



# THE CEYLON GOVERNMENT GAZETTE

No. 8,925 — FRIDAY, MAY 1, 1942.

Published by Authority.

## PART II.—LEGAL.

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

	PAGE		PAGE
List of Jurors and Assessors .. .. .	—	Supreme Court Notices .. .. .	—
Governor's Ordinances .. .. .	—	District and Minor Courts Notices .. .. .	—
Passed Ordinances .. .. .	333	Notices in Insolvency Cases .. .. .	346
Draft Ordinances .. .. .	351	Council of Legal Education Notices .. .. .	—
List of Notaries .. .. .	—	Notices of Fiscals' Sales .. .. .	347
Notifications of Criminal Sessions of the Supreme Court .. .. .	—	Notices in Testamentary Actions .. .. .	348
		Miscellaneous .. .. .	—

### PASSED ORDINANCES.

Ordinance enacted by the Governor of Ceylon, with the advice and consent of the State Council thereof.

No. 17 of 1942.

An Ordinance to amend the Control of Prices Ordinance, No. 39 of 1939.

[Assented to by His Majesty the King. See Proclamation dated April 23, 1942, published in Government Gazette No. 8,925 of May 1, 1942.]

A. CALDECOTT.

BE it enacted by the Governor of Ceylon, with the advice and consent of the State Council thereof, as follows:—

1. This Ordinance may be cited as the Control of Prices (Amendment) Ordinance, No. 17 of 1942.

Short title.

2. Section 3 of the Control of Prices Ordinance, No. 39 of 1939, (hereinafter referred to as "the principal Ordinance") is hereby amended as follows:—

Amendment of section 3 of Ordinance No. 39 of 1939.

(1) in sub-sections (5) and (6), by the substitution in each of those sub-sections, for the words "Executive Committee", wherever they occur collectively, of the word "Minister";

(2) by the repeal of sub-sections (7) to (14);

(3) by the insertion, immediately after sub-section (6) of the following new sub-sections:—

"(7) Where an order has been approved by the Minister, notification of such approval shall be published in the *Gazette*; and upon such notification, the order shall be deemed to be as valid and effectual as if it were herein enacted.

(8) Notwithstanding that any order made under sub-section (1) in respect of any article may have been approved by the Minister, that order may at any time be revoked by the Controller—

(a) by a new order made under that sub-section in respect of that article; or

(b) by order published in the *Gazette* (hereinafter referred to as a "Revocation Order").

Every Revocation Order shall take effect on the date of the publication thereof in the *Gazette* or on such other date as may be specified therein; and nothing in sub-sections (5), (6) and (7) shall apply in the case of a Revocation Order.

(9) The rescission by the Minister or the revocation by the Controller of any order made under sub-section (1) in respect of any article shall not be deemed to prejudice or affect the power of the Controller to make a new order under that sub-section in respect of that Article."

Amendment of section 5 of the principal Ordinance.

Cap. 16.

3. Section 5 of the principal Ordinance is hereby amended by the addition at the end thereof of the following new sub-section :—

“(3) The Controller and every Deputy or Assistant Controller of Prices shall be deemed to be a peace officer within the meaning of the Criminal Procedure Code for the purpose of exercising any power conferred on a peace officer by that Code.”

Passed in Council the Twelfth day of November, One thousand Nine hundred and Forty-one.

D. C. R. GUNAWARDANA,  
Clerk of the Council.

Ordinance enacted by the Governor of Ceylon, with the advice and consent of the State Council thereof.

No. 19 of 1942.

L. D.—O 63/39

An Ordinance to amend the Companies Ordinance, No. 51 of 1938.

[Assented to by His Majesty the King : See Proclamation dated April 27, 1942, published in Government Gazette No. 8,925 of May 1, 1942.]

A. CALDECOTT.

BE it enacted by the Governor of Ceylon, with the advice and consent of the State Council thereof, as follows :—

Short title.

1. This Ordinance may be cited as the Companies (Amendment) Ordinance, No. 19 of 1942.

Amendment of section 18 of Ordinance No. 51 of 1938.

2. Section 18 of the Companies Ordinance, No. 51 of 1938, (hereinafter referred to as “the principal Ordinance”), is hereby amended by the addition, immediately after sub-section (2) thereof, of the following new sub-section which shall have effect as sub-section (3) of that section :—

“(3) Except with the consent of the Governor, no banking company shall be registered by a name which contains the words “National”, “State” or “Ceylon” or which, in the opinion of the registrar, suggests or is calculated to suggest any connexion with the Government or any department thereof.”

Amendment of section 81 of the principal Ordinance.

3. Section 81 of the principal Ordinance is hereby amended in sub-section (1) thereof, by the substitution for the words “entitled to the charge.”, of the following :—

“entitled to the charge :

Provided, however, that the fee prescribed for the registration of any charge under this section shall be in substitution for, and not in addition to, any fee which would otherwise be payable in respect of such registration under the Ninth Schedule.”

Amendment of section 90 of the principal Ordinance.

4. Section 90 of the principal Ordinance is hereby amended—

- (1) by the re-numbering of sub-sections (2), (3) and (4) thereof as sub-sections (3), (4) and (5), respectively ; and
- (2) by the insertion, immediately after sub-section (1) of that section, of the following new sub-section, which shall have effect as sub-section (2) of that section :—

“(2) It shall also be the duty of a company, within six months from a date to be appointed by the Director of Commerce and Industries by Notification in the *Gazette*, to send to the registrar of companies for registration the prescribed particulars of any charge created by the company before the first day of April, 1939, and remaining unsatisfied at the date so appointed, which would have been required to be registered under any provision of paragraphs (a), (b), (c), (d), (e) and (f) of sub-section (2) of section 78 if the charge had been created after the first day of April, 1939.”

Amendment of section 102 of the principal Ordinance.

5. Section 102 of the principal Ordinance is hereby amended by the substitution for sub-section (1) thereof, of the following new sub-section :—

“(1) A company having a share capital may, if so authorised by its articles, cause to be kept in the United Kingdom, or in any part of His Majesty's dominions outside Ceylon a

branch register of members resident in the United Kingdom or in that part of His Majesty's dominions (in this Ordinance called a "branch register").

6. Section 143 of the principal Ordinance is hereby amended as follows:—

Amendment of section 143 of the principal Ordinance.

(1) in sub-section (1), by the omission of the words "or in any country under the protection of His Majesty or in respect of which His Majesty has accepted a mandate on behalf of the League of Nations,";

(2) by the repeal of sub-section (2);

(3) by the re-numbering of sub-section (3) as sub-section (2);

(4) by the insertion, immediately after re-numbered sub-section (2), of the following new sub-section:—

"(3) Subject as hereinafter provided, the provisions of sub-sections (1) and (2) shall apply to—

(a) every company registered under this Ordinance or under any written law repealed by this Ordinance, until the expiration of a period of ten years from the date on which such company was so registered; and

(b) every company incorporated outside the Island which has an established place of business within the Island, until the expiration of a period of ten years from the date on which such place of business was so established:

Provided, however, that the provisions of sub-sections (1) and (2) shall not apply to any company which is incorporated in any part of His Majesty's dominions outside the Island and which has, under the law of the country of incorporation, been duly exempted from compliance with any requirement of such law corresponding to the provisions of sub-section (1).";

(5) in sub-section (4)—

(a) by the substitution, for the word "thereof," in paragraph (e) of the word "thereof;"; and

(b) by the addition of the following as paragraph (f):—

"(f) the expression "His Majesty's dominions" includes any territory which is under His Majesty's protection or in respect of which a mandate under the League of Nations has been accepted by His Majesty."

7. Section 253 of the principal Ordinance is hereby amended—

Amendment of section 253 of the principal Ordinance.

(a) in sub-section (1) thereof, by the re-lettering of the last paragraph occurring in that sub-section as paragraph (e);

(b) by the re-numbering of sub-sections (5) and (6) thereof as sub-sections (6) and (7), respectively; and

(c) by the insertion, immediately after sub-section (4) thereof, of the following new sub-section, which shall have effect as sub-section (5) of that section:—

"(5) Subject to the retention of such sums as may be necessary for the costs and expenses of the winding up, the foregoing debts shall be discharged forthwith so far as the assets are sufficient to meet them."

8. The following new sections are hereby inserted immediately after section 289 of the principal Ordinance and shall have effect as sections 289A and 289B, respectively, of that Ordinance:—

Insertion of new sections 289A and 289B in the principal Ordinance.

289A. It shall be the duty of the registrar to register—

(a) every document which is by any provision of this Ordinance required or authorised to be registered or recorded by, or filed with, the registrar; and

(b) every document or copy of a document, and every return or notice, which is by any such provision required or authorised to be sent, forwarded, given, delivered or produced to the registrar, or notified in any way to the registrar;

Registration of documents, copies of documents, notices, &c.

and where no special provision is made in this Ordinance for the payment of a fee in respect of any registration so effected, the fees mentioned in the Table set out in the Ninth Schedule to this Ordinance shall be paid to the registrar in respect of such registration.

**Translations  
of documents.**

289B. Where any document or any copy of any document which is required by section 289A to be registered by the registrar is in a language other than English, there shall be annexed to such document or copy a translation thereof in English certified in the prescribed manner to be a correct translation :

Provided, however, that this section shall not apply to documents required by Part I. of this Ordinance to be delivered to the registrar.

**Amendment of  
section 318 of  
the principal  
Ordinance.**

9. (1) Section 318 of the principal Ordinance is hereby amended in sub-section (2) thereof, by the substitution for all the words from "within the Island" to the end of that sub-section, of the following :—

"within the Island and which, on a date to be appointed by the Director of Commerce and Industries by Notification in the *Gazette*, has an established place of business in the Island, shall, subject as hereinafter provided, at some time within a period of one month from that date, deliver to the registrar of companies for registration the documents and particulars specified in sub-section (1) :

Provided that where any such company has filed with the registrar appointed under the Joint Stock Companies Ordinance, No 4 of 1861, the particulars required to be filed under section 111 of that Ordinance, it shall be sufficient for such company to deliver to the registrar for registration, within the period aforesaid, only the particulars specified in paragraph (d) of sub-section (1); and where any such company so delivers such last-mentioned particulars, it shall be deemed for all the purposes of this Ordinance to have delivered to the registrar all the documents and particulars specified in sub-section (1), in accordance with the provisions of this sub-section :

Provided, also, that where the documents and particulars specified in sub-section (1) have, at any time between the thirty-first day of March, 1939, and the date appointed as aforesaid, been delivered by any such company to the registrar of companies and accepted by the registrar for registration, the company shall be deemed for all the purposes of this Ordinance to have delivered to the registrar the documents and particulars specified in sub-section (1), in accordance with the provisions of this sub-section :

Provided, further, that the registrar may extend the aforesaid period of one month if it appears to him expedient so to do having regard to the circumstances of any particular case."

(2) The amendment made in section 318 (2) of the principal Ordinance by sub-section (1) of this section shall be deemed for all purposes to have been effected on the date on which the principal Ordinance came into operation.

**Amendment of  
section 321 of  
the principal  
Ordinance.**

10. Section 321 of the principal Ordinance is hereby amended—

(1) in sub-section (1) thereof, by the substitution, for all the words from "shall in every calendar year" to the end of the sub-section, of the following :—

"shall—

(a) if it is required, by the law of the country of incorporation, to prepare a balance sheet and lay such balance sheet before the company in general meeting in every calendar year, deliver to the registrar for registration a copy of such balance sheet within a period of four months from the date of the meeting before which such balance sheet was laid ;

(b) if it is not required by the law of the country of incorporation so to lay a balance sheet before such meeting, make out a balance sheet in every calendar year in such form and containing such particulars and including such documents as under the provisions of this Ordinance it would, if it had been a company within the meaning of this Ordinance, have been required to make out and lay before the company in general meeting and deliver a copy of that balance sheet to the registrar for registration." ; and

(2) by the addition at the end of sub-section (2) thereof of the following new sub-section, which shall have effect as sub-section (3) of that section :—

“(3) Where a copy of any balance sheet is delivered to the registrar—

(a) under paragraph (a) of sub-section (1), by any company which is not required by the law of the country of incorporation to file or register such balance sheet with the authority charged with the administration of the law relating to companies in that country, or

(b) under paragraph (b) of sub-section (1), such balance sheet shall not be published, and no copy of any such balance sheet shall be issued except for the use of an Officer of State or Minister.”

11. Section 323 of the principal Ordinance is hereby amended by the substitution for the words “the place registered under this Ordinance as the principal office of the company or by sending it by post addressed to the company at that place.” of the words “or sending it by post to any place of business established by the company in the Island.”.

Amendment of section 323 of the principal Ordinance

12. The following new section is hereby inserted immediately after section 325 of the principal Ordinance and shall have effect as section 325A of that Ordinance :—

Insertion of new section 325A in the principal Ordinance.

325A. (1) If any company to which the provisions of this Part of this Ordinance apply, having made default in complying with any such provision, fails to make good the default within fourteen days after the service of a notice on the company requiring it to do so, the court may, on an application made to the court by the registrar of companies or by any creditor of the company or by any other person who may appear to the court to be interested, make an order directing the company and any officer thereof to make good the default within such time as may be specified in the order.

Enforcement of duty to comply with provisions of this Part.

(2) Any such order may provide that all costs of and incidental to the application shall be borne by the company or by any officers of the company responsible for the default.

(3) Nothing in this section shall be taken to prejudice the operation of any enactment imposing penalties on a company or its officers in respect of any such default as aforesaid.

13. Section 331 of the principal Ordinance is hereby amended as follows :—

Amendment of section 331 of the principal Ordinance.

(1) by the substitution, for all the words from “under some other Ordinance,” to the end of the section, of the words “under some other Ordinance.”;

(2) by re-numbering that section as so amended as section 331 (1);

(3) by the insertion of the following new sub-sections as sub-sections (2) and (3) of that section :—

“(2) No company, association or partnership consisting of more than ten persons, which is formed outside the Island, shall carry on the business of banking in the Island unless

(a) it is formed in pursuance of some Act of Parliament, Royal Charter or Letters Patent or is duly incorporated as a banking company outside the Island, and

(b) has an established place of business in the Island.

(3) Where any company, association or partnership consisting of more than ten persons is formed in contravention of the provisions of sub-section (1) or carries on the business of banking in contravention of the provisions of sub-section (2), each of such persons—

(a) shall be guilty of an offence and shall be liable to a fine not exceeding five hundred rupees or to imprisonment of either description for a term not exceeding three months or to both such fine and imprisonment; and

(b) shall, without prejudice to the provisions of paragraph (a), be severally liable for the payment of the whole debts of the company, association or partnership of which he is or was a member, and may be sued accordingly without the joinder in the suit of any other member of the company, association or partnership.”

Amendment of section 332 of the principal Ordinance.

14. Section 332 of the principal Ordinance is hereby amended as follows:—

(1) in sub-section (1) of that section—

(a) by the substitution for the words "banking company", of the words "banking company or an association or partnership engaged in the business of banking";

(b) by the substitution for the words "with the company," of the words "with the company, association or partnership,";

(2) in sub-section (2), by the substitution, for the words "the company", wherever those words occur collectively in that sub-section, of the words "the company, association or partnership".

Amendment of section 333 (2) of the principal Ordinance.

15. Sub-section (2) of section 333 of the principal Ordinance is hereby amended by the substitution for the words "whether incorporated in or outside Ceylon", of the words "incorporated in the Island, and no banking company incorporated outside the Island which has established a place of business within the Island,".

Amendment of section 335 of the principal Ordinance.

16. Section 335 of the principal Ordinance is hereby amended by the substitution for the words "fifty thousand" of the words "one hundred and fifty thousand".

Amendment of section 337 of the principal Ordinance.

17. Sub-section (5) of section 337 of the principal Ordinance is hereby repealed and the following new sub-section is substituted therefor:—

"(5) Subject as hereinafter provided, the foregoing provisions of this section shall apply to every banking company incorporated in the Island and to every banking company incorporated outside the Island which has an established place of business within the Island:

Provided, however, that such provisions shall not apply to any banking company mentioned in the Eleventh Schedule."

Amendment of section 339 of the principal Ordinance.

18. Section 339 of the principal Ordinance is hereby amended by the substitution, for sub-sections (2), (3) and (4) of that section of the following new sub-sections, which shall have effect as sub-sections (2), (3) and (4), respectively, of that section:—

"(2) No registration fee shall be payable in respect of any statement filed with the registrar under sub-section (1).

(3) for the purposes of sub-section (1)—

"cash" means—

(a) currency notes of the Government of Ceylon,

(b) Ceylon coin, and

(c) balances held in current account with any bank mentioned in the Tenth Schedule;

"liabilities" means all liabilities of a banking company other than—

(a) the paid-up capital,

(b) the reserve fund,

(c) any credit balance in the profit and loss account of the bank.

(4) Subject as hereinafter provided, the foregoing provisions of this section shall apply to every banking company incorporated in the Island and to every banking company incorporated outside the Island which has an established place of business within the Island:

Provided, however, that such provisions shall not apply to any banking company mentioned in the Eleventh Schedule."

Amendment of section 340 of the principal Ordinance.

19. Section 340 of the principal Ordinance is hereby amended—

(1) by the omission of the words "or hold shares in" and by the re-numbering of that section, as so amended, as section 340 (1);

(2) by the addition of the following new sub-section, which shall have effect as sub-section (2) of that section:—

"(2) Save as provided in sub-section (1), a banking company shall not hold shares in any company whether as pledgee, mortgagee or absolute owner of an amount exceeding forty per centum of the issued share capital of that company:

Provided that nothing in this sub-section shall apply to shares held by a banking company before the first day of April, nineteen hundred and thirty-nine."

20. The following new section is hereby inserted immediately after section 340 of the principal Ordinance and shall have effect as section 340A of that Ordinance :—

Insertion of new section 340A in the principal Ordinance.

340A. If default is made in complying with any of the requirements of section 333, section 334, section 335, section 336, section 337, section 339 or section 340, every director or other officer of the company who is knowingly and wilfully a party to the default shall be guilty of an offence and shall be liable—

Penalty for default in complying with certain requirements of this Part.

- (a) if the default relates to the filing of the statement referred to in section 339 (1), to a fine not exceeding one hundred rupees for every day during which the default continues ;
- (b) in any other case, to a fine not exceeding five hundred rupees for every day during which the default continues.

21. Sub-section (1) of section 341 of the principal Ordinance is hereby amended by the substitution, for the words " Every banking company shall on the first Monday in March ", of the words " Every banking company incorporated in the Island and every banking company incorporated outside the Island which has an established place of business within the Island shall on or before the seventh day of March ".

Amendment of section 341 of the principal Ordinance.

22. Section 342 of the principal Ordinance is hereby amended by the addition at the end of that section of the following new sub-section :—

Amendment of section 342 of the principal Ordinance.

" (4) The provisions of this section shall apply to every banking company incorporated in the Island and every banking company incorporated outside the Island which has an established place of business within the Island. "

23. The following new section is hereby inserted immediately after section 342 of the principal Ordinance and shall have effect as section 342A of that Ordinance :—

Insertion of new section 342A in the principal Ordinance.  
" Business of banking ".

342A. For the purposes of this Part, " the business of banking " means the business of accepting deposits of money on current account or otherwise, subject to withdrawal by cheque, draft or order, whether or not such business is carried on along with any one or more of the forms of business specified in section 330.

24. Section 343 of the principal Ordinance is hereby amended as follows :—

Amendment of section 343 of the principal Ordinance.

- (1) by the substitution, for all the words from " under some other Ordinance " to the end of the section, of the words " under some other Ordinance. " ;
- (2) by re-numbering that section as so amended as section 343 (1) ;
- (3) by the insertion of the following new sub-section as sub-sections (2) and (3) of that section :—

" (2) No company, association or partnership consisting of more than twenty persons, which is formed outside the Island, shall carry on in the Island any business (other than the business of banking) that has for its object the acquisition of gain by the company, association or partnership or by the individual members thereof unless—

(a) it is formed in pursuance of some Act of Parliament, Royal Charter or Letters Patent or is duly incorporated as a company outside the Island, and

(b) has an established place of business within the Island.

(3) Where any company, association or partnership consisting of more than twenty persons is formed in contravention of the provisions of sub-section (1) or carries on any business in contravention of the provisions of sub-section (2), each of such persons—

(a) shall be guilty of an offence and shall be liable to a fine not exceeding five hundred rupees or to imprisonment of either description for a term not exceeding three months or to both such fine and imprisonment ; and

(b) shall, without prejudice to the provisions of paragraph (a), be severally liable for the payment of the whole debts of the company, association or partnership of which he is or was a member, and may be sued accordingly without the joinder in the suit of any other member of the company, association or partnership. "

Insertion of  
new section  
346A in the  
principal  
Ordinance.  
Compounding  
of certain  
offences.

25. The following new section is hereby inserted immediately after section 346, and shall have effect as section 346A, of the principal Ordinance :—

346A. (1) Where any company has made default in complying with any provision of this Ordinance requiring it to file with, or deliver or send to the registrar any return, account or other document, or to give notice to him of any matter, and has by reason of such default committed an offence against this Ordinance, the Director of Commerce and Industries may, if he thinks fit, instead of instituting proceedings in court against the company or any officer of the company in respect of such offence, accept from the company or such officer such sum of money as the Director may think proper in composition of the offence; and any sum so accepted shall be credited to the general revenue of the Island.

(2) Where the Director of Commerce and Industries has accepted any sum of money under sub-section (1) in composition of any offence, proceedings shall not be taken against the company or any officer of the company in respect of that offence, or, if already taken, shall not be continued.

Amendment of  
section 359 of  
the principal  
Ordinance.

26. Section 359 of the principal Ordinance is hereby amended—

(1) by the substitution for the words "The provisions of this Ordinance" of the words "Subject as herein-after provided, the provisions of this Ordinance";

(2) by the substitution for the words "remain in full force." of the following :—

"remain in full force :

Provided, however, that where any such company is being so wound up, the court may, on application made by the registrar or by any creditor of the company and if the court is of opinion that it is expedient to do so in the circumstances of the case, make order that any specified provision of this Ordinance with respect to winding up shall apply to the winding up of such company, and may give such incidental or supplemental directions as may appear to the court to be necessary for the purposes of the application of such provision; and where the court makes any such order, any provision of this Ordinance specified in the order shall, subject to any such directions, apply accordingly."

Amendment of  
First Schedule  
to the principal  
Ordinance.

27. The First Schedule to the principal Ordinance is hereby amended, in the marginal note to Table A, by the substitution for the figures "97," of the figure "9,".

Amendment of  
Twelfth  
Schedule to  
the principal  
Ordinance.

28. The Twelfth Schedule to the principal Ordinance is hereby amended by the substitution for items 3 and 4, respectively, of the two following new items :—

"3. Cash Reserve—

i. Currency notes of the Government of Ceylon :—

ii. Ceylon coin :—

iii. Balances held in current account with any bank mentioned in the Tenth Schedule :—

4. Other Cash—

i. Balances in local banks (other than balances mentioned in item 3. iii. above) :—

ii. Currency (other than currency mentioned in item 3 above) including bank notes at current rates of exchange :—".

Passed in Council the Eleventh day of November, One thousand Nine hundred and Forty-one.

D. C. R. GUNAWARDANA,  
Clerk of the Council.

**Ordinance enacted by the Governor of Ceylon, with the advice and consent of the State Council thereof.**

**No. 18 of 1942.**

L. D.—O 49/36

**An Ordinance to make provision for the establishment of a Provident Fund : for the grant therefrom of benefits to certain non-pensionable employees of the Government : and for other matters incidental to or connected with the purposes aforesaid.**

A. CALDECOTT.

TABLE OF SECTIONS.

Section.

1. Short title and date of operation.
2. Establishment of the Fund.
3. Control and management of the Fund.



## Section.

4. Compulsory contributions to the Fund.
5. Voluntary contributions to the Fund.
6. Bonuses.
7. Premiums on life policies may be regarded as contributions to the Fund.
8. Investment of moneys paid into the Fund.
9. Cost of establishment to be met from public revenue.
10. Examination of the accounts of the Fund and apportionment of profits or loss.
11. Interest.
12. Closing of accounts.
13. Death or termination of service.
14. Resignation or dismissal.
15. Payment on death of contributor.
16. Bonuses, &c., to be a charge on revenue.
17. Compulsory contributions, &c., not to be assigned or attached.
18. Appointment of contributor to pensionable office under Government.
19. Officers holding scheduled posts on date on which Ordinance comes into operation or transferred to such posts thereafter.
20. Deduction of sums due to Government.
21. Accounts and audit.
22. Information to contributors.
23. Power to amend Schedule and consequences of such amendment.
24. Regulations.
25. Interpretation.

**An Ordinance to make provision for the establishment of a Provident Fund : for the grant therefrom of benefits to certain non-pensionable employees of the Government : and for other matters incidental to or connected with the purposes aforesaid.**

BE it enacted by the Governor of Ceylon, with the advice and consent of the State Council thereof, as follows :—

1. This Ordinance may be cited as the Public Service Provident Fund Ordinance, No. 18 of 1942, and shall come into operation on the first day of April, 1942.

Short title  
and date of  
operation.

2. (1) A Fund to be known as the Public Service Provident Fund is hereby established for the grant of benefits, as hereinafter provided, to those non-pensionable employees of the Government whose posts or offices are specified or described in the Schedule.

Establishment  
of the Fund.

(2) A general account for the Fund and a separate account for each contributor to the Fund shall be opened and kept at the Treasury in such manner as the Deputy Financial Secretary may direct.

3. (1) The control and management of the Fund are hereby vested in a Board of Management consisting of—

Control and  
management  
of the Fund.

- (a) the Deputy Financial Secretary ;
- (b) the Solicitor-General ;
- (c) two persons, each of whom is the Head of a Department of Government or the Deputy or Principal Assistant to the Head of such a Department ; and
- (d) one person who is a contributor to the Fund.

(2) The persons referred to in paragraphs (c) and (d) of sub-section (1) shall be appointed to the Board by the Governor.

(3) The Deputy Financial Secretary shall be the Chairman of the Board.

4. (1) Subject to the provisions of section 7, every scheduled employee shall, until the termination of his service with the Government, pay, each month, as a compulsory contribution to the Fund, an amount equivalent to one-twentieth of his monthly salary.

Compulsory  
contributions  
to the Fund.

(2) The compulsory contribution of a scheduled employee for any month shall, subject as hereinafter provided, be calculated on the full monthly salary of such employee notwithstanding that the amount received as salary for that month is less than the full monthly salary or that no amount whatever is received by way of salary for that month :

Provided that, where a contributor is on half salary or no salary for a period exceeding two months continuously, he may elect to contribute, in respect of that part of the period which exceeds two months, at the rate of one-twentieth of any salary which he receives.

(3) The contribution required or authorised to be paid by a scheduled employee under the preceding provisions of this section shall be paid in rupees and shall be calculated in rupees on the salary payable to such employee when he is employed in Ceylon. Such contribution may be deducted from the salary of such employee by the Deputy Financial Secretary or by the Crown Agents in a case where such salary is paid by the Crown Agents ; and, when so deducted, shall be credited to the Fund.

(4) Where any deduction is made by the Crown Agents under sub-section (3) from the salary of any scheduled employee, such employee shall be entitled to receive from the Crown Agents the equivalent in sterling of the balance of such salary calculated at the rate at which such employee is entitled to receive such salary in England.

Voluntary contributions to the Fund.

5. Subject as hereinafter provided and subject to such conditions as may be prescribed, a scheduled employee may, in addition to his compulsory contribution, pay as a voluntary contribution to the Fund an amount not exceeding one-twentieth of his full monthly salary :

Provided that the rate at which any such voluntary contribution is calculated shall not be varied except at half-yearly intervals.

Bonuses.

6. (1) At the close of each financial year, the general account of the Fund shall be credited by the Deputy Financial Secretary with a sum equivalent to one and a half times the aggregate of the compulsory contributions made by all the contributors during that financial year ; and the separate account of each contributor shall be provisionally credited with a sum equivalent to one and a half times the aggregate of the compulsory contributions made by him during that financial year.

(2) Each sum so credited to the separate account of a contributor shall be called a bonus.

Premiums on life policies may be regarded as contributions to the Fund.

7. (1) Every contributor may, in lieu of the whole or any portion of the compulsory contribution under section 4, pay an equivalent sum towards a policy of assurance on his own life in the manner and subject to such conditions as may be prescribed by regulation.

(2) Such payment shall be deemed to have been contributed to the Fund for the purpose of calculating any bonus under section 6, but not for the purpose of the calculation or payment of interest under sections 10 and 11.

(3) No premium paid on or in respect of a policy of life assurance shall be deemed, under sub-section (1), to be paid to the Fund, if, at the time such premium is paid, the policy has been assigned or is subject to any hypothecation or charge whatsoever.

(4) In this section, " policy of life assurance " means a policy issued to a contributor by an insurer approved by the Board whereby the payment of a fixed sum is assured on the death of the contributor or on his attaining the age of fifty-five years or any higher age specified in the policy.

Investment of moneys paid into the Fund.

8. Moneys paid into the Fund shall, so far as practicable, be invested by the Deputy Financial Secretary, with the approval of the Board, in the securities prescribed in section 20 of the Trusts Ordinance for the investment of trust property which consists of money.

Cap. 72.

Cost of establishment to be met from public revenue.

9. The cost of establishment and other expenses incidental to the management and administration of the Fund (all hereinafter referred to as " the cost of establishment ") shall, subject to the refund to public revenue referred to in section 10 (3), be met from the public revenue of the Island.

Examination of the accounts of the Fund and apportionment of profit or loss.

10. (1) The Board shall, as soon as may be after the thirtieth day of September in each year, cause an examination to be made of the general account of the Fund as on that date and ascertain the profit made or loss incurred for the financial year ending on that date.

(2) Where the examination referred to in sub-section (1) discloses a loss for any financial year, the amount of such loss shall be debited by the Board to the accounts of the contributors to the Fund in proportion to the amounts standing to their credit in the Fund at the close of that financial year.

(3) Where the examination referred to in sub-section (1) discloses a profit for any financial year, such profit shall be apportioned by the Board, as far as may be, for the purposes hereinafter set out and in the order in which such purposes are respectively mentioned :—

- (a) the payment of interest to the accounts of contributors in proportion to the amounts standing to their credit in the Fund at the close of that financial year up to a maximum of two and a half per centum of the amounts so standing to their credit ;
- (b) the refund to public revenue of the cost of establishment for that financial year ;
- (c) the payment of interest to the accounts of the contributors in proportion to the amounts standing to their credit in the Fund at the close of that financial year.

The amounts apportioned under paragraphs (a) and (c) shall be sufficient to pay interest on the amounts to the credit of the contributors in the Fund at integral, half or quarter rates

per centum or any combination of such rates, but at no smaller fractional rate. Any amount of profit insufficient to provide interest at a quarter per centum shall be carried forward to the following financial year.

11. Interest payable to the account of a contributor shall be credited separately on compulsory contributions, voluntary contributions and bonuses, and shall begin to accrue in respect of each sum contributed and each bonus on the first day of the month next following the date on which the contribution was made or the bonus credited. Such interest shall be calculated in each year to the thirtieth day of September and shall then be added to and become part of the principal and be deemed for the purposes of this Ordinance to be compulsory contribution, voluntary contribution or bonus, as the case may be.

Interest.

12. (1) On the death of a contributor or the termination of the contributor's service in any scheduled post on any date in any financial year—

Closing of accounts.

(a) Interest up to the end of the month previous to that date calculated at the rate at which interest was credited to the account of that contributor in respect of the last preceding financial year; and  
(b) in the event of his death or termination of his service in any of the circumstances in which section 13 applies, bonuses for that financial year equal to one and a half times the compulsory contributions made by the contributor during that financial year, shall be credited to his account, which shall then be closed.

(2) Notice of such closure shall thereupon be given—

- (i.) if the contributor is living, to the contributor; or
- (ii.) if the contributor is dead, to such person or persons mentioned in section 15 to whom it shall appear to the Deputy Financial Secretary that notice should properly be given;

and, in either case, to such other persons as shall or may, in the opinion of the Deputy Financial Secretary, reasonably require such notice.

13. Subject to the provisions of this Ordinance, if a contributor dies while in the service of the Government or leaves the service in any of the following circumstances, that is to say—

Death or termination of service.

- (1) retirement on medical evidence to the satisfaction of the Governor, or, where it is competent for the Head of the Department in which the contributor served to order his retirement, to the satisfaction of such Head of Department, that he is incapable by reason of some infirmity of mind or body of discharging the duties of his office;
- (2) satisfactory completion of contract;
- (3) abolition of office;
- (4) retirement on account of age;
- (5) determination of contract by, or with the consent of, the Government otherwise than by dismissal;
- (6) in the case of a female contributor, retirement with a view to, or in consequence of, marriage after not less than three years' service (subject to the production of evidence of marriage within such period after retirement as may be prescribed);

the amount standing to his or her credit in the Fund at the closing of such account shall, subject as hereinafter provided, be paid to the contributor or any other person to whom by virtue of this Ordinance or otherwise payment may lawfully be made:

Provided that where the aggregate of the compulsory contributions, bonuses and interest thereon standing to his or her credit in the Fund is less than the aggregate of—

- (a) the compulsory contributions paid by the contributor to the Fund or deemed to be so paid under section 7;
- (b) the bonuses credited to the account of the contributor in the Fund; and
- (c) compound interest at two and a half per centum per annum on the compulsory contributions paid by the contributor to the Fund and on the bonuses credited to his account in the Fund.

a sum equivalent to the difference between such aggregates shall be paid out of the public revenue to the contributor or to such other person to whom by virtue of this Ordinance or otherwise payment may lawfully be made.

14. Subject to the provisions of this Ordinance, if a contributor shall be dismissed, or resign, or leave the service of the

Resignation or dismissal.

Government without permission without completing the period prescribed by any contract under which he may be serving—

- (a) the amount of his contributions to the Fund and interest thereon shall be paid to the contributor ;
- (b) all bonuses and interest thereon provisionally credited to the account of the contributor shall be credited to the public revenue.

Payment on death of contributor.

15. (1) Subject to the provisions of this Ordinance on the death of a contributor—

- (a) if the amount payable does not exceed two thousand five hundred rupees, the Deputy Financial Secretary shall pay such amount to the person or persons nominated for the purpose by the contributor in the manner prescribed, or, if no such nomination has been made, to the credit of the estate of the deceased contributor or, at the discretion of the Deputy Financial Secretary, to the person appearing to the Deputy Financial Secretary to be entitled by law to receive such amount ;
- (b) if the amount payable exceeds two thousand five hundred rupees, the Deputy Financial Secretary shall pay such amount to the credit of the estate of the deceased contributor :

Provided that the Deputy Financial Secretary may make payments, not exceeding three hundred rupees in any one case, to meet the expenses of the funeral of the deceased or to give immediate relief to the widow or children or other dependants of the deceased, if in the opinion of the Deputy Financial Secretary such relief is required.

(2) Any payment made by the Deputy Financial Secretary under this section shall be valid and effectual against any demand made upon the Government, the Board or the Deputy Financial Secretary by any other person in respect of the amount payable in respect of that contributor.

Bonuses, &c., to be a charge on revenue.

16. All bonuses and other moneys authorised to be credited or paid from public revenue by or under this Ordinance shall be charged upon the public revenue and other funds of the Island ; and the payment of all such moneys is hereby declared to be authorised by law for the purposes of the application of the provisions of Article 61 of the Ceylon (State Council) Order in Council, 1931, as amended by any other Order of His Majesty in Council.

Compulsory contributions, &c., not to be assigned or attached.

17. Subject to the provisions of this Ordinance, no compulsory contribution, bonus, or interest on any such contribution or bonus shall be assignable or transferable or liable to be attached, sequestered or levied upon, in execution of any decree or order of any court, for, or in respect of, any debt or claim whatsoever.

Appointment of contributor to pensionable office under Government.

18. Where a contributor to the Fund is appointed to a pensionable office in the public service and enters on the duties of such office—

- (a) the account of that contributor shall be closed on the day on which he enters on the duties of his new office ;
- (b) the aggregate amount of the bonuses credited by Government to the account of that contributor, together with the interest accrued on such bonuses shall be paid to Government out of the Fund ;
- (c) the aggregate amount of the compulsory contributions and voluntary contributions, if any, made by that contributor to the Fund together with interest accrued on such contributions shall be paid to that contributor out of the Fund ; and
- (d) the period commencing on the day on which the contributor had become liable to contribute to the Fund and ending on the day on which the account of the contributor is closed as hereinbefore provided shall be deemed to be and reckoned as a period of service in a pensionable post for the purpose of the application of the Minutes on Pensions and the grant of benefits thereunder.

Officers holding scheduled posts on date on which Ordinance comes into operation or transferred to such posts thereafter.

19. Where, on the date on which this Ordinance comes into operation, or on any subsequent date, any public officer is, or becomes, the holder of any scheduled post and has, prior to such date, held any post or office, service in which has qualified or would qualify him for an award under the Minutes on Pensions, such officer may retain any benefit or qualification that may have accrued to him under the Minutes on Pensions and may draw, on his ultimate retirement from the public service, such award as might have been granted to him under the Minutes on

Pensions if he had been retired from the public service on the ground of ill-health on the date on which he becomes the holder of a scheduled post.

In this section, "ultimate retirement" means retirement from the public service on account of age or on the ground of ill-health.

20. Where payment is made of moneys lying to the credit of a contributor's account in the Fund, any sum or sums due from that contributor to the Government may be deducted from the amount otherwise payable.

Deduction of sums due to Government.

21. (1) The Deputy Financial Secretary shall keep a separate account for the moneys of the Fund. Such account shall be audited by the Auditor-General.

Accounts and audit.

(2) The Board shall submit to the Governor as soon as practicable after the close of each financial year a full statement showing the working of the Fund and all claims thereon, and containing full particulars of all transactions connected with the working of the Fund.

22. As soon as practicable after the close of each financial year, the Deputy Financial Secretary shall inform each contributor of the total amount standing to his credit in the Fund at that date.

Information to contributors.

23. (1) The Governor may, by Order published in the *Gazette*, amend or vary the Schedule, whether by the addition thereto or by the omission therefrom of any post or office, or otherwise in such manner as the Governor may deem fit.

Power to amend Schedule and consequences of such amendment.

(2) An Order under sub-section (1) may contain such provision as the Governor may deem necessary or expedient to preserve existing rights and shall have effect accordingly.

24. (1) The Financial Secretary may, after consulting the Board, make regulations for the purpose of giving effect to the principles and provisions of this Ordinance.

Regulations.

(2) In particular, and without prejudice to the generality of the powers conferred by sub-section (1), regulations may be made—

- (a) for or in respect of any matter required to be prescribed ;
- (b) for the management and control of the Fund ;
- (c) prescribing a quorum for the Board and the procedure to be adopted at meetings of the Board ;
- (d) prescribing the procedure for making deductions from the salaries of contributors ; and
- (e) prescribing the manner in which payment of insurance premiums may be proved or verified.

(3) No regulation made under sub-section (1) shall have effect until such regulation has been approved by the State Council and ratified by the Governor. Notification of such approval and ratification shall be published in the *Gazette* ; and, upon such publication, the regulation to which the notification relates shall be as valid and effectual as if it were herein enacted.

25. (1) In this Ordinance, unless the context otherwise requires—

Interpretation.

"Board" means the Board of Management constituted under section 3 ;

"contributor" means a contributor to the Fund ;

"financial year" means the period of twelve months commencing on the first day of October in any year and ending on the thirtieth day of September in the succeeding year ;

"Fund" means the Public Service Provident Fund established by this Ordinance ;

"personal allowance" means a special addition to salary granted personally to the holder for the time being of a post or office ;

"prescribed" means prescribed by this Ordinance or by any regulation made thereunder ;

"salary" includes wages and any personal allowance, but no other payment or allowance whatsoever ;

"Schedule" means the Schedule for the time being in force ;

"scheduled employee" means a person in the service of the Government of Ceylon who holds a scheduled post ;

"scheduled post" means a post or office specified or described in the Schedule.

## SCHEDULE.

*Lists of posts or offices, the holders of which are entitled to contribute to the Public Service Provident Fund.*

I.	II.
Department.	Designations and number of posts or offices.
1. Agricultural Marketing, Department of the Commissioner for development of—	Assistant Commissioner, Accountant, Assistant Registrar of Produce Agents, Senior Marketing Officer, Marketing Officers (5 posts) Managers (3 posts) Depot Managers (5 posts) Temporary Clerks (4 posts)  <i>Rice Mills.</i> Managers (3 posts), Storekeepers (3 posts), Engine Drivers (4 posts), Boilerman  <i>Wholesale Depot.</i> Manager, Checking Officer, Book-keeper, Sales Assistant, Assistant Book-keeper, Manager, Retail Depot, Storekeeper (1 post), Assistant Storekeeper (1 post)
2. Commerce and Industries	Designers, Laboratory Assistant, Pottery Demonstrators, Assistant Pottery Demonstrators, Assistant Supervisors, Rural Development, Senior Rural Development Officers, Junior Rural Development Officers, Economic Survey Investigators, Carpenter Bass, Blacksmiths, Polishers
3. Irrigation	.. Construction Engineers (4 posts), Field Assistants (8 posts), Draughtsmen (temporary) (4 posts)
4. Labour	.. Travelling Inspector (temporary) (1 post), Manager, Employment Exchange, Clerks, Employment Exchange (4 posts)
5. Legal Draftsman	.. Assistant Legal Draftsmen (Temporary) (2 posts)
6. Local Government	.. Superintendents of Village Works (8 posts)
7. Police	.. Female Clerk, Matron, House of Detention.
8. Port Commission	.. Assistant Secretary, Junior Assistant Engineer, Harbour Engineer's Department
9. Post and Telegraph	.. Broadcast Announcer
10. Prisons	.. Agricultural Instructor, Vocational Instructors (2 posts)
11. Provincial Administration	.. Clerk, Gansabhawa Establishment, Jaffna Kachcheri

Passed in Council the Second day of April, One thousand Nine hundred and Forty-two.

D. C. R. GUNAWARDANA,  
Clerk of the Council.

Assented to by His Excellency the Governor the Twenty-seventh day of April, One thousand Nine hundred and Forty-two.

C. H. HARTWELL,  
Secretary to the Governor.

## NOTICES OF INSOLVENCY.

In the District Court of Colombo.

No. 5,623. In the matter of the insolvency of Tuan Putra Singha Laxana, of Jambugasnulla road, Nugegodda.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on May 22, 1942, to consider the grant of a certificate of conformity to the above-named insolvent.

April 27, 1942.

By order of court, C. EMMANUEL,  
Secretary.

In the District Court of Colombo.

No. 5,588. In the matter of the insolvency of Gabadagama Insolvency. William Perera and Abigail Gertrude Perera, both of Homagama, insolvents.

N. S. Rajendra of the U. D. C Bungalows, Dehiwala . . . . . Petitioning-Creditors.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvents will be held at a sitting of this court on May 22, 1942, to consider the grant of a certificate of conformity to the above-named insolvents.

April 28, 1942.

By order of court, C. EMMANUEL,  
Secretary.

*8* In the District Court of Colombo.  
 Insolvent In the matter of the insolvency of Don James Bernard  
 No. 5,626. Kuruppu Welgampitiya, insolvent.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will be held at the second sittings of this court, on May 22, 1942, for the examination of the above-named insolvent.

April 28, 1942.

By order of court, C. EMMANUEL,  
 Secretary.

*9* In the District Court of Kandy.  
 No. I. 57. In the matter of the insolvency of Shirley Orchard  
 Warburton of Kandy.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on May 22, 1942, to appoint an assignee in the above insolvency case.

April 24, 1942.

By order of court, R. B. RATNAIKA,  
 Secretary.

In the District Court of Jaffna.  
 No. 196. In the matter of the insolvency of M. C. Thendanthapany  
 of Koddady, Jaffna.

WHEREAS Annam, daughter of S. Karthigesu, of Vannarponnai, Jaffna, has filed a declaration of insolvency, and a petition for the sequestration of the estate of M. C. Thendanthapany of Koddady, Jaffna, under the Ordinance No. 7 of 1853. Notice is hereby given that the said court has adjudged the said M. C. Thendanthapany insolvent accordingly; and that two public sittings of the court, to wit, on May 11, 1942, and on June 25, 1942, will take place for the said insolvent to surrender and conform to, agreeably to the provisions of the said Ordinance, and for the taking of the other steps set forth in the said Ordinance, of which creditors are hereby required to take notice.

By order of court, P. GNANAPRAGASAM,  
 Secretary.

In the District Court of Jaffna.  
 No. 197. In the matter of the insolvency of M. C. Santhirasekaram  
 of Koddady, Jaffna.

WHEREAS Annam, daughter of S. Karthigesu, of Vannarponnai, Jaffna, has filed a declaration of insolvency, and a petition for the sequestration of the estate of M. C. Santhirasekaram, of Koddady, Jaffna, under the Ordinance No. 7 of 1853. Notice is hereby given that the said court has adjudged the said M. C. Santhirasekaram insolvent accordingly; and that two public sittings of the court, to wit, on May 11, 1942, and on June 25, 1942, will take place for the said insolvent to surrender and conform to, agreeably to the provisions of the said Ordinance, and for the taking of the other steps set forth in the said Ordinance, of which creditors are hereby required to take notice.

By order of court, P. GNANAPRAGASAM,  
 Secretary.

*86* NOTICES OF FISCALS' SALES.  
 Western Province.

In the District Court of Colombo

Botalage Romel Fernando, of Bandarawatta. . . . . Plaintiff.  
 No. 8,644/M. Vs.

(1) Konganige Evelin Fernando and her husband (2) Ethige Osal Silva *alias* Oswal Silva, (3) Ethige Esther Silva and her husband (4) Athanayake Peter Jayawardena, all of Ragama. . . . . Defendants.

NOTICE is hereby given that on Monday, May 25, 1942, will be sold by public auction at the respective premises the following properties mortgaged with the plaintiff by bond No. 24,578 dated September 27, 1928, and attested by P. P. Samarasinghe, Notary Public, and declared specially bound and executable under the decree entered in the above action, and ordered to be sold by the order of court dated August 4/26, 1941, for the recovery of the sum of Rs. 5,000 and costs of suit, viz:—

(1) *At 2.30 p.m.*—All that undivided one half part or share of all that land composed of several portions of Kahatagahawatta, three-fifths of one-fourth of Kahatagahawatta, Belgahawatta, 27/28 parts of Kadurugahawatta, western half of Kahatagahawatta, northern 4/10 part or share of Kahatagahawatta and the adjoining Ahawanatha *alias* Godabuma, situated at Welsara, in the Ragam pattu of Alutkuru korale, in the District of Colombo, Western Province; and bounded on the north by the field, east by the lands of Konganige Robert Fernando and others, on the south by the lands of Konganige Marcelino Anthony, and on the west by the lands of Mahadura Bastian Fernando and others; and containing in extent about 6 acres, together with trees and plantations thereon.

(2) *At 3 p.m.*—All that undivided 1/14 part or share of all that field called and known as Halgahakumbura *alias* Sellagekumbura, situated at Welsara aforesaid; and bounded on the north by the Tuppawalla, on the east by the field and the land belonging to Tuppahige Piloris Appu and others, on the south by the land described in the first number hereof, and on the west by the field of Mahadura Bastian Fernando and others; and containing in extent about 6 bushels of paddy sowing, together with everything standing thereon.

(3) *At 3.15 p.m.*—All that undivided southern one-fourth part or share of all that allotment of land called and known as Kahatagahawatta, situated at Welsara aforesaid; and bounded on the north by the boundary of the land of Tuppahige Don Dumingo Annawirala, and the boundaries of the portions out of Kahatagahawatta belonging to Pallakkuti Aratchige Don Migel Appuhamy and

others, on the east by the live fence of the land of Wellnullige Don Thomas Appu and others, on the south by the live fence of the portion out of this land belonging to Wellgamage Don Christian Appu and others, and on the west by the live fence of the land of Owita Vithanage Don Jacoris Appu; and containing in extent 3 bushels of paddy sowing, together with trees and plantations thereon.

(5) *At 3.45 p.m.*—All that undivided one half of the eastern undivided one half of an undivided one half of all that field called and known as Ithalamaragahakumbura, situated at Ragama in the Ragam pattu aforesaid; and bounded on the north by the Godabuma, on the east by the boundary dam of Ketagowatta, on the south by the Ithaldigapattakumbura and the boundary dam of Pahaladigapattakumbura, and on the west by the liminary dam of Pahala Maragahakumbura, and containing in extent 8 beras of paddy sowing.

(6) *At 4 p.m.*—All that undivided 1/3 part or share of all that contiguous portions of Meegahawatta and Ketakelagahawatta, situated at Ragama aforesaid; and bounded on the north by the land of Ethige Osal Silva and others, on the east by the lands of Norbert Francis Perera Amerasekera Sriwardena Hamu and others, on the south by the lands of Handamuni Arthur Soya and others, and on the west by the land of Ethige Osal Silva and others; and containing in extent about four acres, together with all trees and plantations thereon.

(7) *At 4.15 p.m.*—All that land called and known as Meegahawatta, situated at Ragama aforesaid, and bounded on the north by the land of Ethige Livinis Silva, on the east by the live fence of the land of Ethige Livinis Silva and others, on the south by the live fence of the land of Ethige Marianu Silva, and on the west by the live fence of the land of Ethige Thomas Silva, and containing in extent about 2 roods, together with trees and plantations thereon.

(9) *At 4.30 p.m.*—An undivided one half of one-fourth (1/8 of 1/2) part or share of all that land called and known as Kongahawatta, situated at Ragama aforesaid, and bounded on the north and west by the Railway line, on the east by the live fence of the land of Ethige Romiel Silva and others, and on the south by the live fence of the land of Ethige Steven Silva; and containing in extent about 2 acres, together with trees and plantations thereon.

Prior Registration B 223/13F, 214/63, 64, 223/140, 213/36, 214/65, 161/327, 214/66, 156/376.

Fiscal's Office,  
 Colombo, April 27, 1942.

H. C. WIJESINHA,  
 Deputy Fiscal.

*29* Central Province.

In the District Court of Kandy.

Victor Reginald Rodrigo of Nawalapitiya . . . . . Plaintiff.  
 No. M.B. 622. Vs.

Palatuhewage Don James Appuhamy of Nawalapitiya . . . . . Defendant.

NOTICE is hereby given that on Tuesday, June 2, 1942, commencing at 11 a.m., will be sold by public auction at the respective premises the right, title, and interest of the said defendant in the following property mortgaged by bond No. 119 dated April 4, 1937, and attested by C. Wickremasinghe, Notary Public, and declared bound and executable under the decree in the above case for the recovery of the sum of Rs. 426.25 with interest thereon at the rate of 9 per cent. per annum from June 28, 1941, till payment in full and costs of this action and poundage, viz:—

1. All that land called Dangollehena of about one amunam in paddy sowing extent, situate at Rambukpitiya in Pasbage korale of Uda Bulatgama in the District of Kandy, Central Province; and bounded on the east by ela, south by the remaining land and agala, west by agala, and north by ela, together with everything thereon; registered in L 15/328.

2. All that field called Uda Alugollekumbura of one pela (Mulbega Weepela) in paddy sowing extent, situate at Dekunda in Pasbage korale of Uda Bulatgama, Kandy District, Central Province; and bounded on the east by the limit of Patanegerakumbura, south by the imawella of Gederogawa Anga, west by the imawelle of the field belonging to Yatapath Etena, and north by ela together with everything thereon, registered in L 41/144.

Valuation: Rs. 1,300.

Fiscal's Office,  
 Kandy, April 28, 1942.

CHARLES DE SILVA,  
 Deputy Fiscal.

*54* In the District Court of Kandy.

(1) Damunugahakumbure Panikkiyalagedera Ukkuwa of Gonawala, in Lower Dumbara, (2) Dipptiye Panikkiyalagedera Dingiriya of Dipptiya. . . . . Plaintiffs.

Damunugahakumburegedera Siripini of Gonawala, in Lower Dumbara, substituted in place of deceased, 1st plaintiff.

Dipptiye Panikkiyalagedera Sondma of Idamegama, in Harispattu, substituted as assignee the decree from Substituted plaintiff.

No. 44,227.

Vs. 39

Sinniah's son, Perumal Pulla of Gonawala, in Lower Dumbara. . . . . Defendant.

NOTICE is hereby given that on Saturday, May 30, 1942, commencing at 2 p.m., will be sold by public auction at the respective premises the right, title, and interest of the said defendant in the following property mortgaged by bond No. 30,318 dated March 19, 1931, and attested by Mr. J. W. Wickremasinghe of Kandy, Notary Public, and declared bound and executable under the decree in the above case for the recovery of the sum of Rs. 952 with interest thereon at 12 cents per Rs. 10 per month from September 5, 1933, till February 5, 1934, and thereafter on the aggregate amount at the rate of 9 per cent. per annum till payment in full and poundage, viz:—

1. All that land called Damunugahakumbura Panikkiyalagedera of about 61ahas paddy sowing in extent, situate at Gonawala

in Pallispattu west of Pata Dumbara in the District of Kandy, Central Province; and bounded on the north by the limit of Baltiyagederawatta, east by the limit of Marawatta, south by the limit of Kirinaidewatta, and west by the limit of Panakkayalagewatta, together with everything thereon.

2. All that land called Malwatta *alias* Gederawatta of about 2 acres in extent on the whole, situate at Gomagoda in Pallispattu aforesaid; and bounded on the north and west by ditch, east by the fence, and south by the endaru fence of Ukku Banda's land, and dewata, together with the zinc-roofed house and everything thereon.

3. All those contiguous lands called Kamudiyewatta of 6 nelles kurakkan sowing in extent and its adjoining Wattarantenne Piharallagewatta of three nelles kurakkan sowing in extent, situate at Gomagoda aforesaid; and bounded on the north by Gam Ima hena of the Walauwe and the three feet road, east by the fence of Hula-waliwatta, south by ditch of Ukkuwa's land and ditch of Sondina's land, west by the Gan Ima hena of the Walauwe, together with everything thereon.

4. All that land called Damunugahakumburewatta of two nelles kurakkan sowing in extent, situate at Gomagoda aforesaid; and bounded on the east by the limit of Kaluaratchilagedera Seerale's land, south by the limit of Gunya's land, west by the limit of Sobana Baltianna's land, and north by the ditch, together with everything thereon, and registered in the Kandy Land Registry in E 240/147, 243/163, 240/148 and 149.  
Valuation: Rs 2,050.

Fiscal's Office,  
Kandy, April 28, 1942.

CHARLES DE SILVA,  
Deputy Fiscal.

### Southern Province.

In the District Court of Galle.

In the matter of the estate of Galappatti Guruge Don Andiris de Silva, of Ahangama, deceased.

No. 7,686. Vs.

Galappatti Guruge Charles Edward of Ahangama, Administrator.

NOTICE is hereby given that on Tuesday, May 26, 1942, commencing at 3 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said estate in the following property for the recovery of a sum of Rs. 272.20, viz.:

1. The entirety of the land called Dikdeniya, situated at Poramba Kananke, in Weligam korale of Matara District, Southern Province; and bounded on the north by Crown jungle, east by tea estate and rubber hena, south by Crown jungle, and west by Dikdeniya Tea estate; and containing in extent 5 acres 3 roods and 15 perches.

2. All that undivided  $\frac{3}{4}$  parts of the land called Talgahahena-owita *alias* Medakoratuwa, situated at Poramba Kananke aforesaid; and bounded on the north by Ganga, east by Pahala Mulana, and Duwa, south by Thalagahahena-owita, and west by Halpan-denye-owita; and containing in extent 7 acres 2 roods and 27 perches.

Deputy Fiscal's Office,  
Matara, April 25, 1942.

H. V. F. ABAYAKOON,  
Additional Deputy Fiscal.

### Northern Province.

In the District Court of Jaffna.

Vathilingam Selvathurai of Suthumalai . . . . . Plaintiff.

No. 16,214. Vs.

(1) Muthalitham Sellathurai Perayirampillai and (2) wife Parupathi Annan, both of 80, New Chetty street, Colombo, presently of 36/1, Van Rooyen street, Colombo, and Mallakam, respectively . . . . . Defendants.

NOTICE is hereby given that on Tuesday, May 26, 1942, at 11 o'clock in the forenoon, will be sold by public auction at the respective premises the right, title, and interest of the said 2nd defendant in the following property for the recovery of the sum of Rs. 541 with legal interest from November 25, 1940, until payment in full and costs Rs. 97.45 and poundage and charges, viz.:

1. An undivided half share of all that remaining, together with the well lying in the lane on the south-eastern side and way and water-course and its appurtenances, excluding the right of the path (for passing up and down and drawing water from the well), four cubits wide, running along the southern boundary of this land from the western boundary land to the well lying in the lane and the half share belonging to the western boundary holders of the western well lying in this land, of a piece of land situated at Tellippalai East in Tellippalai parish, Valikamam North division of the Jaffna District, Northern Province, called Parayanavalai and Thodappai, in extent 6 lachams varagu culture and 8 kulies with well, cultivated and spontaneous plantations, palmyras and houses; and bounded on the east and north by lane, west by the property of Sinnappu Sinnathurai and others, and south by the properties of Silampuppillai Kanapathippillai.

2. An undivided  $\frac{1}{24}$  share with its appurtenances of all that piece of land situated at Tellippalai East aforesaid called Pullanseema, in extent 14 $\frac{1}{2}$  lachams varagu culture with palmyras; and bounded on the east and south by water channel, west by the property of Piranchy Marian, north by the under-mentioned 3rd land belonging to the 2nd defendant.

3. A  $\frac{1}{3}$  share of an undivided extent of 2 lachams varagu culture and 15 $\frac{1}{2}$  kulies with its appurtenances out of all that piece of land situated at Tellippalai East aforesaid called Pulyoornayanseema and Marakkayanseema, in extent 9 $\frac{1}{2}$  lachams varagu culture with palmyras; and bounded on the east by water channel and lane, north by Sivakampillai, widow of Nannthamby, and by others, west by Piranchy Marian, and south by the above-mentioned 2nd land belonging to the 2nd defendant.

4. A  $\frac{7}{32}$  share with its appurtenances of all that remaining, excluding the half share belonging to the eastern boundary land of the well lying thereon and the usual way and water-course, of a piece of land situated at Tellippalai East aforesaid called Sappadiyan, in extent 34 $\frac{1}{2}$  lachams varagu culture with young palmyras, cultivated plantations and well app share of the margosa trees standing on the boundaries; and bounded (according to deed) on the east by Theivanappillai, wife of Karthigesu Arunasalam, and by others, north by Velauthar Suppar and others, west by Kurunathar Sinnappu and others, and south by lane.

These lands are said to be under mortgage.

Fiscal's Office,  
Jaffna, April 28, 1942.

P. THAMBIAH,  
Additional Deputy Fiscal.

I, Edward Trevor Dysder, Fiscal for the Central Province, do hereby appoint Mr. Bertram Dullewe, Clerk, Fiscal's Office, Kandy, to act as Fiscal's Marshal for the Division of Hatton, with effect from May 1, 1942, until the appointment of a permanent officer, under Ordinance No. 4 of 1867, and authorise him to perform the duties and exercise the authority of Marshal, for which this shall be his warrant.

Kandy, April 24, 1942.

E. T. DYSON,  
Fiscal, Central Province.

### NOTICES OF TESTAMENTARY ACTIONS.

In the District Court of Colombo.

Order Nisi.

Testamentary In the Matter of the Joint Last Will and Testament No 3,237 of Juan Walayada Pattar and his wife Mana Muthu Tambayah, deceased.

Juan Gabriel *alias* Paulus Suppiah, Original Petitioner, since deceased.

And

John Gabriel Simon Pillai of 175/50, Pickering's road, Colombo . . . . . Petitioner

Vs.

(1) John Gabriel Sasadurai of Pickering's road, Kotahena, (2) John Sellathurai of 155, Pickering's road, Kotahena, Colombo, (3) Grace Amurtharatnam of Railway avenue, Nugegoda, (4) David Sinnadurai of 185, Pickering's road, Colombo, (5) Ramahngam Philippu Mathes Pillar of Indibedda, Moratuwa, (6) Vimala Clara of Indibedda, Moratuwa, (7) Paternala Harriet Velayden of 44, Rawatawatta, Moratuwa, (8) Sukurthanayagam, (9) Selvanayagam, (10) Saundranayagam, (11) Jayanayagam, and (12) Gunanayagam, all of Pickering's road, Colombo, a minor appearing by his proposed guardian *ad litem*, the 9th respondent . . . Respondents.

THIS matter coming on for disposal before James Joseph, Esq., District Judge of Colombo, on January 21, 1942, in the presence of Mr. S. Kanagarajah, Proctor, on the part of the petitioner above named; and the affidavit of the petitioner above named dated January 17, 1942, having been read:

It is ordered that the 9th respondent above named be and he is hereby appointed guardian *ad litem* of the minor, the 12th respondent, to represent him for all the purposes, and that the petitioner above named be and he is hereby declared entitled, as the surviving son of the deceased executor, to have letters of administration to the above estate with the will annexed issued to him accordingly, unless the respondents or some other person or persons interested shall, on or before February 19, 1942, show sufficient cause to the satisfaction of this court to the contrary.

January 23, 1942.

JAMES JOSEPH,  
District Judge.

The date for showing cause against the above Order Nisi is hereby extended to May 21, 1942.

JAMES JOSEPH,  
Additional District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary In the matter of the Intestate Estate of Widanelage Jurisdiction. Henry Collin Watson de Mel of Mount Villa in Moratuwa, deceased. No. 9,883.

Muriel Sophia Elaine de Mel of Mount Villa in Moratuwa . . . Petitioner.

Vs

(1) Vyville Rose Watson de Mel, (2) Vilma Cloey Muriel de Mel, (3) Boulton de Mel, (4) Cynthia Yvette Muriel de Mel, (5) Muriel Elvina Muriel de Mel, all of Mount Villa in Moratuwa, (6) Henry Peter Dickman de Mel of Glenmore in Moratuwa . . . . . Respondents.

THIS matter coming on for disposal before James Joseph, Esq., Additional District Judge of Colombo, on February 26, 1942, in the presence of Mr. E. L. W. Aponso, Proctor, on the part of the petitioner above named; and the affidavit of the said petitioner dated October 11, 1941, having been read:

It is ordered that the 6th respondent above named be appointed guardian *ad litem* over the minors, 1st to 5th respondents to represent them for all purposes of this action and that the petitioner be and she is hereby declared entitled, as the widow of the deceased, to have letters of administration to his estate issued to her accordingly, unless the respondents or some person or persons interested shall, on or before May 7, 1942, show sufficient cause to the satisfaction of this court to the contrary.

April 28, 1942.

JAMES JOSEPH,  
Additional District Judge.



**33** In the District Court of Colombo.

Testamentary Jurisdiction. In the Matter of the Last Will and Testament of Balasooriyage Mango Perera of 101/37, Parana-wadiya road, Colombo, deceased.

Gamage Daniel Alwis of 101/37, Paranawadiya road, Colombo ..... Petitioner.

Uduwarage Peter Almeida of 470/6, Dematagoda, Colombo ..... Respondent.

THIS matter coming on for disposal before T. Weeraratne, Esq., District Judge of Colombo, on November 19, 1941, in the presence of Mr. D. A. Dissanayake, Proctor, on the part of the petitioner; and the affidavit of (1) the petitioner dated November 6, 1941, and (2) the witnesses dated November 6, 1941, having been read: It is ordered that the last will and testament of Balasooriyage Mango Perera, deceased the original of which has been produced and is now deposited in court be and the same is hereby declared proved, and that the petitioner above named is the executor named in the said will and is hereby declared entitled to have probate thereof issued to him accordingly, unless the respondent above named or some other person or persons interested shall, on or before January 15, 1942, show sufficient cause to the satisfaction of this court to the contrary.

January 9, 1942.

W. SANSONI,  
District Judge.

The date for showing cause against the above *Order Nisi* is hereby extended to February 26, 1942.

February 11, 1942.

JAMES JOSEPH,  
District Judge.

The date for showing cause against the above *Order Nisi* is hereby extended to May 7, 1942.

April 28, 1942.

JAMES JOSEPH,  
District Judge.

**35** In the District Court of Colombo.

*Order Nisi.*

Testamentary Jurisdiction. In the Matter of the Intestate Estate of Mrs Pakkiam Mary Edward nee Aserwatham No. 9,907. Pakkiam Mary of Idayangudi, Tinnevely District, South India, deceased.

In the matter of the Civil Procedure Code 1889 Ch XXXVIII.

Aserwatham Masilamani Durairaj of Sampurvatakara, Tinnevely District via Tenkasi, presently of Ratna Vilasa, 32, 2nd Cross street, Colombo ..... Petitioner.

(1) Hubutus Roi, (2) Ruberts Demin, both are minors of the ages of 11 and 9, respectively, appearing by their proposed guardian *ad litem* (3) Manuel Pakkiam Ammal of Sampurvatakara, Tinnevely District, via Tenkasi ..... Respondents.

THIS matter coming on for disposal before T. Weeraratne, Esq., District Judge of Colombo, on December 15, 1941, in the presence of Mr. S. Kanagarajah, Proctor, on the part of the petitioner above named; and the affidavit of the petitioner dated December 12, 1941, having been read.

It is ordered that the 3rd respondent above named be and she is hereby appointed guardian *ad litem* of the minors, the 1st and 2nd respondents, to represent them for all the purposes of this action, and that the petitioner be and he is hereby declared entitled, as uncle of the children of the deceased, to have letters of administration to the above estate issued to him accordingly, unless the respondents above named or some other person or persons interested shall, on or before February 5, 1942, show sufficient cause to the satisfaction of this court to the contrary.

December 24, 1941.

W. SANSONI,  
District Judge.

The date of showing cause against the *Order Nisi* is hereby extended to May 7, 1942.

February 18, 1942.

JAMES JOSEPH,  
Additional District Judge.

**24** In the District Court of Colombo.

Testamentary Jurisdiction. In the matter of the Last Will and Testament of Ahamparam Suntheram of 19, Ambalama road, Kotahena, Colombo, in the Island of Ceylon, deceased.

And in the Matter of the Civil Procedure Code. 1889, Chapter XXXVIII.

Suntheram Sivapakiam of 19, Ambalama road, Kotahena, widow ..... Petitioner.

THIS matter coming on for disposal before James Joseph, Esq., Additional District Judge of Colombo, on March 13, 1942, in the presence of Mr. S. Kanagarajah, Proctor, on the part of the petitioner above named; and the affidavit of (1) the petitioner dated January 10, 1942, and (2) the attesting witness dated March 4, 1942, having been read: It is ordered that the last will of Ahamparam Suntheram, deceased the original of which has been produced and is now deposited in this court be and the same is hereby declared proved; and that the petitioner above named is the executrix named in the said will, and she is hereby declared entitled to have probate thereof issued to her accordingly, unless any person or persons interested shall, on or before May 7, 1942, show sufficient cause to the satisfaction of this court to the contrary.

April 23, 1942

R. F. DIAS,  
District Judge.

B 3

**36** In the District Court of Colombo.

*Order Nisi.*

Testamentary Jurisdiction. In the Matter of the Estate of the late Agnes Monica Fernando nee Mendis, deceased, of No. 9,977. Idama, Moratuwa.

Charles Lionel Fernando of Moratuwa ..... Petitioner.

(1) Beatrice Selma Muriel Jayasuriya, wife of P. T. Jayasuriya of Idama, Moratuwa, (2) Glencora Dorothy Peiris, wife of A. C. W. Peiris of Sunny Side, Moratuwa, (3) Annie Caroline Engaltina Mendis, wife of Rev. Canon Jacob Mendis of Kirkby, Idama, Moratuwa, (4) Emily Hortense Mendis, widow of the late Francis James Mendis, now of Turret road, Colombo, (5) Maria Francisca de Mel, widow of the late Rev. James F. de Mel, of Kirkby, Idama, Moratuwa, (6) Henry Edward Mendis, of Idama, Moratuwa, (7) Mary Mendis, widow of the late Reginald Alfred Mendis, now of Moksevana, Jambugasmulla road, Nugegoda, (8) Festus Mendis, Moksevana, Jambugasmulla road, Nugegoda, (9) Maudlin Mendis, wife of Godwin A. Mendis, Murzoon House, Ja-ela, (10) Anne Lydia Charlotte Mendis, widow of the late John George Charles Mendis of the Manse, Idama, Moratuwa, (11) Enid Gunasekara, wife of Wilfred Gunasekara, Proctor, Matara ..... Respondents.

THIS matter coming on for disposal before James Joseph, Esq., Additional District Judge of Colombo, on February 27, 1942, and the affidavit of the above-mentioned petitioner dated February 26, 1942, having been read:

It is ordered that the said petitioner above named be and he is hereby declared entitled, as the widower of the deceased above named, to have letters of administration to the above estate issued to him accordingly, unless the respondents above named or some other person or persons interested shall, on or before May 7, 1942 show sufficient cause to the satisfaction of this court to the contrary

March 2, 1942.

JAMES JOSEPH,  
Additional District Judge.

**25** In the District Court of Colombo.

*Order Nisi.*

Testamentary Jurisdiction. In the Matter of the Estate of the late Welisarage Cyril Austin Fernando, deceased, of Wattala. No. 9,982.

Wijemuni Mary Juliet Zoysa of Wattala ..... Petitioner.

(1) Welisarage Esme Vivienne Fernando, (2) Welisarage Leslie Marcus Fernando, (3) Welisarage Cyril Brian Fernando, (4) Welisarage Gratian Fernando, all of Wattala ..... Respondents.

THIS matter coming on for disposal before James Joseph, Esq., Additional District Judge of Colombo, on March 3, 1942, in the presence of Mr. N. J. S. Cooray, Proctor, on the part of the petitioner; and the affidavit of the above-named petitioner dated February 27, 1942, having been read:

It is further declared that the 1st respondent above named be and he is hereby appointed guardian *ad litem* over the minors, the 1st, 2nd, and 3rd respondents to represent them for all the purposes of this action; and that the petitioner is hereby declared entitled, as the widow of the deceased above named, to have letters of administration issued to her accordingly, unless the respondents or some other person or persons interested shall, on or before May 14, 1942, show sufficient cause to the satisfaction of this court to the contrary.

March 4, 1942.

JAMES JOSEPH,  
Additional District Judge

**27** In the District Court of Colombo.

*Order Nisi.*

Testamentary Jurisdiction. In the Matter of the Estate of the late Wijesinpedige alias Ediritalaka Pedige Suwa alias Ediritalakapedige alias Wijesinpedige Suwarisa of Beraunna in the Udugaha pattu of Siyane korale, deceased.

Hattuwanpedi Leelawathie of Borassa in Dasiya pattu of Alutkuru korale ..... Petitioner.

(1) Leela Mahmie, (2) Karampedige Babiya of Pelpita in Udugaha pattu of Siyane Korale ..... Respondents.

THIS matter coming on for disposal before James Joseph, Esq., Additional District Judge of Colombo, on March 5, 1942, in the presence of Mr. S. D. W. Nagel, Proctor, on the part of the petitioner; and the affidavit of the above-mentioned petitioner dated February 27, 1942, having been read:

It is ordered that the 2nd respondent be and he is hereby appointed guardian *ad litem* over the minor, the 1st respondent, to represent her for all the purposes of this action and that the petitioner be and she is hereby declared entitled, as the widow of the deceased above named, to have letters of administration to the above estate issued to her accordingly, unless the respondents or some other person or persons interested shall, on or before May 7, 1942, show sufficient cause to the satisfaction of this court to the contrary.

March 10, 1942.

JAMES JOSEPH,  
Additional District Judge.

31 In the District Court of Colombo.

*Order Nisi.*

Testamentary In the Matter of the Intestate Estate of Joseph Xavier Santappa Mascharanghas of Peedampall, Combatore, India. No. 10,001.

Maria Rajendra Arulappa Mascharanghas of 224, Bankshall street, Colombo. . . . . Petitioner.

(1) Mary Bibinamma Adinaray Kattal Mascharanghas, widow, (2) Delima Mary Felix Catherine Mascharanghas, (3) Ladislau Mascharanghas, (4) Dominic Mascharanghas, (5) Labora Mascharanghas, (6) Raja Mascharanghas, (7) Delicia Mascharanghas, all to 7th are minors appearing by their proposed guardian *ad litem*, 1st respondent, all of Peedampall, Combatore, in India. Respondents.

THIS matter coming on for disposal before James Joseph, Esq., Additional District Judge of Colombo, on March 17, 1942, in the presence of Mr. S. Kanagarajah, Proctor, on the part of the petitioner; and the affidavit of the above-mentioned petitioner dated March 13, 1942, and the Supreme Court order dated March 9, 1942, having been read:

It is ordered that the 1st respondent above named be and she is hereby appointed guardian *ad litem* over the minors, 3rd, 4th, 5th, 6th and 7th respondents, to represent them for all the purposes of this action; and that the petitioner above named be and he is hereby declared entitled, as the brother of the deceased, above-named to have letters of administration to the above estate issued to him accordingly, unless the respondents above named or some other person or persons interested shall, on or before May 21, 1942, show sufficient cause to the satisfaction of this court to the contrary.

March 18, 1942. JAMES JOSEPH, Additional District Judge.

26 In the District Court of Colombo.

*Order Nisi.*

Testamentary In the Matter of the Intestate Estate of Idroos Jurisdiction. Lebbe Marikar Mohamed Mohideen, of 55, No. 10,006. Hulftsdorp street, in Colombo, deceased.

Muhamado Yooosof Fatima Umma, widow of the late Idroos Lebbe Marikar Mohamed Mohideen, of 15, Hulftsdorp street, in Colombo. . . . . Petitioner.

(1) Idroos Lebbe Marikar Mohamed Haniffa of Messenger street, in Colombo, (2) Idroos Lebbe Marikar Shahul Hameed of Hulftsdorp street, in Colombo, and (3) Idroos Lebbe Marikar Muhamado Umma of Messenger street, in Colombo. . . . . Respondents.

THIS matter coming for disposal before James Joseph, Esq., Additional District Judge of Colombo, on March 21, 1942, in the presence of Mr. M. U. M. Saleem, Proctor, on the part of the petitioner; and the affidavit of the petitioner dated March 20, 1942, having been read:

It is ordered that the petitioner above named be and she is hereby declared entitled, as the widow of the deceased above named, to have letters of administration to the above estate issued to her accordingly, unless the respondents above named or some other person or persons interested shall, on or before May 28, 1942, show sufficient cause to the satisfaction of this court to the contrary.

March 24, 1942. JAMES JOSEPH, Additional District Judge.

26 In the District Court of Colombo.

*Order Nisi.*

Testamentary In the Matter of the Last Will and Testament of Jurisdiction. Nartan Dossabhoj Songhadwala of Bombay, No. 10,023. Indian Parsi inhabitant, deceased.

THIS matter coming on for disposal before Waldo Sansoni, Esq., Additional District Judge of Colombo, on April 17, 1942, in the presence of Beram Kaikushnoo Billmorria of Colombo, Proctor, on the part of the petitioner, Oscar Percy Mount of Colombo, and the affidavit of the said petitioner dated April 2, 1942, an affidavit as to the due execution of the will, original will in Gujarati language, an English translation thereof, certificate of death of the above-named deceased, power of attorney in favour of the petitioner, and Supreme Court's order dated March 23, 1942, having been read: It is ordered that the will of the said deceased dated October 2, 1940, of which the original has been produced and is now deposited in this court, be and the same is hereby declared proved, and it is further declared that the said petitioner is one of the attorneys of Bai Hilla Songhadwala, the widow of the deceased, and that he is entitled to have letters of administration with a copy of the said will annexed issued to him, accordingly, unless any person or persons interested shall, on or before May 7, 1942, show sufficient cause to the satisfaction of this court to the contrary.

April 17, 1942. W. SANSONI, Additional District Judge.

22 In the District Court of Kalutara.

*Order Nisi.*

Testamentary In the Matter of the Estate of the late Palyagala Jurisdiction. Badalge Adrian, deceased, of Kalutara South. No. 3,032.

Totawatte Don Manivage Chayanona of Kalutara North. . . . . Petitioner.

(1) Palyagala Badalge Amarasinghe, (2) Palyagala Badalge Priyadasa, (3) D. A. W. Sumanthara, all of Kalutara South. Respondents.

THIS matter coming on for disposal before V. Joseph, Esq., District Judge, Kalutara, on March 31, 1942, in the presence of

Mr. A. Robert de Silva, Proctor, on the part of the petitioner; and the affidavit of the above-mentioned petitioner dated March 9, 1942, having been read:

It is ordered that the said petitioner be and she is hereby declared entitled, as widow, to have letters of administration issued to her, unless the respondents or any other person interested in the estate shall, on or before May 25, 1942, show sufficient cause to the satisfaction of this court to the contrary.

March 31, 1942.

V. JOSEPH, District Judge.

36 In the District Court of Negombo.

*Order Nisi declaring Will proved.*

Testamentary In the Matter of the Last Will and Testament of Jurisdiction. the late Warnakulasuriya Don Francis Paul of Sea street, Negombo, deceased. No. 3,176.

Kurukulasuriya Janellon Fernando of Sea street, Negombo. . . . . Petitioner.

Vs.

(1) W. S. Ramanuel Antonio Stanislaus Paul Fernando, (2) W. S. Joseph Paul Kingsley Fernando, both of Sea street, Negombo. . . . . Respondents.

THIS matter coming on for disposal before H. Ivor de Saram, Esq., Additional District Judge of Negombo, on March 17, 1942, in the presence of Mr. L. S. Kurthusinghe, Proctor, on the part of the petitioner and the petitioner's petition and affidavit dated March 17, 1942, and March 9, 1942, respectively, and the affidavit of the attesting notary and one of the attesting witnesses, both dated February 27, 1942, having been read:

It is ordered that the last will and testament of the said Warnakulasuriya Don Francis Paul, deceased, bearing No. 71, dated December 22, 1934, and attested by Noel Austin Bernadum Stave of Colombo, Notary Public, the original of which has been produced and is now deposited in this court, be and the same is hereby declared proved, unless the respondents or any other person or persons interested shall, on or before April 17, 1942, show sufficient cause to the contrary to the satisfaction of this court.

It is further ordered that the said petitioner is the executrix named in the said last will and that she is entitled to have probate thereof issued to her accordingly, unless the respondents or any other person or persons interested shall, on or before April 17, 1942, show sufficient cause to the satisfaction of this court to the contrary.

March 17, 1942.

N. KRISHNADASAN, District Judge.

Time to show cause is extended for May 8, 1942.

April 17, 1942.

A. S. VANIGASOORIAR, District Judge.

29 In the District Court of Kandy.

*Order Nisi declaring Will proved, &c.*

Testamentary In the Matter of the Last Will and Testament of Jurisdiction. Pulawar Mohamado Tamby's son, Asan Ali, No. T 264. deceased, of Moragahamula in Uda Dumbara.

THIS matter coming on for disposal before Chollappal Nagalingam, Esq., District Judge, Kandy, on February 3, 1942, in the presence of Mr. P. Balasingham, on the part of the petitioner, Seyado Saiboo son, Latif Saiboo of Moragahamula; and the affidavits of the said petitioner dated October 10, 1941, and of the attesting notary, dated January 2, 1942, having been read:

It is ordered that the last will of the above-named deceased, dated March 1, 1940, and now deposited in this court, be and the same is hereby declared proved, unless any person or persons interested shall, on or before March 19, 1942, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said petitioner is the executor named in the said will and that he is entitled to have probate of the same issued to him accordingly, unless any person or persons interested shall, on or before the said date, show sufficient cause to the satisfaction of this court to the contrary.

February 3, 1942.

C. NAGALINGAM, District Judge.

Time for showing cause is extended to April 16, 1942.

March 19, 1942.

C. NAGALINGAM, District Judge.

Time for showing cause is extended to May 4, 1942.

April 16, 1942.

C. NAGALINGAM, District Judge.

30 In the District Court of Kandy.

*Order Nisi.*

Testamentary In the Matter of the Estate of the late Livera Jurisdiction. Premachandra Hettiheva Dharmaratne Hamine, No. T 265. deceased, of Sinhayapitiya, Gampola.

THIS matter coming on for disposal before Chellappa Nagalingam, Esq., District Judge, Kandy, on February 6, 1942, in the presence of Messrs. Channaraswamy and Vijayaratham, Proctors, Kandy, on the part of the petitioner, Gardiya Hewawansa Balage Edmund Gardiyeva; and the affidavit of the said petitioner, dated January 30, 1942, having been read: It is ordered that the petitioner be and he is hereby declared entitled, as the son of the above-named deceased, to have letters of administration to the estate

of the deceased issued to him, unless the respondents (1) Gardiye Hewawasan Balage Vincent Gardihewa, (2) Gardiye Hewawasan Balage Alfred de Silva, (3) Gardiye Hewawasan Balage Seelawathie alias Charlotte de Silva nee Jayawardene, (4) Gardiye Hewawasan Balage Dona Yasowathie de Silva nee Waiddiyaratna, (5) Gardiye Hewawasan Balage Dulce de Silva, (6) Gardiye Hewawasan Balage Dona Anula de Silva, (7) Ranjithi Suwarnalatha Piyadasa, and (8) K. G. Piyadasa; the 5th and 6th by their guardian *ad litem*, the 1st respondent, and the 7th by his guardian *ad litem*, the 8th respondent, or any other person or persons interested shall, on or before March 26, 1942, show sufficient cause to the satisfaction of this court to the contrary.

C. NAGALINGAM,  
District Judge

The date for showing cause is extended to May 14, 1942.

March 26, 1942.

C. NAGALINGAM,  
District Judge.

26 In the District Court of Kandy.

Order Nisi declaring Will Proved.

Testamentary In the Matter of the Last Will and Testament of Jurisdiction. Lena Augusta Chapman of Kandy, in the Island No. T 275. of Ceylon, spinster, deceased.

THIS matter coming on for disposal before Chellappa Nagalingam, Esq., District Judge, Kandy, on March 24, 1942, in the presence of Messrs. Coomaraswamy & Jayaratnam, Proctors, on the part of petitioner, Marianne Rose Stamton of Kandy; and (1) the affidavit of the said petitioner, dated March 6, 1942, (2) the power of attorney dated August 28, 1942, and (3) the affidavit of the attesting notary of the will dated February 24, 1942, having been read: It is ordered that the will of the said Lena Augusta Chapman, deceased bearing No. 2,751 dated May 2, 1940, and attested by James Aubrey Martensz, Notary Public, of Colombo aforesaid, the original of which has been produced and is now deposited in this court, be and the same is hereby declared proved, and it is further declared that the said Marianne Rose Stamton is the attorney in Ceylon of Nathale Muriel Chapman, the surviving executrix named in the said will, and that she is entitled to have letters of administration (with will annexed) issued to her accordingly, unless any person or persons interested shall, on or before May 14, 1942, show sufficient cause to the satisfaction of this court to the contrary.

March 24, 1942.

C. NAGALINGAM,  
District Judge.

22 In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late Kamalampi- Jurisdiction. kai, widow of Sangarappillai Kandiah of Chankana West, deceased

(1) Parameswari, wife of Vaddukkoddai East. Petitioner.

(1) Ehamparan Pararajasingam of Vaddukkoddai East, presently of Singapore, (2) Chellammah, widow of Appukuddy Kanagasabai of Vaddukkoddai East . . . . . Respondents.

THIS matter coming on for disposal before C. Coomaraswamy, Esq., District Judge of Jaffna, in the presence of Mr. K. Edrimeyakam, Proctor, on the part of the petitioner, and the petition and the affidavit of the petitioner having been read. It is hereby ordered and decreed that the petitioner is the sole heir of the estate of the deceased, and she is entitled to have letters of administration issued to her, unless the respondents or any other person shall, on or before May 8, 1942, show sufficient cause to the satisfaction of this court to the contrary.

February 6, 1942.

C. COOMARASWAMY,  
District Judge.

24 In the District Court of Jaffna.

Order Nisi.

Testamentary In the Matter of the Estate of the late Velauthor Jurisdiction. Subramaniam Kanagasabai of Tellippalai East, No 1,126. deceased

Ponnammah, widow of V. S. Kanagasabai of Tellippalai East . . . . . Petitioner.

(1) Sarasvathy, daughter of V. S. Kanagasabai of ditto, (2) Kandiah Balarajasingam of Vannarponnai . . . . . Respondents.

THIS matter coming on for disposal before C. Coomaraswamy, Esq., District Judge, Jaffna, on March 23, 1942, in the presence of Mr. K. E. Thamby, Proctor, on the part of the petitioner; and on reading the affidavit and petition of the petitioner.

It is ordered that the above-named petitioner be declared entitled to letters of administration to the estate of the above-named deceased and that the same be issued to her accordingly and that the above-named 2nd respondent be appointed guardian *ad litem* over the above-named 1st respondent to represent her in this action, unless the above-named respondents or any other person shall, on or before May 6, 1942, appear before this court and show sufficient cause to the satisfaction of this court to the contrary.

March 23, 1942.

C. COOMARASWAMY,  
District Judge.

#### DRAFT ORDINANCES. MINUTE.

The following Draft of a proposed Ordinance is published for general information:—

L. D.—O 18/42

An Ordinance to enable special provision to be made, during the period of the present emergency in relation to the payment of grants from State Funds in respect of Assisted Schools and of the salaries of teachers in such Schools, in relation to the terms and conditions subject to which such payments may be made, and generally in relation to matters connected with or incidental to the matters aforesaid.

BE it enacted by the Governor of Ceylon, with the advice and consent of the State Council thereof, as follows:—

1. (1) This Ordinance may be cited as the Education (Emergency Provisions) Ordinance, No. of 1942

(2) This Ordinance shall cease to be in force upon such date as the Governor may appoint by Proclamation published in the *Gazette*.

2. (1) The State Council may from time to time, by resolution, approve any Scheme prepared by the Executive Committee of Education containing special provisions—

(a) relating to the payment from State funds of grants in respect of Assisted Schools, and of branch schools authorised to be maintained while this Ordinance remains in force;

(b) relating to the payment of the salaries of persons who are or have been employed as teachers in such schools;

(c) relating to the determination of the amount of such grants and salaries, and prescribing the terms and conditions subject to which such payments may be made, including, in the case of payments to persons who are or have been employed as teachers, conditions requiring the performance of such duties in connection with Civil Defence, or the acceptance of such employment under the Government or otherwise, as may in any such case be specified by the Director of Education;

Short title and duration

Schemes for payment of grants and salaries and for other special provisions

- (d) prescribing the circumstances in which payment of any such grant or salary may be withheld ;
- (e) authorising the temporary suspension or modification of the operation of any provisions of any other written law applicable to Assisted Schools or to the teachers employed therein.

(2) Every Scheme which has been approved by the State Council under sub-section (1) shall be submitted to the Governor for ratification, and, if so ratified, shall be published in the *Gazette* and shall come into operation upon such publication.

(3) Any Scheme which has been approved and ratified as hereinbefore provided may be amended, modified or revoked by resolution passed by the State Council and ratified by the Governor ; every resolution so ratified shall be published in the *Gazette* and shall come into force upon such publication.

Effect of Schemes under this Ordinance.

3. Every Scheme which has been approved, ratified and published in accordance with the provisions of section 2 and which is for the time being in operation shall, subject to such amendments or modifications as may be made therein under those provisions, be deemed to be as valid and effectual as though it were herein enacted, and have effect notwithstanding anything contained in the Education Ordinance, No. 31 of 1939, or in any regulation, Code or other written law made, or having effect as if it were made, under that Ordinance.

Validation of arrangements previously approved by State Council.

4. The financial arrangements, procedure and other provisions set out in the Observations of the Minister for Education upon the Supplementary Estimate under Head 111, New sub-head 26, for the sum of Rs. 1,250,000 (which was approved by the State Council on the second day of April, 1942) shall be deemed to constitute, and heretofore to have constituted, a Scheme duly approved, ratified and published in the manner provided by this Ordinance, and shall have effect and be deemed, on and after the first day of March, 1942, to have had effect accordingly subject, however, to the modifications set out in the Schedule to this Ordinance.

Construction of Ordinance.

5. This Ordinance shall be read and construed as one with the Education Ordinance, No. 31 of 1939 :

Provided, however, that in the event of any conflict or inconsistency between the provisions of that Ordinance and the provisions of this Ordinance or of any Scheme having effect or deemed to have effect thereunder, the provisions of this Ordinance or of such Scheme shall prevail :

Provided further that nothing in the preceding provisions of this Ordinance shall be deemed to prejudice or affect the right of the Executive Committee of Education to make regulations in relation to any matter for or in respect of which regulations are authorised to be made under the Education Ordinance, No. 31 of 1939.

#### SCHEDULE.

##### (Section 4).

*Modifications of financial arrangements, procedure, and other provisions set out in the Observations of the Minister for Education referred to in section 4.*

1. The following item shall have effect in lieu of item (D) in paragraph 3 :—

“(D) No person shall be appointed to be a teacher in any Assisted school or branch school—

- (a) unless he is a person who was on the eligible staff of a school prior to March 1, 1942, and is temporarily without employment ; or
- (b) unless all persons of the description referred to in subparagraph (a) have been offered, and have refused, the appointment.”

2. Item (E) in paragraph 3 shall have effect as though, for all the words from “ Schools will be permitted ” to “ parent and branch schools. ”, there were substituted the following :—

“ Where possession is or has been taken on behalf of His Majesty of the premises of a school, or where a school is situated in a declared area, the school will be permitted to open one or more temporary branch schools in other areas. The branch school and the parent school, if it remains open, will, in any such case, be considered to constitute one school for the purpose of calculating the average attendance of pupils and the number of eligible teachers.”

3. Item (G) in paragraph 3 shall have effect as though, for the words " shall be dealt with as follows :—", there were substituted the following :—

" and teachers who become superfluous by reason of the closing of a school, consequent upon the fact that possession is or has been taken on behalf of His Majesty of the premises of that school, shall be dealt with as follows :— "

4. The following new items shall have effect as items (H) and (I) in paragraph 3 :—

" (H) In the case of night schools which ceased or cease to function in consequence of any Lighting Restriction Order made under the Defence (Miscellaneous) Regulations, proportionate grants may be paid calculated on the average attendance in such schools and the number of days on which they were in session during the current school year.

(I) The Director of Education may, having regard to the special circumstances of any Assisted School, direct that any provision of the Code, relating to the minimum period during which schools shall remain in session or to the period during which a teacher shall be employed in teaching in order to be regarded as a full-time teacher, shall be modified in its application in the case of that Assisted school or of any branch school maintained in connexion therewith. "

5. The following paragraph shall have effect in lieu of paragraph 6 :—

' 6. For the purposes of the provisions hereinbefore set out, " declared area " means any of the areas mentioned in the Report of the Executive Committee of Education under Article 46 (1) of the Ceylon (State Council) Order in Council, 1931, presented to the State Council by the Minister for Education on the subject of " the closure of schools in certain declared areas on account of the present war emergency situation " and accepted by the Council at its meeting held on February 25, 1942, and includes any such other area as may be declared by resolution of the Council, upon motion made in that behalf by the Minister with the approval of the Board of Ministers, to be a declared area for the purposes aforesaid.'

#### *Objects and Reasons.*

The State Council at its meeting on February 25, 1942, approved of certain temporary financial arrangements recommended by the Executive Committee of Education consequent upon the evacuation of pupils from schools in certain areas considered to be dangerous in view of the likelihood of war operations. Those arrangements contemplated the payment of grants in respect of Assisted Schools and of the salaries of teachers in such schools in cases where the Code of Regulations for Assisted Schools did not authorise the making of such payments.

At its meeting held on April 2, 1942, the Council voted a special additional sum of Rs. 1,250,000 to meet the salaries of Assisted School teachers in certain areas from January 1, 1942, to September 30, 1942; the Minister for Education in his Observations upon the Supplementary Estimate set out details regarding the new procedure which was to be adopted, during the prevalence of the present abnormal conditions, in regard to the payment, employment and transfer of teachers.

2. Effect has already been given to the financial arrangements approved by the State Council and to the procedure outlined by the Minister; but it is not legally possible by means of regulations under the Education Ordinance, No. 31 of 1939, retrospectively to validate the actions which have already been taken by the Department of Education to implement the decisions of the State Council and of the Executive Committee which are referred to above.

3. The object of this Bill is to take the necessary power to enable the Council to deal expeditiously with any abnormal conditions relating to education and the employment of teachers which may arise during the period of the present emergency; the Bill will also regularise the position in regard to the action which has already been taken by the Education Department.

4. The Council will be enabled from time to time to approve any Scheme prepared by the Executive Committee of Education containing special provisions relating to the payment of grants and salaries and to the terms and conditions subject to which such payments may be made; any such Scheme may provide that payment of such grants or salaries can be withheld in specified circumstances.

Any such Scheme will not have effect until it has been ratified by the Governor.

5. Clause 4 of the Bill will provide that the financial arrangements, procedure and other provisions set out in the Observations of the Minister upon the Supplementary Estimate approved on April 2, 1942, will be deemed to constitute a Scheme duly approved and ratified in accordance with the new law.

6. It has been found that certain of the proposals set out in my Observations which are referred to above need clarification and alteration and the opportunity has been taken to effect certain necessary modifications in those proposals as set out in those Observations. These alterations and modifications are set out in the Schedule to the Bill.

The Observations mentioned above are reproduced below for reference.

*Observations referred to.*

“ At a meeting of the State Council held on February 25, 1942, in view of the closure of Assisted Schools in certain declared areas the following financial arrangements recommended by the Executive Committee of Education were approved by the State Council :—

“ (i.) The Manager of an Assisted School in a declared area will be paid from Government funds, in respect of the teachers in his employment, in addition to the grant payable under the Code the following additional grants for the months of March and April, 1942 :—

(a) in respect of the teachers on the eligible staff, the Manager's contribution ;

(b) in respect of the teachers who are not on the eligible staff, the actual salary cost of such teachers or the salary cost assessed on the basis of the salary scales laid down in the Code whichever is lower.

(ii.) The Manager of an Assisted School in a declared area will also be paid a further grant equivalent to the wages of the staff of clerks and minor employees approved by the Director of Education in the previous year.

(iii.) As a condition precedent to the payment of additional grants referred to in (i) and (ii.) above, the Manager shall pay over to the Director of Education any school fees that may have been collected by him for the months of March and April, 1942 ”.

2. It is expected that schools will reopen about the beginning of May, 1942, unless the State Council decides otherwise.

3. The Executive Committee has now decided to adopt the following procedure in regard to the payment, employment in other services and transfer of teachers due to the present abnormal conditions :—

(A) In special cases where the increase of average attendance of a school during the course of the school year is directly or indirectly due to evacuation of families or closure of other schools, the Director may pay grant in respect of a staff based on the average attendance of the previous month. In such cases the requirements as regards accommodation may be relaxed.

(B) If a teacher who loses his employment, either through a fall in attendance owing to evacuation of pupils or through the closing of his school, obtains a post on the eligible staff of a school which is on a lower scale of salary, he shall be entitled to receive his former scale. If the salary of the teacher is above the maximum of his grade in the new school, he shall be placed on this maximum and the difference between this maximum salary and his previous salary shall be met by the Department. The Manager's contribution to his salary shall be that already adopted by the school. Teachers who obtain employment in schools which have higher scales of salary will continue to be paid on their last scale. Teachers dealt with in this manner shall be considered as seconded.

(C) No school will be allowed to adopt a higher or a lower scale of salary after March 1, 1942.

(D) Until those teachers who were on the eligible staffs of schools prior to March 1, 1942, have been offered employment and have refused to accept employment no other teachers may be appointed.

(E) Schools will be permitted to open temporary branch schools in other areas. The number of teachers in such branch schools and the parent school, if any remain, will be calculated on the attendance of pupils in the parent and branch schools. Pupils cannot be admitted to branch schools from schools of the same grade in the locality. Pupils may be admitted to a branch school from a school of a lower grade in the locality provided they have completed the full course in the lower grade school.

(F) Schools which are certified will not be considered as branch schools.

(G) Teachers of assisted schools situated in declared areas who become superfluous by reason of a decrease in attendance of the schools concerned (the staff requirement of a school

affected by evacuation being determined by the Department not only on the basis of the attendance, but also having regard to the number of classes to be taught) shall be dealt with as follows :—

- (a) Teachers may be absorbed into schools by mutual arrangement between managers ;
- (b) Teachers may be seconded by the Director, after consultation with the managers of schools, for service in schools where there is need for more teachers ;
- (c) The Director of Education will, as far as possible, make arrangements to provide men teachers who cannot be so absorbed with work in Emergency schools, A R. P., first-aid or other emergency work on their present salaries ;
- (d) The Director of Education will, as far as possible, make arrangements to provide women teachers who cannot be so absorbed with work in Emergency schools, first-aid, nursing or other similar work on their present salaries.
- (e) Teachers who cannot be found work in registered or Emergency schools will be permitted to serve in schools which have already been certified or recognized. For such service grant will be paid on the basis of the salary drawn by the teachers in the registered schools from which they came provided the Director is satisfied that the appropriate Manager's contribution has been paid.
- (f) In the event of work not being available under any of the above heads, teachers will be paid their full salaries.
- (g) If any teacher is not prepared to accept the work offered he or she will be placed on no-pay leave.

4 With a view to alleviating the hardship to schools in declared areas caused by the decrease in attendance the Government shall pay an additional grant equivalent to the difference between the approved expenditure from the fee income during the past year and the actual fee income for the current year. This grant will be paid in instalments at stated intervals. (Approved expenditure is expenditure on such items as approved salaries of teachers on the eligible staff, clerical staff, stationery, &c., the different items being subject to approval by the Director). Where the past year's fee income is less than the approved expenditure of that year, only the difference between the current year's fee income and the fee income of the past year shall be payable by the Government.

5. Arrangements will be made, as far as possible, by the Department to pay monthly salaries direct to the teachers who are affected by the above regulations.

6. Code rules will be introduced to implement the above proposals.

7. It has been decided that it will be necessary for Government to provide funds—

- (a) to pay monthly grants instead of retrospective annual grants ;
- (b) to subsidize schools which have suffered through a decline in fee receipts.

A part of the monthly grants thus paid will be offset against the annual grant payable to schools during the next financial year."

Colombo, April 29, 1942. C. W. W. KANNANGARA,  
Minister for Education.