rendered.

18. The contract shall be entered into by the contractor with the Head of the Department, acting for and on behalf of His Majesty the King, and the designation of such officer shall mean and include the officer for the time being holding such office and his successors in office for the time being under the Government of Ceylon.

19. No contract will be entered into with any person whose name is on the list of Crown defaulting contractors either individually or jointly with any other person.

20. The contractor is liable to the provisions of the Workmen's Compensation Ordinance, No. 19 of 1934.

21. The successful tenderer will except as stated below be required to employ only Ceylonese labour in carrying out the work tendered for. If for any reason the tenderer is unable to employ only Ceylonese labour for the work, he shall state in his tender the maximum percentage of non-Ceylonese labour which he proposes to employ on the work. The Tender Board will give preference, other things being equal, to the tenderer who undertakes to employ only Ceylonese labour and failing that to the tenderer who specifies the lowest percentage of non-Ceylonese labour which he proposes to employ for the work, and will normally reject the tenders of tenderers who specify a percentage of non-Ceylonese labour which he proposes to employ for the work which appears to the Tender Board to be unnecessarily high.

22. The employment of Ceylonese labour only to carry out the work tendered for or the employment of a definite percentage only of non-Ceylonese labour for such work will be made a condition of the contract, and the failure on the part of the successful tenderer to fulfil this condition will be treated as a breach of the terms of the contract and will render the contractor liable to have the contract cancelled, and in addition to pay a penalty of Rs. 10 a day for each non-Ceylonese labourer employed by him on work or for each non-Ceylonese labourer employed by him over and above the percentage of non-Ceylonese labour which he is permitted to employ on the work in terms of his contract. The word "Ceylonese" shall mean and include all persons born in Ceylon and no others.

C. SITTAMPALAM,  
Assistant Government Agent,  
The Kachcheri, Hambantota, November 2, 1939.

#### Department of Medical and Sanitary Services.

THE Chairman, Tender Board, General Treasury, P. O. Box 500, Colombo, will receive tenders up to 12 noon on Tuesday, December 5, 1939, for the supply of fresh cow's milk to the Government Hospital at Karawanella for the period of one, two or three years.

2. Tenders should be submitted in duplicate on forms obtainable from the office of the undersigned.

3. Applications for tender forms should reach the undersigned not later than 3 p.m. on Monday, December 4, 1939.

	Rs.
Deposit for Tender Forms ..	50
Security required ..	100

4. For further particulars, see *Gazette* No. 8,443 of March 31, 1939, or apply to the undersigned.

S. T. GUNASEKERA,  
Director of Medical and Sanitary Services.  
Colombo, November 7, 1939.

#### Rice Mill, Batticaloa.

THE Director of Public Works, Public Works Department Head Office, Colombo, will receive *firm* tenders in duplicate up to 12 noon on November 24, 1939, for the construction of Rice Mill at Batticaloa.

2. Plans, condition of tender, &c., can be seen and all other information obtained at the offices of the Superintending Engineer, P. W. D., Badulla, or the Executive Engineer, P. W. D., Batticaloa, or at the Head Office, P. W. D., Colombo; between the hours of 9 a.m. and 4 p.m. on working days (9 a.m. and 12 noon on Saturdays).

3. Tender Forms will be issued by the Executive Engineer, Batticaloa, to P. W. D. registered contractors only.

4. The amount of tender deposit is Rs. 150.

Public Works Office, T. H. LEADER,  
Colombo, November 6, 1939. for Director of Public Works.

TENDERS are hereby invited for the purchase of mixed scrap iron and steel, wheels and tyres, brass boiler tubes, and a condemned weighbridge from the Ceylon Government Railway.

Permission to inspect the material and further details thereof may be had on application to the Railway Storekeeper, Colombo.

Tenders are due at the Office of the Chairman, Tender Board, General Treasury, P. O. Box 500, Colombo, not later than 12 noon on Tuesday, December 5, 1939.

W. G. HILLS,  
Ceylon Government Railway, Acting General Manager.  
General Manager's Office,  
Colombo, November 7, 1939.

#### Sale of the Right to Transport and Export Shed Horns, 1940.

SEALED tenders will be received by the Conservator of Forests, P. O. Box 500, Colombo, up to midday on Tuesday, November 28, 1939, for the purchase of the right to transport and export shed horns during a period of one year commencing on January 1, 1940, and ending on December 31, 1940.

Any further information may be had on application to this office or any of the Divisional Forest Officers in Jaffna, Kurunegala, and Nuwara Eliya.

V. COOMARASWAMY,  
Conservator of Forests.  
Office of the Conservator of Forests,  
P. O. Box 500,  
Colombo, November 6, 1939.

#### Sale of the Right to collect Wild Cardamom, 1940.

SEALED tenders will be received by the Conservator of Forests, P. O. Box 500, Colombo, up to midday on Tuesday, November 28, 1939, for the purchase of the right to collect Wild Cardamom in the Reserve Forests of Sinharaja, Diyadawa, Panilkanda, Ulinduwawa, and Mulatiyana in Matara District, during a period of one year commencing on January 1, 1940, and ending on December 31, 1940.

Any further information may be had on application to this office or to the Divisional Forest Officer, Slave Island.

V. COOMARASWAMY,  
Conservator of Forests.  
Office of the Conservator of Forests,  
P. O. Box 500, Colombo,

#### SALES OF UNCLAIMED AND UNSERVICEABLE ARTICLES, &c.

THE under-mentioned unserviceable articles belonging to the Survey Department will be sold by public auction at the Surveyor-General's Office, Colombo, on Thursday, November 16, 1939, commencing at 2 p.m. —

140 arrows ; 2 boards for plane table ; 103 surveying poles (cut up) ; 1 telescope ; 60 tripod for plummets (cut up) ; 54 umbrellas, gig ; 14 rulers, 6 in. ivory ; 19 scales, diagonal 6 in. ; 15 chairs, arm, office ; 2 chairs, ladies ; 2 commodes, jakwood ; 16 knives, table ; 2 ladders ; 1 lamp ; 3 lanterns, hand ; 5 saucepans ; 20 tables, camp ; 39 axes ; 5 salter's balance, small ; 40 crowbars ; 14 files, assorted ; 51 hammers, common ; 10 hatchets ; 79 jumpers ; 21 mamoties ; 7 ash bins ; 15 buckets, galvanized ; 13 buckets, fire ; 5 rain coats ; 29 stamps, rubber ; 1 Remington typewriter ; 1 pickaxe ; 4 saws, hand ; 1 shears, garden ; 1 printing frame ; 1 machine shading, medium ; 1 kettle ; 13 shades for lamps ; 1 plane ; 1 name puncher ; 1 basin, evaporating ; 1 dish, developing ; 1 dish, glass bath ; 2 machines, eyeletting ; 1 whirler ; 1 arc lamp ; 1 puncher ; 1 tool box ; 1 punkah ; 1 bag, hand ; 1 rack, letter ; 115 sticks, carbon ; 1 pair bellows ; 1 lawn mower ; 1 lot tent poles (cut up) ; 1 lot empty bottles ; 1 lot zinc and copper (offcuts) ; 1 lot plan boxes ; 1 lot scrap iron ; 6 ribbons, typewriter ; 96 yards cloth pegomoid ; 1 lot bolting.



**UNOFFICIAL ANNOUNCEMENTS.****1 The Estates Company of Uva, Limited.**

NOTICE is hereby given that the Transfer Books of the Company will be closed from November 11 to 18, 1939, both days inclusive.

By order of the Directors,  
WHITTALL & Co.,  
Agents and Secretaries.  
Colombo, November 10, 1939.

**7 The Watapota Rubber and Tea Estates, Limited.**

NOTICE is hereby given that the Transfer Books of this Company will be closed from November 10 to 16, 1939, both days inclusive.

By order of the Directors,  
CARSON & Co., LTD.,  
Agents and Secretaries.  
Colombo, November 7, 1939.

**13 The Ceylon State Mortgage Bank.**

NOTICE is hereby given that in pursuance of the conditions upon which Debentures were issued and consequent on a sufficient number of Debentures not being surrendered for redemption in response to the advertisement in the local papers, the Board of Directors will on Tuesday, November 28, 1939, at 3.30 P.M. at the office of the State Mortgage Bank, determine by lot Debentures to the value of Rs. 158,400 to be redeemed out of the issue of Debentures dated May 10, 1935, bearing numbers between 31,714 and 32,179.

J. TYAGARAJA,  
Manager.

**7 Marigold Tea Estates, Limited.**

NOTICE is hereby given that the Transfer Books of this Company will be closed from November 15 to 22, 1939, both days inclusive.

By order of the Directors,  
CARSON & Co., LTD.,  
Agents & Secretaries.  
Colombo, November 8, 1939.

**16 Auction Sale.**

*A Building Site at Ratmalana, Mount Lavinia,  
Facing Galle road.*

UNDER mortgage decree in case No. 7,282, D. C., Colombo, against Elabodage Cornelia Fernando of Ratmalana North for the recovery of the amount of the decree, I shall sell by public auction on Friday, December 1, 1939, at 5 P.M., at the spot:

All that allotment of land called Mawataboda Ketakelahawatta *alias* Beligahawatta *alias* Ambagahawatta, situated at Ratmalana, within Mt. Lavinia U. D. C., and everything thereon, extent 19 perches.

Further particulars from C. R. de Alwis, Esq., Proctor and Notary, Colombo.

17, Belmont street, H. J. F. RODRIGO,  
Colombo, November 7, 1939. Auctioneer and Broker.

**15 Auction Sale under Mortgage Decree in D. C., Colombo, Case No. 10,790m.**

I shall sell by public auction on Friday, December 1, 1939, at the spot at 5 P.M. the following property belonging to the 1st defendant, Sarbo Dorai Amsa Umma of Floor's passage, Dematagoda:

An allotment of land with the buildings thereon, bearing assessment No. 9, situated in Floor's passage, Dematagoda, in the District of Colombo, in extent 14 perches according to survey plan thereof No. 459 dated August 4, 1925, made by A. L. A. Jayawardene, Registered Licensed Surveyor.

Further particulars from C. M. Kumaravetpillai, Esq., Proctor, Supreme Court, Colombo.

FRANCIS F. KRISHNAPILLAI, F.A.L.P.A.  
167, Hulftsdorp. Auctioneer and Broker.

**17 Auction Sale under Mortgage Decree in D. C., Colombo, Case No. 10,923m**

*A Valuable House Property at St. Joseph's street, Grandpass.*

I shall sell by public auction on Saturday, December 2, 1939, at the spot at 4.30 P.M., the following property belonging to the 1st defendant, Cassim Lebbe Marikar Hamid Ismail of Grandpass, Colombo:—

All that allotment of land with the buildings standing thereon bearing assessment No. 37A, presently bearing No. 81, in Ward No. 478, situated at St. Joseph's street, formerly called Pass Nagalagam street, Colombo District, in extent 7 45/100 perches.

Further particulars from M. U. M. Saleem, Esq., Proctor, Supreme Court, Colombo.

FRANCIS F. KRISHNAPILLAI, F.A.L.P.A.,  
167, Hulftsdorp. Auctioneer and Broker.

**10 Auction Sale, D. C., Colombo, Insolvency Case No. 5,341 of W. John Gabriel Fernando.**

UNDER instructions from the assignee and with the leave of court obtained in the above case, I shall sell by public auction on Thursday, November 16, 1939, commencing at 5 P.M. at 313, Waddya road, Dehiwala, all the household furniture consisting of chairs, tables, writing table, 1 ebony couch &c.

A. V. PERERA,  
Auctioneer and Broker.

161, Hulftsdorp, Colombo.

**Auction Sale.**

In the District Court of Colombo.

H. J. G. Marley of Nuwara Eliya and E. G. Box, C/o Messrs. Bois & Co., Ltd., Colombo, as trustees of the last will and testament of the late Philip John Murray Box, deceased ..... Plaintiffs.  
No. 8,544. Vs.

R. Mahadewa of Alexandra House, Colombo, M. R. A. R. S. P. Supramaniam Chetty and M. R. A. R. S. P. Arunasalam Chetty, both of Sea street, Colombo ..... Defendants.

UNDER decree entered and by virtue of commission issued to me in the above case, I shall sell for the recovery of the amount therein stated, on Monday, December 18, 1939, at 5 P.M., at the spot, all that allotment of land with the building thereon, called Ingleside now known as Mithila at Classen place, Brownrigg street in Bambalapitiya bearing No. 450/6 (4), presently 10, and containing in extent 1 rood and 18 90/100 perches.

167, Hulftsdorp. C. P. AMERASINGHE,  
Commissioner.

**Auction Sale.**

*Very valuable house property Siva's Bank and 2 small bungalows yielding good income at Canal Bank off Havelock Road (opposite Wellawatta Mills), Colombo.*

UNDER commission in case No. 10,809/M, D. C., Colombo, on November 30, 1939, at 5 P.M., at the spot:— Divided 1/4 share marked "L" from Peragahadiyaowita with buildings and plantations thereon at Timbirigasyaya, presently Nos. 118 and 120 Kirillapone Canal Bank with new house erected thereon, but which bears No. 122, presently Nos. 112, 114, 156, Canal Bank off Havelock road; in extent 1 rood and 4 51/100 perches, subject to primary mortgage. For the recovery of the amount of the decree from Namasivayam Thuraisamy Tissaverasingham of Havelock road, Wellawatta. Full particulars from S. Somasundaram, Esq., Proctor, Supreme Court, Colombo, or—

21, Belmont street, Hulftsdorp. A. P. KOELMEYER,  
Commissioner.

**Auction Sale.**

ON the instructions from the District Court of Avissawella in case No. 2,436, I shall sell by public auction on Saturday, December 9, 1939, at the respective spots, the following properties, situated at Udabage in Alutugam korale, Kegalla District.

(1) At 3.45 p.m.—The land called Ketihenawatta and Lenihenawatta adjoining each other, and containing in extent about 5 bushels of paddy sowing (excluding therefrom an undivided extent of 2 acres granted to the Vihare), and all the plantation and everything belonging thereon.

(2) At 4.30 p.m.—An undivided 5/6th share of the field called Ketihenakumbura; containing in extent about 1½ bushels of paddy sowing.

For further particulars apply to R. L. Drieberg, Esq., Proctor, Avissawella, or to me—

REGINALD S. DRIEBERG,  
Avisawella. Commissioner and Licensed Auctioneer.

26 / Auction Sale under Mortgage Decree.  
In the District Court of Kalutara.

Waduge Nibona Fernando of Nalluruwa, Plaintiff (dead).  
Mahawaduge Sidiman Perera, administrator of Plaintiff  
Substituted Plaintiff.

No. 17,342.

Vs.

Pattinihennedige Francisco Rodrigo of Wekada. Defendant.

BY virtue of the order so issued to me in the above case for the recovery of Rs. 1,737.50, with interest and costs Rs. 106.02, less Rs. 50. I shall sell by public auction on Friday, December 1, 1939, at 4 p.m. at the spot, the land, viz. :—

All that undivided ½ share of the soil, trees, plantations, and of the buildings thereon, of the land called Godapora-gahawatta, situated at Wekada (near Eluwila junction) in Talpiti Badda, Panadure Totamune, Kalutara District; bounded on the north by a land belonging to Maddumage Lawarenti Fernando, east by Government road leading to and from Malamulla, south by the drain of the high road to and from Ratnapura, and west by a land possessed by the heirs of Maddumage Lawarenti Fernando; and containing in extent about 2 acres.

Further particulars from H. Leo Perera, Esq., Proctor and Notary, Panadure, or from me—

H. D. S. PERERA,  
Panadure, November 7, 1939. Auctioneer.

Auction Sale.

A Valuable estate at Galagedera planted with Rubber, Cocoa, Coconuts, &c., under Mortgage Decree.

In the District Court of Kandy.

George Ernest de le Motte of Kandy. Plaintiff.  
No. 49,075.

Vs.

(1) W. Madawala of Galagedera, (2) Rawanna Thana Veyanna Lana Ramanathan Chettiar of 247, Sea street, Colombo, (3) Mohamed Samsudeen Sufi Ismail of 105, Messenger street, Colombo, (4) C. B. Madawala (dead), (5) A. B. Madawala, (6) R. B. Madawala, (7) P. B. Madawala, (8) P. B. alias P. Madawala, all of Galagedera. Defendants.

(1) A. E. Madawala, R. M., Waripola, Kurunegala, (2) R. B. Madawala, (3) T. B. Madawala, R. M., Potuhera, Kurunegala, (4) P. B. Madawala of Galagedera, (5) Anula Madawala of Galagedera, (6) Nandawathi Madawala, (7) Soma Madawala and (8) Mrs. Arawawala, Kurunegala. Substituted defendants in place of 4th defendant, deceased.

UNDER instructions received from the plaintiff and under authority from court I shall sell by public auction on Saturday, December 9, 1939, at 2 p.m. at the Bungalow standing on Field No. 1 of Galagedera group the premises following, to wit :—

1. Twenty seven allotments of land adjoining each other and forming one property and can be included in one survey plan and may otherwise be described as field No. 1 of Galagedera group of 45 acres 2 roods and 13 perches, according to figure of survey dated October 27, 1929, and made by C. D. Jayasingha, Licensed Surveyor, with the buildings and everything standing thereon, situate at Galagedera in Udapalata of Tumpane Kandy District, Central Province, and comprised of :—

(a) Madangahumulahena of 6 pelias paddy sowing, (b) Gallenagawahena of about 2 pelias and 5 lahas paddy sowing, (c) Gallenahena of 10 lahas paddy sowing, (d) contiguous lands called Gallenahena of 2 pelias, Hitihami-gehena of 2 pelias, Kahatagahumulahena alias Gallenahena

of 8 lahas and Pallegehena of 2 pelias, all which said four lands adjoin each other and form one property, of one amunam 2 pelias and 8 lahas paddy sowing, (e) Muttettu-wehena of one amunam paddy sowing, (f) Muttettuwhena of 6 pelias paddy sowing, (g) Muttettuwhena of one pela paddy sowing, (h) Kahatagahena of about 3 pelias paddy sowing, (i) Godamadittehena of about 2 pelias paddy sowing, (j) Jambugahumulahena of about 12 lahas paddy sowing, (k) Agalagawahena of about 1 pela paddy sowing, (l) Pallegehena of about 2 pelias paddy sowing, (m) Dimbulumulawahena of about 6 pelias paddy sowing, (n) Northern portion of Millahena of about 2 pelias paddy sowing, (o) Dimbulumulahena of about 2 pelias paddy sowing, (p) Milalehena of 1 acre 1 rood and 3 perches in extent, (q) Kande Arambehena of about 5 pelias or 4 acres and 2 roods in extent, (r) Malporuwa Elahena of 15 lahas paddy sowing, (s) Kande Arambehena of 2 pelias paddy sowing, (t) Mantiriange Arumba of 3 lahas paddy sowing, (u) Kahatagahena of about 3 pelias paddy sowing, (v) Pinna-gollehena of about 1 amunam paddy sowing, (w) Moraga-humulahena of about 15 lahas paddy sowing, (x) Moonamalgahumulahena of about 3 pelias paddy sowing, (y) Siyambala Attehena of 9 lahas paddy sowing, (z) Dewa-yahena Demadahena of 2 pelias paddy sowing, (aa) Field called Bakirigollehena of about 12 lahas paddy sowing, all situate at Galagedera aforesaid.

2. Kehelwerewehena of 15 lahas paddy sowing.

3. Undivided ½ share of Moonamalgahumulahena of 6 pelias paddy sowing.

4. Undivided ½ share of Ganima Kahatagahumulahena of 2 pelias paddy sowing.

5. Undivided ½ share of Kongahumulahena of 3 pelias paddy sowing, all situate at Galagedera aforesaid, and

6. Yantaragodagederawatta of 3 pelias paddy sowing, situate at Kamaranga Deniya in Udapalata aforesaid.

For further particulars, please apply to Messrs. Coomara-swamy & Vijayaratnam, Proctors, &c., Kandy, or to me—

K. EDMUND PERERA,  
Castle Stores,  
107, 108, Castle Hill street, Kandy. Auctioneer & Broker.

31 / Auction Sale.

In the District Court of Kandy.

Ratnayake Mudiyansele Kiri Banda of Pallegama  
in Udabulatgama. Plaintiff.

No. M.B. 195.

Vs.

Ratnayake Mudiyansele Been Appuhamy of Uda Peradeniya. Defendant.

UNDER instructions received from the plaintiff and under authority from court, I shall sell by public auction on Saturday, December 9, 1939, commencing from 3 p.m. at the second land called Kapugederawatta, situate at Sewenderapitiya in Pasbage korale of Uda Bulatgama the premises following, to wit :—

1. Nawanpela kumbura of one pela paddy sowing extent, situate at Warakawa in Pasbage korale aforesaid.

2. Undivided ½ share of Kapugederawatta of two amunams paddy sowing extent, situate at Sewenderapitiya aforesaid.

3. Sondarage Kumbura alias Owite Kumbura of one pela paddy sowing.

4. Ratneggekumbura of three pelias paddy sowing.

5. Dewale Gommuna of eight acres in extent, all situate at Pallegama aforesaid, with everything thereon, and

6. Pitakandekumbura of three pelias paddy sowing extent, situate at Pitakanda in Dolosbage, Ganga Ihala korale of Udapalata.

For further particulars, please apply to Messrs. Been & Been, Proctors, &c., Kandy, or to me—

K. EDMUND PERERA,  
Castle Stores,  
107, 108, Castle Hill street, Kandy. Auctioneer & Broker.

16 / Auction Sale (under Partition Decree).

UNDER and by virtue of the Commission issued to me in D. C. Galle, (Balapitiya) case No. 37,079, I shall sell by public auction on December 21, 1939, commencing at 9 A.M. at the spot :—

All that allotment of land called lot 10 of Nekatigewatta, with everything thereon, situate at Watugedara in Ambalangoda, Wellaboda pattu, Galle District, and containing in extent 4.15 perches.

The said property will be sold in two blocks as per plan No. 1,773A filed of record and in terms of the Partition Ordinance, No. 10 of 1863.

Further particulars from T. G. Jayawardena, Esq., Proctor, Supreme Court, or—

Ambalangoda

K. T. THOS. SILVA,  
Commissioner.

**Auction sale under Mortgage Decree in Case No. 36,887,  
D.C., Galle.**

BY virtue of commission issued to me under the above case, I shall sell by public auction on Saturday, December 2, 1939, commencing at 10 A.M., at the spot, the following property, to wit:—

All that undivided 4/7 of half part of the house and premises bearing Municipal assessment No. 9 and of everything appertaining thereto, situated at Leyn Baan street of Galle Fort, within the Four Gravets of Galle; containing in extent 6.54 perches.

For further particulars apply to F. W. E. de Vos, Esq., Proctor, Supreme Court, Galle, or to me.—

Galle, November 6, 1939.

N. P. L. WIJESKERA,  
Licensed Auctioneer.

**Auction Sale under Mortgage Decree in D. C., Galle,  
Case No. 37,235.**

I shall sell by public auction the following property on Saturday, December 2, 1939, at 3 P.M., at the spot:—

An undivided 9/12 share of all the soil and trees of the defined lot marked P. I. of the land called Dondyesberg *alias* Korala-wewewatta *alias* Bangparangiyawatta, situated at Kaluwella in Galle, and containing in extent 1 rood and 14.26 perches, together with all the buildings standing thereon, bearing Municipal assessment No. 21.

Ratnagiri,  
Unawatuna, October 17, 1939.

D. G. RATNAPALA,  
Auctioneer.

**Auction Sale under Mortgage Decree in D. C., Matara,  
Case No. 12,305.**

UNDER and by virtue of the commission issued to me for the recovery of the amount decreed therein, I shall sell by public auction on December 2, 1939, commencing at 2 P.M. at the spot. All that divided and separated one-sixth middle portion of an allotment of land, situated at Hambantota in Magampattu of the Hambantota District; and bounded on the north-east by portion of same land belonging to Mr. J. A. Amarasingha, south-east by Old road, and west by a portion of same land belonging to James Appu, and north-west by New road; and containing in extent about 1/2 an acre, together with two buildings thereon, bearing assessment No. 40 and 42, respectively.

For further particulars, please apply to S. Samarasinghe, Esq., Proctor, or to—

Matara, November 6, 1939.

K. M. THOROLIS DE SILVA,  
Commissioner.

In the District Court of Badulla.

Sovenna Letchumithai, administratrix of the estate of Valliappa Chettiar Srinivasan, deceased, of Badulla ..... Plaintiff.

No. 6,867.

Vs.

(1) Arthur Henry Wijekoon, and (2) Somawathie Wijekoon, joint administrators of the estate of D. D. Abeysekera, deceased, both of Uva Dickarawa estate, Bandarawela ..... Defendants.

NOTICE is hereby given that on Monday, December 4, 1939, I shall sell by public auction at the respective premises

the following properties for the recovery of the sum of Rs. 5,868.3, with interest thereon at 15 per cent. per annum from February 13, 1939, till April 13, 1939, and thereafter with legal interest in the aggregate amount till payment in full, together with costs of suit Rs. 254.30, viz.:—

1. *At 1 p.m.*—All that land called Agathearawewatta; containing in extent 1 acre 1 rood and 18 perches, situated at Kabillewela now in the Town of Bandarawela in Mahapalata korale, in the Udukiinda Division, Badulla District of the Province of Uva; and bounded on the north by Railway reservation, east by land belonging to Heen Menika and others, south by agala, and west by road and bearing assessment No. 259, together with the buildings and plantations standing thereon.

2. *At 1.30 p.m.*—All that land called Agathearawewatta, situated at Kabillewela aforesaid; and bounded on the north by agala and Hana-wetiya, east by Diya-basnaya, of Agatha-arawekumbura, south by cart road and the remaining portion of this land belonging to Punchirala, and west by Agathearawewatta belonging to Annammal (save and except therefrom the footpath); and containing in extent 3 seers of kurakkan sowing, together with everything standing thereon.

3. *At 2 p.m.*—All that land called Nugewatta, situated at Kabillewela aforesaid; and bounded on the north by stone fence and weilla, east by live fence, south by the new cart road, and on the west by a ditch; and containing in extent 2 1/2 kurunies of kurakkan sowing, together with everything standing thereon.

4. *At 3 p.m.*—All those contiguous fields called Gepole-kumbura, Aswedduma and Koswatta forming a portion of Beddekumburewela, situated at Gonamotawa in Kabillewela aforesaid; and bounded on the east by Patana and by liminary ridge of Udulpothekumbura, on the south by Crown patana, on the west by liminary ridge and by field belonging to Hahapothe Punchirala, and on the north also by field belonging to the said Punchirala; and containing in extent 2 amunams and 2 pelas of paddy sowing according to a deed of gift No. 1,416 attested by C. P. de S. Gunawardena, Notary Public; but bounded on the north by ela and patana, east by patana-ela and kandura, south by patana (now tea estate), and on the west by Mahapollekumbura; in extent 5 acres 2 rood and 28 perches.

5. *At 3.30 p.m.*—All that field called Mahapolla forming a portion of the said Beddekumburewela, situated at Gonamotawa in Kabillewela aforesaid; and bounded on the east by the liminary ridge and by Kitulwattarawa belonging to Mahaulpotha Punchirala, on the south and west by liminary ridge and by field belonging to Mahaulpotha Punchirala, and on the north by water-course in extent 2 pelas of paddy sowing, according to the said deed of gift No. 1,416 aforesaid; but bounded on the north by Kitularawa, east by Mahapolla, south by Daranda Massehariya, west by ela; and containing in extent 3 roods and 31 perches.

6. *At 10.30 a.m.*—All that allotment of land called Ketaharuhinapatana, situated at Kingama in Mahapalata korale aforesaid; and bounded on the north by Udukumbalwela village boundary and lot No. 8, east and south by lot No. 8, and on the west by reservation along the road; and containing in extent 3 acres 3 roods and 39 perches.

7. *At 11 a.m.*—All that land called Kekunagahawatta, situated at Bindunuwewa in Palleperuwagama in Kumbalwela korale, Yatikinda Division, Badulla District aforesaid; and bounded on the north-east and south by Agala, and on the west by ela; and containing in extent about 6 kurunies of kurakkan sowing, together with all the trees, plantations, and buildings standing thereon.

8. *At 8 a.m. on Tuesday, December 5, 1939.*—All that land called Pahaladelgahakotuwa, situated at Uratollegama in Rilpola korale now in the Town and District of Badulla aforesaid; and bounded on the north, east, south, and west by stone fences; and containing in extent about 1 kurunie of kurakkan sowing, together with the everything standing thereon.

9. *At 8.30 a.m.*—An undivided 1/3 share of an undivided 1/2 share of the land called Delgahakotuwewatta, situated at Uratollegama aforesaid; and bounded on the north, east, south, and west by stone fences; and containing in extent about 2 seers of kurakkan sowing, together with everything standing thereon.

Further particulars, please apply to the undermentioned or F. Sebastian, Esq., Proctor, Supreme Court, Badulla.

C. A. J. DHARMAGUNARATNE,  
Badulla, November 7, 1939. Licensed Auctioneer.

**Cancellation of Power of Attorney.**

*John Wilson*  
 THE Power of Attorney granted by me the undersigned in favour of Francis Paul Fernando of Chatham street, Fort, Colombo, was cancelled and determined as from November 1, 1939.

109, Chatham street, Colombo, November 2, 1939. *D. MANGHARAM.*

**St. Andrew's Church, Haputale.**

THE Annual General Meeting of the Congregation will be held in the Reservoir, Haputale, on Monday, December 4, 1939, at 9 A.M. for the purpose of electing trustees for 1940.

ROSS WYLLIE,  
 Hony. Secretary.

**APPLICATIONS FOR FOREIGN LIQUOR LICENCES, &c.**

I hereby give notice that I have on September 30, 1939, applied to the Government Agent, Province of Sabaragamuwa, Ratnapura, for the licence shown in the schedule hereto annexed, for the licensing period ending September 30, 1940, in compliance with Excise Notification No. 200 of September 18, 1939:—

Name and address of applicant: W. Solomon Fernando, Ratnapura.

Description of licence applied for: Foreign liquor, entertainment Bar licence attached to Imperial Talkies, Ratnapura.

State whether application is for renewal of existing licence or licences or for new licence or licences: Renewal of existing licence.

Situation of premises to be licensed: Imperial Talkies, Ratnapura.

W. SOLOMON FERNANDO.

**MISCELLANEOUS DEPARTMENTAL NOTICES.****School attached to Places of Religious Worship.**

NOTICE is hereby given that the following school attached to a place of religious worship is under the temporary management of the Director of Education with effect from November 1, 1939:—

Bd/Radaliyadde Temple School.

R. PATRICK,  
 Education Office, Acting Director of Education.  
 Colombo, November 10, 1939.

**School attached to Places of Religious Worship.**

NOTICE is hereby given that the following school attached to a place of religious worship is under the temporary management of the Director of Education with effect from November 1, 1939:—

Mt/Etanwella Temple School.

R. PATRICK,  
 Education Office, Acting Director of Education.  
 Colombo, November 10, 1939.

**R/Durampitiya Estate School No. 2.**

NOTICE is hereby given that the above school situated in the Ratnapura District of the Province of Sabaragamuwa, under the management of the Superintendent, Durampitiya group, has been registered as a grant-in-aid school with effect from October 1, 1938.

R. PATRICK,  
 Education Office, Acting Director of Education.  
 Colombo, November 10, 1939.

**Change of Management.**

NOTICE is hereby given that Mr. K. Karthigesu, has been appointed Manager of the School mentioned below in place of Mr. A. Vettivelu. School referred to J/Kaithady Numavil T. M. Pri. School.

2. The notice which appeared in *Government Gazette* No. 8,538 of October 27, 1939, is hereby cancelled.

R. PATRICK,  
 Education Office, Acting Director of Education.  
 Colombo, November 1, 1939.

**Post of Director, Colombo Museum**

APPLICATIONS are invited for the post of Director, Colombo, Museum.

2. Applications should be addressed to the Honourable the Chief Secretary, and should reach him on or before December 1, 1939.

3. Applications from candidates in Government Service will not be considered unless forwarded through the Heads of their Departments.

4. Applicants should possess high academic qualifications in either Zoology or Ethnology and in addition possess a sound knowledge of and practical experience in Museum technique and administration.

5. Applicants must be natural born British subjects of Ceylonese descent or of mixed European and Ceylonese descent.

6. The salary attached to this post shall be on the scale of Rs. 10,800—14,400—six of 600. This salary scale will not necessarily apply if a candidate already in Government service is appointed to the post. If such a candidate is appointed his salary will be specially fixed.

7. Conditions of service of candidates who have entered the public service after June 1, 1934, will be in accordance with recommendations contained in Sessional Paper VIII. of 1934.

8. Should the candidate selected not belong to the Public Service prior to being appointed he will be required to pass a medical examination as to his physical fitness.

P. DERANIYAGALA,  
 Acting Director, Colombo Museum.  
 Colombo, November 7, 1939.

**Rabies.**

WHEREAS rabies exist in Hambantota District in Southern Province, it is hereby notified under Section 11 of Rabies Ordinance of 1893 Chapter 333 Volume VI., that any dog found in any public place other than a private

building, compound or led, shall be liable to be destroyed forthwith. This proclamation shall take effect from October 1, 1939.

C. SITTAMPALAM,  
The Kachcheri, Assistant Government Agent.  
Hambantota, October 14, 1939.

#### The Firearms Ordinance (Chapter 139).

I, M. Prasad, Government Agent of the Eastern Province, do hereby, with the approval of the Governor, under Section 24 of the Firearms Ordinance (Chapter 139) authorize, within the areas specified in the schedule hereto, the issue of licence in respect of single-barrelled muzzle-loading guns, subject to an annual duty of twenty-five cents with effect from January 1, 1940.

The Kachcheri, M. PRASAD,  
Batticaloa, November 1, 1939. Government Agent.

#### Schedule.

1. Wewgam pattu : the whole pattu.
2. Bintenne pattu : the whole pattu.
3. Panama pattu : the villages of Kumuna, Hulanuge and Buckmitiyawa.
4. Koralai pattu : the whole of the Udaiyar's Division of the Koralai pattu north in the Chief Headman's Division of Eravur koralai pattus.
5. Koralai pattu central village area : the whole area.

#### The Firearms Ordinance (Chapter 139).

WHEREAS by order under section 24 of the Firearms Ordinance (Chapter 139) published in the *Gazettes* specified in the schedule hereto an annual fee of fifty cents was declared leviable in respect of any licence issued in the areas specified in the schedule thereto for the possession and use of a single-barrelled muzzle-loading gun.

I, M. Prasad, Government Agent of the Eastern Province, do hereby, with the approval of the Governor, revoke the said order published in the said *Gazettes* with effect from January 1, 1940.

The Kachcheri, M. PRASAD,  
Batticaloa, November 1, 1939. Government Agent.

#### Schedule.

- Gazette* No. 7,786 of June 20, 1930.  
*Gazette* No. 8,123 of May 24, 1935, and  
*Gazette* No. 8,178 of November 29, 1935.

#### Registration of Place of Worship for Solemnization of Marriages.

IN pursuance of the provisions of Section 10 of the Marriage Registration Ordinance (Chapter 95) relating to the Registration of Marriages other than the Marriages of Muhammadans, I, Cyril Ernest de Pinto, Registrar-General of Ceylon, do hereby notify that the under-mentioned building, used as a place of public Christian worship, has been duly registered for the solemnization of marriages therein:—

Number : 607.

Date of Registration : November 6, 1939.

Description : Church of Our Lady of the Rosary.

Situation : Moolay, Chankanai, Valikamam West, Jaffna District.

Minister, or Proprietor, or Trustee : The Rev. Fr. Swaminatha Pillai Gnana Prakasar, O.M.I., Minister.

Religious denomination on whose behalf the building is registered : Roman Catholic.

Registrar-General's Office,  
Colombo, November 6, 1939.

C. E. DE PINTO,  
Registrar-General.

#### Registration of Place of Worship for Solemnization of Marriages.

IN pursuance of the provisions of Section 10 of the Marriage Registration Ordinance (Chapter 95) relating to the Registration of Marriages other than the Marriages of Muhammadans, I, Cyril Ernest de Pinto, Registrar-General of Ceylon, do hereby notify that the under-mentioned building, used as a place of public Christian worship, has been duly registered for the solemnization of marriages therein:—

Number : 606.

Date of Registration : November 6, 1939.

Description : Church of Our Lady of the Rosary.

Situation : Mulavai, Mayiliddi, Valikamam North, Jaffna District.

Minister, or Proprietor, or Trustee : The Rev. Fr. Swaminatha Pillai Gnana Prakasar, O.M.I., Minister.

Religious denomination on whose behalf the building is registered : Roman Catholic.

Registrar-General's Office,  
Colombo, November 6, 1939.

C. E. DE PINTO,  
Registrar-General.

#### Sale of Elephant Tusks and Tushes.

A pair of elephant tusks and 2 pairs of tushes will be sold by public auction at 1 P.M. on Friday, November 24, 1939, at the Colombo Kachcheri.

The tusks and tushes can be inspected at the Colombo Kachcheri on week days during office hours.

The Kachcheri,  
Colombo, November 7, 1939.

J. M. DE SILVA,  
for Government Agent.

#### Auction Sale of Cattle.

TWO Montgomery bulls 3 years old and one Montgomery bull 3½ years old will be sold by public auction on November 20, 1939, at 10 A.M. at the Animal Breeding Station, Karagoda-Uyangoda, Kamburupitiya.

Further particulars can be obtained from the Assistant Veterinary Surgeon, Karagoda-Uyangoda, Kamburupitiya (Matara District).

Immediate payment to be made at the conclusion of sale of each animal and removed from the Animal Breeding Station premises immediately after the sale.

In the event of a purchaser not making payments at the time of sale the animals will be offered to the next highest bidder or resold.

Peradeniya, November 6, 1939.

E. RODRIGO,  
Director of Agriculture.

## MUNICIPAL COUNCIL NOTICES.

## THE COLOMBO MUNICIPAL COUNCIL.

## Auction Sale of Articles.

R 8854

NOTICE is hereby given that the under-mentioned movable property seized by virtue of a warrant issued by the Municipal Commissioner of Colombo, in terms of section 135 of Municipal Councils Ordinance (Chapter 193), for arrears of rates due on premises and for the period mentioned in the subjoined schedule, will be sold by public auction at the place and time therein mentioned, unless in the meantime the amount of the rates and costs be duly paid.

The movable property is on view at the Municipal Stores, Darley road, between the hours of 9 A.M. and 4.30 P.M. and will be sold there at 8 A.M. on Monday, November 20, 1939.

November 7, 1939. G. H. N. SAUNDERS,  
for Municipal Commissioner.

## Schedule.

*For 2nd quarter, 1939.*—Premises No. 15, 2nd Chapel lane, Wellawatta : One clock. Premises No. 13, 2nd Chapel lane, Wellawatta : One pair of rolled gold spectacles with case. Premises No. 38, 26th lane, Wellawatta : One arm chair, 1 coconut scraper, and 1 soap case. Premises No. 31/2-6, De Waas lane : Two chairs, 1 wooden box, and 2 tables. Premises No. 44, Elibank road : One H. M. V. gramophone and 1 teak whatnot.

R 8133

## Sale of Immovable Property.

NOTICE is hereby given that in the absence of movable property liable to seizure, (1) rents and profits from 1 to 10 years, (2) timber and produce, (3) materials of house,

and (4) the under-mentioned properties themselves, seized in virtue of a warrant issued by the Municipal Commissioner, Colombo, in terms of section 135 of the Municipal Councils Ordinance (Chapter 193), for arrears of rates due on the premises, and for the period mentioned in the subjoined schedule, will be sold by public auction on the spot on the dates therein mentioned, sale commencing at 8 A.M. unless in the meantime the amount of the rates and costs be duly paid.

The Municipal Office, G. H. N. SAUNDERS,  
Colombo, November 7, 1939. for Municipal Commissioner.

## Schedule.

*For 1st quarter, 1939.*—On December 9, 1939 : Premises No. 151/1, Maligawatta place.

*For 1st and 2nd quarters, 1939.*—On December 6, 1939 : Premises No. 34, Java lane ; premises No. 33, Leechman lane ; premises No. 32, Java lane. On December 9, 1939 : Premises No. 359/119-121, 123, and 124, Maligawatta road. On December 16, 1939 : Premises No. 23, 65th lane, Wellawatta.

*For 2nd quarter, 1939.*—On December 1, 1939 : Premises No. 190/33-34, Kollupitiya road. On December 8, 1939 : Premises No. 226/9-12, Mutwal street, No. 223, Mutwal street, and 95, Mutwal street. On December 12, 1939 : Premises No. 98, Forbes road, No. 73/1-3, Avondale road, and No. 41, Symonds road. On December 13, 1939 : Premises Nos. 98 and 100, Chapel place, Grandpass. On December 14, 1939 : Premises Nos. 85/12-15, and 19, Kollupitiya lane ; On December 15, 1939 : Premises Nos. 125, 127 and 127/2-6, Daniels road, No. 93/10, Kelani Ganga Mill road, No. 382, Ferguson's road, and Nos. 67 and 67/1-8, Mattakuliya Church road.

## General Meeting.

Wednesday, October 4, 1939, at 3 p.m.

The Council met this day at 3 P.M., pursuant to notice dated September 26, 1939.

*Present* :—Dr. V. R. Schokman, the Mayor, presiding ; Mr. M. Subbiah, Deputy Mayor ; Dr. A. F. J. Casie Chitty ; Dr. E. A. Coorey ; Mr. R. F. S. de Mel ; Mr. Geo. R. de Silva ; Mr. R. Doresamy ; Mr. C. H. Z. Fernando ; Dr. C. W. S. Fernando ; Dr. S. D. Fernando ; Mr. D. S. Fonseka ; Mr. A. E. Goonesinha, M.S.O. ; Mr. Merrill W. Pereira ; Mr. John A. Pye, B.Sc. ; Dr. A. Ratnapala ; Mr. A. R. A. Razik, J.P., M.S.C. ; Mr. M. L. M. Reyal ; Mr. N. Saravanamuttu ; Dr. R. Saravanamuttu, M.B. ; Mr. S. Saravanamuttu ; Mr. V. R. Somanathan ; and the Municipal Commissioner.

1. The Minutes of the General Meeting of September 6, 1939, were taken as read and confirmed.

2. Pursuant to notice, Mr. S. Saravanamuttu, M.M.C., moved :—“ That the resolution of Council of July 5, 1939, dismissing Mr. G. B. Silva, Revenue Inspector, be rescinded, and that in view of the fact that the Council had sustained no loss, and considering his past good record of service of over 22 years, the recommendation of the Special Committee appointed to inquire into his case be adopted.” In terms of the provision of section 10 (e) of Chapter II. of the Municipal By-laws, the notice of the above motion is supported by the undersigned five members of Council—(1) Dr. E. A. Coorey, (2) Dr. S. D. Fernando, (3) Mr. V. R. Somanathan, (4) Mr. M. L. M. Reyal, (5) Mr. J. R. Dharmasena. Mr. D. S. Fonseka, seconded.

The Mayor spoke against the motion which was put to the House and declared lost.

3. Pursuant to notice, Mr. A. E. Goonesinha, M.S.O., M.M.C., moved :—“ That in view of the fact that prices in all commodities have risen because of the war, and in view of the consequent hardships on the ratepayers of the City, the Council do suspend all compulsory drainage, &c., until the cessation of war.” Dr. S. D. Fernando seconded.

Dr. R. Saravanamuttu opposed the motion.

Mr. A. E. Goonesinha spoke in reply.

At the suggestion of the Mayor the motion was referred to the Sanitation Committee for consideration and report—Carried.

4. Pursuant to notice, Mr. R. F. S. de Mel, M.M.C., moved :—“ That in view of the present abject poverty of the masses in the City and the consequent inability of poor parents to provide their children with school books, this Council do sanction that a sum of Rs. 5,000 be included in the 1940 Budget for the provision of school books for the poor children attending the Assisted Free Schools (Vernacular and Bilingual) within the Colombo Municipal area.” Mr. A. E. Goonesinha seconded.

Dr. R. Saravanamuttu and Mr. N. Saravanamuttu spoke against the motion.

At the suggestion of the Mayor the motion was referred to the Special Committee regarding Relief of Distress for consideration and report.—Carried.

5. Pursuant to notice, the Mayor moved :—That the Council do resolve itself into a Committee of the whole Council to consider the following extracts and the report from the proceedings of the Committees annexed to the Agenda :—Dr. R. Saravanamuttu seconded.—Carried.

## Council in Committee.—

The following Extract from the Minutes of the Standing Committee on Finance of August 25, 1939, was considered.

## WATERWORKS DEPARTMENT.

(24) To consider the draft agreement to be entered into with Messrs. Binnie, Deacon & Gourley, Consulting Engineers for the Kalatuwawa Water Supply Scheme. Registered No. 2,314.—Considered and recommended that the draft agreement be approved.



## Resolution of Council in Committee.

Dr. E. A. Coorey stated that the agreement was full of loopholes and moved, as an amendment, that the agreement be not signed.

The Mayor explained and supported the recommendation of the Committee.

The amendment was put to the House and declared lost.

The recommendation of the Law Committee was then put to the House and declared carried.

*The following Extracts from the Minutes of the Standing Committee on Finance of September 25, 1939, were considered.*

## MUNICIPAL ENGINEER'S DEPARTMENT.

(2) To consider :—(a) A memorandum from the Engineer Mechanical requesting sanction for (1) the purchase of the following motor chasses to replace motor vehicles which have been fully depreciated or will be depreciated at the end of 1939 :—2 Morris 10 cwt. chasses—Messrs. Rowlands Garages, Ltd. ; 1 Chevrolet 1½ ton chassis—Messrs. Rowlands Garages, Ltd. ; 1 Federal 1½ ton chassis—Messrs. Walker & Greig, Ltd. ; 2 Morris Commercial 1½ ton chasses—Messrs. Walker Sons & Co., Ltd. ; (2) the building and equipping of suitable bodies for these 6 vehicles at an approximate cost of Rs. 4,800. (b) Reports thereon by the Municipal Engineer and the Commissioner. Council's formal sanction is necessary as these chasses had to be purchased immediately on the approval of the Mayor and Commissioner owing to the present war conditions. *Note.*—The total cost of the chasses, Rs. 18,000, together with cost of building and equipping bodies, Rs. 4,800, will be met from the Depreciation Fund.—Registered No. 1,589.—Recommended.

(3) With reference to the resolution of Council on April 5, 1939, to consider :—(a) The tenders received for effecting improvements to the Caretaker's Quarters, Liveramentu Cemetery. (b) The recommendation of the Municipal Engineer (supported by the Municipal Treasurer and the Tender Board) that the tender of Mr. W. D. A. F. Ranasinghe be accepted. Council's sanction is necessary. *Note.*—A sum of Rs. 1,500 has been provided for the purpose under Vote I 82/1939. Registered No. 684.—Recommended.

(4) With reference to the resolution of Council on March 1, 1939, to consider a memorandum from the Municipal Engineer dated August 4, 1939, submitting a revised detailed estimate for a dung platform at the slaughter-house. Sanction of Council is necessary. Registered No. 2,845.—Recommended.

(5) To consider :—(a) A memorandum by the Municipal Engineer dated July 28, 1939, requesting sanction for certain replacements required for the Pumping Stations. (b) A report thereon by the Municipal Treasurer stating that Council's sanction is necessary for—(1) drawing spares valued at Rs. 5,608·16 lying in stock at the Municipal Stores, (2) turning out 3 new Scrubber Shells valued at Rs. 280 at the Municipal Workshop, (3) purchasing spares valued at Rs. 870·60 from Messrs. Walker Sons & Co., Ltd., (4) charging entire cost of Rs. 6,758·76 to the Depreciation Fund. Registered No. 2,829.—Recommended.

(6) To consider an application from the Engineer, Town Planning (supported by the Municipal Treasurer) for supplementary provision of Rs. 9,150 under Vote I-117, Civic Survey (staff, &c.). *Note.*—Of this sum Rs. 1,650 is required for maps, drawing materials, &c., the balance Rs. 7,500 does not involve the Council in any extra expenditure as this sum is already provided under Votes I-1 (Salaries) and I 2 (Allowances) as salary and allowance of Mr. O. T. F. Senaratne, Grade II. Engineer, Municipal Engineer's Department. Registered No. 3,027.—Recommended.

(8) To consider the detailed estimate and plan submitted by the Municipal Engineer for the conversion of two vacant boutiques at Kochehikade into vegetable and fish stalls, and the recommendation of the Special Committee on question of Rents of Municipal Properties that the stalls be leased at 5 cents each per occupant per day or part of a day. *Note.*—This was a suggestion made by the Housing and Town Improvement Committee as an alternative to declaring Ratnam road and Newnam square at Kochehikade as public streets. The Sanitation Committee and the Special Committee on the question Rents of Municipal Properties have no objection to the conversion. Registered No. 1,339.—Recommended.

(9) With reference to the resolution of Council of September 6, 1939, to reconsider a memorandum from the Municipal Engineer, dated May 23, 1939, regarding an encroachment at 438, 2nd Division, Maradana. He suggests that the land 31½ sq. ft. in area and valued at Rs. 100 be sold. Sanction of Council is necessary. Registered No. 2,481.—Recommended.

(10) To consider :—(a) A letter from the Director of Public Works dated June 23, 1939, requesting the Council to contribute a sum of Rs. 8,500 representing the cost of pavements in connection with the construction of the Dehiwala bridge. (b) Reports thereon by the Municipal Engineer and the Commissioner. Registered No. 2,281.—Recommended that the Council do contribute Rs. 4,250 being half the cost of the pavements as only half the bridge is within Municipal limits.

## WATERWORKS DEPARTMENT.

(11) To consider :—(a) An application from Mr. M. Mohideen Pitchey for water service to his 3 newly built bungalows bearing assessment No. 206/1, situated in lane off Maligawatta road, Maradana. (b) A plan and an estimate for Rs. 666 from the Waterworks Engineer (supported by the Municipal Treasurer) for laying a 3-in. diameter water main for a distance of 76 yards in terms of Ordinance No. 9 of 1916. *Note.*—Mr. Pitchey submits the application to pay the above amount by instalments of Rs. 12 per mensem with interest at the rate of 6 per cent. per annum on balances outstanding from time to time. Registered No. 2,912.—Recommended.

(12) To consider :—(a) An application from Messrs. Adamjee Lukmanjee & Sons for water service to 6 new bungalows situated in lane off Ward place. (b) A plan and an estimate for Rs. 1,080·48 from the Waterworks Engineer (supported by the Municipal Treasurer) for laying a 4-in. diameter water main for a distance of 124 yards in terms of Ordinance No. 9 of 1916. *Note.*—Messrs. Adamjee Lukmanjee & Sons have deposited the above amount. Formal sanction of Council is necessary for the main already laid. Registered No. 3,047.—Recommended.

(13) To consider :—(a) An application from Mr. J. A. A. de Silva for water service to his 2 new bungalows bearing assessment No. 79, situated in lane off Gotami road, Borella. (b) A plan and an estimate for Rs. 660 from the Waterworks Engineer (supported by the Municipal Treasurer) for laying a 3-in. diameter water main for a distance of 57 yards in terms of Ordinance No. 9 of 1916. *Note.*—Mr. de Silva has expressed his willingness to contribute the sum of Rs. 330·26, being the proportionate cost of main due in respect of his property. Sanction of Council is necessary. Registered No. 2,847.—Recommended.

(14) To consider :—(a) An application from Mr. J. T. Samuel for water service to his new cottage situated in lane off Galle road, Wellawatta. (b) A plan and an estimate for Rs. 606 from the Waterworks Engineer (supported by the Municipal Treasurer) for laying a 3-in. diameter water main for a distance of 66 yards in terms of Ordinance No. 9 of 1916. *Note.*—Mr. Samuel applies to pay the above amount in quarterly instalments within the maximum period with interest at the rate of 6 per cent. per annum on balances outstanding from time to time. Sanction of Council is necessary. Registered No. 2,841.—Recommended.

(15) To consider :—(a) An application from Mr. E. Keyt for water service to his new building bearing assessment No. 90 situated in lane off Horton place. (b) A plan and an estimate for Rs. 906 from the Waterworks Engineer (supported by the Municipal Treasurer) for laying a 3-in. diameter water main for a distance of 116 yards in terms of Ordinance No. 9 of 1916. *Note.*—The applicant and Dr. S. Thiagarajah have expressed their willingness to contribute their proportionate costs amounting Rs. 375·78 and Rs. 248·38 respectively. Sanction of Council is necessary. Registered No. 2,814.—Recommended.

(16) To consider :—(a) A quotation from Messrs. Davidson & Co., Ltd., for the supply of a No. 3 (15-in. diameter) special "Sirocco" Induced Draft Fan with electric motor arranged with drive and speed regulator complete for use inside the 30-in. diameter supply mains. (b) The recommendation of the Waterworks Engineer supported by the Municipal Treasurer that the quotation be accepted. *Note.*—As this fan was urgently needed it was obtained on the Commissioner's approval. Council's formal sanction is now necessary. Registered No. 2,986.—Recommended.

(17) To consider :—(a) An application from H. A. Andy Singho, Turncock, Waterworks Department, for one month's full-pay leave preparatory to retirement. (b) Reports thereon by the Waterworks Engineer and the Municipal Treasurer. Sanction of Council is necessary. Registered No. 3,309.—Recommended.

## PUBLIC HEALTH DEPARTMENT.

(18) To consider an application from the Chief Medical Officer of Health (supported by the Municipal Treasurer) for supplemental provision of Rs. 2,784 on Vote H-41 Wages of Labourers, Cemeteries, for reasons given by him. Sanction of Council is necessary. Registered No. 3,134.—Recommended.

(19) To consider an application from Mr. S. Berman, Relief Sanitary Inspector, for permission, in terms of Clause 3 (b) of the agreement entered into by him, to dispose of the motor cycle purchased by him on a loan advanced by the Council, as he is medically advised not to ride a motor cycle. *Note.*—The Municipal Treasurer has no objection provided Mr. Berman purchases a rickshaw. The Commissioner approves. Sanction of Council is necessary. Registered No. 3,276.—Recommended.

## MUNICIPAL ASSESSOR'S DEPARTMENT.

(21) To consider :—(a) An application from Mr. M. A. C. Benjamin, Recordkeeper, Municipal Assessor's Department, for 3 months' full-pay leave preparatory to retirement. (b) Reports thereon by the Municipal Assessor and the Municipal Treasurer. Sanction of Council is necessary. Registered No. 2,848.—Recommended.

## FIRE BRIGADE.

(22) To consider :—(a) A letter, dated May 10, 1939, from the Director of Irrigation requesting the service of a fire engine for breaching sand bars at canal outlets. (b) Reports thereon by the Chief Officer, Fire Brigade, and the Municipal Treasurer recommending the request and suggesting that an inclusive fee of Rs. 150 for the job and Rs. 50 for each additional hour or part of an hour after 3 hours, be charged. The Director of Irrigation is agreeable to this fee. Sanction of Council is necessary. Registered No. 1,934.—Recommended.

## PUBLIC LIBRARY.

(23) To consider :—(a) The quotations received locally and through the London Agents for the supply of new books for 1940 for the Public Library. (b) The recommendation of the Librarian (supported by the Municipal Treasurer and the Tender Board) that the quotation of Messrs. Gordon and Gotch, Ltd., be accepted. Council's sanction is necessary. Registered No. 3,261.—Recommended.

## SECRETARY'S DEPARTMENT.

(24) With reference to the resolution of Council of September 6, 1939, to reconsider a memorandum of the Commissioner, dated July 17, 1939, submitting a list of officers who are 54 years of age and over, who, in his opinion, should be given the usual notice of retirement. Registered No. 44.—Recommended that the usual notice of retirement be given to the officers enumerated.

## MUNICIPAL TREASURER'S DEPARTMENT.

(25) To consider a report from the Municipal Treasurer, dated August 8, 1939, regarding the sinking of a petrol tank at Suduwella Stores by the Shell Co. of Ceylon, Ltd., and a memorandum thereon by the Commissioner, who states that the Council is liable for the additional expenditure of Rs. 100 and recommends supplementary provision of Rs. 100. Council's sanction is necessary. Registered No. 2,111.—Recommended.

(26) To consider :—(a) A letter from the Chairman, Colombo Port Commission, requesting the Council to pay a sum of Rs. 15·71 as its share of  $\frac{1}{3}$  of the compensation payable under the Workmen's Compensation Ordinance, 19 of 1934, to D. D. Clarke, who met with an accident while on Unemployment Relief Work. (b) A report thereon by the Municipal Treasurer stating that supplementary provision of Rs. 16 is required for the purpose. Council's sanction is necessary. Registered No. 2,953.—Recommended.

(27) To consider :—(a) A memorandum from the Municipal Treasurer, dated February 23, 1939, regarding the grant of gratuities to daily-paid employees who do not put in a continuous service of 120 months as required by section 21 of the Municipal Pension Rules. (b) A report thereon by the Secretary and the recommendation of the Commissioner that the Government practice in the matter be adopted. *Note.*—Government considers such cases under section 44 of the Pension Minute and section 33 of the Municipal Pension Rules provides for the application of the principles laid down in the Government pension minute in exceptional cases. Registered No. 2,723.—Recommended that the Government procedure be adopted.

(29) To consider the applications received for the post of Revenue Inspector. Registered No. 2,842.—Recommended that the following names be submitted to Council :—(1) Mr. S. Nadarajah, (2) Mr. T. Kandiah, (3) Mr. A. Kandiah, with the recommendation that Mr. S. Nadarajah be appointed.

(30) To consider an application from the Municipal Treasurer for supplemental provision of Rs. 75 on his Vote D-6 "Library" for reasons given by him. Sanction of Council is necessary. Registered No. 3,209.—Recommended.

(31) To consider memoranda by the Commissioner, dated July 28, 1939, and September 8, 1939, suggesting that Mr. John M. Senaveratna's services be obtained to revise the street names in Colombo. The Housing and Town Improvement Committee recommended this at a fee of Rs. 600. Registered No. 2,494.—Recommended.

*Irrecoverable items of Revenue.*

(32) To consider four lists of irrecoverable items of revenue amounting to Rs. 278·50 made up as follows :—Rents on Municipal Council tenements, Kochchikade, Rs. 221·50 ; Water rate dues Rs. 22 ; Fees on encroachments on public streets Rs. 5 ; Fees for stacking building materials on street Rs. 30 ; Total Rs. 278·50. Sanction of Council is necessary to write off. Registered No. 3,215.—Recommended.

*Leave.*

(33) To recommend that, under section 6 of the Municipal Council Leave By-laws, the excess leave of 52 days over 42 days granted to Mr. C. A. Anthonisz, Assessing Inspector, Municipal Assessor's Department, be sanctioned. (b) That, under section 10 (i) of the Municipal Council Leave By-laws, he may be granted 91 days accumulated vacation leave for the two years 1938 and 1939. He has therefore, exceeded the accumulated vacation leave by 8 days which may be reckoned as half-pay leave. The period from August 23 to 31, 1939, should be counted as half-pay leave in terms of section 10 (iv) of the Municipal Council Leave Minute. Sanction of Council is necessary. Registered No. 3,171.—Recommended.

(34) To recommend that, under section 6 of the Municipal Council Leave By-laws, the excess leave of 42 days over 42 days granted to Mr. N. P. Cooray, Assistant Superintendent, Cattle Mart, Veterinary Surgeon's Department, be sanctioned. Registered No. 2,984.—Recommended.

(35) To recommend that, under section 6 of the Municipal Council Leave By-laws, the excess leave of 2 days over 42 days granted to Mr. R. F. Jirasinghe, Playground Instructor, Public Health Department, be sanctioned. Registered No. 2,983.—Recommended.

(36) To recommend that, under section 6 of the Municipal Council Leave By-laws, the excess leave of 1 day over 42 days granted to Mr. I. L. M. Mohamed Aly, Clerk in Division II., Municipal Engineer's Department, be sanctioned. Registered No. 3,271.—Recommended.

(37) To recommend :—(a) That, under section 6 of the Municipal Council Leave By-laws, the excess leave of further 28 days over 42 days granted to L. T. Perera, Mosquito Overseer, Public Health Department, be sanctioned. (b) That, under section 10 (i) of the Municipal Council Leave By-laws he may be granted 91 days accumulated vacation leave for the two years 1938 and 1939. (c) That, under section 10 (iii) he may be granted excess leave of 1 day over 91 days to be appropriated out of the lapsed vacation leave of 30 days still available in respect of 1936 and 1937. Sanction of Council is necessary. Registered No. 2,989.—Recommended.

(38) To recommend that, under Leave Rule 2 of the Municipal Council Leave By-laws, the following leave be granted to Mr. K. Punchi Banda, Clerk in Division II. of the Municipal Treasurer's Department :—(a) 10 days vacation leave in proportion to his services. (b) 20 days half-pay leave from August 3 to August 22, 1939. Sanction of Council is necessary. Registered No. 3,015.—Recommended.

(39) To recommend that :—(a) 22 days sick leave from August 4 to August 30, 1939, be granted on full-pay to Mr. M. D. Junus, Clerk in Division I., Municipal Engineer's Department, in terms of section 9 of Municipal Council Leave Minute. (b) The 4 days leave from August 31 to September 3, 1939, be granted on half-pay as he has neither leave available



from 1938 nor is he entitled to lapsed leave—the date of return from last lapsed leave being January 4, 1939. 4 years, 11 months and 19 days half-pay leave is available. Sanction of Council is necessary. Registered No. 3,272.—Recommended.

*Pensions and Gratuities.*

(40) To recommend, under Rule 21 of the Municipal Council Pension Rules, the grant of a gratuity of Rs. 440·28 to K. Raman, B. T. 2768 of the Municipal Engineer's Department, who was condemned by a medical board as unfit for further service. The gratuity is based on his service of 211 months and his average monthly pay of Rs. 37·56. Registered No. 2964.—Recommended.

(41) To recommend, under Rule 21 of the Municipal Council Pension Rules, the grant of a gratuity of Rs. 293·23 to Vellayan, son of Muttu, B. T. 4233 of the Municipal Engineer's Department, who was condemned by a medical board as unfit for further service. The gratuity is based on his service of 176 months and his average monthly pay of Rs. 29·99. Registered No. 2,945.—Recommended.

(42) To recommend, under Rule 21 of the Municipal Council Pension Rules, the grant of a gratuity of Rs. 228·92 to V. Velaiden, B. T. 4190 of the Municipal Engineer's Department, who was condemned by a medical board as unfit for further service. The gratuity is based on his service of 158 months and his average monthly pay of Rs. 26·08. Registered No. 2,927.—Recommended.

(43) To recommend, under Rule 21 of the Municipal Council Pension Rules, the grant of a gratuity of Rs. 599·84 to E. Arthur Hingert, B. T. 80 of the Municipal Engineer's Department, who was condemned by a medical board as unfit for further service. The gratuity is based on his service of 207 months and his average monthly pay of Rs. 52·16. Registered No. 3,016.—Recommended.

(44) To recommend, under Rule 21 of the Municipal Council Pension Rules, the grant of a gratuity of Rs. 139·90 to Karuppie, B. T. 647 of the Municipal Engineer's Department, who was condemned by a medical board as unfit for further service. The gratuity is based on her service of 157 months and her average monthly pay of Rs. 16·04. Registered No. 3,007.—Recommended.

(45) To recommend, under Rule 21 of the Municipal Council Pension Rules, the grant of a gratuity of Rs. 205·21 to Shaul Hameed, B. T. 4531 of the Municipal Engineer's Department, who was condemned by a medical board as unfit for further service. The gratuity is based on his service of 146 months and his average monthly pay of Rs. 25·30. Registered No. 3,005.—Recommended.

(46) To recommend, under Rule 21 of the Municipal Council Pension Rules, the grant of a gratuity of Rs. 226 to Muttiah, son of Caruppan, B. T. 5754 of the Municipal Engineer's Department, who was condemned by a medical board as unfit for further service. The gratuity is based on his service of 150 months and his average monthly pay of Rs. 27·12. Registered No. 3,004.—Recommended.

(47) To recommend, under Rule 21 of the Municipal Council Pension Rules, the grant of a gratuity of Rs. 616·70 to A. Seyadu Moosup, B. T. 60 of the Municipal Engineer's Department, who was condemned by a medical board as unfit for further service. The gratuity is based on his service of 140 months and his average monthly pay of Rs. 79·29. *Note.*—This labourer's service had been interrupted by breaks, but these can be condoned under second proviso to Rule 21 of the Municipal Council Pension Rules. Registered No. 3,006.—Recommended.

(48) To recommend, under Rule 21 of the Municipal Council Pension Rules, the grant of a gratuity of Rs. 213·64 to Sangarasuppen, B. T. 4612 of the Municipal Engineer's Department, who was condemned by a medical board as unfit for further service. The gratuity is based on his service of 152 months and his average monthly pay of Rs. 25·30. *Note.*—This labourer's service had been interrupted by breaks, but these can be condoned under second proviso to Rule 21 of the Municipal Council Pension Rules. Registered No. 2,922.—Recommended.

(49) To recommend, under Rule 21 of the Municipal Council Pension Rules, the grant of a gratuity of Rs. 143·44 to Pakiyannathan, son of Ganaparasagam, B. T. 4970 of the Municipal Engineer's Department, who was condemned by a medical board as unfit for further service. The gratuity is based on his service of 132 months and his average monthly pay of Rs. 19·56. *Note.*—This labourer's service had been interrupted by breaks, but these can be condoned under second proviso to Rule 21 of the Municipal Council Pension Rules. Registered No. 2,921.—Recommended.

(50) To recommend, under Rule 21 of the Municipal Council Pension Rules, the grant of a gratuity of Rs. 525·60 to I. Karuppen, B. T. 2613 of the Municipal Engineer's Department, who was condemned by a medical board as unfit for further service. The gratuity is based on his service of 216 months and his average monthly pay of Rs. 43·80. *Note.*—This labourer's service had been interrupted by breaks, but these can be condoned under second proviso to Rule 21 of the Municipal Council Pension Rules. Registered No. 2,920.—Recommended.

(51) To recommend, under Rule 21 of the Municipal Council Pension Rules, the grant of a gratuity of Rs. 203·02 to Rawakken, B. T. 3119 of the Municipal Engineer's Department, who was condemned by a medical board as unfit for further service. The gratuity is based on his service of 154 months and his average monthly pay of Rs. 23·73. *Note.*—This labourer's service had been interrupted by breaks, but these can be condoned under second proviso to Rule 21 of the Municipal Council Pension Rules.—Registered No. 2,943.—Recommended.

(52) To recommend, under Rule 21 of the Municipal Council Pension Rules, the grant of a gratuity of Rs. 140·80 to Kosamadan, B. T. 4607 of the Municipal Engineer's Department, who was condemned by a medical board as unfit for further service. The gratuity is based on his service of 120 months and his average monthly pay of Rs. 21·12. *Note.*—This labourer's service had been interrupted by breaks, but these can be condoned under second proviso to Rule 21 of the Municipal Council Pension Rules. Registered No. 2,944.—Recommended.

(53) To recommend, under rule 21 of the Municipal Council Pension Rules, the grant of a gratuity of Rs. 196·22 to Karuppiah, B. T. 4244 of the Municipal Engineer's Department, who was condemned by a medical board as unfit for further service. The gratuity is based on his service of 129 months and his average monthly pay of Rs. 27·38. *Note.*—This labourer's service had been interrupted by breaks, but these can be condoned under second proviso to rule 21 of the Municipal Council Pension Rules. Registered No. 2,965.—Recommended.

(54) To recommend, under rule 21 of the Municipal Council Pension Rules, the grant of a gratuity of Rs. 250·98 to Kunjianno, son of Velu, B. T. 2632 of the Municipal Engineer's Department, who was condemned by a Medical Board as unfit for further service. The gratuity is based on his service of 165 months and his average monthly pay of Rs. 27·38. Registered No. 3,193.—Recommended.

(55) To recommend, under rule 21 of the Municipal Council Pension Rules, the grant of a gratuity of Rs. 322·69 to Joseph, B. T. 4229 of the Municipal Engineer's Department, who was condemned by a Medical Board as unfit for further service. The gratuity is based on his service of 169 months and his average monthly pay of Rs. 34·37. Registered No. 3,194.—Recommended.

(56) To recommend, under rule 21 of the Municipal Council Pension Rules, the grant of a gratuity of Rs. 335·97 to Karuppan, B. T. 2738 of the Municipal Engineer's Department, who was condemned by a Medical Board as unfit for further service. The gratuity is based on his service of 187 months and his average monthly pay of Rs. 32·34. *Note.*—This labourer's service had been interrupted by breaks, but these can be condoned under second proviso to rule 21 of the Municipal Council Pension Rules. Registered No. 3,172.—Recommended.

(57) To recommend, under rule 21 of the Municipal Council Pension Rules, the grant of a gratuity of Rs. 245·45 to N. B. Martin, B. T. 510 of the Municipal Engineer's Department, who was condemned by a Medical Board as unfit for further service. The gratuity is based on his service of 154 months and his average monthly pay of Rs. 28·69. *Note.*—This labourer's service had been interrupted by breaks, but these can be condoned under second proviso to rule 21 of the Municipal Council Pension Rules. Registered No. 3,173.—Recommended.

(58) To recommend, under rule 21 of the Municipal Council Pension Rules, the grant of a gratuity of Rs. 259·55 to Sodalay, son of Supramaniam, B. T. 1636 of the Municipal Engineer's Department, who was condemned by a Medical Board as unfit for further service. The gratuity is based on his service of 160 months and his average monthly pay of Rs. 29·20. *Note.*—This labourer's service had been interrupted by breaks, but these can be condoned under second proviso to rule 21 of the Municipal Council Pension Rules. Registered No. 3,120.—Recommended.

(59) To recommend, under rule 21 of the Municipal Council Pension Rules, the grant of a gratuity of Rs. 326·74 to Marimuttu, B. T. 739 of the Municipal Engineer's Department, who was condemned by a Medical Board as unfit for further

Service. The gratuity is based on his service of 205 months and his average monthly pay of Rs. 28·69. *Note.*—This labourer's service had been interrupted by breaks, but these can be condoned under second proviso to rule 21 of the Municipal Council Pension Rules. Registered No. 3,110.—Recommended.

(60) To recommend, under rule 21 of the Municipal Council Pension Rules, the grant of a gratuity of Rs. 365·61 to Suppen, B. T. 3238 of the Municipal Engineer's Department, who was condemned by a Medical Board as unfit for further service. The gratuity is based on his service of 211 months and his average monthly pay of Rs. 31·19. Registered No. 3,314.—Recommended.

(61) To recommend, under rule 21 of the Municipal Council Pension Rules, the grant of a gratuity of Rs. 292·96 to Esakimuttu, son of Enamuttu, B. T. 1102 of the Municipal Engineer's Department, who was condemned by a Medical Board as unfit for further service. The gratuity is based on his service of 170 months and his average monthly pay of Rs. 31·02. Registered No. 3,312.—Recommended.

(62) To consider a memorandum by the Municipal Treasurer regarding the payment of salaries to Council's Officers on Military Duty. He suggests that the Government procedure as laid down in Treasury Circular No. 285/15/4 (ET) 297 be adopted so far as it can be applied to the Council's service. Sanction of Council is necessary. Registered No. 3,395.—Recommended that the Government procedure be adopted.

(64) To consider the lists of books recommended for addition to the following classes:—(1) Sociology. (2) Fine Arts. (3) Literature. (4) History, Travel, and Biography.—Recommended that the recommendation of the Library Committee be accepted.

(65) To consider a memorandum dated September 11, 1939, from the Librarian submitted for consideration:—(1) List of periodicals taken during 1939. (2) List of suggestions for additional periodicals. (3) List of periodicals sold during 1939.—Recommended that the recommendation of the Library Committee be accepted.

*The following Extract from the Minutes of the Standing Committee on Municipal Works of August 18, 1939, was considered.*

#### MUNICIPAL ENGINEER'S DEPARTMENT.

(4) To consider:—(a) A letter from the Director of Public Works dated June 23, 1939, requesting the Council to contribute a sum of Rs. 8,500 representing the cost of pavements in connection with the construction of the Dehiwala bridge. (b) Reports thereon by the Municipal Engineer and the Commissioner. Registered No. 2,281.—Recommended.

*The following Extracts from the Minutes of the Standing Committee on Municipal Works of September 18, 1939, were considered.*

#### MUNICIPAL ENGINEER'S DEPARTMENT.

(4) To consider:—(a) A memorandum from the Engineer Mechanical requesting sanction for (1) the purchase of the following motor chasses to replace motor vehicles which have been fully depreciated or will be depreciated at the end of 1939:—2 Morris 10 cwt. chasses—Messrs. Rowlands Garages, Ltd.; 1 Chevrolet 1½ tons chassis—Messrs. Rowlands Garages, Ltd.; 1 Federal 1½ ton chassis—Messrs. Walker & Greig, Ltd.; 2 Morris Commercial 1½ ton chassis—Messrs. Walker Sons & Co., Ltd.; (2) the building and equipping of suitable bodies for these 6 vehicles at an approximate cost of Rs. 4,800. (b) Reports thereon by the Municipal Engineer and the Commissioner. Council's formal sanction is necessary as these chasses had to be purchased immediately on the approval of the Mayor and Commissioner owing to the present war conditions. *Note.*—The total cost of the chasses, Rs. 18,000, together with cost of building and equipping bodies, Rs. 4,800 will be met from the Depreciation Fund. Registered No. 1,589.—Recommended.

(5) With reference to the resolution of Council on April 5, 1939, to consider:—(a) The tenders received for effecting improvements to the Caretaker's quarters, Liveramentu Cemetery. (b) The recommendation of the Municipal Engineer (supported by the Municipal Treasurer and the Tender Board) that the tender of Mr. W. D. A. F. Ranasinghe be accepted. Council's sanction is necessary. *Note.*—A sum of Rs. 1,500 has been provided for the purpose under Vote I. 82/1939. Registered No. 684.—Recommended.

(6) With reference to the resolution of Council on March 1, 1939, to consider a memorandum from the Municipal Engineer dated August 4, 1939, submitting a revised detailed estimate for a dung platform at the Slaughter-house. Sanction of Council is necessary. Registered No. 2,845.—Recommended.

(7) To consider:—A memorandum by the Municipal Engineer dated July 28, 1939, requesting sanction for certain replacements required for the Pumping Stations. (b) A report thereon by the Municipal Treasurer stating that Council's sanction is necessary for—(1) drawing spares valued at Rs. 5,608·16 lying in stock at the Municipal Stores. (2) Turning out 3 new Scrubber Shells valued at Rs. 280 at the Municipal Workshop. (3) Purchasing spares valued at Rs. 870·60 from Messrs. Walker Sons & Co., Ltd. (4) Charging entire cost of Rs. 6,758·76 to the Depreciation Fund. Registered No. 2,829.—Recommended.

(10) To consider the detailed estimate and plan submitted by the Municipal Engineer for the conversion of two vacant boutiques at Kochchikade into vegetable and fish stalls and the recommendation of the Special Committee on question of Rents of Municipal Properties that the stalls be leased at 5 cents each per occupant per day or part of a day. *Note.*—This was a suggestion made by the Housing and Town Improvement Committee as an alternative to declaring Ratnam road and Newnham square at Kochchikade as public streets. The Sanitation Committee and the Special Committee on question of Rents of Municipal Properties have no objection to the conversion. Registered No. 1,339.—Recommended.

#### WATERWORKS DEPARTMENT.

(12) To consider:—(a) An application from Mr. M. Mohideen Pichey for water service to his 3 newly built bungalows bearing assessment No. 206/1, situated in lane off Maligawatta road, Maradana. (b) A plan and an estimate for Rs. 666 from the Waterworks Engineer (supported by the Municipal Treasurer) for laying a 3-in. diameter water main for a distance of 76 yards in terms of Ordinance No. 9 of 1916. *Note.*—Mr. Pichey submits the application to pay the above amount by instalments of Rs. 12 per mensem with interest at the rate of 6 per cent. per annum on balances outstanding from time to time. Registered No. 2,912.—Recommended.

(13) To consider:—(a) An application from Messrs. Adanjee Lukmanjee and Sons for water service to 6 new bungalows, situated in lane off Ward place. (b) A plan and an estimate for Rs. 1,080·48 from the Waterworks Engineer (supported by the Municipal Treasurer) for laying a 4-in. diameter water main for a distance of 124 yards in terms of Ordinance No. 9 of 1916. *Note.*—Messrs. Adanjee Lukmanjee & Sons have deposited the above amount. Formal sanction of Council is necessary for the main already laid. Registered No. 3,047.—Recommended.

(14) To consider:—(a) An application from Mr. J. A. A. de Silva for water service to his 2 new bungalows bearing assessment No. 79, situated in lane off Gotarni road, Borella. (b) A plan and an estimate for Rs. 660 from the Waterworks Engineer (supported by the Municipal Treasurer) for laying a 3-in. diameter water main for a distance of 75 yards in terms of Ordinance No. 9 of 1916. *Note.*—Mr. de Silva has expressed his willingness to contribute the sum of Rs. 330·26, being the proportionate cost of main due in respect of his property. Sanction of Council is necessary. Registered No. 2,847.—Recommended.

(15) To consider:—(a) An application from Mr. J. T. Samuel for water service to his new cottage situated in lane off Galle road, Wellawatta. (b) A plan and an estimate for Rs. 606 from the Waterworks Engineer (supported by the Municipal Treasurer) for laying a 3-in. diameter water main for a distance of 66 yards in terms of Ordinance No. 9 of 1916. *Note.*—Mr. Samuel applies to pay the above amount in quarterly instalments within the maximum period with interest at the rate of 6 per cent. per annum on balances outstanding from time to time. Sanction of Council is necessary. Registered No. 2,841.—Recommended.

(16) To consider:—(a) An application from Mr. E. Keyt for water service to his new building bearing assessment No. 90, situated in lane off Horton place. (b) A plan and an estimate for Rs. 906 from the Waterworks Engineer (supported by the Municipal Treasurer) for laying a 3-in. diameter water main for a distance of 116 yards in terms of Ordinance No. 9 of 1916. *Note.*—The applicant and Dr. S. Thiagarajah have expressed their willingness to contribute their proportionate costs amounting to Rs. 375·78 and Rs. 248·38 respectively. Sanction of Council is necessary. Registered No. 2,814.—Recommended.

*The following Extract from the Minutes of the Standing Committee on Law and General Subjects of August 28, 1939, was considered.*

WATERWORKS DEPARTMENT.

(4) To consider the draft agreement to be entered into with Messrs. Binnie, Deacon & Gourley, Consulting Engineers for the Kalatuwawa Water Supply Scheme. Registered No. 2,314.—Recommended that the draft agreement be approved subject to the addition of the words "and for all acts, matters and things in connection with the establishment, erection, and completion of the said Works" at the end of clause 1.

(See Annexure "A".)

*The following Extracts from the Minutes of the Standing Committee on Housing and Town Improvement of September 11, 1939, were considered.*

MUNICIPAL ENGINEER'S DEPARTMENT.

(2) To consider the following motion of Mr. N. Saravanamuttu, M.M.C., in Council on June 7, 1939:—"That no tax or levy shall be collected by this Council in respect of renovated and/or repaired sunshades when such sunshades had been originally erected prior to March, 1933". Reports thereon by the Municipal Engineer and the Commissioner. Registered No. 2,192.—Recommended that the motion be accepted.

(4) To consider a report of the Municipal Engineer, dated August 7, 1939, regarding the widening of Java lane and Ingham street and suggesting the following resolution for sanction of Council:—"To sanction as per plan No. 3,605 of October 12, 1937, signed by Mr. Stanley Fernando, Acting Municipal Engineer, and dated August 7, 1939, the street lines for Java lane and Ingham street to a width of 30 feet under powers in section 19 (4) of Chapter 199 of the Legislative Enactments of Ceylon." Registered No. 2,780.—Recommended.

(5) To consider a report of the Municipal Engineer, dated August 8, 1939, regarding street lines at premises No. 61, Fife road, suggesting the following resolution for sanction of Council:—"To sanction the laying down of street lines under section 18 (4) of Housing Ordinance (Chapter 199, Volume V. of Legislative Enactment of 1938) at No. 61, Fife road, marked G-H on plan No. 1,653 of April 17, 1931, signed by Mr. Stanley Fernando, Acting Municipal Engineer." Registered No. 2,782.—Recommended.

(6) With reference to the resolution of this Committee of June 22, 1939, to reconsider the suggestion of the Municipal Engineer that Ratnam road and Newnham square at Koehchikade be declared public streets. The Sanitation Committee has no objection to the conversion of vacant boutiques into stalls. The Special Committee on question of Rents of Municipal Properties has no objection to the conversion of two vacant boutiques into vegetable and fish stalls, each boutique to be converted into about 10 stalls and leased at 5 cents each per occupant per day or part of a day. Registered No. 1,339.—Recommended that the suggestion of the Special Committee on question of Rents of Municipal Properties be approved. The question of declaring Ratnam road and Newnham square as public streets to be taken up later, if necessary.

(9) To consider a memorandum of the Municipal Engineer, dated August 17, 1939, regarding street lines at 23rd lane, Wellawatta, suggesting the following resolution for sanction of Council:—"To sanction the laying down of street lines under section 18 (4) of Housing Ordinance (Chapter 199, Volume 5 of Legislative Enactment of 1938) at 23rd lane, Wellawatta marked C-D on plan No. 4,282 of August 9, 1939, signed by Mr. Stanley Fernando, Acting Municipal Engineer." Registered No. 2,911.—Recommended.

MUNICIPAL ASSESSOR'S DEPARTMENT.

(10) With reference to the recommendation of this Committee on August 15, 1939, on the question of street naming, to consider the report of the Commissioner regarding Mr. John M. Senaveratna's fee for revising the street names in Colombo. Registered No. 2,494.—Recommended that the work be entrusted to Mr. Senaveratna at a fee of Rs. 600.

*The following Extract from the Minutes of the Traffic Advisory Special Committee of June 23, 1939, was considered.*

MUNICIPAL ENGINEER'S DEPARTMENT.

(3) To consider:—(a) A memorandum of the Municipal Engineer, dated April 5, 1939, submitting draft regulations for motor lorry stands. (b) A further memorandum of the Municipal Engineer suggesting that a by-law also be passed prohibiting the parking of lorries on roads except when loading or unloading goods. Registered No. 1,435.—Recommended that the regulations and by-law be passed. The Finance Committee to fix the fee.

(The recommendation of the Finance Committee of July 24, 1939, that a fee of Rs. 5 be charged was accepted by Council on August 2, 1939.)

*The following Extracts from the Minutes of the Special Committee regarding the Public Library of September 23, 1939, were considered.*

(2) To reconsider a memorandum of the Librarian suggesting that Keesing's *Contemporary Archives* be obtained for the Library.—Recommended that Keesing's *Contemporary Archives* be obtained.

(3) To consider two lists of 117 books submitted by the Librarian for withdrawal from the Library. Registered No. 2,389.—(a) Recommended that 116 books in the list submitted be withdrawn, J. H. Shorthouse's *Life and Letters* being retained. (b) Resolved that the books be distributed among the approved charitable institutions.

(4) (a) To consider the appointment of Prof. S. A. Pakeman to the vacancy caused on the Committee by the resignation of Prof. R. Marrs, C.I.E., C.M.G. (b) To pass votes of appreciation of the services rendered to the Library Committee by Prof. R. Marrs and Mr. A. H. Malpas. (c) To appoint a successor to Prof. R. Marrs on the following Sub-Committees to select books:—(1) Philosophy and Religion. (2) Natural Science.—(a) Recommended that Prof. S. A. Pakeman be appointed to fill the vacancy caused on the Committee by the resignation of Prof. R. Marrs, C.I.E., C.M.G. (b) Resolved that this Committee place on record its appreciation of the valuable services rendered to the Library Committee by Prof. R. Marrs and Mr. A. H. Malpas. (c) Resolved that the Hon. Mr. Justice F. J. Soertsz be appointed to the Sub-Committee on Philosophy and Religion, and Dr. S. D. Fernando to the Sub-Committee on Natural Science.

(5) To consider the lists of books recommended for addition to the following classes:—(1) Sociology. (2) Fine Arts. (3) Literature. (4) History, Travel and Biography.—(a) Recommended that the lists be approved. (b) Further recommended that in future arrangements be made to insure the consignments of books.

(6) To consider a memorandum, dated September 11, 1939, from the Librarian submitted for consideration:—(1) List of periodicals taken during 1939. (2) List of suggestions for additional periodicals. (3) List of periodicals sold during 1939.—(a) Recommended that the annexed list "A" be approved. (The additional periodicals for 1940 being indicated by italics.) (b) Recommended that the right for six months to remove the periodicals in annexed list "B" (after two weeks in the case of Weeklies and one month in the case of Monthlies and three months in the case of Quarterlies) should be sold by public auction twice a year. (c) Resolved that Mr. C. H. Z. Fernando's offer to obtain complimentary copies of the *Coconut Industries Journal* for the Library be accepted with thanks.

(7) To consider the quotations for the supply of books during 1940.—Recommended that the quotation of Messrs. Gordon & Gotch be accepted.

*The Report of the Special Committee appointed by Council on June 7, 1939, to inquire into the circumstances that led to the transfer of the Workshop Foreman was considered.*

(Vide Annexure B.)

Mr. A. R. A. Razik moved, as an amendment, that the matter be deferred for next month.

Mr. N. Saravanamuttu opposed.

The amendment was put to the house and declared carried.

6. The Mayor moved in Committee:—That the Council do resume. Mr. A. E. Goonesinha seconded.—Carried.

7. The Mayor formally moved in Council that the resolutions of Council in Committee, and the recommendations of the Committees, subject to any amendments of such recommendations by the Council in Committee, be adopted. Dr. R. Saravanamuttu seconded.—Carried.

8. The Mayor moved:—(a) That the vacancy caused by the retirement of Mr. C. W. de Mel, Assessing Inspector, Municipal Assessor's Department, be filled and that the Council do delegate the power of making recommendations to the Standing Committee on Finance. (b) That the vacancy caused by the death of Mr. P. T. de Saram, Sanitary Inspector, Public Health Department, be filled and that the Council do delegate the power of making recommendations to the Standing

Committee on Sanitation. (c) That the vacancy which will be caused by the retirement of Dr. C. V. Aserappa, Chief Medical Officer of Health, be filled and that the Council do delegate the power of making recommendations to the Standing Committee on Sanitation.

Mr. N. Saravanamuttu suggested that (a) and (b) should go before the Salaries and Cadres Committee for consideration and report and that (c) should go before the Sanitation Committee.

The Mayor agreed and the motion as amended was put to the House and declared carried.

9. The following documents were also laid on the table :—

- (1) Statements of Receipts and Disbursements from January 1 to August 31, 1939, and Progress Report showing expenditure for August, 1939.
- (2) Weekly statements of Plague.
- (3) Attendance Return of Committees of the Municipal Council for 1939.
- (4) C. L. I. Band Programme for October, 1939.
- (5) Return of average daily supply and consumption of water for August, 1939.
- (6) The Municipal Engineer's Report for September, 1939, on the condition of Tramway routes.
- (7) The Municipal Engineer's Reports on House Drainage, Nos. 340 and 341 for July and August, 1939, respectively.
- (8) Diaries of the following officers for the month of September, 1939, with a statement of out-door work done.

*Municipal Engineer's Department.*—The Acting Municipal Engineer, the Chief Assistant Municipal Engineer, the Mechanical Engineer, the Works Engineer, the Engineer Buildings, the Drainage Engineer, the Engineer Sanitation, the Engineer Roads, the Engineer Pumping Stations, the Engineer House Drainage, the Assistant Engineer and the Maintenance Inspectors (three). (The Municipal Engineer is on leave.)  
The Engineer Town Planning.

*Waterworks Department.*—The Waterworks Engineer, the 1st Assistant Waterworks Engineer, and the 2nd Assistant Waterworks Engineer.

*Public Health Department.*—The Chief Medical Officer of Health, the Deputy Chief Medical Officer of Health, the Medical Officer of Health (Colombo South), the Medical Officer of Health (Colombo North), the Medical Officer of Health, Epidemiology and Vital Statistics, the Medical Officer-in-charge of Maternity and Child-Welfare, the Assistant Medical Officer-in-charge of Maternity and Child-Welfare, the City Microbiologist, the Deputy City Microbiologist and the Chief Playground Instructor.

*Veterinary Department.*—The Municipal Veterinary Surgeon, Veterinary Inspectors (three) and Stock Inspectors (three.)

*Municipal Treasurer's Department.*—The Municipal Treasurer, the Assistant Municipal Treasurer, and Revenue Inspectors (twelve.)

*Municipal Assessor's Department.*—The Municipal Assessor, the Assistant Municipal Assessor, and the 2nd Assistant Municipal Assessor.

*The Charity Commissioner's Department.*—The Charity Commissioner.

*The Fire Brigade.*—The Chief Officer.

(10) Monthly Reports of work done by the following officers :—(a) For the month of August, 1939 :—The City Analyst and the City Microbiologist. (b) For the month of August, 1939 :—The District Nurse of the Ceylon Social Service League.

Confirmed on November 1, 1939.

V. R. SCHOKMAN,  
Mayor of Colombo.

V. R. SCHOKMAN,  
Mayor of Colombo.

#### ANNEXURE " A "

AN AGREEMENT made this \_\_\_\_\_ day of \_\_\_\_\_ One thousand nine hundred and thirty nine, between William James Eames Binnie, M.A., President Inst. C.E., Harold John Frederick Gourley, M. Eng., M. Inst. C.E., and Geoffrey Morse Binnie, M.A., Assoc. M. Inst. C.E., carrying on business in co-partnership under the name and style of Binnie Deacon and Gourley, Chartered Civil Engineers, at Artillery House, Artillery Row in the City of Westminster in the County of London, England (hereinafter called the "the Engineers" which expression shall mean the partners from time to time of the said firm) of the one part and the Municipal Council of Colombo (hereinafter called the "the Council") of the other part.

Whereas the Council propose to obtain a supply of water by constructing an impounding reservoir on the Kalatuwawa-ela and ancillary works for the purification thereof (hereinafter referred to as "the Works").

And whereas the Engineers at the request of the Council have inspected and reported upon alternative sites for the dam of the aforementioned reservoir and the Council have accepted the Engineers' recommendation to adopt the "upper" site and have decided to construct all the works necessary to obtain such supply.

And whereas the Council have approved the appointment of the Engineers for the above-mentioned works.

Now this indenture witnesseth that the Engineers and the Council for the respective considerations unto them moving have agreed the one with the other in manner herein appearing, that is to say :—

1. The Council hereby appoint the Engineers to be their Consulting Engineers to design and supervise the construction of the aforesaid reservoir, the necessary purification works and clear water tank, who shall act as the Consulting Engineers of the Council for the work contemplated under this Agreement and be responsible to the Council for the efficient design, economical execution and satisfactory completion of the said works, and for all acts, matters and things in connection with the establishment, erection and completion of the said works.

2. The Engineers shall prepare all the necessary designs, detail drawings, specifications, Bill of Quantities, Schedules and other particulars within a period of \_\_\_\_\_ from the signing of this Agreement. The Engineers shall advise the Council as to whether it is preferable to carry out the requisite works by contract or contracts or by direct labour without the intervention of a contractor or contractors.

3. The Council shall at their own expense through their Waterworks Engineer forthwith and from time to time supply the Engineers with all such survey plans and other information which in the opinion of the Engineers may be necessary to enable them to design the works.

4. The Engineers shall prepare all the necessary drawings and designs and in particular one coloured set for the use of the Council, one coloured set for the purposes of the works and one coloured set for the purposes of the Engineers. The Engineers shall also prepare three additional uncoloured copies or prints of each plan for the purposes of the works and within six months after the completion of the works the Engineers shall furnish to the Council a complete set of finished drawings thereof as a permanent record of the works as completed. Any copies of drawings or additional drawings required by Contractors or Manufacturers shall be supplied by the Engineers at the expense of such Contractors or Manufacturers.

5. The Engineers shall also prepare such specifications, Bills of Quantities, Schedules and other particulars with the least possible delay as may be necessary to enable the works to be carried out by contract or by direct labour.

6. The Engineers shall make any alterations, additions, substitutions, deductions to or from the works as may in their opinion be necessary from time to time. Any alterations, additions or substitutions which may involve expenditure beyond the estimates shall be reported by the Engineers to the Council as soon as possible.

7. The Engineers shall exercise such due diligence and skill in all matters connected with the designing and supervision of the construction of the works as are incidental to their position as Consulting Engineers-in-chief and the practice of their profession in the designing supervision and direction of the execution of such works.

8. The Engineers shall advise the Council on all matters arising in connection with the establishment erection and completion of the works including the letting of all contracts and shall assist the Council to the best of their power in getting the works executed and completed in a proper manner and with due regard to economy, efficiency and expedition.

9. One of the Engineers shall visit the works once in every year during construction of the works and shall remain in Ceylon for a period of at least two weeks during the course of each visit.

10. For their services to be rendered by the Engineers under this Agreement the Council shall pay to the Engineers in London a commission of Five Pounds per Hundred Pounds of the first One Hundred Thousand Pounds expenditure, a commission of Four Pounds per Hundred Pounds of any expenditure in excess of One Hundred Thousand Pounds and should the total expenditure exceed Two Hundred Thousand Pounds then of any such excess a commission of Three Pounds Ten shillings for each One Hundred Pounds of all expenditure in excess of Two Hundred Thousand Pounds.

11. The expenditure upon which the commission shall be payable includes all payments for or in connection with the works but excludes any payments in respect of the services of the Engineers as covered by this Agreement and the cost of lands and easements necessarily incurred for the purposes of the works.

12. The fees set out in Clause II. hereof shall be paid in instalments as follows :—

- (a) Within one month from the date (hereinafter called "the delivery date") on which the Engineers shall deliver to the Council the plans, specification and Bills of Quantities for the main dam the sum of Two Thousand Five Hundred Pounds.
- (b) the balance of the said fees shall be payable by equal quartely instalments of Five Hundred Pounds the first such instalment to be paid at the expiration of three calendar months from the delivery date ;
- (c) any balance of the said fees outstanding on the completion of the whole of the works shall be paid to the Engineers in full within six calendar months from the date on which the Engineers shall certify that the works have been so far completed as to enable a supply of water from the Kalatuwawa-ela Reservoir to be commenced ;
- (d) all fees already paid to the Engineers or any one of them including the sum of £262. 10s. paid in April, 1938, shall be considered as part payment of commission payable to the Engineers.

13. If at any time before the completion of the works any question dispute or difference shall arise between the Council or the Engineers on their behalf and any Contractor as to the construction of any contract or as to any matter or thing arising under or out of any contract then such question dispute or difference shall in the first instance be referred to the determination of the Engineers and for their services in connection with any such reference no additional fee shall be payable to the Engineers.

If at any time either during the construction or after the completion of the works any dispute or difference shall arise or remain as between the Council or the Engineers on their behalf and any Contractor or other party and which has not been finally settled by the Engineers and such dispute or difference is the subject of arbitration or legal proceedings the Council may if they so desire retain and have the professional services of the Engineers in any such arbitration or proceedings and for such services the Council shall in addition to the fees hereinbefore provided for remunerate the Engineers upon the usual rate per day applicable to Consulting Engineers and shall also pay their travelling hotel and out-of-pocket expenses.

14. On each occasion of every visit of one of the Engineers to Colombo or elsewhere in the vicinity in connection with the works or to confer with the Council the Council shall pay to the Engineers all travelling hotel and out-of-pocket expenses incurred by him or them in connection therewith but such expenses shall not exceed Twenty Pounds per week in addition to the voyage and/or railway fares to and from London. If additional visits are considered by the Engineers to be necessary such visits shall be at their own expense. Should any additional visits be required by the Council then the cost of each such visits shall be borne by the Council according to the provisions of this Clause.

15. The Engineers shall engage, employ and remunerate all such persons such as Inspectors, Testing Officers, Analysts or Chemists as may be necessary in connection with the works and which appointments have been agreed upon between the Engineers and the Council to be necessary for the carrying out of the work contemplated by this Agreement and the fees and travelling and other expenses of such persons shall on demand be repaid by the Council to the Engineers.

16. The cost of all printing photoprinting or typewriting required in connection with specifications, quantities or other documents relating to the works shall be borne by the Council but all other out-of-pocket expenses including travelling expenses in Great Britain shall be borne by the Engineers. Provided that in the event of inspection of any plant that may be manufactured out of Great Britain the actual travelling expenses incurred by the Engineers in connection with such inspection shall be paid by the Council.

17. All fees, salaries, expenses or disbursements to be paid by the Council to the Engineers shall be paid by the Council in pounds sterling at the current rate of exchange.

18. The Engineers shall select and the Council shall appoint, employ and pay at salaries not exceeding those hereinmentioned a Resident Engineer and all such assistants and Inspectors as are mentioned in the Schedule hereto or as may in the opinion of the Engineers be from time to time required for the proper supervision and carrying out of the works. In their selection of other than the Resident Engineer the Engineers shall so far as practicable give preference to any present employees of the Council that the Engineers may consider suitable. Provided that if the Engineers from time to time find that the staff mentioned in the Schedule is inadequate the Council shall on the Engineers' report in proof of such inadequacy increase such staff and pay their salaries and expenses.

Such Resident Engineer and all such Assistants and Inspectors shall be under the sole direction of and take their instructions from the Engineers in respect of all technical matters in which the Engineers are responsible for the efficient and economical execution of the said works. For purposes of general administration, discipline and accounting and other non-technical matters the Resident Engineer and Staff shall be under the control of the Council.

The Resident Engineer and Staff will constitute a Sub-department of the Waterworks Department of the Council under the Waterworks Engineer. Such directions as the Council may have occasion to give to the Resident Engineer will be given to him through the Waterworks Engineer and any representation which the Resident Engineer may have occasion to make to the Council shall be forwarded through the Waterworks Engineer.

If during the construction of the works the Council for any reason desire to dismiss the Resident Engineer they shall refer the matter to the Engineers for their consideration and shall not carry out any such dismissal without the approval of the Engineers first obtained which shall not be unreasonably withheld.

19. The Subordinate technical administrative and accounting Staff shall be selected by the Council who shall pay their salaries and the Council will have the power to dismiss or discontinue such officers. The Council shall provide and pay for all temporary furnished offices, buildings and other accommodation upon the works which in the opinion of the Engineers may be necessary for the use of the Engineering and clerical staff and shall also pay the cost of all such surveying instruments and appliances drawings materials, et cetera, as in the opinion of the Engineers may be necessary and of all stationery and other office expenses incurred in Colombo. In addition to their salaries the Council shall provide the Resident Engineer, Clerical Staff and other Assistants and Inspectors with suitable housing accommodation in the vicinity of the works or an allowance in lieu thereof.

20. The Engineers shall give due consideration to the views of the Council and the Waterworks Engineer in matters relating to plant and equipment to be installed.

21. The Council shall on receipt of the requisite designs and particulars forthwith and continuously proceed with the said undertakings and works either by contract or direct labour and shall find and provide all moneys, lands, wayleaves and facilities requisite for expeditiously carrying out the same and in the event of the Council deciding to do the work or any part thereof without the intervention of a Contractor they shall also provide and pay all necessary foremen, artisans, labourers and other servants together with all such plant, materials and articles which in the opinion of the Engineers may be necessary for the purposes of the works.

22. Should the works or any part thereof be constructed without the intervention of a Contractor the Engineers shall be free to engage locally such labour as may be required and is considered suitable but should there be any difficulty in filling any key position the Engineers shall be at liberty to engage other than local labour. Preference should however be given to Ceylonese labour and the wages shall be at rates sanctioned by the Council.

23. The Resident Engineer shall issue all certificates for payments due to Contractors under contracts entered into by the Council in connection with the said works and shall also issue the completion and final certificates relating to contracts and shall do every other matter or thing required or necessary to be done by the Engineers in general conditions attached to such contracts.

24. All orders, instructions or directions of the Council or any Committee of the Council relating to the works shall be given direct to the Engineers and shall be duly recorded in the proceedings of the Council or of their Committee and the same shall be duly notified to the Engineers by copies thereof being left or sent to the Engineers' place of business in London and they shall be deemed thereupon to have had due notice thereof.



25. Copies of weekly and monthly progress reports submitted by the Resident Engineer to the Consulting Engineers shall also be submitted to the Council through the Resident Engineer.

26. If through no default of their own the Council is prevented from proceeding with the works or a portion thereof then the Council shall pay the Engineers a remuneration in proportion to the amount of work which they shall have performed and this agreement shall cease and determine.

27. It shall be lawful for the Engineers at any time to take another partner or other partners (being fully qualified Civil Engineers) into their firm and he and they shall be included in the expression "the Engineers" where the context so allows or permits.

In the event of any of the Engineers dying at any time during the progress of the works this Agreement shall continue in force as between the Engineer or Engineers for the time being and the Council; and the estate of any Engineer as may so die shall be freed from all responsibility to the Council for anything done or omitted to be done after the death of such Engineer.

28. This Agreement shall be construed and take effect according to the laws of England.

29. Any and every difference, dispute or question which may at any time arise between the Engineers and the Council or persons deriving title under them touching the construction meaning or effect of this Agreement or any clause or thing therein contained or as to the mode of carrying the same into effect or their rights and liabilities thereunder or otherwise in relation to the premises shall be referred to the arbitration of an Arbitrator to be appointed by the Chairman for the time being of the Association of Consulting Engineers in London on the application of the Engineers or any of them or the Council or any person deriving title under them or any of them. This shall be deemed to be a submission to arbitration within the Arbitration Acts of 1889 and 1934 or any statutory modification or re-enactment thereof for the time being in force the provisions whereof shall apply as far as applicable. The fact of any difference, dispute or question having arisen between the parties or having been referred to arbitration shall in no way suspend the carrying on of the work contemplated by this agreement, but the same shall be continued pending decision of the Arbitrator.

#### SCHEDULE.

List of Engineers, Assistants and Inspectors selected by the Engineers and to be employed and paid by the Council in Colombo.

##### Construction by Contract.

One Resident Engineer at a salary not exceeding .. ..	£1,800 per annum
One Assistant Resident Engineer at a salary not exceeding .. ..	£1,100 per annum
Two Inspectors each at a salary not exceeding .. ..	£500 per annum

##### Construction by direct Labour.

One Resident Engineer at a salary not exceeding .. ..	£2,400 per annum
One Chief Assistant Resident Engineer at a salary not exceeding .. ..	£1,200 per annum
One Assistant Resident Engineer at a salary not exceeding .. ..	£1,000 per annum
Four Inspectors each at a salary not exceeding .. ..	£500 per annum

In witness whereof the said William James Eames Binnie, Harold John Frederick Gourley, and Geoffrey Morse Binnie have hereunto set their hands and the Municipal Council have caused their Common Seal to be hereunto affixed the day and year first above written.

Signed by the said William James Eames }  
 Binnie in the presence of .. }  
 Signed by the said Harold John Frederick }  
 Gourley in the presence of .. }  
 Signed by the said Geoffrey Morse Binnie }  
 in the presence of .. }

#### LIST "A".

##### Daily.

1. Amrita Bazar Patrika Daily
2. Catholic Messenger
3. Ceylon Daily News
4. Ceylon Observer
5. The Dinamina
6. Harijan Daily
7. Hindu Daily and Sunday Edition
8. London Times
9. Manchester Guardian Daily
10. Times of Ceylon
11. Times of India Daily
12. Virakesari

##### Weekly.

1. Amateur Photographer
2. The Cricketer
3. The Field
4. Film Weekly
5. Health and Strength
6. Illustrated London News
7. John O'London's Weekly
8. K. H. News Letter Service
9. The Listener
10. Motor
11. Nature
12. New Statesman and Nation
13. Public Opinion
14. Punch
15. Queen
16. Silumina
17. Spectator
18. Sphere
19. Sunday Observer
20. Time
21. Time and Tide
22. Times of India Illustrated Weekly
23. Times Literary Supplement
24. Times Educational Supplement
25. Truth
26. Wireless World

##### Monthly.

1. Blackwood's Magazine
2. Boys Own Paper
3. Ceylon Causerie
4. Ceylon Garden and Home Magazine
5. Ceylon Literary Register
6. Ceylon Tourist and Trade Journal
7. Contemporary Review
8. Crown Colonist
9. Discovery

##### Monthly—contd.

10. Fortnightly Review
11. Geographical Magazine
12. Good Housekeeping
13. Indian Review
14. Journal of Education
15. Labour Monthly
16. Library World
17. Life and Letters To-day
18. Modern Review
19. National Geographical Magazine
20. Nineteenth Century
21. Philatelic Journal of Great Britain
22. Physical Culture
23. Psychology Magazine
24. Reader's Digest
25. Scientific American
26. Strand
27. Woman's Journal
28. World Review
29. Young Ceylon

##### Quarterly.

1. Asiatic Review
2. British Economic Journal
3. Bulletin of the Imperial Institute
4. Hibbert Journal
5. International Affairs
6. Modern Review
7. New Indian Literature
8. Orchidologia Zeylanica
9. Philosophy
10. Politica
11. Political Science Quarterly
12. Quarterly Review
13. Science Progress
14. Visvabharati Quarterly

##### Bi-Annually.

1. Indian Art and Letters
2. Loris

##### Annually.

1. Annual Register
2. Colonial Office List
3. Daily Mail Year Book
4. Statesman's Year Book
5. Post Office Guide
6. Times of Ceylon Green Book
7. Times of India Year Book
8. Thacker's Indian Directory
9. Whitaker's Almanac
10. Who's Who (every other year)

## LIST "B".

## Weekly.

1. Amrita Bazar Patrika Daily
2. Amateur Photographer
3. Boys' Own Paper
4. Cricketer
5. Film Weekly
6. Harijan Daily
7. Health and Strength
8. Hindu Daily and Sunday Edition.
9. Illustrated London News
10. K. H. News Letter Service
11. The Listener
12. Motor
13. New Statesman and Nation
14. Public Opinion
15. Queen
16. Spectator
17. Sphere
18. Sunday Observer
19. Time
20. Time and Tide

21. Times of India Illustrated Weekly
22. Truth
23. Wireless World
24. Manchester Guardian
25. Times of India Daily

## Monthly.

1. Crown Colonist
2. Good Housekeeping
3. Indian Review
4. Modern Review
5. Philatelic Journal of Great Britain
6. Physical Culture
7. Reader's Digest
8. Scientific American
9. Strand
10. Woman's Journal
11. World Review
12. Young Ceylon

## Quarterly.

1. Visvabharati Quarterly

## ANNEXURE "B".

*Report of the Special Committee appointed to inquire into and report upon the circumstances that led to the transfer of the Municipal Workshop Foreman.*

1. Pursuant to a resolution of the Council on June 7, 1939, reading as follows:—"That a Committee of the House be appointed to inquire into and report upon the circumstances that led to the transfer of the Municipal Workshop Foreman," the following members were appointed a Special Committee:—Mr. C. H. Z. Fernando, B.A., L.L.B.; Mr. A. E. Goonesinha, M.S.C.; Mr. John A. Pye, B.Sc.; Mr. N. M. M. Ishak; and Mr. R. Doresamy.

2. The first meeting of this Committee was held on June 15, when Mr. A. E. Goonesinha was elected Chairman. Five meetings of this Committee were held on June 15, June 29, July 1, July 4 and August 11, respectively. At the first meeting held on June 15 a letter of the same date, from Mr. R. Doresamy to the Chairman and members of the Committee, was tabled. In this letter Mr. Doresamy states that he is unable to participate in the deliberations of this Committee and asks that the letter be embodied in the report in the event of a report being submitted. We have acceded to his request—see Annexure "A". The Committee visited the Municipal Workshops to acquaint themselves as to actual working conditions and recorded the evidence of the following officials and subordinates:—

Mr. S. P. Wickramasinha, Municipal Commissioner; Mr. Stanley Fernando, Acting Municipal Engineer; Mr. H. H. Collette, Acting Chief Assistant Municipal Engineer; Mr. H. L. de S. Kulatilleke, Acting Mechanical Engineer; Mr. G. Edwin Nanayakkara, Workshop Foreman; Mr. A. Ferdinando, Surveyor, now officiating as Acting Foreman; Mr. A. P. Ranawake, Special Overseer, Municipal Workshops; Mr. E. R. de Silva, Timekeeper, Municipal Workshops.

3. It is established that the Workshop Foreman, Mr. Nanayakkara, was well qualified in Mechanical Engineering Workshop practice before he was engaged by the Municipality as Workshop Overseer, in charge of what was known at that time as the small Workshop, in July, 1922.

4. On January 24, 1934, the Works and Finance Committees met jointly and invited applications for the post of Workshop Foreman with Mechanical training and experience—a memorandum from the Municipal Engineer, reading as under, having been tabled for the Committee's guidance:—

"The applicant should have had training in the handling of machinery and be possessed of previous substantial experience in the maintenance of steam and motor vehicles, steam rollers and road making plant, steam boilers and pumps, motor pumps, oil engines and quarry plant, motor launches and barges, steam cranes and all portable municipal plant. He should be capable of supervising and carrying out repairs at the site at which any of the above-mentioned plant is installed, and be able to position and erect portable plant where required. He should be acquainted with the various parts of machines and be able to specify spare parts for renewals. He should have had experience in organizing and arranging transport work and will be required to take charge of the operation of all transport services. He should be capable of making an intelligent report on the conditions of any machinery and also of any road accident after visiting the scene. He should be able to control and direct skilled labour."

Out of the nine applicants for the post the Works and Finance Committees, on March 21, 1934, recommended Mr. Nanayakkara and the Council on April 11, 1934, approved of this recommendation.

5. On April 17, 1939, Mr. Kulatilleke a Civil Engineer who admits he has only "a little knowledge about mechanical work" and has not been mechanically trained, was appointed as Acting Mechanical Engineer. (Note.—Council minute, pp. 35 of Salaries Scheme, requires that the Mechanical Engineer shall have special mechanical qualifications) *vice* Mr. Collette who holds Mechanical Engineering qualifications and who has been in charge of the Workshop for 19 years, during which period the latter Officer held the highest regard for the Workshop Foreman's work and capabilities.

6. On Sunday, May 7, the Workshop Foreman was advised, at about 4.30 p.m. that the Kelani River was rising and he immediately set out in search of fitters in order to proceed to Ambatale to remove a pump, belonging to the Socony Oil Co., on hire by the Municipality. On his way he met the Acting Municipal Engineer (Mr. H. H. Collette) who was also interesting himself in the matter on a similar report having been made to him. He had earlier in the day left a note for the Acting Mechanical Engineer at the Municipal Workshops apprising him of the situation and asking him to take necessary action the following day (Monday morning) that he was to "send a gang of reliable men first thing in the morning to have the pump removed." These two officers went in search of fitters but as none were to be found they proceeded to Ambatale in order to ascertain conditions on the spot.

7. The Workshop Foreman did not advise the Acting Mechanical Engineer (Mr. H. L. de S. Kulatilleke) of the position that afternoon as he had been in company of a *Senior Officer* (Mr. Collette), whose decision was that the matter could be left until the next morning. The Committee reject the suggestion of the Acting Mechanical Engineer that the Workshop Foreman should have advised him as to what had transpired on the afternoon of the 7th and, further, they are of opinion that the Acting Mechanical Engineer had no right to criticise, before the Committee, the action of a superior officer in leaving a note on his desk advising what steps should be taken.

8. The Workshop Foreman states that he arrived at the Workshops early on the morning of May 8, that he had arranged for the men to get ready to go to Ambatale and was instructing the remainder in their tasks for the day when the Acting Mechanical Engineer arrived. The evidence of this Officer does not disprove but actually gives support to the Workshop Foreman's statement and the Committee are of opinion that, had the Acting Mechanical Engineer had any practical experience of workshop routine, he would have realized it is not unusual for a number of employees to hang around awaiting new tasks on a Monday morning, especially with intermittent working conditions as existent in the Municipal Workshops.

9. The Committee can only conclude, from all the evidence laid before them, that the receipt of the Acting Municipal Engineer's note on Monday morning caused the Acting Mechanical Engineer to become unduly excited (an attitude that was accentuated by the Workshop Foreman's confidence and calmness borne of long experience and practical knowledge) and take the work out of the Workshop Foreman's hands.

10. During the course of collecting men and materials for Ambatale it was necessary to draw petrol and the Acting Mechanical Engineer sent a requisition order No. 14,629, initialled by him, as Acting Mechanical Engineer, to the person who issued petrol. This latter person, quite correctly, refused to issue the petrol as the requisition note did not bear the Workshop Foreman's signature as required by regulations (copy of requisition note attached). The Committee are agreed that Petrol Storekeeper's action was strictly correct. In any case the incident had nothing to do with the Workshop Foreman and the Committee are of opinion that the Acting Mechanical Engineer's complaint against his subordinate only serves to illustrate his excited state of mind on this occasion as well as his total lack of knowledge of the usual practice in the Workshop under his control.

11. During the course of the inquiry the Acting Mechanical Engineer hinted at other unspecified reasons for recommending that the Workshop Foreman be transferred but, when called upon to substantiate his allegations, he could only refer to one matter—this concerned the question of granting privileges in respect of employment to certain favoured employees. The Acting Mechanical Engineer stated that the Workshop Foreman gave three weeks work per month to some and four weeks work and overtime (in excess of Municipal requirements) to the more favoured employees. Investigation proved, and the Acting Mechanical Engineer was compelled to admit, that the responsibility was not the Foreman's but the Acting Mechanical Engineer's and that his allegations were without foundation. Much was made by the Acting Mechanical Engineer of the overtime records which he stated purported to show that he had considerably reduced the amount of week-end work for which overtime had to be paid; a perusal of the file, however did not convince the Committee that such reductions as were made were of any consequence or that they were not doubtful economy; certainly the allegation *re* overtime in excess of Municipal requirements was not proved.

12. It is considered strange that the Acting Mechanical Engineer should conclude his report with a request to the Acting Municipal Engineer that his report be submitted to the Commissioner "for his information and any action he may deem necessary." It was a Departmental matter and the Committee are of opinion that the Acting Municipal Engineer was the one to decide what steps if any were to be taken. The Committee have since established, without any shadow of doubt, that, after handing his report to the Acting Municipal Engineer (Mr. Collette) the Acting Mechanical Engineer called upon the Commissioner and acquainted him privately with his own side of the story so that before the Acting Municipal Engineer could report officially upon a matter under his jurisdiction, he was advised by the Commissioner that the Workshop Foreman was to be transferred. This action of the Acting Mechanical Engineer is contrary to established practice and is subversive to discipline.

13. The Acting Mechanical Engineer having initiated the movement to transfer, the Acting Municipal Engineer (Mr. Stanley Fernando who had been absent, up to this date, on leave) takes up the matter and states that he is able to make the suggested transfer "which however, I consider an experiment at this stage". The experiment was to transfer the Workshop Foreman, on a monthly salary of Rs. 250 to the pumping stations to replace a *daily paid overseer* who was being transferred to a new post in the drainage section, a post which no apparent efforts had been made to fill, and not provided for in the Establishment Vote for payment of Salaries to Officers in the Permanent Staff. In order to boost up this new appointment (not sanctioned by Council) a part of the Chief Inspector's work was to be delegated to Mr. Nanayakkara. In this connection it is interesting to note that it has not been necessary in the past to have such a post despite the fact that up to five years ago these Pumping Stations were worked by oil engines requiring much more attention than they do to-day with electrical working.

14. Had there been no one to succeed Mr. Nanayakkara the transfer could not have been made so the Committee considered it necessary to examine his successor to ascertain his suitability for this highly skilled post requiring the qualifications mentioned in paragraph 4 of this report. It was found that Mr. Ferdinando, a highly paid Surveyor drawing approximately Rs. 100 per mensem more than the Workshop Foreman, was not qualified for the post as his sole qualification lay in the fact that he had in 1918 attended a year's course of lectures at the Ceylon Technical College in Motor Engineering and had obtained a diploma as a result of his work. Since that date he had not taken any refresher classes or undertaken practical work. Simple elementary questions regarding the work in both the machine shop and the foundry proved to the Committee that Mr. Ferdinando had no knowledge whatever of the work he was supposed to control. The Committee considered it significant that the Acting Mechanical Engineer had proposed the name of Mr. Ferdinando and that apparently no effort had been made to find a more suitable successor. It is interesting to note that Mr. Ferdinando was closely associated with the Acting Mechanical Engineer, in the latter Officer's previous employment on Municipal Works, as Works Inspector.

15. The Committee regret to record that they were not impressed with the evidence of the Acting Mechanical Engineer who gave many signs of his excitable nature under examination. They also regret to record that the Acting Mechanical Engineer showed considerable animosity towards the Officer, Mr. Collette, acting as Municipal Engineer, at the time of the incidents referred to, and accused him of complicity in the matters referred to in the Acting Mechanical Engineer's report; the Committee are of opinion that there was no justification for this wild accusation or for the Officer in question to "carry tales" to the Commissioner regarding Departmental matters.

16. This Committee has carefully gone into the evidence given by the several persons who have appeared before it and after a perusal of the evidence and the relative papers are definitely of opinion:—

- (a) That the charges of neglect of duty, non-co-operation and inefficiency made against the permanent Workshop Foreman have not been proved. On the contrary the permanent Workshop Foreman appeared to be perfectly competent by training and experience of 29 years in the Mechanical line to be pre-eminently suited for the post he was appointed by special resolution of Council on April 11, 1934.
- (b) That the Acting Mechanical Engineer and the Acting Foreman were by training and experience totally unsuited for their respective posts and that the panic created by the proved excitable temperament of the Acting Mechanical Engineer on being unexpectedly faced with a situation of emergency resulted in a hasty report requesting the transfer of the Workshop Foreman.

A. E. GOONESINHA (Chairman).  
C. H. Z. FERNANDO.  
JOHN A. PYE.  
N. M. M. ISHAK.

#### DISSENT.

*Report of the undersigned member of the Special Committee appointed to inquire into and report upon the circumstances that led to the transfer of the Municipal Workshop Foreman who is not in agreement with the other members of the Committee.*

1. As I am in total disagreement with the views embodied in the majority report, I consider it necessary to submit a separate report of my own.

At the outset, I would like to state that owing to the refusal of the Chairman and the other members of the Committee to accede to my request to defer their deliberations till Dr. R. Saravanamuttu's motion to rescind the motion previously passed by the Council on June 7, 1939, was disposed of, I was unable to attend the meetings of the Committee (*Vide* my letter to members dated June 15, 1939). I made it clear to the Chairman that I had not resigned from the Committee and that my refusal to participate in the Committee's deliberations held good only until Dr. Saravanamuttu's motion was disposed of. The latter was debated upon and rejected at a meeting of Council held on July 5, 1939. The report which was completed subsequently (*viz.*, on August 11, 1939), was not at first sent to me by the Chairman for my signature in spite of my request. It was sent to me only on August 25 after I pointed out to the Chairman and the Mayor that it was incomplete until it was referred to every member of the Committee including myself and that the withholding of the report from me would be irregular.

Although in consequence of my not attending the meetings of the Committee I labour under the disadvantage of not having seen or heard the witnesses, I have carefully examined the evidence that has been recorded and have perused the memoranda and the reports of the different witnesses and also the majority report of this Committee, and therefore I am in a position to form my own opinion on the different questions at issue.

The only function that has been entrusted by the Council to this Committee according to the terms of reference is to ascertain the circumstances that led to the transfer of the workshop foreman. I therefore think that it is not within the Committee's purview to consider the question whether the transfer was justified or not or to express any opinion on the qualifications of the officers concerned in this affair.



2. The circumstances that led to the transfer were clearly the report against the Workshop Foreman, Mr. Nana. yakkara, forwarded to the Commissioner by the Workshop Engineer and the Commissioner's agreement with that report particularly in regard to the complaint of non-co-operation on the part of Mr. Nanayakkara with the Workshop Engineer. The two incidents (out of many) in consequence of which the request for the transfer was made, relate to—

- (a) the Ambatale Pumping Engine.
- (b) the Petrol issue.

3. No specific charges of obstruction or non-co-operation were made but the evidence recorded provides ample and abundant material to prove such charges. The Acting Municipal Engineer (Mr. Collette) leaves a note on the Sunday afternoon in question at the Workshop addressed to the Acting Mechanical Engineer (Mr. Kulatilleke) pointing out the gravity of the flood situation. On his return from the Workshop the Acting Municipal Engineer casually meets the Foreman who apparently gives him more up-to-date news with regard to the floods. They then go out to look for fitters.

It is most strange that between these two officers each of whom had had over 15 years' experience at the Workshop that not a single fitter could be discovered. It is stranger still that they did not think of employing any fitters other than Municipal fitters if the work was considered so very urgent.

4. However, finding none available, they then go to Ambatale where Mr. Collette satisfies himself that the situation was not so very serious and that it could be tackled on the following day. He, however, gives very specific instructions to the Foreman with regard to the urgency of the work on the Monday morning. He tells him that he has left a note to the Mechanical Engineer apprising him of the urgency of the work, but if the Engineer were to delay the Foreman is requested to go to Ambatale on the instructions of the Acting Municipal Engineer.

5. These are orders which might be regarded as indiscreet coming as they did from the Acting Municipal Engineer to the Foreman who is directly subordinate and responsible to the Acting Mechanical Engineer. However, one aspect of the orders should at least have impressed the foreman—and that is—the urgency of the removal of the pump.

6. The Foreman according to his own evidence, arrives at the workshop a few minutes before the Acting Mechanical Engineer and makes certain arrangements—He details the men (fitters) that are to go to Ambatale when the Acting Mechanical Engineer arrives. The Foreman, however, does not inform him of the very serious situation that has arisen on account of the floods. He does not think it necessary even to tell him that a note has been left for him at his office. He does not mention to him that the Acting Municipal Engineer and himself failed to find fitters the previous evening to have the engine removed. In fact, the foreman simply does nothing.

7. When the Acting Mechanical Engineer comes out of his office after having seen the note, he asks the Foreman how many fitters were present. This Foreman who has had so many years service both as Overseer and Foreman that he should be in a position to know every fitter working in the workshop replies that he does not know and that the inquiry should be addressed to the Timekeeper. The Foreman was obviously aware that the Engineer wanted this information in view of the note of the Acting Municipal Engineer and the flood situation but even at this juncture he does not so much as tell his superior officer, "I have already detailed suitable fitters for the Ambatale job—they will be leaving at once—the Acting Municipal Engineer was of opinion that the work was urgent and in fact he wanted me to get to Ambatale the first thing in the morning". A clearer case of non-co-operation it is difficult to make out.

8. This same atmosphere is apparent in respect of the petrol incident. The Acting Municipal Engineer who was for several years in charge of the workshop admits that petrol when urgently required used to be issued on informal chits, the official prescribed document being perfected later and that it was not unusual for the driver or some other party to acknowledge receipt instead of the foreman whose signature is required according to the official form in use. In this particular instance, the prescribed form was used and was actually signed by the Acting Mechanical Engineer. The driver did not sign the receipt and the petrol was not issued as the Foreman had not signed the receipt portion of the form. Unfortunately, the parties do not appear to have been questioned on certain material aspects of the matter. A few simple questions should have been ample to elucidate the position.

9. But it is utterly unbelievable that the Foreman was unaware of the fact that the petrol keeper refused to issue the petrol even though the Engineer himself had signed the issue form. It is admitted that the Foreman was in the premises at the time and even assuming that there was a sudden insistence on the correct form and procedure one should have expected the driver, who took the note to the petrol keeper and whose signature had hitherto been accepted, to acquaint the Foreman of the petrol keeper's insistence on the foreman's signature and the foreman could have, one would have imagined, settled the issue straightway by signing the form himself. Instead, the Engineer is told that the petrol keeper refused to issue the petrol and it was left to the Engineer to obtain the petrol. The Foreman's evidence on this matter is both significant and expressive—"He got the petrol anyhow".

10. As pointed out earlier, the Foreman is second in command at the workshop—always in close touch with the workmen and it is apparent to any person with the most casual acquaintance with conditions in the workshop that this petrol incident could not have occurred without the knowledge of the Foreman. This aspect, as remarked earlier, has unfortunately not been pursued but even in the light of the evidence recorded there is ample material to prove, at least, that the Foreman was not pulling his weight in the workshop and that he was definitely not giving his superior officer the assistance expected from him.

11. Having dealt with the main issues involved in this inquiry, I would now revert to the observation I made at the end of paragraph 1 of this report, viz., that it is not competent for this Committee to sit in judgment on the qualifications of the officers concerned in the unfortunate incidents alluded to above. In the majority report, strictures have been passed on the Acting Mechanical Engineer and his fitness for the acting post has been called into question. I am emphatically of opinion that these strictures are wholly unjustified and that it is futile for the members of this Committee to express any opinion on the technical qualifications or the experience and capacity of an officer like Mr. Kulatilleke who bears an unblemished record of service and whose professional qualifications and ability cannot be disputed. Such unjustifiable criticism will merely undermine the morale of the Municipal service.

12. I also fail to see the relevance of the comments on the qualifications of the Acting Workshop Foreman who was in no way connected with the incidents that led to the transfer of Mr. Nanayakkara. Here again, not only is this question outside the purview of the Committee but I also think that it is preposterous for members of the Committee to assume the role of technical experts and cross-examine officers with regard to their engineering qualifications. There is nothing in the evidence to support the view that Mr. Ferdinando is not suited for his present appointment. On the contrary, if we have any confidence in the judgment of his superior officers who were responsible for his appointment, there is every reason to believe that he is quite competent to discharge the duties of his new office.

13. In view of the definite conclusions I have reached earlier in this report, in regard to the part played by Mr. Nanayakkara in this affair, I need hardly state that the encomiums showered on him both in the course of the inquiry and also in the majority report are wholly unwarranted. On the contrary, he deserves to be severely censured for the unhelpful attitude he has adopted towards his superior officer, Mr. Kulatilleke, during an emergency.

14. I realize that like the other members of the Committee I have gone beyond the terms of reference in making the observations reported in paragraphs 11, 12, and 13 of this report. But in view of the strictures and encomiums recorded in the majority report and in justice to the officers concerned I had no alternative but to give expression to my views even at the risk of transgressing the limits within which this inquiry is circumscribed.

15. One wonders whether any useful purpose has been served by this inquiry. There is, however, one thing that it has revealed, viz., the unsatisfactory state of affairs in the Workshop, e.g., the lack of co-operation, discipline, &c. Had the scope of the inquiry been wider, it is possible that serious irregularities like "granting privileges in respect of employment to certain favoured employees" alluded to in the majority report, might have come to light. In the circumstances, I am strongly of opinion that a searching inquiry into the working of the Municipal Workshop is essential.

R. DORESAMY.

ANNEXURE "A" REFERRED TO IN THE REPORT.

To the Chairman and Members of the Special Committee appointed to investigate into the circumstances connected with the transfer of the Workshop Foreman Mr. Nanayakkara.

DEAR SIRS,—I REGRET that I am unable to participate in the deliberations of this Committee as I am of opinion that the Committee should not function till the motion of Dr. R. Saravanamuttu to rescind the motions which had been passed at the last meeting of Council and by virtue of which this Committee had been appointed is disposed of.

It would appear from a circular letter of Dr. Saravanamuttu a copy of which was sent to me for my information that due notice of his motion has already been given. In view of this I don't think that any one will be prejudiced if this Committee defers its deliberations till Dr. Saravanamuttu's motion has been debated upon on the 5th proximo. This question is not one of such extreme urgency that a delay of twenty days will affect the position in any way. On the contrary ordinary courtesy demands that a reasonable request made by our colleagues should be acceded to.

There is a further consideration which must not be lost sight of. If Dr. Saravanamuttu's motion is passed by the Council all proceedings of this Committee prior to the passing of this motion (including the issue of a report) will be invalidated. Therefore the functioning of this Committee before the next meeting of Council will not only be discourteous and hasty but may also prove to be futile.

I would also like to point out that neither the petition of Mr. Nanayakkara addressed to the Mayor and the Members of the Council nor the report of the Commissioner on the circumstances relating to the transfer was made available to the members before the question of appointing this Committee was debated in the Council. Those papers should have been placed before the Council if they were then available. If they were not available, the decision about the appointment of this Committee should have been deferred till they were available. As it happened, there was only an ex-parte case presented to the Council on the strength of which the motion to appoint a Committee was passed. I would submit that the views of the Commissioner and the other officials concerned should also have been presented to the Council before it was called upon to give its decisions. Had this been done it is possible that the decision might have been different.

In view of the foregoing considerations I would strongly urge that the inquiry be postponed and if my view does not find favour with the rest of the Committee I shall thank you to record my dissent and annex this letter to any report you choose to issue.

Yours faithfully,

R. DORESAMY,  
Member of the Special Committee.

Cresborough, 92, Kynsey road,  
Colombo, June 15, 1939.

ANNEXURE (REQUISITION REFERRED TO IN THE REPORT).

61 E.W.—2-30.

C. 3069—PARANAVITHARNE.

Municipal Engineer's Department.

Duplicate.

Requisition No. 14629.

STOREKEEPER, M. C.

PLEASE issue the under-mentioned stores and take receipt hereunder.

Date, 8. 5. , 1939.

Ints. H. L. de S. K.

Mechanical Engineer.

Job No. M.L.I.

Work Note No. Wkg : Est. No. W'shop A/c., Stores. Ledger Folio.

Quantity.

Description.

Value. Stock Ledger  
Rs. c. Folio.

3 .. Three Gallons Petrol .. ..

Signed

D.D.K.M.P.

Certified as correct. Received above materials.

Sgd./—H. L. de S. Kulatilleka

3/7/39.

Workshop Foreman.

Summary of Income and Expenditure from January 1 to September 30, 1939.

HEAD OF INCOME.	Estimated Income for 1939.	Income from January 1 to August 31, 1939.	Income for September, 1939.	Total.
	Rs. c.	Rs. c.	Rs. c.	Rs. c.
A.—Taxes ..	59,900 0	63,154 0	424 0	63,578 0
B.—Licences ..	571,305 0	480,432 73	32,475 44	512,908 17
C.—Judicial fines ..	85,000 0	58,497 87	10,401 29	68,899 16
D.—Markets ..	165,200 0	105,405 74	13,235 48	118,641 22
E.—Slaughter-house and cattle markets ..	86,000 0	60,246 10	7,057 45	67,303 55
F.—Consolidated rate ..	4,055,000 0	2,969,333 32	282,928 76	3,252,262 8
G.—Water ..	823,700 0	466,427 54	61,078 73	527,506 27
H.—Rents ..	153,600 0	97,997 39	13,945 52	111,942 91
I.—Drainage ..	26,900 0	27,006 20	3,809 94	30,816 14
K.—Miscellaneous ..	136,500 0	96,624 2	28,857 45	125,481 47
L.—Government refunds ..	256,200 0	144,831 23	10,432 46	134,348 77
Total ..	6,419,305 0	4,569,956 14	443,731 60	5,013,687 74
HEAD OF EXPENDITURE.	Estimated Expenditure for 1939, including supplemental provision and unspent balances brought forward.	Expenditure from January 1 to August 31, 1939.	Expenditure for September, 1939.	Total.
	Rs. c.	Rs. c.	Rs. c.	Rs. c.
A.—Grants to Charitable and other Institutions ..	98,795 0	46,776 97	2,658 84	49,435 81
B.—Commissioner ..	20,933 0	13,907 49	1,650 0	15,557 49
C.—Secretariat ..	104,865 59	67,804 80	7,853 15	75,657 95
D.—Treasurer's Department ..	1,723,696 19	1,085,399 20	42,939 77	1,128,338 97
E.—Veterinary Department ..	132,776 0	72,992 81	9,937 81	82,930 62
F.—Municipal Court ..	39,529 0	25,233 98	5,118 97	30,352 95
G.—Fire Brigade and Ambulances ..	85,647 0	54,021 40	4,537 60	58,559 0
H.—Public Health Department ..	823,620 0	475,779 40	59,682 39	535,461 79
I.—Engineer's Department ..	4,314,074 0	1,805,030 44	400,365 88	2,205,396 32
K.—Waterworks Department ..	557,999 2	369,555 75	66,854 53	436,410 28
L.—Assessing Department ..	205,021 73	107,982 91	11,776 65	119,759 56
M.—Public Library ..	32,290 0	18,757 8	1,788 13	20,545 21
N.—Charity Commissioner's Department ..	41,131 0	16,658 96	2,085 65	18,744 61
Excess of income over expenditure carried to Balance Sheet ..	—	—	—	4,777,150 56
Total ..	8,180,177 53	4,159,901 19	617,249 37	5,013,687 74

The Town Hall,  
Colombo, October 24, 1939.

G. H. N. SAUNDERS, F.I.M.T.A., A.S.A.A.,  
Municipal Treasurer.

## Statement of Receipts and Payments on Current Capital Works, September 30, 1939.

HEAD OF RECEIPT.	Receipts to December 31, 1938.		Receipts to September 30, 1939.		Total.	
	Rs.	c.	Rs.	c.	Rs.	c.
Colombo Drainage Works :—						
Loan .. .. .	11,072,980	0	—	—	11,072,980	0
Grant-in-aid .. .. .	7,100,000	0	—	—	7,100,000	0
Revenue contributions .. .. .	3,488,084	37	172,066	0	3,660,150	37
Total .. .. .	21,661,064	37	172,066	0	21,833,130	37

HEAD OF PAYMENT.	Estimate.	Payments to December 31, 1938.		Payments to September 30, 1939.		Total.	
		Rs.	c.	Rs.	c.	Rs.	c.
Colombo Drainage Works :—							
Works carried out by Resident Engineer as per modified scheme .. .. .	—	17,830,564	12	—	—	17,830,564	12
Extensions of sewers and underground drains and other improvements carried out by Municipality since 1922 .. .. .	—	2,993,222	51	167,487	80	3,160,710	31
Public lavatories, &c. .. .. .	—	837,277	74	4,578	20	841,855	94
Total .. .. .	—	21,661,064	37	172,066	0	21,833,130	37

*Kochchikade Housing Scheme.*

HEAD OF RECEIPT.	Receipts to December 31, 1938.		Receipts to September 30, 1939.		Total.	
	Rs.	c.	Rs.	c.	Rs.	c.
Contribution from Municipal Fund .. .. .	905,628	22	100,000	0	1,005,628	22
Grant-in-aid .. .. .	150,000	0	—	—	150,000	0
Balance, being advance from cash balances .. .. .	—	—	—	—	1,155,628	22
Total .. .. .	1,055,628	22	100,000	0	1,640,221	30

HEAD OF PAYMENT.	Estimate.	Payments to December 31, 1938.		Payments to September 30, 1939.		Total.		
		Rs.	c.	Rs.	c.	Rs.	c.	
Architect's fee .. .. .	1,500	0	1,500	0	—	—	1,500	0
Land .. .. .	776,653	22	738,319	10	385	0	737,934	10
Buildings .. .. .	815,103	28	767,813	17	—	—	767,813	17
Interest on Advance from Municipal Fund .. .. .	132,974	3	132,974	3	—	—	132,974	3
Total .. .. .	1,726,230	53	1,640,606	30	385	0	1,640,221	30

*Second 30-inch Water Main.*

HEAD OF RECEIPT.	Receipts to December 31, 1938.		Receipts to September 30, 1939.		Total.	
	Rs.	c.	Rs.	c.	Rs.	c.
Contribution from Municipal Fund up to 10th mile .. .. .	1,230,608	97	—	—	1,230,608	97
Annual Contributions from Municipal Fund, from 10th to 15th mile .. .. .	171,000	0	57,000	0	228,000	0
Loan 15th mile onwards .. .. .	—	—	1,000,000	0	1,000,000	0
Balance being advance from cash balances .. .. .	—	—	—	—	2,458,608	97
Total .. .. .	1,401,608	97	1,057,000	0	3,466,194	49

HEAD OF PAYMENT.	Estimate.	Payments to December 31, 1938.		Payments to September 30, 1939.		Total.		
		Rs.	c.	Rs.	c.	Rs.	c.	
Labour and materials up to 10th mile .. .. .	1,295,300	0	1,230,608	97	—	—	1,230,608	97
Labour and materials, 10th to 15th mile .. .. .	850,000	0	796,444	70	—	—	796,444	70
Labour and materials, 15th mile onwards .. .. .	2,500,000	0	853,427	20	585,713	62	1,439,140	82
Total .. .. .	4,645,300	0	2,880,480	87	585,713	62	3,466,194	49

## Balance Sheet as at September 30, 1939.

LIABILITIES.		Rs. c.		Rs. c.		ASSETS.		Rs. c.		Rs. c.	
Loans outstanding :—						Capital expenditure :—					
(a) Government of Ceylon : 30-inch water main, &c.	..	3,000,000	0			(a) 30-inch water main and filtration works	..	—	—	3,554,463	87
Less redemption of loan	..	823,923	0	2,176,077	0	(b) Colombo Drainage Works :—					
(b) Government of Ceylon, Colombo Drainage works	..	11,072,980	0			Works carried out by Resident Engineer as per modified scheme	..	—	—	17,830,564	12
Less redemption of loan	..	3,041,094	56	8,031,885	44	Extensions of sewers and underground drains and other improvements carried out by Municipality since 1922	..	—	—	3,160,710	31
(c) Government of Ceylon, second 30-inch water main extension (15th mile onwards)	..	—	—	1,000,000	0	Public lavatories, &c.	..	—	—	841,855	94
Grants and Contributions :—						(c) Raising of Labugama Reservoir dam					
Grants from Government :						(d) Town Hall at Victoria Park					
(a) Colombo Drainage Works	..	7,100,000	0			(e) Child Welfare Centre in St. Paul's Ward :—					
(b) Kochchikadde Housing Scheme	..	150,000	0	7,250,000	0	Land	..	52,500	0	319,293	76
Other Contributions :—						Buildings					
(a) War Memorial Fund—Child Welfare Centre in St. Paul's Ward	..	94,259	93			..	107,434	1	159,934	1	
(b) Messrs. Adamjee Lukmanjee & Sons—Maternity Home at Prince of Wales avenue	..	20,000	0			(f) Maternity Home at Prince of Wales avenue	..	—	—	22,567	61
(c) Mr. A. S. F. Wijegoonaratne—Dispensary and Apothecary's quarters, &c., Temple lane	..	16,923	73	131,183	66	(g) Kochchikadde Housing Scheme	..	—	—	1,640,221	30
Redemption of Debt Account :—						(h) Second 30-inch water main					
(a) Loan redeemed—Waterworks	..	823,923	0			(i) Dispensary and Apothecary's quarters, &c., Temple lane	..	—	—	16,923	73
(b) Loan redeemed—Colombo Drainage Works	..	3,041,094	56	3,865,017	56	Amounts advanced to Municipal Council officials for purchase of vehicles					
Major permanent works executed out of revenue :—						Advance accounts :—					
(a) Waterworks	..	554,463	87			(a) Miscellaneous	..	28,119	99	60,712	0
(b) Colombo Drainage Works (extensions of sewers, lavatories, &c.)	..	3,660,150	37			(b) Municipal quarries	..	9,342	9	2,446	9
(c) Raising of Labugama Reservoir Dam	..	319,293	76			(c) Works pending recovery	..	2,320	38	51,641	62
(d) Town Hall at Victoria Park	..	1,624,214	86			(d) Making articles for stock	..	20,929	54		
(e) Child Welfare Centre in St. Paul's Ward	..	65,674	8			Workshop account	..	—	—		
(f) Maternity Home at Prince of Wales avenue	..	2,567	61			Sundry debtors	..	—	—		
(g) Kochchikadde Housing Scheme	..	1,005,628	22			Construction of private streets	..	149,435	81		
(h) Second 30-inch water main (up to 15th mile)	..	1,458,608	97	8,690,601	74	Less recoveries from frontaging owners	..	94,584	61	54,851	20
Reserve for doubtful debts on account of water mains						Laying water mains in private streets					
	..	—	—	11,100	29	Less recoveries from land owners	..	267,186	37	235,756	57
Pension Fund and interest thereon						Aided house drainage					
	..	—	—	61,267	13	Less recoveries from owners	..	1,051,856	13	769,734	35
Workmen's Compensation Ordinance Reserve Fund and interest thereon						Stores on hand :—					
	..	—	—	52,958	79	(a) General	..	189,008	93	540,279	87
Insurance Fund and interest thereon						(b) Waterworks					
	..	—	—	350,339	68	..	351,270	94			
Depreciation Fund :—						Investments :—					
Plant, including steam rollers	..	258,001	67			Ceylon Government 4 per cent. inscribed stock	..	930	0	16,291	82
Motor and Steam Vehicles including Fire Engines	..	182,250	42	440,252	9	Ceylon Savings Bank	..	15,361	82		
Pettah Library Bequest and interest thereon						Fixed Deposits (General) at :—					
	..	—	—	3,809	89	Mercantile Bank of India, Ltd.	..	500	0		
Deposits :—						Bank of Ceylon					
(a) Pending execution of works	..	37,750	79			..	11,050	0			
(b) Miscellaneous	..	18,694	4	56,444	83	Eastern Bank, Ltd.	..	200,000	0		
Securities :—						National Bank of India, Ltd.					
Tenders	..	8,825	0			..	10,000	0			
Market stalls	..	40,411	99			Chartered Bank of India, Australia and China, Ltd.	..	109,000	0		
Contractors (General)	..	20,850	0			Hong Kong and Shanghai Banking Corporation	..	200,000	0		
Contractors (Drainage)	..	17,750	0			Imperial Bank of India	..	364,800	0	895,350	0
Water supply to shipping	..	42,300	0			Cash :—					
Water supply—Petty Trades	..	1,230	16			(a) At Imperial Bank of India, on Current Account	..	43,308	48½		
Municipal officials	..	23,073	90			(b) At Bank of Ceylon on Current Account	..	418,995	18½		
Rate Collectors	..	28,750	0			(c) In hand :—					
Lands and buildings	..	28,878	13			With Shroff	..	550	0		
Upkeep of graves	..	8,010	0			With other Municipal Council officials	..	546	26	463,399	93
Public Library borrowers	..	15,310	60	238,847	16	Total .. 35,051,850 6					
Miscellaneous	..	3,457	38	5,360	11						
Gratuities to minors held in trust						Total .. 35,051,850 6					
Suspense Account :—											
Sale of vested properties	..	45,209	4								
Other items	..	11,349	26	56,558	30						
Receipts in advance											
	..	—	—	14,638	21						
Sundry creditors											
	..	—	—	154,241	33						
Surplus or Deficit Account :—											
Brought forward at January 1, 1939											
Excess of Income over Expenditure as at September 30, 1939, per Statement of Income and Expenditure											
	..	2,224,729	67	236,537	18						
Total .. 35,051,850 6											

## KANDY MUNICIPAL COUNCIL.

The Minutes of Proceedings of a Meeting of the Municipal Council of Kandy, held in the Town Hall, Kandy, on September 16, 1939, at 8.45 a.m. in accordance with the notice dated September 12, 1939.

*Present* :— Sir Cudah Ratwatte, Mayor; Mr. W. A. B. Soysa; Mr. M. A. S. Marikar; Gate-Muhandiram N. Canaganayagam; Mr. B. H. Dunuwille; Mr. R. S. S. Goonewardane; Mr. S. Halim Deen; Mr. L. B. Mawilmada; Mr. V. D. Paul Raj; Mr. H. R. U. Premachandra; Mr. A. C. L. Ratwatte; Mr. A. M. Spaar; Mr. P. M. Talwatte; Mr. H. A. C. Wickremaratne; and the Municipal Commissioner.

1. The Minutes of Proceedings of the meetings held on August 19, September 2, and on September 9, 1939, having been previously submitted to the Mayor for his approval, and a copy thereof furnished to each member, were taken as read and confirmed by the Mayor.

2. The following documents were submitted :—

- (a) Statement of receipts and disbursements from close of 1938 to August 31, 1939, on account of the Municipal Fund.
- (b) Progress report of works brought up to July, 1939.
- (c) Health Officer's report for August, 1939.
- (d) Statement of cases instituted by the several Inspectors and of work done by the Municipal Magistrate during the month of August, 1939.
- (e) The reservoir reading for the week ending September 15, 1939.

Resolved that the statement (a) together with the minutes of proceedings of this meeting, as required by section 83 of "The Municipal Councils Ordinance, No. 6 of 1910", be forwarded to the Commissioner of Local Government for publication in the *Government Gazette*.

3. The following papers were laid on the table :—Reports by the several Inspectors on laundries, bakeries, dairies, inspected during August, 1939.

4. Petitions :—Nil.

The following statements were tabled :—(1) Statement asked for by Mr. A. Morley Spaar at the meeting of August 19, 1939 (*vide* 51 (1) August 19, 1939), information regarding labour lines and the number of labourers employed.

(2) Statement asked for by Mr. L. B. Mawilmada at the meeting of August 19, 1939 (*vide* 5A (7), August 19, 1939), a list of paddy fields within Municipal limits with assessment numbers and assessment rates recovered.

5A. At the request of the Mayor the Commissioner read replies to questions of which due notice had been given by Mr. L. B. Mawilmada

(1) Q.—How many registered dairies are there within the Municipal limits of Kandy? A.—30 dairies have been registered within Kandy Municipal Council limits during 1939.

(2) Q.—How many dairies have been registered by the Council outside the Municipal limits of Kandy? A.—None. Council has no jurisdiction outside Municipal limits to register dairies.

(3) Q.—If there are any outside the limits, has the Medical Officer of Health power to inspect those dairies and bring them under his control and supervision? If not, how are the licences issued to those dairies outside the limits? A.—1st part—No. 2nd part—On the recommendation of the Medical Officer of Health of the District the Government Agent, Central Province, issues the licences under the provisions of the Suburban Dairies Ordinance, No. 38 of 1908.

(4) Q.—If the Medical Officer of Health has no control over them, will he consider that the licences issued to them should be cancelled immediately? A.—Council has no authority to deal with them and they are under the supervision and control of the proper authority of the area.

(5) Q.—Is the Medical Officer of Health aware that there are milk vendors coming to town from outside the limits for sale of milk? If so, how does he propose to deal with them? A.—Yes. Once the milk vendors are within Kandy Municipal Council limits they are governed by the Kandy Municipal Council by-laws in Chapter XV<sub>A</sub> and they are accordingly dealt with.

(6) Q.—Will the Commissioner be pleased to table a list of all the lands belonging to the Municipal Council of Kandy situated within and outside the Municipal limits and the income received therefrom by sale of produce, &c.? A.—Reply not ready. Will be answered at next meeting.

(7) Q.—If no income is received from the produce of such lands, will the Commissioner propose to lease out the right to take the produce of the said lands? A.—Reply not ready. Will be answered at next meeting.

5B. At the request of the Mayor the Commissioner read replies to questions of which due notice had been given by Mr. B. H. Dunuwille :—

(1) Q.—Did Mr. D. J. A. Abeyasinghe, the Chief Revenue Inspector, obtain the permission of the Commissioner to attend District Court on August 24 and 25, 1939, regarding case No. L 30 between two private parties? A.—No.

(2) Q.—Did he attend court without a summons on August 24, and is it true that the summons issued on him on August 25 was served on him near the Supreme Court at noon on his way to attend court on that day? A.—(a) According to the Chief Revenue Inspector near the Dalada Maligawa on August 25, 1939. (b) According to plaintiff in D. C., Kandy, L 30, in the District Court. (c) According to the Process Server near the Supreme Court.

(3) Q.—Did he obtain the permission of the Commissioner to bring to court on August 25, 1939, the town plan and official documents. A.—No.

(4) Q.—Did he take the official documents to court, without being specially summoned to produce any books or documents? A.—Yes.

(5) Q.—Is it true that the District Judge asked him why he came to court on August 24 without summons, and why he brought official documents to court without being specially summoned to do so? A.—Yes.

(6) Q.—Did he admit in his evidence in court that the defendant, a big landed proprietor, saw him in his house on August 24, and again in the Municipal Office the following morning, and as a result of the talk with him, he brought a certain document to court. A.—Yes. Except on this one point that the Inspector states the defendant saw him on August 24, 1939, as he was getting out of his house and not in the house.

(7) Q.—Has this officer entered in his diary that he attended District Court on August 24 and 25, 1939? A.—No.

(8) Q.—Is this officer guilty of a breach of discipline and departmental rules and neglect of duty? A.—This is a fit question to be answered by the Council as it is only the Council that can deal with this officer whose salary is over Rs. 100 in terms of section 76 (a), Chapter 194, Volume 5.

5c. At the request of the Mayor the Commissioner read the replies to the questions of which due notice had been given by Mr. A. C. L. Ratwatte regarding the footbridge under construction at Mapanawatura :—

Q.—To whom this was given on contract? A.—To contractor B. William.

Q.—The date on which it was given? A.—On March 18, 1939.

Q.—The period given to complete same? A.—Three months.

Q.—The date when the wooden bridge was removed by the contractor? A.—On June 26, 1939.

The commencement of the widening of the bridge was delayed originally by the erection of a temporary bridge for which no provision had been made and also due to pressure of work resulting from the absence of Mr. Vanderwall on vacation leave. Later after the temporary bridge had been put up the contractor took an unnecessarily long time—almost six weeks—in getting the steelwork together. Then the rains intervened and held up work a little. Then finally a little over a fortnight ago work was stopped until the decision was arrived at on the question of widening the bridge to a width of 10 feet. Work was resumed last Monday and the contractor is again getting the steel together to make it 10 feet wide. The contractor's progress with the work has been very irregular and I have had to be continually behind him to make him get a move on with his work.

6. Notice of motions :—Nil.

7. Pursuant to notice, Mr. Premachandra to move—"In view of the gravity of the offence of the Shroff in misappropriating Council's money, this Council is of opinion that his services from the Council be dispensed forthwith".  
Withdrawn.

7B. Mr. M. A. S. Marikar with the permission of the House deleted the second part of his motion and moved—“ This Council is of opinion that the action taken by the Mayor in dealing with the case of Mr. Dullewe, Municipal Shroff, who had committed criminal breach of trust and criminal misappropriation of Municipal funds is grossly inadequate, and therefore demands that the said officer be prosecuted forthwith ”. Mr. H. A. C. Wickremaratne seconded.

Mr. V. D. Paul Raj proposed the following amendment :—“ This Council is of opinion that further action by the Council is unnecessary in view of the fact that the *ex* Shroff has already severed his connection with the Council, and is no more in its employ ”. Mr. H. R. U. Premachandra seconded.

Mr. A. Morley Spaar spoke in favour of the amendment.

Mr. R. S. S. Goonewardane spoke in favour of the motion and proposed an amendment—“ This Council is of opinion that the action taken by the Mayor in dealing with the case of Mr. Dullewe, Municipal Shroff, who had committed criminal breach of trust and criminal misappropriation of Municipal funds is grossly inadequate, and therefore demands that the said officer be dismissed ”. Mr. B. H. Dunuwille seconded.

Mr. V. D. Paul Raj withdrew his amendment.

The Mayor said that after obtaining legal advice he went into this matter and decided the question.

Mr. M. A. S. Marikar spoke in reply.

The amendment was put to the House and carried 9 to 2.

7c. Pursuant to notice Mr. B. H. Dunuwille to move—“ (1) That a small building be put up for use as a Free Library at Cetambe on the site of the Ambalam, recently demolished on the orders of the last Council ”. Withdrawn.

(2) Pursuant to notice, Mr. B. H. Dunuwille moved the following resolution standing against his name on the Agenda amending the same with the leave of the house by deleting the words Town Guard and substituting therefor the expression “ A Special Constabulary to be attached to the Police ” :—“ That this Council in consultation with the Central Government should take early steps to establish a Town Guard for Kandy to serve its needs till the termination of the War ”. Mr. Spaar seconded.

On the suggestion of the Mayor it was agreed that the Council should write to Government regarding this question in the first instance.

7d. Pursuant to notice, Mr. L. B. Mawilmada moved—“ (1) That a Public Latrine be put up at Katugastota in a suitable place along Madawela road ”. Resolved that it be referred to the Works Committee.

“ (2) That the land called Gangahatenne, situate in Madawela road, Katugastota, belonging to the Council which had been used by the residents of Katugastota as a Cemetery be reopened as such for the use of the ratepayers of Katugastota ”. Withdrawn.

“ (3) That the Market at Katugastota be provided with electric lights ”. Resolved that it be referred to the Electricity Committee.

“ (4) That the Ambalama situated in Madawela road, Katugastota, be not demolished, but that it may be improved and maintained by the Council and converted into a reading room ”.

Mr. A. Morley Spaar proposes an amendment—“ That no action be taken by the Council as contemplated to demolish this ambalam but that it be maintained as hitherto until such time as the Council is in a position to use the building or the site for some other useful purpose, and that it be referred to the Works Committee with an estimate for improvements ”, which was accepted by the mover. Mr. B. H. Dunuwille seconded.—Carried.

7E. Pursuant to notice, Mr. V. D. Paul Raj moved—“ (1) This Council strongly urges the Central Government to expedite the full promised grant of Rs. 750,000 for the Hunasgiriya Water Scheme ”. Mr. W. A. B. Soysa seconded.

The following spoke in support of the motion :—Mr. B. H. Dunuwille, Mr. R. S. S. Goonewardane, Mr. M. A. S. Marikar, Mr. A. Morley Spaar, Mr. H. R. U. Premachandra, and the Mayor. The resolution was unanimously carried.

“ (2) This Council is of opinion that further extension of the electricity supply beyond the Municipal limits be stopped ”. Resolved to refer it to the Electricity Committee.

“ (3) That steps be taken to stop work on the proposed Huduhumpola footpath, and that a road suitable for light vehicular traffic be constructed and that the Works Engineer be called upon to prepare a revised estimate for the same ”. Resolved to ask for estimates from the Works Engineer.

“ (4) That a Civic Survey of the Town be carried out as a preliminary step for proper Town Planning as suggested by the Town Planning Expert in his report and that provision be made in the Budget for such a survey ”. Withdrawn as the Works Committee has already taken up this matter.

7F. Pursuant to notice, Mr. V. D. Paul Raj moved—“ (5) That efforts be made to reclaim the Kandy Lake by carrying out proper and regular dredging ”. Mr. H. R. U. Premachandra seconded. Resolved that it be referred to the Works Committee. It was further resolved that the owner of the Charity Boat be asked to remove the boat from the lake.

“ (6) That concrete steps be constructed along the now existing steep and dangerous footpath leading from the Halloluwa road to the Primrose Gardens ”. Resolved to ask for estimates from the Works Engineer.

7G. Pursuant to notice, Mr. W. A. B. Soysa to move—“ That this Council do recommend to the Central Government the acceptance of the Hunasgiriya Water Scheme ; and that towards its completion the Government be requested to grant a suitable subsidy, even in instalments, to enable the work to be taken in hand immediately ”. Withdrawn.

7c. Pursuant to notice, Mr. B. H. Dunuwille moved—“ That with a view to prevent higher rates and taxes, this Council is of opinion that the present financial position (as pointed out by the Accountant on July 17, 1939), and the prevailing war necessitates the introduction of a salary cut from October 1, 1939, and that the Finance Committee should be authorized to make the necessary recommendations according to a graduated scale for the approval of this Council ”. Mr. L. B. Mawilmada seconded. Resolved to refer it to the Finance Committee for report.

7H. Pursuant to notice, Mr. L. B. Mawilmada to move—“ That early steps be taken to improve Alutgantota road ”. Withdrawn.

7I. Pursuant to notice, Mr. H. A. C. Wickremaratne moved—“ (1) In view of the fact that great hardship is caused to street hawkers and petty traders by the enforcement of the regulations made under section 203 of the Municipal Councils Ordinance prohibiting the exposure and sale of articles within certain areas of the town, this Council is of opinion that such regulations should be forthwith revoked ”. Resolved to refer it to the Law Committee.

“ (2) As the village sections of Ampitiya, Gregory road, and Roseneath road are not supplied with electric lights this Council resolves that the said areas be supplied with electric lights ”. Resolved to call for estimates from the Municipal Electrical Engineer and refer it to Electricity Committee.

7J. Pursuant to notice, Mr. H. A. C. Wickremaratne moved the motion on the Agenda, amending it to read as follows :—“ That this Council is of opinion that the slaughter of cattle and the sale of meat in the Kandy Market on the Wesak and Posen full moon days of the year should be prohibited and that necessary steps should be taken to enforce such prohibition from the beginning of next year ”. Mr. L. B. Mawilmada seconded.

Mr. R. S. S. Goonewardane appealed to the mover not to press the motion and leave it to the good sense of those in the meat trade.

The Mayor asked that the matter be left in his hands and that he will see the wishes of the proposer carried out.

Mr. H. A. C. Wickremaratne replied and the motion was put to the house and carried by 9 votes.

7K. Pursuant to notice, Mr. W. A. B. Soysa moved—“ That in view of the difficulties created by the War crisis, the Council do take immediate steps to give all the Municipal land now available at a nominal rent to the poor ratepayers for the cultivation of vegetable and other food products ”. Mr. Marikar seconded.—Carried.

8. Consider rules drafted by the Red Cross Society in connection with the Motor Ambulance. Approved subject to the addition of the words “ Any member of the Municipal Council ” after the words “ Medical Officer of Health's Department ” in rule 1 (b).

9. To obtain sanction to renew the lease of site of Septic Tank by the Meda-ela for a further term of five years from October 1 on the same terms and conditions, *i.e.*, rent of Rs. 12 per annum, from the Railway. Approved.

10. To obtain sanction for the renewal of railway lease No. 3052 for underground electric cable laid in Railway land on the Matale Line for a further term of five years on a rental of Rs. 12 per annum from October 1, 1939. Approved.

11. Letter dated August 31, 1939, from the Organizing Secretaries, Standing Committee of the Kandy Perahera Industries Fair, asking for the Bogambara Ground in 1940, for the purpose of a fair in aid of Dharmaraja College and Mahamaya College. Resolved to refer it to the Bogambara Grounds Committee.



12. To sanction the salary scale proposed by the Finance Committee at its meeting on June 24, 1939, for the post of Commissioner. Approved.

13. Recommendation of Standing Committee on Public Health deferred from last meeting :—To consider papers *re* the sale of vacant Market Stalls.

(1) As regards stall No. 67—Recommended that it should be auctioned in terms of the resolution of the Council subject to the approval of the Markets Committee.

(2) As regards the rest of the stalls advertised.—The Markets Committee disapproves of the present system of letting market stalls by auction. The Committee suggests that the tender system be adopted for all spaces falling vacant. Such tenders to contain particulars to enable the Committee to ascertain whether the tenderer is a genuine trader engaged in that particular trade and whether he is possessor of other stalls in the Market.

The tender form be drawn up by the Accountant in consultation with the Medical Officer of Health. Such tenders to be received by the Markets Committee.

Approved, deleting the words "Such tenders to be received by the Market Committee".

At this stage Mr. W. A. B. Soysa left the meeting.

14. Recommendations of Standing Committees :—

*Extracts from the Minutes of the Meeting of the Standing Committee on "Law and General Purposes", held on September 9, 1939.*

(1) Papers relating to the reconveyance of premises No. 714/715, Peradeniya road, with a copy of further petition. Recommended the transfer of the property to Mrs. Abeyssekera.

(2) Memorandum from the Librarian, Municipal Free Library, suggesting the purchase of new books—To appoint a Sub-Committee of 7 persons for the purpose of selecting books for the Library.—Recommended a Committee of the following 9 persons for the purpose of selecting books for the Library :—The Rev. Anunayaka Madugalla Thero, Mr. L. H. Mettananda, Mr. J. T. Sathasivar Aiyer, Mr. M. A. S. Marikar, Mr. K. Kumaraswami, Mr. V. Jonklaas, Mr. J. C. A. Corea, Mr. S. N. R. Breckenridge, and Mr. St. C. Rode.

(3) To consider what steps should be taken to give effect to Council's resolution 5c (1) of July 17, 1939 :—That a sufficient number of steps be constructed by the Council at the entrance to the Muslim Cemetery at Katugastota, as it is most inconvenient for the public to get inside the cemetery specially during rainy days.—Recommended that the steps be built.

(4) Letter from the Assistant Superintendent of Police, Central Province, inquiring whether the Council would now consider the question of framing regulations for a Silence Zone.—Does not recommend the framing of regulations.

(5) To consider suggestion made by Mr. W. H. Pate, Secretary, Kandy Ratepayers' Association, for taxation to be based on site values. Mr. Pate was present on invitation.—Proposal recommended.

(6) Papers *re* reconveyance of premises No. 8, road between Peradeniya road and Primrose Hill.—Recommend the reconveyance in terms of Council's Lawyer's report dated July 24, 1939.

(7) Papers *re* the reconveyance of premises Nos. 466A, 467A, and 467B, Peradeniya road.—Recommend the reconveyance in terms of Council's Lawyer's reports dated July 12, 1939, and November 27, 1937, be made to the Diyawadana Nilame.

(8) To consider the motion moved by Mr. Paul Raj at the meeting of the Council held on August 19, 1939, and referred to Law Committee—"In view of the great hardship caused to the rickshaw pullers by keen 'bus competition that the tax on hiring rickshaws be reduced". Not recommended.

(9) To consider the question of holding the General Meeting on the 4th Saturday of the month.—Recommended that the General Meeting be held beginning from 1940 in the fourth Saturday of each month, except in the month of December.

*Extracts from the Minutes of the Meeting of the Standing Committee on "Public Health, Markets, and Sanitation", held on August 19, 1939.*

(10) To consider what steps should be taken to give effect to Council's resolution M. C. 5D (2) of July 17, 1939—"That the charges levied for cremations be brought into line with the fees charged for burials, as the present rates cause undue hardship to a large section of the ratepayers of this town". Recommended that the charge for cremations be reduced to Rs. 3.

(11) Medical Officer of Maternity and Child Welfare's report on the desirability of the establishment of an "Infant Home". Deferred for consideration with the Budget.

*Extracts from the Minutes of the Meeting of the Standing Committee on "Finance and Establishment", held on August 19, 1939.*

(12) To obtain supplementary votes for the following estimates :—(1) Constructing cement concrete open drain along Garrison Cemetery road (one section), Rs. 181.—Deferred for consideration with the Budget. (2) Constructing cement concrete open drain along Garrison Cemetery road (further section), Rs. 490.—Deferred for consideration with the Budget. (3) Constructing a road connecting Colombo road with Military Barrack road, Rs. 60.—Deferred for consideration with the Budget. (4) Improvements to Alutgantota road, Rs. 550.—Recommended a sum of Rs. 300. (5) Reconstructing underground drain by Rose Cottage, Rs. 590.—Recommended. (6) Metalling and tarring the upper section of Hermitage road, Rs. 1,809.—Deferred for consideration with the Budget. (7) Census of unemployed, Rs. 115.—Deferred. (8) Expenses of training for 3 weeks of Inspector of Weights and Measures, Rs. 150.—Recommended a sum of Rs. 200 for the training of two Inspectors.

(13) To obtain a vote of Rs. 180 to meet the cost of overhauling one of the electric pumps at Peradeniya which is out of order.—Recommended.

(14) To consider Municipal Electrical Engineer's letter dated July 12, 1939, recommending the extension of the electric lighting service along Kurunegala road by the erection of one additional pole at a cost of Rs. 65, in connection with an application made by Mr. W. Molagoda for electric lights to his bungalow.—Recommended.

(15) To consider Accountant's memo. on the subject of the present procedure with regard to sanction of supplementary items of expenditure.—Recommended that this procedure be followed in future.

(16) To consider letter dated July 12, 1939, from the Assistant Superintendent of Police asking that the bill sent to him for Rs. 16.45 for illuminating the Island in connection with the performance by the Police Band in March last should be met by the Council, as it was arranged for public entertainment.—Recommended.

(17) To obtain a vote of Rs. 55 required to meet the cost of procuring a set of Legislative Enactments for the use of the Municipal Court Clerk, with further report.—Recommended.

(18) To consider letter from Mr. C. T. Rust dated June 14, 1939, regarding proposals for the new Cinema for Kandy and for renewal of lease of Empire Theatre (LB 54).—Recommended that the existing lease be renewed for the existing site for 2 years from the end of 1940.

(19) To obtain a vote of Rs. 50 required to meet the cost of acquisition and survey of land required for the improvement of the footpath leading from Cemetery road to Mapanawatura (LB 86).—Recommended.

(20) To consider request from contractor William for cement to be issued to him in bags in connection with the construction of Mahayaya-ela as he finds it difficult to transport cement in barrels to the site owing to the difficulty of approach.—Recommended that request may be allowed. Extra cost, if any, should be borne by the contractor.

(21) To obtain a vote of Rs. 22 being the Municipal Electrical Engineer's estimate for adequately lighting the notice board "Police" at the Police Station.—Not recommended.

(22) To obtain a vote of Rs. 145 to meet the cost of acquisition of land required for a public latrine at Getambe. (LB. 113).—Recommended.

(23) Papers *re* increase of pay to Mr. M. M. Khan, working under Mr. J. D. Sargent, the Hony. Municipal Forester, with Commissioner's recommendation. (L.B. 114.)—Recommended that the pay of the Overseer be raised to Re. 1·50 per diem.

(24) To consider what steps should be taken to give effect to the resolution passed by the Council regarding the reassessment of the town by a competent Assessor.—Recommended that a sum of Rs. 13,000 be voted. The Committee suggests that the revision of assessments be done in stages. In the first instance the houses and premises within the area bounded on the south by Ward street, on the west by the Railway line, on the north by King street, and on the east by Pavilion street, together with houses and premises on both sides of Ward street, King street, and Pavilion street be taken up.

(25) To consider estimate submitted by the Works Engineer for Rs. 400 to build a further section of the outlet drain near premises No. 330A, Peradeniya road.—Recommended by Works Committee (W/M 23/38).—Recommended.

(26) To consider what action should be taken to give effect to Council's resolution M. C. 5B (3) of July 17, 1939—“That this Council is of opinion that arrangements should be made immediately for providing a free midday meal for children in all schools within Municipal limits”.—Recommended that it be considered with the Budget.

(27) To consider what action should be taken to give effect to Council's resolution M. C. 5B (2) of July 17, 1939—“In view of the prevailing distress consequent on unemployment and poverty, this Council is of opinion that a central kitchen for the relief of distress should be immediately opened in Kandy”.—Recommended that it be considered with the Budget.

(28) To consider what steps should be taken to give effect to Council's resolution M. C. 5B (2) of July 17, 1939—“That the charges levied for cremations be brought into line with the fees charged for burials, as the present rates cause undue hardship to a large section of the ratepayers of this town”.—Recommended that the charge for cremations be reduced to Rs. 3.

(29) To obtain a vote of Rs. 175 being amount required to meet the annual rent of premises in Watapuluwa proposed to be leased for purposes of the Maternity and Child Welfare Centre.—Recommended.

(30) To obtain a vote of Rs. 225 for furniture required for the Office of the Mayor, Deputy Mayor, and Commissioner.—Recommended a vote of Rs. 300.

*Extracts from the Minutes of the Meeting of the Standing Committee on “Municipal Works, &c.”, held on September 9, 1939.*

(31) Application from Miss L. H. Goonewardane for a water supply connection from the supply main leading from Roseneath Supply Tank. (L.B. 117).—Not recommended.

(32) Estimate from the Works Engineer for Rs. 14,400 for laying 4-in. main from Roseneath intake along Gregory and Hermitage road up to the Garden Club. (W/PB 219/39).—Deferred indefinitely.

(33) To consider what steps should be taken to give effect to Council's resolution 5D 3A, July 17, 1939, regarding improvements to Lady Anderson's road.—Deferred.

(34) Construction of office for Mayor and Deputy Mayor. (W/M 14/39). To obtain approval for additional items 13-36 and to adopt rates under these items for purposes of contract.—Approved.

(35) To obtain a supplementary vote of Rs. 2,067·50 required to meet the cost of water meters necessary for the replacement of existing meters, and sanction for purchasing them from the two firms mentioned in Works Engineer's memo. of July 18, 1939.—Recommended.

(1) That Mr. G. A. Christiansz, the meter reader, be dismissed with effect from April 5, 1939. (2) The Works Engineer should be responsible for meter readings. (3) A comprehensive report to be submitted by the Works Engineer on the Waterworks Staff showing full details.—Recommended the purchase from the lowest tenderers.

The Works Engineer was authorized to order at once the meters owing to the urgency of the matter.

(36) To consider application for a water service to premises No. 6B, Lady Gordon's road.—Recommended a metered supply for domestic purposes if the annual value is over Rs. 250.

(37) To consider application for a water service to premises Nos. 73 and 74, Brownrigg street.—Recommended a metered supply for domestic purposes on the condition that the new building is assessed at not less than Rs. 250 per annum.

(38) To consider application for a water service to premises No. 88, Katugastota road.—Recommended a metered supply for domestic purposes.

(39) To consider improvements suggested by Mr. A. Morley Spaar in connection with the Mapanawatura road bridge with report thereon from the Works Engineer and estimates for carrying out these improvements.—Recommended that the bridge be widened to 10 feet and the Works Engineer is to proceed with the work at once. The acquisition of land for the road be not proceeded with.

(40) Papers *re* Civic Survey of the town. To consider the Town Planner's report and Works Engineer's memorandum on it.—Recommended that a civic survey be made.

(41) Application from Mr. W. Wijenaike to instal a water carriage system of drainage at premises No. 9, Halloluwa road.—Recommended.

(42) Construction of a dog pound. To obtain a supplementary vote of Rs. 175 required to meet the cost of the extra work involved in changing the site.—Recommended.

(43) To obtain a supplementary vote of Rs. 94 required for the purpose of effecting repairs to the quarters occupied by the Gatekeeper of the Reservoir.—Recommended. Works Engineer allowed permission to proceed with the work.

(44) Estimate for Rs. 223 from the Works Engineer for repairs to drain passing through premises No. 13-14, Peradeniya road.—Deferred for consideration with the Budget.

(45) Papers *re* complaint of Mr. L. S. Bertus protesting against the permit issued to Mr. S. E. Greve to construct a Septic Tank in premises No. 541½, Galaha road, which is in front of his bungalow.—Recommended to (1) prosecute Mr. S. E. Greve for deviating from plan, (2) prosecute Mr. Greve for occupying without a certificate of conformity.

*Extracts from the Minutes of the Meeting of the Electricity Committee held on August 19, 1939.*

(46) Municipal Electrical Engineer's letter dated July 12, 1939, recommending the extension of electric lighting service main along Kurunegala road by the erection of one additional pole at a cost of Rs. 65, in connection with an application made by Mr. Molagoda for electric lights to his bungalow. (F 335).—Recommended.

(47) To obtain a vote of Rs. 22 being Municipal Electrical Engineer's estimate for adequately lighting the notice board “Police” at the Police Station.—Not recommended.

Resolution of Council on Standing Committee recommendations.

14 (1), 14 (3), 14 (6), 14 (7), 14 (8), 14 (9), 14 (10), 14 (11), 14 (12), 14 (13), 14 (14), 14 (16), 14 (17), 14 (19), 14 (20), 14 (21), 14 (22), 14 (24), 14 (25), 14 (26), 14 (27), 14 (28), 14 (29), 14 (30), 14 (31), 14 (32), 14 (33), 14 (34), 14 (36), 14 (37), 14 (38), 14 (40), 14 (41), 14 (42), 14 (43), 14 (44), 14 (45), 14 (46), 14 (47).—Resolved the recommendations be adopted.

14 (2) Resolved to increase the Committee to 11 persons and add the names of Miss R. Allen and Gate Muhandiram Canaganayagam to those recommended by the Committee.

14 (4) Consideration of the recommendation be deferred.

14 (5) Resolved to refer to Finance Committee.

14 (15) Resolved to refer it to the Finance Committee. The present procedure to be followed.

14 (18) Resolved to call for tenders for two years at the end of 1940.

14 (23) Resolved to refer to Works Committee.

14 (35) Recommendation adopted adding a further sum of Rs. 48 to Rs. 2,067·50.

14 (39) Recommendation approved—regarding acquisition, the matter to be referred to Works Committee.



## Balance Sheet, September 30, 1939.

		LIABILITIES.			Amount.	Total.
					Rs. c.	Rs. e.
Loans outstanding—						
Government of Ceylon	..	..	..	—	—	
Local Loans Commissioners, on December 31, 1938	..	..	..	194,650 62		
Less repayment in 1939	..	..	..	18,944 75		
						175,705 87
Loans redeemed account on December 31, 1938					935,270 66	
Redeemed in 1939	..	..	..	25,611 41		
						960,882 7
Revenue contributions to capital outlay—						
General revenue funds on December 31, 1938	..	..	..	1,240,974 0		
Electricity Department	..	..	..	—		
Half profits for 1935 appropriated for general revenue purposes	..	..	..	31,221 46		
						1,272,195 46
Government contributions for capital services on December 31, 1938						233,978 0
Private donations for capital services on December 31, 1938	..	..	..			3,900 0
Minor River Pumping Scheme :—						
Revenue contributions on December 31, 1938	..	..	..	50,000 0		
Loan from Electricity Department on December 31, 1938	..	Rs. c.	..	109,053 44		
Less repayments, 1939	..	..	..	6,666 66		
						102,386 78
						152,386 78
						2,799,048 18
					Amount.	Total.
					Rs. e.	Rs. e.
Capital account, balance in hand	..	..	..			5,811 57
Sundry creditors :—						
Tradesmen	..	..	..	9,083 72		
Outstanding wages	..	..	..	5,113 59		
Grain shed rent securities	..	..	..	1,492 0		
Market stall rent securities	..	..	..	2,540 75		
Market space rent securities	..	..	..	1,899 66		
Model tenement securities	..	..	..	2,380 0		
Sundry securities	..	..	..	8,549 46		
Free library members' deposit account	..	..	..	489 50		
Miscellaneous deposits	..	..	..	6,738 52		
Municipal Court fines awards	..	..	..	135 93		
Collectors' securities	..	..	..	1,605 0		
Upkeep of grave in perpetuity	..	..	..	6,800 0		
Times book club	..	..	..	186 35		
Board of improvement deposit account	..	..	..	2,413 75		
Vested properties income	..	..	..	16 50		
						49,444 73
Back Lane Scheme, contributions	..	..	..			56,749 80
Revenue account, balance from 1938	..	..	..	239,944 61		
Less expenditure in excess of revenue from January 1 to September 30, 1939, as per revenue account	..	..	..	34,450 24		
						205,494 37
						317,500 47
ASSETS.		Expended to	Expended	Total	Unexpended	Total
		December 31,	during 1939.	Capital Outlay.	Balance in	Assets.
		1938.			Hand.	
		Rs. c.	Rs. e.	Rs. e.	Rs. c.	Rs. c.
Capital outlay :—						
Town Hall and Municipal Offices	..	53,664 12	—	53,664 12	—	
Motor lorries	..	38,744 35	—	38,744 35	—	
Markets	..	91,707 52	—	91,707 52	—	
Rice granaries and depots	..	65,066 53	—	65,066 53	—	
School buildings	..	10,156 51	—	10,156 51	—	
Model dwellings—loan funds	..	523,241 64	—	523,241 64	1,758 36	
Do. revenue contributions	..	532 63	—	532 63	—	
Ayurvedic dispensary	..	2,900 0	—	2,900 0	—	
Do. lighting	..	357 56	—	357 56	—	
Other Municipal buildings	..	188,420 46	—	188,420 46	—	
Free library	..	—	—	—	1,000 0	
Roads, pavements, &c.	..	219,375 62	—	219,375 62	—	
Drainage	..	250,304 86	—	250,304 86	—	
Public latrines and trenching grounds	..	65,321 42	—	65,321 42	—	
Motor, carriage, and rickshaw stands	..	16,016 42	—	16,016 42	—	
Concrete block making machine	..	3,626 13	—	3,626 13	—	
Recreation grounds and sports pavilion	..	61,254 98	—	61,254 98	—	
Waterworks	..	523,542 10	—	523,542 10	—	
Investigations into water schemes	..	27,674 9	—	27,674 9	—	
Waterworks, new schemes	..	133,353 29	—	133,353 29	—	
River pumping scheme	..	178,786 77	—	178,786 77	—	
Stream road roller	..	20,973 49	—	20,973 49	—	
Conservancy hand carts	..	3,260 44	—	3,260 44	—	
Incinerator	..	7,169 96	—	7,169 96	—	
Fire extinguishing apparatus	..	40,834 24	—	40,834 24	—	
Burial grounds and cemeteries	..	21,831 17	—	21,831 17	—	
Road scarifier	..	1,748 17	—	1,748 17	—	
Public notice boards	..	4,862 71	—	4,862 71	—	
Dredger	..	8,905 82	—	8,905 82	—	
Dhobies tanks	..	14,308 36	—	14,308 36	—	
Paving Meda-ela	..	119,799 32	—	119,799 32	—	
Fumigators	..	5,398 54	—	5,398 54	—	
Chloronome	..	5,395 67	—	5,395 67	—	
Double canoe for Halloluwa	..	450 0	—	450 0	—	
Sanitary improvements to rural areas	..	6,172 90	—	6,172 90	—	
Laying 8-in. water main in Peradeniya road	..	36,000 0	35,946 79	71,946 79	3,053 21	
Fencing leased land in Roseneath	..	6,132 3	—	6,132 3	—	
		2,757,289 82	35,946 79	2,793,236 61	5,811 57	2,799,048 18

	Unexpended Balance in hand.	Total Assets.
	Rs. e.	Rs. e.
Loan to Electricity Department on December 31, 1938	55,210 0	
Less repayments, 1939	27,410 0	
	<hr/>	27,800 0
Stocks and stores :—		
Stores	20,763 54	
Workshop tools	334 61	
	<hr/>	21,098 15
Vested properties capital		1,610 47
Sundry debtors :—		
Rates, taxes, &c.	91,727 87	
Transport service	11 3	
Advance of pay, &c.	2,428 90	
Sale of stores	1 0	
Motor workshop	495 68	
	<hr/>	94,664 48
Loan to Mr. K. B. Kulatunga		160 0
Investments—State Mortgage Bank debentures		6,800 0
Cash in Mercantile Bank of India, fixed deposit	136,500 0	
Cash in current account	14,778 59	
Cash in fixed deposit, Co-operative Central Bank	9,491 75	
Cash in hand of Shroff	2,215 38	
Petty cash in hand of Shroff	381 65	
Ceylon Savings Bank	2,000 0	
	<hr/>	165,367 37
		<hr/>
		317,500 47

Municipal Office,  
Kandy, October 20, 1939.

E. B. PEREIRA,  
Accountant, Municipal Council, Kandy.

#### B.—ELECTRICITY DEPARTMENT.

##### Revenue Account for the Nine Months, January 1 to September 30, 1939.

EXPENDITURE.	Estimated for 1939.		Incurred from January to September, 1939.		Total.	Incurred from January to September, 1939.		
	Rs.	e.	Rs.	e.		Rs.	e.	
Generation of electricity :—								
Fuel	25,842	0	18,020	56		16,122	38	
Oil, waste, and engine room stores	12,600	0	9,472	6		9,229	56	
Salaries and wages at works	12,630	2	9,180	91		8,879	16	
Repairs and maintenance :—								
(a) Buildings	1,500	0	961	82		1,087	25	
(b) Engines, boilers, machinery, and plant	1,600	0	872	85		895	48	
(c) Spare parts of machinery	2,000	0	1,145	68		1,536	77	
					39,653	88		
Distribution of electricity :—								
Salaries and wages—								
(a) Repairs and maintenance of mains	5,000	0	3,840	18		3,926	59	
(b) Replacement of consumers' service mains	300	0	9	59		31	40	
(c) Repairs and maintenance of meters, switches, and other apparatus	2,882	88	2,366	26		2,601	63	
Materials :—								
(a) Repairs and maintenance of mains	850	0	779	46		653	30	
(b) Replacement of consumers' service mains	200	0	71	68		155	32	
(c) Repairs and maintenance of meters, switches, and other apparatus	150	0	57	63		99	56	
					7,124	80		
Public lamps :—								
Salaries and wages	6,640	50	4,735	27		4,862	43	
Repairs and maintenance	2,500	0	1,873	55		1,739	89	
					6,608	82		
Works executed for customers :—								
Labour	6,407	20	5,210	50		5,024	14	
Materials	8,500	0	7,807	10		6,522	11	
					13,017	60		
Managements and general expenses :—								
Salaries	41,481	81	32,409	42		31,027	32	
Commuted travelling allowances	2,594	0	1,868	24		1,976	68	
Rent of Engineer's bungalow	1,428	0	1,061	10		1,071	90	
Printing and stationery	1,500	0	1,117	64		689	16	
Fire insurance	529	0	380	10		388	15	
Legal expenses	500	0	300	6		300	6	
Telephone	610	0	610	0		610	0	
Audit fees	850	0	425	0		425	0	
Advertising	—	—	—	—		141	1	
Addressing machine	600	0	431	45		—	—	
Tools	150	0	256	90		87	53	
Sundry Charges	250	0	138	5		140	6	
Gratuities	40	0	55	0		—	—	
Pensions	3,261	77	593	31		1,123	5	
					39,646	27		
Total amount of working expenses	143,397	18	106,051	37		101,346	89	
Gross profit Carried to nett revenue account						84,985	80	
					<hr/>	<hr/>		
					191,037	17	203,634	78

INCOME.	Estimated for 1939.		Accrued January to September, 1939.		Total.		Accrued January to September, 1939.	
	Rs.	c.	Rs.	c.	Rs.	c.	Rs.	c.
Sale of electricity :—								
Private lighting .. .. .	176,122	0	122,246	36			122,926	21
Power and heating .. .. .	46,300	0	34,913	25			14,087	13
Public lighting .. .. .	918	0	626	51			32,934	50
Municipal Departments—Lighting .. .. .	6,660	0	4,977	96			632	80
Power .. .. .							3,814	74
					162,764	8		
Works executed for customers and goods sold :—								
From Municipal Departments .. .. .	231	0	121	71			155	46
Customers .. .. .	20,000	0	18,533	8			16,319	8
					18,654	79		
Rent of meters :—								
Recoveries from Municipal Departments .. .. .	130	0	117	50			120	0
Customers .. .. .	12,500	0	8,480	20			11,664	94
					8,597	70		
Sundry revenue :—								
Stand by charges .. .. .	420	0	331	50			314	15
Miscellaneous receipts .. .. .	900	0	689	10			665	77
					1,020	60		
Total .. .. .	264,181	0					191,037	17
							203,634	78

Municipal Office,  
Kandy, September 15, 1939.

E. B. PEIRIS,  
Accountant, Kandy Municipal Council.

Electricity Department, Nett Revenue Account for January 1 to September 30, 1939.

	Amount.		Total.	
	Rs.	c.	Rs.	c.
To Principal and Interest on loans from General Revenue Fund .. .. .	11,660	12		
Assessment rates .. .. .	4,892	55		
Depreciation on plant, &c. .. .. .	24,015	33		
			40,568	0
Nett profit unappropriated on December 31, 1939 .. .. .			182,030	48
	Rs.	c.		
Nett profit up to August, 1939 .. .. .	37,563	70		
Nett profit for September, 1939 .. .. .	8,191	53		
			45,755	23
			227,785	71
			268,353	71
By Balance from 1939 .. .. .			Rs.	c.
Interest .. .. .			182,030	48
By gross profit up to September, 1939 .. .. .			1,337	43
			84,985	80
			268,353	71

Kandy, September 15, 1939.

E. B. PEIRIS,  
Accountant, Kandy Municipal Council.

Electricity Department, Balance Sheet, September 30, 1939.

LIABILITIES.	Amount.		Total.	
	Rs.	c.	Rs.	c.
Loans outstanding :—				
Loan from General Revenue Fund on December 31, 1938 .. .. .	55,210	0		
Less repayments in 1939 .. .. .	27,410	0		
			27,800	0
Loans redeemed account on December 31, 1938 .. .. .	268,390	0		
Redeemed in 1939 .. .. .	27,410	0		
			295,800	0
Revenue contribution to Capital outlay up to December 31, 1938 .. .. .	612,238	53		
Contributed in 1939 .. .. .				
			612,238	53
Reserve for depreciation up to December 31, 1938 .. .. .	349,685	93		
Reserve for January to September, 1939 .. .. .	24,015	33		
Interest accrued on depreciation fund investments .. .. .	5,356	34		
			379,057	60
Reserve against stores .. .. .			9,584	3
Distilled water account .. .. .			25	58
Sundry creditors .. .. .			9,555	11
Deposits—Customers' .. .. .	13,954	23		
Sundry .. .. .	9,760	96		
			23,715	19
Outstanding wages .. .. .			1,064	26
Unpaid wages .. .. .			18	33
Principal and interest accrued on loan from General Revenue Fund .. .. .			5,368	55
Nett revenue account .. .. .			227,785	71
			1,592,012	89



ASSETS AND CAPITAL OUTLAY.	Expended up to December, 1938.		Expended in 1939.		Total. Rs. c.
	From Loan Funds.	From Revenue Contribution.	From Loan Reserves.	From Revenue Contribution.	
	Rs. c.	Rs. c.	Rs. c.	Rs. c.	
Acquisition of undertakings .. .. .	—	150,000 0	—	—	150,000 0
Land for transformer station .. .. .	810 0	—	—	—	810 0
Buildings .. .. .	5,147 15	41,489 91	—	40 35	46,677 41
Engines, boiler, and other machinery .. .. .	173,966 56	103,492 50	—	275 10	277,734 16
Tools and sundry plant .. .. .	—	4,019 99	—	26 12	4,046 11
Mains, services, lamp-standards, and terminal boxes .. .. .	143,676 29	280,639 20	35,083 36	15,033 79	474,432 64
Meters .. .. .	—	32,596 93	—	1,434 19	34,031 12
Storage battery .. .. .	—	48,955 14	—	—	48,955 14
	323,600 0	661,193 67	35,083 36	16,809 55	1,036,686 58
Less value of unserviceable plant written off .. .. .	—	—	—	—	48,955 14
					987,731 44
Depreciation Fund Investments :—			Face Value.		
3½ per cent. Ceylon Government Loan .. .. .	—	—	100,000 0	101,287 25	
Loan to General Revenue for Water Scheme .. .. .	—	—	—	102,386 78	
Amount pending investment .. .. .	—	—	—	32,003 66	
Fixed deposits, Mercantile Bank .. .. .	—	—	—	143,379 91	
					379,057 60
Stores on hand .. .. .	—	—	—	—	36,893 73
Sundry debtors .. .. .	—	—	—	—	37,446 10
Dues from hire purchaser .. .. .	—	—	—	—	3,112 13
Insurance premium paid in advance .. .. .	—	—	—	—	431 44
Advances .. .. .	—	—	—	—	10 0
Cash with Shroff, petty cash account .. .. .	—	—	—	216 70	
Cash with Electrical Engineer, petty cash account .. .. .	—	—	—	22 4	
Cash in Mercantile Bank, fixed deposits .. .. .	—	—	—	91,620 9	
Cash in National Bank, fixed deposits .. .. .	—	—	—	8,000 0	
Cash in Mercantile Bank, current account .. .. .	—	—	—	46,937 34	
Cash in hand of Shroff .. .. .	—	—	—	534 28	
					147,330 45
					1,592,012 89

Kandy, September 15, 1939.

E. B. PEIRIS,  
Accountant, Kandy Municipal Council.**LOCAL GOVERNMENT NOTICES.****Dog Tax for 1940.***The Dog Registration Ordinance (Chapter 334.)*

IT is hereby notified that the Moratuwa Urban District Council has, in terms of section 4 of the Dog Registration Ordinance (Chapter 334), imposed for the year 1940, a registration fee of Re. 1 on every dog and Re. 1.50 on every bitch, kept within the administrative limits of the Moratuwa Urban District Council, payable on or before April 1.

"N.B.—The notification on this subject dated October 23, 1939, and published in the *Gazette* of October 27, 1939, is hereby cancelled."

No. B. 1182,  
Urban District Council Office,  
Moratuwa.H. I. FERNANDO,  
Chairman.**Property Rate, 1940—Beruwala.***The Local Government Ordinance (Chapter 195).*

IT is hereby notified that the Beruwala Urban District Council has, in terms of "The Local Government Ordinance (Chapter 195)", imposed for the year 1940, the following rates, being the same as were in force during the preceding year, within the administrative limits of the Council :—

Under section 171 (1) (a) : A rate of 10 per centum per annum payable on March 31, on June 30, on September 30, and on December 31, for the quarter ending on the said days respectively on the annual value of all immovable property.

I. L. M. YUSUF,  
Chairman.Office of the Urban District Council,  
Beruwala, November 6, 1939.**The Urban District Council of Negombo.****RATES AND TAXES FOR THE YEAR 1940.***The Local Government Ordinance.*

IT is hereby notified that the Urban District Council of Negombo has, in terms of the Local Government Ordinance (Chapter 195), imposed for the year 1940, the following rates and taxes, being the same as were in force during the

preceding year, within the administrative limits of the said Urban District Council, subject to the provisions of the aforesaid Ordinance :—Under section 171 (1) (a) : A property rate of 11 per centum per annum in equal proportions on March 31, June 30, September 30, and December 31, for the quarters ending respectively on the said days, on the annual value of all immovable property within the administrative limits of the said Urban District Council, subject however to the limitations, qualifications, and conditions that all properties within the area set out in Schedule I. hereto shall pay a rate of 7 per centum only and all properties within the area set out in Schedule II. hereto shall pay a rate of 6 per centum only, in the manner and on the dates specified above.

Under section 173 (1) (b) : A tax in respect of the following vehicles and animals, payable on or before March 31, at the rates specified :—

	Rs.	c.
For every carriage of whatever description other than a cart, hackery, or jinrickshaw .. .. .	4	0
For every double-bullock cart or hackery of whatever description .. .. .	3	0
For every single bullock-cart or hackery .. .. .	2	0
For every jinrickshaw .. .. .	2	0
For every bicycle or tricycle .. .. .	1	0
For every horse, pony or mule .. .. .	2	0

Council Offices,  
Negombo, November 2, 1939.V. CROOS DA BRERA,  
Chairman.*Schedule I.*

North : The Infectious Diseases Hospital, Kudapaduwa, Cemetery road, Ad Nives road, Mosque road, Temple road, Convent road.

South : St. Joseph's street from Taladuwa Chammel up to the Temple road junction, Tammitta road, Hunupitiya road, St. Sebastian's road to St. Sebastian's Church and due west to the sea.

East : Minuwangoda road, Taladuwa road up to the Taladuwa lake road junction, Taladuwa lake road to St. Joseph's street.

West : The sea including the village of Munnakkarai.

*Schedule II.*

North : A straight line drawn from the junction of Dalupota-oya to the Infectious Diseases Hospital at Kudapaduwa.

East : The Dalupota-oya from its junction with the canal to the culvert over the said oya on the Negombo-Minuwangoda road, and thence southwards along the western boundary of Goluwapokuna estate to the Diyahonda-ela.

South : The Diyahonda-ela (near the 20th milepost on the Colombo road) and a line drawn from the mouth of the said ela due west across the Negombo lake.

West : The Negombo lake.

### The Urban District Council of Negombo.

FEES FOR THE REGISTRATION OF DOGS AND BITCHES, 1940.

#### The Dog Registration Ordinance (Chapter 334).

IT is hereby notified that the Urban District Council of Negombo has, in terms of section 4 of the Dog Registration Ordinance (Chapter 334), imposed for the year 1940, a registration fee of Re. 1.50 on every dog and Rs. 3 on every bitch, kept within the administrative limits of the said Urban District Council, payable on or before April 1, 1940.

Council Offices,  
Negombo, November 2, 1939.

V. CROOS DA BRERA,  
Chairman.

### Dog Registration Fee for 1940.

#### The Dog Registration Ordinance (Chapter 334).

IT is hereby notified that the Nuwara Eliya Urban District Council has, in terms of section 4 of "The Dog Registration Ordinance (Chapter 334), imposed for the year 1940, an annual registration fee of Rs. 2 on every dog and Rs. 4 on every bitch kept within the Urban District Council limits of Nuwara Eliya, payable on or before April 1.

T. W. McLACHLAN,  
Chairman.

Office of the Urban District Council,  
Nuwara Eliya, November 6, 1939.

### Rates and Taxes, Urban District Council, Nuwara Eliya.

IT is hereby notified that the Nuwara Eliya Urban District Council has, in terms of the Local Government Ordinance (Chapter 195), imposed for the year 1940, the following rates and taxes being the same as were in force during the preceding year, within the administrative limits of the Nuwara Eliya Urban District Council, subject to the provisions of the aforesaid Ordinance :—

Under section 171 (1) (a), a rate of eight per centum, payable on March 31, on June 30, on September 30, and on December 31, for the quarter ending on the said days respectively on the annual value of all immovable property.

Under section 173 (1) (b), a tax in respect of the following vehicles and animals payable on or before March 31, at the rates specified :

	Rs. c.
For every carriage of whatever description other than a cart, hackery or jinrickshaw	5 0
For every double bullock cart or hackery of whatever description	4 0
For every single bullock cart or hackery	2 50
For every jinrickshaw	2 50
For every bicycle or tricycle	1 0
For every horse, pony or mule	2 50

T. W. McLACHLAN,  
Chairman.

Office of the Urban District Council,  
Nuwara Eliya, November 6, 1939.

### By-election of a Member for Division No. 1, Kurunegala Urban District Council.

NOTICE is hereby given that it is intended to hold an election of a member for Division No. 1 of the Kurunegala Urban District Council on Monday, December 11, 1939.

Every candidate must be nominated in writing and the nomination paper must be subscribed by at least two persons whose names appear in the electoral roll of the electoral division for which the candidate offers himself for election, and the nomination paper must be delivered at the Office of the Urban District Council of Kurunegala at or before 12 noon on Monday, December 11, 1939, which day has been fixed for that purpose.

If more than one candidate is nominated, a poll will be taken on December 22, 1939, at the Town Hall, Kurunegala.

The poll shall open at 8 A.M. and close at 12 noon, re-open at 1.30 P.M. and close at 4 P.M.

The Kacheheri,  
Kurunegala, November 7, 1939.

N. E. ERNST,  
Government Agent.

### Sale of Properties—Urban District Council, Hatton-Dikoya.

NOTICE is hereby given that in the absence of movable property liable for seizure, (1) rents and profits from 1 to 3 years, (2) timber and produce, (3) materials of house, and (4) the under-mentioned properties themselves seized in virtue of a warrant issued by the Chairman, Urban District Council, Hatton-Dikoya, in terms of section 135 of the Municipal Councils Ordinance (Chapter 193), for arrears of rates due on the premises mentioned in the subjoined schedule for the 2nd quarter, 1939, will be sold by public auction on the spot at the time therein mentioned, unless in the meantime the amounts of assessment rates and costs be duly paid.

C. SELWYN SAMARAWERERA,  
Office of the Urban District Council,  
Hatton, November 4, 1939. Chairman.

#### SCHEDULE.

TIME OF SALE : TO COMMENCE AT THE FIRST-NAMED PREMISES AT 9 A.M. EACH DAY.

Friday, November 17, 1939.

Fruithill : Assessment Nos. 15 to 24, 26 and 834.  
Circular road : Assessment No. 286.

Saturday, November 18, 1939.

Mount road and Convent road : Assessment Nos. 163 to 165, 167 to 175.

### URBAN DISTRICT COUNCIL, GAMPOLA.

#### Budget for 1940.

HEADS OF RECEIPTS.	Amount. Rs. c.	Total. Rs. c.
A.—General revenue :—		
(1) Property rate, 171 (1) (a)	17,000 0	
(2) Acreage tax, 171 (1) (b)	—	
(3) Vehicles and animals tax, 173 (1) (b)	250 0	
(4) Licence duties	8,500 0	
(5) Other taxes, 173 (1) (d)	—	
(6) Refund of stamp duties (Schedule VI.)	750 0	
(7) Refund of rent of foreign liquor taverns	750 0	
(8) Compensation for opium revenue	2,108 0	
(9) Fines by Court (not included elsewhere)	—	
(10) Auctioneers' and brokers' licences	100 0	
(11) Interest	2,500 0	
(12) Sale of old stores	50 0	
(13) Refund of overpayments	100 0	
(14) Miscellaneous	—	
(15) Warrant costs, &c.	400 0	
	—	32,508 0
B.—Thoroughfares :—		
(1) Subsidy in lieu of labour tax	3,526 20	
(2) Other collections e.g., fines for injuries, &c. (97) cattle seizing fees (103) (4), sale badges and fare-tables, &c.	500 0	
	—	4,026 20
C.—Resthouses and ambalams :—		
(1) Fees (60)	1,000 0	
	—	1,000 0
D.—Council lands and buildings (not included elsewhere)		
(1) Rents	30 0	
(2) Sale of produce	50 0	
	—	80 0
E.—Public health :—		
(1) General—		
(a) Fines under Part IV., Chapter III.	700 0	
(b) Fees for services of midwife	—	
(2) Scavenging—		
(a) Fees 168 (10) (b)	—	
(b) Sale of refuse (130)	144 0	
(c) Fines on contractors and labourers	—	

HEADS OF RECEIPTS.	Amount. Rs. c.	Total. Rs. c.
(3) Conservancy—		
(a) Fees 168 (10) (b)	6,640 0	
(b) Sale of refuse (130)	—	
(c) Fines on contractors and labourers	—	
(4) Slaughterhouse and cattle pound—		
(a) Fees 168 (11) (a)	2,100 0	
(b) Sale of refuse	—	
(5) Water supply—		
(a) Water rates 141 (b) 146	11,375 0	
(b) Private water service fees	1,000 0	
(6) Hospitals—		
(a) Contribution from Government	—	
(b) Rent of hospital ground	—	
(7) Markets and galas—		
(a) Rents 168 (12)	2,500 0	
(b) Boutiques and stalls, 168 (12)	—	
(c) Fees for private markets, 150 (3)	—	
(d) Licences, 163 (1)	200 0	
(e) Grain store rents	—	
		24,659 0
F.—Public recreation, 168 (7) 170 (1) (b) :—		
(1) Rents	300 0	
(2) Cattle grazing fees	—	
(3) Licences for public performances	100 0	
		400 0
G.—Cemeteries (Ordinance, No. 9 of 1899) :—		
(1) Fees	100 0	
(2) Hire of hearse	120 0	
(3) Graves sold for erecting monuments	30 0	
		150 0
H.—Dog Registration (Ordinance, No. 25 of 1901 and Rabies Ordinance, No. 7 of 1893) :—		
(1) Registration fees	200 0	
(2) Fines	—	
(3) Sale of dog collars	—	
(4) Seizing fees	—	
		200 0
I.—Weights and measures (Ordinance, No. 8 of 1876) :—		
(1) Fees for stamping	—	
(2) Fines	250 0	
		250 0
J.—Electricity Department :—		
(1) Sale of current	28,000 0	
(2) Rent of meters	2,500 0	
(3) Works executed for customers	100 0	
(4) Miscellaneous	100 0	
(5) Refunds of overpayments	50 0	
		30,750 0
K.—Fire protection :—		
(1) Fees	—	
		—
Total revenue		94,023 20
Other receipts :—		
Deposits	—	
Advances	—	
Store advance account	—	
Loan for electric lighting scheme	—	
Loan for water works scheme	—	
Fixed deposits	—	
Ceylon Savings Bank, Securities Account	—	
Lighting Scheme Depreciation Fund	—	
Shortage to be met out of surplus	—	
		—
Total receipts		94,023 20

HEADS OF PAYMENTS.	Amount. Rs. c.	Total. Rs. c.
B.—Thoroughfares :—		
(1) Salaries and wages—		
(a) Inspector of Works—		
Salary	1,500 0	
Allowance	330 0	
(b) Overseers	—	
(2) Maintenance	2,500 0	
(3) Plant and tools	50 0	
(4) Lighting	6,750 0	
(5) Dust laying	—	
(6) Cost of badges and faretables	—	
(7) Acquisition	2,600 0	
(8) Improvements	—	
(9) Loan charges	—	
(10) Shade trees	25 0	
(11) Surveys	—	
(12) New works	2,200 0	
		15,955 0
C.—Resthouses and ambalams :—		
(1) Salaries	420 0	
(2) Maintenance	650 0	
(3) Furniture and equipment	250 0	
(4) Improvements	—	
		1,320 0
D.—Council lands and buildings (not charged elsewhere) :—		
(1) Wages	—	
(2) Commission to collectors	—	
(3) Rent of office	—	
(4) Maintenance	600 0	
(5) Furniture	50 0	
(6) Loan charges	—	
(7) New works	—	
		650 0
E.—Public health :—		
(1) General expenditure—		
(a) Salaries (Inspectors and midwife) and wages	4,440 0	
(b) Allowances	1,100 0	
(c) Uniforms	—	
(d) Printing and office expenses	250 0	
(e) Disinfectants	1,200 0	
(f) Instruments and drugs	150 0	
(g) Drainage construction	500 0	
(h) Drainage compensation	—	
(i) Grant to baby clinic	900 0	
(j) Milk analysis	400 0	
(2) Scavenging—		
(a) Wages	5,000 0	
(b) Carts, bulls and lorries	—	
(c) Stores	300 0	
(d) Incinerator	—	
(3) Conservancy—		
(a) Wages	5,000 0	
(b) Carts, bulls and lorries	100 0	
(c) Stores	300 0	
(d) Rent of night soil depot	—	
(e) Maintenance of latrines	500 0	
(f) Acquisition	—	
(g) Construction	1,000 0	
(4) Slaughterhouse and cattle pound—		
(a) Wages	240 0	
(b) Maintenance	100 0	
(c) Acquisition	—	
(d) Construction	5,000 0	
(e) Cattle disease	—	
(5) Water supply—		
(a) Wages	480 0	
(b) Stores	260 0	
(c) Maintenance	2,000 0	
(d) Acquisition	—	
(e) Construction	—	
(f) Loan charges	3,820 0	
(g) Commission to collectors	300 0	
(6) Hospitals—		
(a) Wages	—	
(b) Maintenance	—	
(c) Paupers	100 0	
(7) Markets and galas—		
(a) Wages	216 0	
(b) Maintenance	600 0	
(c) Printing, &c.	—	
(d) Construction	—	
(e) Compensation	—	
(f) Acquisition	—	
(g) Loan charges	—	
(8) Epidemics	200 0	
		34,396 0
F.—Public recreation, 168 (7) 170 (1) (b) :—		
(1) Wages	210 0	
(2) Maintenance	600 0	
(3) Allowance to band	—	
(4) Acquisition	—	
		816 0
G.—Cemeteries (Ordinance, No. 9 of 1899) :—		
(1) Wages	480 0	
(2) Maintenance	500 0	
		980 0

HEADS OF PAYMENTS.	Amount. Rs. c.	Total. Rs. c.
A.—General expenditure :—		
(1) Salaries of officers (not otherwise charged)—		
(a) Secretary	3,600 0	
(b) Clerks	4,224 0	
(c) Peons	480 0	
(d) Cost of technical advisers	360 0	
(e) Pensions	253 68	
(2) Establishment expenses—		
(a) Allowances (not otherwise charged)	926 0	
(b) Travelling	370 0	
(c) Commission to tax collectors (not otherwise charged)	700 0	
(d) Assessors' fees	—	
(e) Legal expenses	50 0	
(f) Stationery, printing, advertising and office expenses (not charged elsewhere)	1,500 0	
(g) Registration of voters and elections	—	
(h) Cost of cart and boat plates	100 0	
(i) Cost of audit	900 0	
(j) Holiday Railway tickets	300 0	
(3) Refunds—		
(a) Contributions and grants—		
	200 0	
	300 0	
		14,263 68

HEADS OF PAYMENTS.		Amount.	Total.	HEADS OF RECEIPTS.		Amount.	Total.
		Rs. c.	Rs. c.			Rs. c.	Rs. c.
<b>H.—Dog Registration (Ordinance, No. 25 of 1901, and Rabies Ordinance, No. 7 of 1893) :—</b>				<b>B.—Thoroughfares :—</b>			
(1) Destruction of dogs ..	300 0			(1) Subsidy in lieu of labour tax ..	960 0		
(2) Commission to collectors ..	20 0			(2) Other collections, e.g.: fines for injuries, &c. (97) cattle seizing fees (103) (4), sale of badges and faretables, &c. ..	1,200 0		2,160 0
(3) Cost of dog collars ..	—						
(4) Cost of seizers ..	—			<b>C.—Resthouses and ambalams :—</b>			
(5) Maintenance of dog pounds ..	—		320 0	(1) Fees (60) ..	—		
<b>I.—Weights and Measures (Ordinance, No. 8 of 1876) :—</b>				<b>D.—Council lands and buildings (not included elsewhere) :—</b>			
(1) Fees to Inspectors ..	250 0		250 0	(1) Rents ..	100 0		
<b>J.—Electricity Department :—</b>				(2) Sale of produce ..	40 0		140 0
(1) Generation of electricity—				<b>E.—Public Health :—</b>			
(a) Fuel ..	1,750 0			(1) General—			
(b) Oil, waste and engine room store ..	600 0			(a) Fines under part IV, chapter III. ..	—		
(c) Salaries and wages at works ..	2,220 0			(b) Fees for services of midwife ..	—		
(d) Purchase of current ..	—			(2) Scavenging—			
(2) Repairs and maintenance—				(a) Fees (168) (10) (b) ..	—		
(a) Buildings ..	150 0			(b) Sale of refuse ..	10 0		
(b) Engines, boilers, machinery and plant ..	750 0			(c) Fines on contractors and labourers ..	5 0		15 0
(c) Meters, switches and other apparatus ..	200 0			(3) Conservancy—			
(d) Maintenance of supply mains and transmission lines ..	800 0			(a) Fees, 168 (10) (b) ..	3,500 0		
(3) Service and house connections—				(b) Sale of refuse (130) ..	—		
(a) Materials ..	300 0			(c) Fines on contractors and labourers ..	3 0		3,503 0
(b) Labour (temporary) ..	75 0			(4) Slaughter-house and cattle pound—			
(4) Management and general expenses—				(a) Fees 168 (11) (a) ..	800 0		
(a) Salaries &c., (electrician and clerk) ..	3,355 0			(b) Sale of refuse ..	—		800 0
(b) Salaries, &c., (outdoor staff) ..	1,600 0			(5) Water supply—			
(c) Printing and Stationery ..	200 0			(a) Water rates, 141 (b) 146 ..	9,600 0		
(d) Sundries ..	900 0			(b) Private water service fees ..	600 0		
(5) Loan charges—				(c) Warrant costs ..	95 0		10,295 0
(a) Interest ..	4,900 0			(6) Hospitals—			
(b) Capital repayment ..	4,930 0			(a) Contribution from Government ..	—		
(6) Extensions and improvements ..	300 0			(b) Rent of hospital grounds ..	—		
(7) Reserve for depreciation ..	—			(7) Markets and galas—			
(8) Refunds— ..	50 0		23,080 0	(a) Rents, 168 (12) ..	2,500 0		
<b>K.—Fire protection :—</b>				(b) Boutiques and stalls 168 (12) ..	—		
(1) Cost of fire extinguishers, refills, &c.—	50 0		50 0	(c) Fees for private markets 150 (3) ..	—		
<b>Total expenditure</b>				(d) Licences, 163 (1) ..	—		
				(e) Grain store rents ..	—		2,500 0
				<b>F.—Public recreation 168 (7), 170 (1) (b) :—</b>			
				(1) Rents ..	—		
				(2) Cattle grazing fees ..	—		
				(3) Licences for public performances ..	25 0		25 0
				<b>G.—Cemeteries (Ordinance No. 9 of 1899) :—</b>			
				(1) Fees ..	30 0		
				(2) Hire of hearse ..	—		
				(3) Graves sold for erecting monuments ..	20 0		50 0
				<b>H.—Dog registration (Ordinance No. 25 of 1901 and Rabies Ordinance, No. 7 of 1893) :—</b>			
				(1) Registration fees ..	30 0		
				(2) Fines ..	—		
				(3) Sale of dog collars ..	1 0		
				(4) Seizing fees ..	—		31 0
				<b>I.—Weights and Measures (Ordinance No. 8 of 1876) :</b>			
				(1) Fees for stamping ..	40 0		
				(2) Fines ..	10 0		50 0
				<b>J.—Electricity Department :—</b>			
				(1) Sale of current ..	—		
				(2) Rent of meters ..	—		
				(3) Works executed for customers ..	—		
				(4) Miscellaneous ..	—		
				<b>K.—Fire protection :—</b>			
				(1) Fees ..	—		
				<b>Estimated total revenue</b> .. 39,529 0			
				<b>Estimated balance on December 31, 1939</b> .. 33,881 0			
				<b>Total</b> .. 73,410 0			

Other payments :—			
Deposits ..	—		
Advances ..	—		
Stores Advance Account ..	—		
Loan for Electric Lighting Scheme ..	—		
Loan for Water-Works Scheme ..	—		
Fixed deposits ..	—		
Ceylon Savings Bank, Securities Account ..	—		
Lighting Scheme Depreciation Fund ..	—		
Surplus ..	1,942 52		1,942 52

Total expenditure 94,023 20  
Settled and adopted by the Council at meeting held on October 31, 1939.

ERNEST G. JONKLAAS,  
Chairman.

URBAN DISTRICT COUNCIL, BANDARAWELA.

Budget for the Year 1940.

HEADS OF RECEIPTS.		Amount.	Total.
		Rs. c.	Rs. c.
<b>A.—General revenue :—</b>			
(1) Property rate, 171 (1) (a) ..	10,500 0		
(2) Acreage tax, 171 (1) (b) ..	—		
(3) Vehicles and animals tax 173 (1) (b) ..	140 0		
(4) Licence duties ..	4,000 0		
(5) Other taxes, 173 (1) (d) ..	—		
(6) Refund of stamp duties (schedule VI.) ..	500 0		
(7) Refund of liquor licences ..	3,000 0		
(8) Compensation for opium revenue ..	660 0		
(9) Fines by court (not included elsewhere, ..	150 0		
(10) Auctioneers' and brokers' licences ..	30 0		
(11) Interest ..	700 0		
(12) Sale of old stores ..	150 0		
(13) Refund of overpayments ..	—		
(14) Miscellaneous ..	30 0		
(15) Warrant costs ..	100 0		
			19,960 0

<b>I.—Weights and Measures (Ordinance No. 8 of 1876) :</b>			
(1) Fees for stamping ..	40 0		
(2) Fines ..	10 0		50 0
<b>J.—Electricity Department :—</b>			
(1) Sale of current ..	—		
(2) Rent of meters ..	—		
(3) Works executed for customers ..	—		
(4) Miscellaneous ..	—		
<b>K.—Fire protection :—</b>			
(1) Fees ..	—		
			Estimated total revenue .. 39,529 0
			Estimated balance on December 31, 1939 .. 33,881 0
			<b>Total</b> .. 73,410 0

HEADS OF PAYMENTS.		Amount.	Total.	HEADS OF PAYMENTS.		Amount	Total.
		Rs. c.	Rs. c.			Rs. c.	Rs. c.
<b>A.—General expenditure :—</b>				<b>(4) Slaughter-house and cattle pound—</b>			
<b>(1) Salaries of officers (not otherwise charged)—</b>				<b>(a) Wages .. .. .</b> 220 0			
<b>(a) Secretary .. .. .</b> 1,525 0				<b>(b) Maintenance .. .. .</b> 65 0			
<b>(b) Clerks and Revenue Inspectors ..</b> 3,478 0				<b>(c) Acquisition .. .. .</b> —			
<b>(c) Peons .. .. .</b> 180 0				<b>(d) Construction .. .. .</b> —			
<b>(d) Cost of technical advisers .. .. .</b> —				<b>(e) Cattle disease .. .. .</b> 10 0			
<b>(e) Pensions .. .. .</b> 676 0							
				295 0			
<b>(2) Establishment expenses—</b>				<b>(5) Water supply—</b>			
<b>(a) Allowances (not otherwise charged) .. .. .</b> 123 0				<b>(a) Wages .. .. .</b> 672 0			
<b>(b) Travelling .. .. .</b> 100 0				<b>(b) Stores .. .. .</b> 320 0			
<b>(c) Commission to tax collectors (not otherwise charged) .. .. .</b> —				<b>(c) Maintenance .. .. .</b> 250 0			
<b>(d) Assessor's fees .. .. .</b> 25 0				<b>(d) Acquisition .. .. .</b> —			
<b>(e) Legal expenses .. .. .</b> 25 0				<b>(e) Construction .. .. .</b> —			
<b>(f) Stationery, printing, advertising, and office expenses (not otherwise charged) .. .. .</b> 750 0				<b>(f) Loan charges .. .. .</b> 2,265 0			
<b>(g) Registration of voters and elections ..</b> 10 0				<b>(g) Commission to collectors .. .. .</b> —			
<b>(h) Cost of vehicle boat assessment plates .. .. .</b> 25 0							
<b>(i) Cost of audit .. .. .</b> 400 0				3,507 0			
<b>(j) Holiday railway tickets .. .. .</b> 115 0				<b>(6) Hospitals—</b>			
				<b>(a) Wages .. .. .</b> —			
1,573 0				<b>(b) Maintenance .. .. .</b> —			
<b>(3) Refunds .. .. .</b> —				<b>(c) Paupers .. .. .</b> 20 0			
<b>(4) Contributions and grants .. .. .</b> 393 0							
				20 0			
				<b>(7) Markets and galas—</b>			
393 0				<b>(a) Wages .. .. .</b> 480 0			
				<b>(b) Maintenance .. .. .</b> 410 0			
				<b>(c) Printing, &amp;c. .. .. .</b> —			
				<b>(d) Construction .. .. .</b> —			
				<b>(e) Compensation .. .. .</b> —			
				<b>(f) Acquisition .. .. .</b> —			
				<b>(g) Loan charges .. .. .</b> —			
				890 0			
<b>B.—Thoroughfares :—</b>				<b>F.—Public recreation 168 (7), 170 (1) (b) :—</b>			
<b>(1) Salaries and wages—</b>				<b>(1) Wages .. .. .</b> —			
<b>(a) Superintendent of Works—</b>				<b>(2) Maintenance of garden seats .. .. .</b> 25 0			
<b>Salary .. .. .</b> 1,390 0				<b>(3) Allowance to band .. .. .</b> —			
<b>Allowances .. .. .</b> 259 0				<b>(4) Acquisition .. .. .</b> —			
<b>(b) Overseers .. .. .</b> 458 0				<b>(5) Contributions and grants .. .. .</b> 100 0			
2,107 0				125 0			
<b>(2) Maintenance .. .. .</b> 4,305 0				<b>G.—Cemeteries (Ordinance No. 9 of 1899) :—</b>			
<b>(3) Plant and tools .. .. .</b> 110 0				<b>(1) Wages .. .. .</b> 180 0			
<b>(4) Lighting .. .. .</b> 4,350 0				<b>(2) Maintenance .. .. .</b> 50 0			
<b>(5) Dust laying .. .. .</b> —				<b>(3) Construction .. .. .</b> —			
<b>(6) Cost of badges and faretables .. .. .</b> —							
<b>(7) Acquisition .. .. .</b> —				230 0			
<b>(8) Improvements .. .. .</b> —				<b>H.—Dog Registration (Ordinance No. 25 of 1901 and Rabies Ordinance, No. 7 of 1893) :—</b>			
<b>(9) Loan charges .. .. .</b> —				<b>(1) Destruction of dogs .. .. .</b> 275 0			
<b>(10) Shade trees .. .. .</b> 90 0				<b>(2) Commission to collectors .. .. .</b> —			
<b>(11) Surveys .. .. .</b> —				<b>(3) Cost of dog collars .. .. .</b> —			
<b>(12) New works .. .. .</b> —				<b>(4) Fees to seizers .. .. .</b> —			
				<b>(5) Maintenance of dog pound .. .. .</b> —			
8,855 0							
				275 0			
<b>C.—Resthouses and ambalams :—</b>				<b>I.—Weights and Measures (Ordinance No. 8 of 1876) :—</b>			
<b>(1) Salaries .. .. .</b> —				<b>(1) Fees to Inspectors .. .. .</b> 30 0			
<b>(2) Maintenance .. .. .</b> —							
<b>(3) Furniture and equipment .. .. .</b> —				30 0			
<b>(4) Improvements .. .. .</b> —				<b>J.—Electricity Department :—</b>			
				<b>(1) Generation of electricity—</b>			
				<b>(a) Fuel .. .. .</b> —			
				<b>(b) Oil, waste and engine room stores .. .. .</b> —			
				<b>(c) Salaries and wages at works .. .. .</b> —			
				<b>(2) Repairs and Maintenance—</b>			
				<b>(a) Buildings .. .. .</b> —			
				<b>(b) Engines, boilers, machinery and plant .. .. .</b> —			
				<b>(c) Meters, switches and other apparatus .. .. .</b> —			
				<b>(3) Service and house connections—</b>			
				<b>(a) Materials .. .. .</b> —			
				<b>(b) Labour (temporary) .. .. .</b> —			
				<b>(4) Management and general expenses—</b>			
				<b>(a) Salaries, &amp;c. (electrician and clerk) .. .. .</b> —			
				<b>(b) Salaries, &amp;c. (outdoor staff) .. .. .</b> —			
				<b>(c) Printing and stationery .. .. .</b> —			
				<b>(d) Sundries .. .. .</b> —			
				<b>(5) Loan charges—</b>			
				<b>(a) Interest .. .. .</b> —			
				<b>(b) Capital repayment .. .. .</b> —			
				<b>K.—Fire protection :—</b>			
				<b>(1) Cost of fire extinguishers' refills, &amp;c. .. .. .</b> —			
				Total estimated expenditure .. .. . 39,259 0			
				Estimated balance on December 31, 1940 .. .. . 34,151 0			
				Total .. .. . 73,410 0			
<b>D.—Council lands and buildings (not charged elsewhere) :—</b>				Settled and adopted by the Council on October 30, 1939 .			
<b>(1) Wages .. .. .</b> 150 0							
<b>(2) Commission to collectors .. .. .</b> —							
<b>(3) Rent of leased lands .. .. .</b> 100 0							
<b>(4) Maintenance .. .. .</b> 581 0							
<b>(5) Furniture .. .. .</b> —							
<b>(6) Loan charges .. .. .</b> —							
<b>(7) New works .. .. .</b> 2,000 0							
				2,831 0			
<b>E.—Public health :—</b>				Office of the Urban District Council, Bandarawela, October 31, 1939.			
<b>(1) General—</b>				D. L. PERRERA, Chairman.			
<b>(a) Salaries (inspectors and midwives) and wages .. .. .</b> 2,250 0							
<b>(b) Allowances .. .. .</b> 990 0							
<b>(c) Uniforms .. .. .</b> —							
<b>(d) Office expenses .. .. .</b> 15 0							
<b>(e) Disinfectants .. .. .</b> 750 0							
<b>(f) Instruments and drugs .. .. .</b> 60 0							
<b>(g) Drainage construction .. .. .</b> 1,770 0							
<b>(h) Drainage compensation .. .. .</b> —							
<b>(i) Expenses of Health Week .. .. .</b> —							
<b>(j) Milk analyses .. .. .</b> 100 0							
<b>(k) Epidemic .. .. .</b> 250 0							
				6,185 0			
<b>(2) Scavenging—</b>							
<b>(a) Wages .. .. .</b> 1,910 0							
<b>(b) Carts, bulls and lorries .. .. .</b> 510 0							
<b>(c) Stores .. .. .</b> 100 0							
<b>(d) Incinerator .. .. .</b> 35 0							
				2,555 0			
<b>(3) Conservancy—</b>							
<b>(a) Wages .. .. .</b> 2,819 0							
<b>(b) Carts, bulls and lorries .. .. .</b> 400 0							
<b>(c) Stores .. .. .</b> 120 0							
<b>(d) Rent of night soil depot .. .. .</b> —							
<b>(e) Maintenance of latrines .. .. .</b> 65 0							
<b>(f) Acquisition .. .. .</b> —							
<b>(g) Construction .. .. .</b> 125 0							
				3,529 0			

**Vehicle and Animals Tax for 1940.***The Local Government Ordinance, No. 11 of 1920.*

IT is hereby notified that the Trincomalee Urban District Council has, in terms of the above Ordinance, imposed for the year 1940, the following taxes, being the same as were in force during the preceding year, within the administrative limits of the Trincomalee Urban District Council, subject to the provisions of the above Ordinance:—

Under section 173 (1) (b): A tax in respect of the following vehicles and animals payable on or before February 28, at the rates specified:—

	Rs. c.
For every carriage of whatever description other than a cart, hackery, or jinrickshaw	2 50
For every double-bullock cart or hackery of whatever description	3 0
For every single bullock cart or hackery	2 50
For every jinrickshaw	1 0
For every bicycle or tricycle	1 0
For every horse, pony, or mule	2 50

D. RAJARATNAM,  
Chairman.

Urban District Council Office,  
Trincomalee, November 1, 1939.

**Property Rate for 1940—Trincomalee Urban District Council.***The Local Government Ordinance, No. 11 of 1920.*

IT is hereby notified that the Trincomalee Urban District Council has, in terms of the Local Government Ordinance, No. 11 of 1920, imposed for the year 1940, the following rate, being the same as was in force during the preceding year, within the administrative limits of the Council, subject to the provisions of the aforesaid Ordinance:—

Under section 171 (1) (a): A rate of 8½ per centum per annum payable on March 31, June 30, September 30, and on December 31 for the quarter ending on the said days respectively, on the annual value of all immovable property.

D. RAJARATNAM,  
Chairman.

Urban District Council Office,  
Trincomalee, November 1, 1939.

**TRADE MARK NOTICES.****Registrations Renewed.**

Trade Mark No.	Advertised in Gazette		Proprietors.	Class.
	No.	of		
188.	5515.	3. 12. 1897.	Stephen Smith & Co., Ltd.	3 & 43
193.	5511.	12. 11. 1897.	J. & J. Colman, Ltd.	42 & 47
1298.	6492.	8. 3. 1912.	The Anglo-Indian Drug and Chemical Co.	48
3435.	7478.	14. 8. 1925.	Aktiebolaget Elektrolux	6
3467.	7499.	20. 11. 1925.	Cargills, Ltd.	22
3476.	7500.	27. 11. 1925.	Brooke Bond Ceylon Ltd.	42
<b>Registrations Expired.</b>				
192.	5511.	12. 11. 1897.	J. & J. Colman, Ltd.	47
194.	5509.	5. 11. 1897.	do.	47
3438.	7481.	28. 8. 1925.	The Beldam Packing & Rubber Coy, Ltd.	50
3445.	7483.	4. 9. 1925.	Slazengers, Ltd.	49
3450.	7486.	25. 9. 1925.	William Gossage & Sons.	42
3454.	7489.	2. 10. 1925.	Thiraviya Nadar, son of Perumal Nadar	45
3455.	7490.	9. 10. 1925.	Sassoon Ezra Khazam	42
3459.	7493.	23. 10. 1925.	Khaja Nainar & Co.	17
3462.	7494.	30. 10. 1925.	Naamlooze Vennootschap Van Heel's Condensed Milk Co., Ltd.	42
3463.	7496.	6. 11. 1925.	do.	42
3468.	7502.	4. 12. 1925.	M. Y. Hemachandra & Co.	47
3469.	7497.	13. 11. 1925.	Naamlooze Vennootschap Voor Den Verkoop Van Zinkwit G Rocour & Cie trading as G. Rocour & Co. N. V.	1
3470.	7497.	13. 11. 1925.	Naamlooze Vennootschap Naastrichtsche Zinkwit Maats Maatschappij trading as Maastrichtsche Zinkwit Maatschappij	1
3472.	7499.	20. 11. 1925.	Peter Walker & Son, Warrington & Burton, Ltd.	43
3474.	7512.	12. 2. 1926.	Witanage Don Alfred Wickremesinghe	3

Registrar-General's Office,  
Colombo, November 6, 1939.

C. E. DE PINTO,  
Registrar of Trade Marks.

NOTICE is hereby given that any person who has grounds of objection to the registration of the following Trade Mark may, **within two months** from the date of this Gazette, lodge Notice of Opposition on Form T. M. No. 7 bearing an uncanceled or impressed stamp of Rs. 20. The period for lodging Notice of Opposition may be enlarged by the Registrar if he thinks fit and upon such terms as he may direct.

(1) Trade Mark No. 6,925. (2) Date of Receipt: December 2, 1937. (3) Applicant (Proprietor of the Trade Mark): THE A. S. BOYLE COMPANY (a Corporation organized and existing under the laws of the State of Ohio, United States of America), 257, Cornelison avenue, Jersey City, State of New Jersey, United States of America; manufactures. (4) Address for service in the Island, c/o Julius and Creasy, Colombo. (5) Class: 47. (6) Goods: All goods in class 47. (7) Representation of the Trade Mark:

5  
2  
3  
4.00  
12.00

**3-IN-ONE**

*Evidence of distinctiveness has been furnished.*

Registrar-General's Office,  
Colombo, November 1, 1939.

C. E. DE PINTO,  
Registrar of Trade Marks.

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(1) Trade Mark No. 6,969. (2) Date of Receipt: January 22, 1938. (3) Applicant (Proprietor of the Trade Mark): CASSIM MOHAMEDUNNY trading as LION BRAND BEEDY MANUFACTORY, 121, Kew road, Colombo: beedy merchant. (4) Address for service in the Island, c/o K. Candavanam, 35, Queen street, Fort, Colombo. (5) Class: 45. (6) Goods: Beedies. (7) Representation of the Trade Mark:

6  
2  
2  
4.00  
8.00  
58  
3.58



Registrar-General's Office,  
Colombo, October 18, 1939.

C. E. DE PINTO,  
Registrar of Trade Marks.

NOTICE is hereby given that any person who has grounds of objection to the registration of the following Trade Mark may, **within two months** from the date of this Gazette, lodge Notice of Opposition on Form T. M. No. 7 bearing an uncanceled or impressed stamp of Rs. 20. The period for lodging Notice of Opposition may be enlarged by the Registrar if he thinks fit and upon such terms as he may direct.

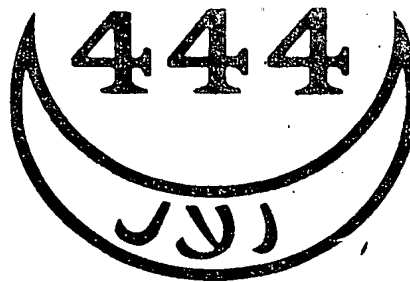
(1) Trade Mark No. 7,335. (2) Date of Receipt: May 11, 1939. (3) Applicant (Proprietor of the Trade Mark): CALTEX CEYLON LIMITED (a company duly incorporated under the Ceylon Joint Stock Companies Ordinances), Imperial Bank buildings, Colombo; merchants



(4) Class: 47. (5) Goods: All goods in class 47. (6) Representation of the Trade Mark: :

Vauxhall street, Slave Island, Colombo. (5) Class: 42. (6) Goods: Tea. (7) Representation of the Trade Mark:

**TEXOL** ✓



6  
2  
4  
4-00  
16.00

To be associated with the trade mark No. 1,496 under section 22 of the Trade Marks Ordinance (Cap. 121).

Registrar-General's Office, C. E. DE PINTO, Colombo, November 1, 1939. Registrar of Trade Marks.

NOTICE is hereby given that any person who has grounds of objection to the registration of the following Trade Mark may, **within two months** from the date of this Gazette, lodge Notice of Opposition on Form T. M. No. 7 bearing an uncancelled or impressed stamp of Rs. 20. The period for lodging Notice of Opposition may be enlarged by the Registrar if he thinks fit and upon such terms as he may direct.

(1) Trade Mark No. 7,246. (2) Date of Receipt: January 4, 1939. (3) Applicant (Proprietor of the Trade Mark): The firm trading as ETS ALLAL & CIE, Rue D'Epemay, Tunis; tea importers. (4) Address for service in the Island, c/o Cumberbatch & Co., Ambawatta House, Vauxhall street, Slave Island, Colombo. (5) Class: 42. (6) Goods: Tea. (7) Representation of the Trade Mark:



5  
2  
3  
4-00  
12.00

Transliteration and translation of the Arabic word appearing in the mark are as follows:—

Transliteration: Alal. Translation: Crescent.

Registration of this trade mark shall give no right to the exclusive use of the numerals "44" and the Arabic word "Alal".

Registrar-General's Office, C. E. DE PINTO, Colombo, November 8, 1939. Registrar of Trade Marks.

NOTICE is hereby given that any person who has grounds of objection to the registration of the following Trade Mark may, **within two months** from the date of this Gazette, lodge Notice of Opposition on Form T. M. No. 7 bearing an uncancelled or impressed stamp of Rs. 20. The period for lodging Notice of Opposition may be enlarged by the Registrar if he thinks fit and upon such terms as he may direct.

(1) Trade Mark No. 7,247. (2) Date of Receipt: January 4, 1939. (3) Applicant (Proprietor of the Trade Mark): The firm trading as ETS ALLAL & CIE, Rue d'Epemay, Tunis; tea importers. (4) Address for service in the Island, c/o Cumberbatch & Co., Ambewatta House,

Transliteration and translation of the Arabic word appearing in the mark are as follows:—

Transliteration: Alal. Translation: Crescent.

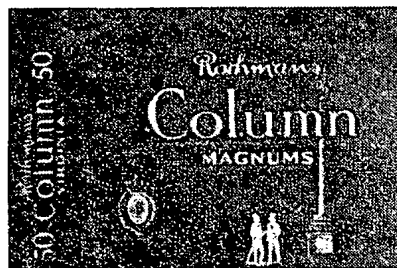
Registration of this trade mark shall give no right to the exclusive use of the numerals "444" and the Arabic word "Alal".

To be associated with the mark No. 7,246 under section 22 of the Trade Marks Ordinance (Cap. 121).

Registrar-General's Office, C. E. DE PINTO, Colombo, November 8, 1939. Registrar of Trade Marks.

NOTICE is hereby given that any person who has grounds of objection to the registration of the following Trade Mark may, **within two months** from the date of this Gazette, lodge Notice of Opposition on Form T. M. No. 7 bearing an uncancelled or impressed stamp of Rs. 20. The period for lodging Notice of Opposition may be enlarged by the Registrar if he thinks fit and upon such terms as he may direct.

(1) Trade Mark No. 7,268. (2) Date of Receipt: February 4, 1939. (3) Applicant (Proprietor of the Trade Mark): ROTHMANS (CEYLON), LIMITED (a Company registered under the English Companies Acts), 13/21 Underwood street, City road, London N.1, England; and 108, Skinner's road North, Colombo; Manufacturers and merchants. (4) Class: 45. (5) Goods: Cigarettes. (7) Representation of the Trade Mark:



5  
2  
3  
4-00  
12.00

Registrar-General's Office, C. E. DE PINTO, Colombo, November 1, 1939. Registrar of Trade Marks.

**NOTICES UNDER "THE EXCISE ORDINANCE, No. 8 OF 1912."**

**Local Option Poll, Warakalawita, Nuwara Eliya District.**

IT is hereby notified that the Assistant Government Agent, Nuwara Eliya, in exercise of the powers vested in him by rule 6 of Excise Notification No. 146 published in *Government Gazette* No. 7,487 of August 14, 1925, as amended by Excise Notifications Nos. 180, 187, 194, 221, 225, and 231 has appointed the date and place mentioned in the subjoined schedule for recording the votes for the purpose of ascertaining whether 60 per cent. of the inhabitants of the area mentioned therein are in favour of granting the licence specified in the said schedule.

2. No person shall be entitled to vote unless his name is on the final list of voters.

The Kachcheri, Nuwara Eliya, October 6, 1939.

W. HOLMES, Assistant Government Agent.

*Schedule.*

(Time of polling: 8 A.M. to 12 noon and 1 P.M. to 6 P.M.)

Name of Tavern.	Date of Polling.	Voting Area.	Polling Station.
Toddy Tavern at Warakalawita ..	December 8, 1939	Villages: Warakalawita, Dalpathkada, Vetestenna, Karamidula, Bambaragama, Haliyala, Kotikambe, Uda-Bowela; Udagama, Malanwatta, Petigepitiya, Udawela <i>alias</i> Medagama, Moragolla, Yakadagoda, Mapanawatura, Palle-Bowela Estates: Daraoya, Ganavy, Wal-oya and Hope	Palle-Bowela Government School

**Notice regarding Local Option Polls to be held for the opening of 4 Toddy Taverns and a Beer and Porter Shop in the Matara District for the Year 1940 to 1941.**

NOTICE is hereby given that the Assistant Government Agent, Matara, in exercise of the powers vested in him by rule 6 of the Excise Notification No. 146 as amended by Excise Notifications Nos. 180, 187, 194, 221, 225, and 231, has fixed the under-mentioned dates and places for recording the votes for the purpose of ascertaining whether 60 per cent. of the persons on the final lists of voters in the areas assigned to the under-mentioned taverns and the Beer Shop are in favour of granting licences to open the aforesaid taverns and the Beer and Porter Shop.

Description of Licence.	Date and Time of Polling.	Polling Station.	Area.
1. Toddy tavern at Dondra	December 18, 1939, 8 A.M. to 12 noon and 1 P.M. to 6 P.M.	Government Vernacular School, Dondra	Wellamadama, Oligoda, Wehelgoda, Wewaihalagoda, Talpawila North and South, Kumbalgama, Rassandeniya, Waharajjawatta, Meddewatta (outside U. D. C. limits), Dondra North, Dondra South, Dondra East, and Wauwa, Dondra West, Kapugama East, Kapugama West
2. Toddy tavern at Kumbalgama			
3. Toddy tavern at Kapugama-Wauwa	December 19, 1939, 8 A.M. to 12 noon and 1 P.M. to 6 P.M.	Village Tribunal Court-house, Dondra	Gandara East and West, Talpawila East, North and South, Kapugama East and West, Dondra North, South, West and Dondra East and Wauwua, Rassandeniya, Waharajjawatte, Wellamadama, Oligoda
4. Toddy tavern at Godagama	December 16 1939, 8 A.M. to 12 noon and 1 P.M. to 6 P.M.	Church of Ceylon, Vernacular School at Godagama	Godagama, Hittetiya Central, Hittetiya West, Welegoda, Wewahamanduwa, Eduwa, Maduru-duwa, Katapoduwa, Tudawa (outside U. D. C. limits), Sulutanagoda, Palatugoda, Unellagoda
5. Licence for the sale by retail of Beer and Porter at Deniyaya	December 9, 1939, 8 A.M. to 12 noon and 1 P.M.	Village Tribunal Court-house at Deniyaya	Deniyaya, Pallegama

The Kachcheri,  
Matara, November 3, 1939.

R. Y. DANIEL,  
Assistant Government Agent.

**Local Option Poll with regard to the Opening of a New Toddy Tavern at Dummalasuriya in Katugampola. Hatpattu of the Kurunegala District.**

IT is hereby notified that the Government Agent, North-Western Province, Kurunegala, in exercise of the powers vested in him by rule 6 of the rules specified in Excise Notification No. 146 of August 14, 1925, as amended by Excise Notifications Nos. 180, 187, 194, 202, 221, 222, 225 and 231 of August 31, 1928, July 5, 1929, February 28, 1930, September 19, 1930, May 29, 1931, June 19, 1931, August 28, 1931, and February 5, 1932, respectively, has appointed with regard to the under-mentioned tavern at Dummalasuriya in Katugampola hatpattu of the Kurunegala District, the under-mentioned date and place for recording votes for the purpose of ascertaining whether 60 per cent. of the inhabitants of the under-mentioned tavern area, who are entitled to vote are in favour of the granting of a licence to open a new toddy tavern within the said village:—

Polling will take place from 8 A.M. to 12 noon and 1 P.M. to 6 P.M.

No person shall be entitled to vote unless his name is on the final list of voters for the area.

The Kachcheri,  
Kurunegala, November 2, 1939.

N. E. ERNST,  
Government Agent.

Taverns : One toddy tavern at Dummalasuriya.

Date of Poll : December 9, 1939.

Place of Poll : The house standing on land called Talgahawatta owned by Mr. H. M. D. Banda of Dummalasuriya. This is situated to the south of 33½ mile post on Dandagamuwa-Madampe P. W. D. road.

No. and Name of Palata.	Village served.
<i>Yagampattu korale.</i>	
422 Dummalasuriya palata	.. Dummalasuriya, Siyambalagasruppe, Potuwatawana, Anguluwa, Tuntota
424 Karandawila palata	.. Hiralumulla, Gahalagaswela, Budankumbura
421 Watuwatta palata	.. Watuwatta, Mahawewa, Rantetiyyawa
<i>Katugampola South Korale.</i>	
434 Palugomuwa palata	.. Kattimahana, Palugomuwa, Horambugama, Watugahamulla

## GOVERNMENT NOTIFICATIONS.

(Continued from page 1985.)

### THE DEFENCE (CONTROL OF IMPORTS) REGULATIONS.

BY virtue of the powers vested in the Governor by regulation 3 of the Defence (Control of Imports) Regulations, I, Maxwell MacLagan Wedderburn, Officer Administering the Government of Ceylon, do by this Order amend the Order made under the said regulation and published at page 1917 of *Gazette Extraordinary* No. 8,543 of November 1, 1939, by the insertion, immediately after paragraph (a) in clause (2) of that Order, of the following new paragraph:—

“(aa) such of those goods as may be proved to the satisfaction of the Controller to have been shipped from the country of origin in pursuance of a contract entered into before the second day of November, 1939;”

M. M. WEDDERBURN,  
Officer Administering the Government.

Colombo, November 9, 1939.

### THE DEFENCE (CONTROL OF IMPORTS) REGULATIONS.

BY virtue of the powers vested in the Governor by regulation 4 of the Defence (Control of Imports) Regulations, I, Maxwell MacLagan Wedderburn, Officer Administering the Government of Ceylon, do by this Order amend the First Schedule to the Order under the said regulation, published in *Gazette Extraordinary* No. 8,543 of November 1, 1939, as follows:—

- (1) in item 16, by the substitution for the words “calcium cyanamide”, of the words “calcium cyanamide”;
- (2) by the insertion, immediately after item 52, of the following new item:—

“52A. Mechanically propelled road vehicles other than motor lorries, motor vans, motor omnibuses and tractors”;

and

- (3) by the omission of item 54 and by the substitution of the following new item therefor:—

“54. Rubber tyres and tubes”.

M. M. WEDDERBURN,  
Officer Administering the Government.

Colombo, November 9, 1939.

## THE DEFENCE (CONTROL OF IMPORTS) REGULATIONS.

BY virtue of the powers vested in the Governor by regulation 3 of the Defence (Control of Imports) Regulations, I, Maxwell MacLagan Wedderburn, Officer Administering the Government of Ceylon, do by this Order amend the Order under the said regulation published at page 1918 of *Gazette Extraordinary* No. 8,543 of November 1, 1939, as follows :—

(1) in clause (2) of that Order, by the insertion, immediately after paragraph (a) of that clause, of the following new paragraph :—

“(aa) such of those goods as may be proved to the satisfaction of the Controller to have been shipped from the country of origin in pursuance of a contract entered into before the second day of November, 1939 ;” ;

(2) in the First Schedule to that Order—

(a) by the substitution, for the four items 38, 39, 40 and 41, of the five following new items :—

“ 38—Tobacco, manufactured : Beedies  
 39—Tobacco, manufactured : Cigars  
 40—Tobacco, manufactured : Snuff  
 41—Tobacco, manufactured : Cigarettes  
 41A—Tobacco, manufactured : Other.”

(b) by the omission of the following items from that Schedule :—

“ 97. Aluminium ware including foil for packing produce for export.

163. Road vehicles other than motor lorries, motor vans, motor omnibuses and tractors.

165. Rubber tyres and tubes ” ;

(c) by the omission from item 111, which relates to “ Instruments, appliances and apparatus (other than electrical) ”, of that part of that item which is described as “ Other—dental, surgical, medical and veterinary.” ;

(d) by the substitution in item 143, for the words “ sodium bisulphate ”, of the words “ sodium bisulphite ” ; and

(e) by the substitution in item 153, for the words “ refined : other ”, of the words “ refined, other than Kerosene oil, Motor Spirits and Lubricating Oil ”.

M. M. WEDDERBURN,  
 Officer Administering the Government.

Colombo, November 9, 1939.