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## THE CEYLON GOVERNMENT GAZETTE

අංක 11,618 — 1958 දෙසැම්බර් 19 වැනි සිකුරාදා — 19.12.1958

No. 11,618—FRIDAY, DECEMBER 19, 1958

(Published by Authority)

### PART I: SECTION (I)—GENERAL

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### Appointments, &c., by the Governor-General

No. 539 of 1958

#### ARMY—REGULAR FORCE—APPOINTMENT AND RELINQUISHMENT OF APPOINTMENT APPROVED BY HIS EXCELLENCY THE GOVERNOR-GENERAL

##### Appointment

To be Recruiting Officer under section 13 (1) of the Army Act, No. 17 of 1949, with effect from December 15, 1958—

Lieutenant M. A. P. SAMARASINGHE, C. L. I.

##### Relinquishment

The under-mentioned officer to relinquish his appointment as Recruiting Officer under section 13 (1) of the Army Act, No. 17 of 1949, with effect from December 15, 1958—

Temporary Captain C. T. CALDERA, C. L. I.

By His Excellency's command,

G. DE SOYZA,

Permanent Secretary,

Ministry of Defence and External Affairs.

Colombo, December 8, 1958.

No. 540 of 1958

No. D1/Rect/21.

#### ARMY—REGULAR FORCE—PROMOTIONS AND POSTINGS APPROVED BY HIS EXCELLENCY THE GOVERNOR-GENERAL

##### Promotions

To be Lieutenants with effect from January 2, 1958—

Second-Lieutenant D. W. HAPUARACHI

Second-Lieutenant L. G. SIGERA

Second-Lieutenant M. KANDIAH

##### Postings

The undermentioned Officers are posted to the Groups/Regiments with effect from dates shown against their names. The order of seniority shall be as shown below—

Lieutenant D. W. HAPUARACHI—The Ceylon Sinha Regiment, with effect from August 14, 1958.

Lieutenant L. G. SIGERA—Ceylon Army Ordnance Corps, with effect from September 23, 1958.

Lieutenant M. KANDIAH—The Ceylon Sinha Regiment, with effect from August 14, 1958.

Second-Lieutenant J. R. E. PARAMSOTHY—The Ceylon Light Infantry, with effect from September 23, 1958.

Second-Lieutenant S. A. B. DIAS—The Ceylon Light Infantry, with effect from September 23, 1958.

Second-Lieutenant S. ARUNASALAM—The Ceylon Light Infantry, with effect from October 24, 1958.

Second-Lieutenant G. W. UPASIRI—The Ceylon Sinha Regiment with effect from August 14, 1958.

Second-Lieutenant Q. C. BATUWITAGE—The Ceylon Light Infantry, with effect from October 24, 1958.

By His Excellency's command,

G. DE SOYZA,

Permanent Secretary,

Ministry of Defence and External Affairs.

Colombo, 5th December, 1958.

No. 541 of 1958.

No. D. 1/Rect/23.

**ARMY—REGULAR FORCE—AMENDMENT TO NOTIFICATION No. 214 OF 1958 APPEARING IN GOVERNMENT GAZETTE No. 11,318 OF FRIDAY, MAY 23, 1958, APPROVED BY HIS EXCELLENCY THE GOVERNOR-GENERAL**

For " Mr. SATHIYENDRA PRASANNA ILLANGANTILEKE "

Read " Mr. SATHIYENDRA PRASANNA ILLANGANTILEKE "

By His Excellency's command,

G. DE SOYZA,  
Permanent Secretary,

Ministry of Defence and External Affairs.

Colombo 1, December 9, 1958.

No. 542 of 1958

No. D. 2/Rect/17.

**ROYAL CEYLON NAVY—APPOINTMENTS**

HIS EXCELLENCY THE GOVERNOR-GENERAL has been pleased to approve the commissioning of the under-mentioned gentleman in the Royal Ceylon Navy and his promotion to the rank of Surgeon-Lieutenant with effect from December 1, 1958.

Dr. DON BENJAMIN VALENTINE WEERASINGHE,  
M.B., B.S. (Ceylon).

By His Excellency's command,

G. DE SOYZA,  
Permanent Secretary,

Ministry of Defence and External Affairs.

Colombo 1, 5th December, 1958.

**Appointments, &c., by the Public Service Commission**

No. 543 of 1958

A. 414/57.

Mr. S. ARUMUGAM, Deputy Director of Irrigation, to act as Director of Irrigation, in addition to his duties, with effect from 12th November, 1958, during the absence out of the Island of Mr. A. E. C. de S. GUNASEKERA.

A. 210/58.

Mr. W. L. FERNANDO, Deputy Information Officer, to act, in addition to his duties, in the post of Information Officer, with effect from 7th November, 1958, until further orders.

E. G. GOONEWARDENE,  
Secretary,

Public Service Commission.

Office of the Public Service Commission,

P. O. Box 500,

Colombo 1, 16th December, 1958.

No. 544 of 1958

A. 63/58.

THE Public Service Commission has been pleased to promote Mr. J. A. L. ROSEMALE COCQ, Assistant Superintendent of Police, to be a Superintendent of Police, Grade II, with effect from 1st November, 1958.

E. G. GOONEWARDENE,  
Secretary,

Public Service Commission

Office of the Public Service Commission,

P. O. Box 500,

Colombo 1, 16th December, 1958.

**Appointments, &c., by the Judicial Service Commission**

No. 545 of 1958

**SUMMARY OF APPOINTMENTS MADE BY THE JUDICIAL SERVICE COMMISSION**

Name of Officer	New Appointment	Effective date of New Appointment	Remarks
Mr. D. S. L. P. ABAYASEKARA	Additional District Judge, Panadura	12th December, 1958	In addition to his other duties
Mr. C. M. THARMALINGAM	Additional Magistrate, etc., Vavuniya	From 8th December, 1958	Until resumption of duties by Mr. T. J. RAJARATNAM
Mr. C. A. L. COBEA	Additional Magistrate, etc., Chilaw & Puttalam	10th December, 1958	During absence of Mr. B. E. DE SILVA
Mr. S. ILAYATAMBI	Additional Magistrate, etc., Jaffna, at Mallakam	17th and 19th December, 1958	During absence of Mr. G. C. NILES
Mr. S. NATARAJA	Additional District Judge, etc., Anuradhapura	17th December, 1958	During absence of Mr. V. K. KANDASWAMY
Mr. C. V. S. DE SILVA	Additional Magistrate, etc., Kurunegala, at Kanadulla	12th and 13th December, 1958	During absence of Mr. S. S. KULATILEKE
Mr. P. A. DHARMADASA	Additional District Judge, etc., Ratnapura	9th December, 1958	During absence of Mr. D. H. DE S. GUNAWARDENE
Mr. P. G. DE SILVA	Additional District Judge, etc., Avissawella	From 17th December, 1958	Until resumption of duties by Mr. A. D. J. GUNAWARDENE
Mr. F. P. SENARATNE	Additional District Judge, etc., Anuradhapura	24th to 28th December, 1958	During absence of Mr. V. K. KANDASWAMY

Name of Officer	New Appointment	Effective Date of New Appointment	Remarks
Mr. W. A. C. SIRISENA	Additional Magistrate, etc., Balapitiya	6th to 8th December, 1958	During absence of Mr. W. D. THAMOTHERAM
Mr. M. T. T. DE S. AMERASEKERA	Acting President, Rural Court, Bentota-Wallala- witi Korale, etc.	3rd and 4th December, 1958	During absence of Mr. H. E. S. WICKRE- MARATNE
Mr. C. A. L. GOONSEKERA	Acting President, Rural Court, Kuruwiti Korale, etc.	22nd to 24th, 26th, 27th and 29th December, 1958	During absence of Mr. W. GUNAWARDENA
Mr. N. S. SIVAPRAGASAM	Acting President, Rural Court, Eravur Koralai, etc.	29th to 31st December, 1958	During absence of Mr. A. HOMER VANNIA- SINKAM

Office of the Judicial Service Commission,  
P. O. Box 573,  
Colombo, 9th December 1958.

S. R. WIJAYATILAKE,  
Secretary,  
Judicial Service Commission.

## Other Appointments

No. 546 of 1958

No. 74/48 (MF).

### CIVIL SERVICE

Mr. I. O. K. G. FERNANDO to be attached to the Customs Department with effect from November 1, 1958.

Mr. L. S. PERERA to be attached to the Kandy Kachcheri with effect from November 3, 1958.

Mr. F. C. PIETERSZ to be attached to the Galle Kachcheri with effect from November 3, 1958.

No. 74/2/153 (MF).

Mr. W. M. KARUNARATNE to be Assistant Secretary, Ministry of Local Government and Cultural Affairs with effect from December 1, 1958.

S. F. AMERASINGHE,  
Secretary to the Treasury.

The Ministry of Finance,  
Colombo 1, 15th December, 1958.

No. 547 of 1958

No. D. 33/Rect.

### ROYAL CEYLON AIR FORCE—PROMOTIONS

THE following promotions in the Royal Ceylon Air Force are made in terms of regulation 3 of the Ceylon Air Force (Regular and Regular Reserve) Regulations, 1951.

To be Flying Officer with effect from 29th November, 1958—

Pilot Officer—CHARLES RODNEY ACHILLES CLEMENT ROBINSON—Tech/Eng.

Pilot Officer—NATKUNAM MAZENOD XAVIER SORNABALA—Tech/Eng.

Pilot Officer—VALENTINE DUNCAN ANSELM DISSANAYAKE—Equip.

Pilot Officer—MURUGESU MUTHUCUMARU—Equip.

G. DE SOYZA,

Permanent Secretary,

Ministry of Defence and External Affairs.

Colombo, 5th December, 1958.

No. 548 of 1958

### APPOINTMENTS BY THE HONOURABLE MINISTER OF JUSTICE

#### Officers Administering Oaths under Section 372 of the Civil Procedure Code

(1) Mr. E. M. KIRIMUDIYANSE to be, while acting in the post of Fiscal's Marshal, Dandagamuwa (Kanadulla), an officer specially authorised to administer the oaths or affirmations which are requisite to the making of affidavits mentioned in section 371 of the said Code, for the judicial division of Dandagamuwa (Kanadulla), with effect from the 22nd December, 1958.

(2) Mr. S. SABAPATHY to be, while holding the post of Head Clerk of the D. R. O., M.P.P's Office, and while acting as Fiscal's Marshal, Mullaitivu, an officer specially authorised to administer the oaths or affirmations which are requisite to the making of affidavits mentioned in section 371 of the said Code, for the judicial division of Vavuniya.

#### Inquirers under Section 120 of the Criminal Procedure Code (Cap. 16)

(1) Mr. L. J. GUNAWARDANA to act as Inquirer for Dehiwini Palata in Badulla District, from the 3rd December, 1958, until the resumption of duties by Mr. R. B. MULLEGAMA.

(2) Mr. E. YATHAVARAYAR to act as Inquirer for Delft Division, Jaffna District, from the 5th December, 1958, until the resumption of duties by Mr. K. RAMANATHAN.

(3) Mr. S. B. A. DE SILVA to act as Inquirer for Nuwara Eliya Gravets, Nuwara Eliya District, from the 7th December, 1958, until the resumption of duties by Mr. V. C. PERERA.

(4) Mr. K. A. DE S. R. WIJESINGHE to act as Inquirer for the Vidane Arachchies' Divisions of Wera-goda, Batapola, and Totagamuwe in Wellaboda Pattu, Galle District, from the 10th December, 1958, until the resumption of duties by Mr. J. W. SIRIWARDENA.

(5) Mr. J. D. A. JAYASEKERA to act as Inquirer for the Vidane Arachchies' Divisions of Pitigala, Elpitiya and Opatha, Galle District, from the 15th December, 1958, until the resumption of duties by Mr. J. GUNATILEKA.

No. 549 of 1958

THE Honourable the Minister of Home Affairs has appointed Mr. HETTIARATCHIGE EDMUND GUNASEKERA, to be a Notary Public throughout the judicial division of Anuradhapura, with residence and office at Kekirawa and an additional office at Eppawala and to practise as such in the Sinhalese and English languages.

No. 550 of 1958

**APPOINTMENTS UNDER THE CONTROL OF PRICES ACT, No. 20 OF 1950**

BY virtue of the powers vested in him by section 2 of the Control of Prices Act, No: 29 of 1950, read with section 10B of the Interpretation Ordinance (Chapter 2) as modified by the Proclamation published in *Gazette Extraordinary* No. 9,828 of February 5, 1948, the Honourable Minister of Agriculture and Food has been pleased to appoint Messrs. CHARLES ABEYDEERA and JOHN CLARANCE LAKSHMAN MELDER GUNARATNE, Assistant Food Controllers, to be, in addition to their duties, Assistant Controllers of Prices (Food) for the Island for the purposes of the Act, with effect from July 14, 1958.

K. ALVAPPILLAI,  
Permanent Secretary,  
Ministry of Agriculture and Food.  
Colombo, December 4, 1958.

**Government Notifications**

No. PR/AF/123.

IT is hereby notified for general information that Mr. C. E. P. Jayasuriya, having returned to the Island, resumed duties as Honorary Consul for Greece at Colombo on the 14th November, 1958, relieving Mr. K. A. Jayasena who was acting for him.

G. DE SOYZA,  
Permanent Secretary,  
Ministry of External Affairs.  
Colombo 1, 10th December, 1958.

(D. S. 148/58). No. 551 E. 281/124 DF.

PURSUANT to the 2nd Section of the Minutes on Pensions, it is hereby notified that the holder of the office specified below is entitled to pension—

*Department of Health*  
Storekeeper, Anti-Malaria Campaign, with effect from 1st November, 1958.

S. F. AMERASINGHE,  
Secretary to the Treasury.  
General Treasury,  
Colombo, 6th December, 1958.

L. D.—B. 43/34.

**THE REGISTRARS PROCEEDINGS VALIDATION ORDINANCE**

ORDER made by the Minister of Home Affairs by virtue of the powers vested in him by section 3 of the Registrars Proceedings Validation Ordinance (Chapter 103), as modified by the Proclamation published in *Gazette Extraordinary* No. 9,773 of September 24, 1947.

A. P. JAYASURIYA,  
Minister of Home Affairs.  
Colombo, November 19, 1958.

**Order**

The acceptance of the notices of marriage, the issue of the Registrar's certificates, the issue of the licences, and the registration of the marriages which are specified in column I of the Schedule hereto shall be deemed to be as valid and effectual for all purposes as if the invalidating reason set out in column II of that Schedule had not existed at the time of the acceptance of the notices, the issue of the certificates and licences and the registration of the marriages.

**SCHEDULE**

Column I

Column II

- (1) Notices of marriage Nos. 5015 to 5018 dated May 28, 1958, accepted by Mr. W. E. Peiris as Additional District Registrar of Marriages, Kalutara District. The notices were accepted, the certificates and licences were issued, and the registration entries were made by Mr. W. E. Peiris who was not on the material date a duly appointed District Registrar or Additional District Registrar of Marriages of the Kalutara District under the Marriage Registration Ordinance (Chapter 95).
- (2) Registrar's certificates dated May 28, 1958, issued by Mr. W. E. Peiris as Additional District Registrar of Marriages, Kalutara District, in respect of notices Nos. 5015 to 5018 dated May 28, 1958.
- (3) Licences issued by Mr. W. E. Peiris as Additional District Registrar, Kalutara District, on May 28, 1958, to:
- (i) Mr. W. E. Peiris, Registrar of Marriages of Kalutara and Panadura Totamunes Division, in Kalutara District, in respect of the notices of marriage Nos. 6902 and 6903 dated May 28, 1958, given to Mr. W. E. Peiris; and
- (ii) The Additional District Registrar, Kalutara District in respect of the notices of marriage Nos. 5015 and 5018 dated May 28, 1958, given to the Additional District Registrar, Kalutara District.
- (4) Marriages registered under entries Nos. 789, 790, 791 and 792 dated May 28, 1958, made by Mr. W. E. Peiris as Additional District Registrar, Kalutara District, in the registers of the District Registrar of Kalutara District.

Mr. John Marcellus Pereira, a Notary authorized to practise in the English language throughout the judicial division of Colombo has, under section 21 (1) of the Notaries Ordinance (Cap. 91), as amended by notification dated 18th September, 1947, appearing in *Gazette Extraordinary* No. 9,773 of 24th September, 1947, tendered his resignation from office of Notary with effect from 1st November, 1957, and the Honourable the Minister of Home Affairs has accepted the resignation as from the said date.

L.D.—B. 40/34.

L. C.—LB 2653.

**THE FOREST ORDINANCE**

ORDER made by the Minister of Lands and Land Development by virtue of the powers in him by section 12 of the Forest Ordinance (Chapter 311), as modified by the Proclamation published in *Gazette Extraordinary* No. 9,773 of September 24, 1947.

C. P. DE SILVA,  
Minister of Lands and Land Development.

Colombo, December 5, 1958.

**Order**

The Proclamation constituting the laud called or known as KANDEGEDERAMUKALANA, situated in the village of Diyadora in Mayirawati Korale of the Dambadeni Hatpattu in the Kurunegala District a village forest, and published in *Gazette* No. 7,651 of June 29, 1928, is hereby cancelled.

**THE IRRIGATION ORDINANCE, No. 32 OF 1946**

IT is hereby notified that the Minister for Lands and Land Development has, by virtue of the powers vested in him by section 60 (1) of the Irrigation Ordinance, No. 32 of 1946, as modified by the Proclamation published in *Gazette Extraordinary* No. 9,773 of September 24, 1947, confirmed the scheme relating to the Chirattikulam irrigation work in the Mannar District of the Northern Province, prepared under Part V of the same Ordinance and approved at a meeting duly held on the 10th day of March, 1958, by the prescribed majority of the proprietors under the irrigable area of that irrigation work.

C. B. P. PERERA,  
Permanent Secretary,

Ministry of Lands and Land Development.  
Colombo, December 8, 1958.

L. D.—B. 114/50

**THE FOOD CONTROL ACT, No. 25 OF 1950**

**Order No. 108**

BY virtue of the powers vested in me by section 4 (1) (i) of the Food Control Act, No. 25 of 1950, I, Don Philip Rupasinghe Gunawardena, Minister of Agriculture and Food, do by this Order, prohibit the transport or removal of any quantity of locally grown dried chillies from any part of the Island to the Jaffna Peninsula, except under the authority of a permit issued in that behalf by the Food Controller, or by the Deputy Food Controller of any Administrative District.

In this Order, "Jaffna Peninsula" means the Administrative District of Jaffna, exclusive of the Divisional Revenue Officer's division of Poonakary-Thunukai and the Village Headmen's divisions specified in the Schedule hereto.

D. P. R. GUNAWARDENA,  
Minister of Agriculture and Food.  
Colombo, December 16, 1958.

**SCHEDULE**

1. The Village Headman's division of Thattuankotty.
2. The Village Headman's division of Uriyan.
3. The Village Headman's division of Paranthan.
4. The Village Headman's division of Kilinochchi.
5. The Village Headman's division of Kandawalai.
6. The Village Headman's division of Puliampokkanai.

**THE SOIL CONSERVATION ACT, No. 25 OF 1951**

ORDER made by the Minister of Agriculture and Food under section 3 of the Soil Conservation Act, No. 25 of 1951.

D. P. R. GUNAWARDENA,  
Minister of Agriculture and Food.  
Colombo, 16.12.1958.

**Order**

The area defined in the Schedule hereto is hereby declared to be an erodible area for the purposes of the Soil Conservation Act, No. 25 of 1951.

**SCHEDULE**

The area comprising the catchments of Belihul Oya, Kurundu Oya and Madulla Oya, the right bank catchment of Maha Oya, lower left bank catchment of Uma Oya and the upper sources of Bomuraella Oya, all which drain into the Mahaweli Ganga, the catchments of the upper sources of Nanu Oya, Agra Oya, Dambagastalawa Oya and Belihul Oya which drain into Kotmale Oya and Walawe Ganga respectively, containing

in extent of 190,000 acres or 296 $\frac{2}{3}$  square miles, situated in Uda Hewaheta and Walapane Revenue Divisions of Nuwara Eliya District of the Central Province, and bounded as follows:—

*North*: By a line drawn from the centre of confluence of Mahaweli Ganga and Maha Oya, northwards, south-eastwards and eastwards along the Kandy-Nuwara Eliya District boundary to the centre of confluence of Mahaweli Ganga and Uma Oya.

*East*: By a line drawn from the last-mentioned point southwards along the Central-Uva Province boundary till it meets the Dambawini Palata Kandapalla Korale boundary.

*South*: By a line drawn from the last-mentioned point south-westwards along the Central-Uva Province boundary till it meets the Uva-Sabaragamuwa Province boundary, thence south-westwards and westwards along Sabaragamuwa-Central Province boundary till it meets the Kandy-Nuwara Eliya District boundary.

*West*: By a line drawn from the last-mentioned point north-westwards along the Kandy-Nuwara Eliya District boundary till it meets the Kotmale-Walapane Revenue Division boundary at Kirigalpota Trigonometrical point, thence northwards and eastwards along the said Kotmale-Walapane Revenue Division boundary till it meets Uda Hewaheta-Kotmale Revenue Division boundary, thence north-westwards along the said Uda Hewaheta-Kotmale Revenue Division boundary till it meets the Kandy-Nuwara Eliya District boundary, thence north-eastwards and northwards along the Kandy-Nuwara Eliya District boundary to the starting point of the northern limit of the area.

L. D.—B. 44/57.

**THE TEA CONTROL ACT, No. 51 OF 1957**

REGULATIONS made by the Minister of Agriculture and Food under section 49 and 60 of the Tea Control Act, No. 51 of 1957.

D. P. R. GUNAWARDENA,  
Minister of Agriculture and Food.  
Colombo, December 14, 1958.

**Regulations**

1. These regulations may be cited as the Tea Control Department (Gratuity Scheme) Regulations, 1958.

2. A Scheme, which shall be known as the Tea Control Department Gratuity Scheme, is hereby established for the payment of gratuities in accordance with the provisions of these regulations to all officers and servants who are appointed or deemed to be appointed for the purposes of the Tea Control Act, No. 51 of 1957, or who are seconded for service in the Tea Control Department and to the dependants of such officers and servants.

3. No officer or servant who is dismissed from the Department or whose services in the Department are terminated on the ground of misconduct or negligence in the performance of his duties, shall be entitled to any gratuity under these regulations.

4. (i) Every officer or servant other than an officer or servant referred to in para. (ii) of this regulation—

(a) who retires from the service of the Department after reaching the age 50 years; or

(b) whose services in the Department are terminated on the ground of his ill-health or for the purposes of retrenchment in the Department; or

(c) who leaves the service of the Department with the approval of the Controller to accept a post in any other Government Department or under any local authority or under any Government-sponsored Board or Corporation,

may be paid a gratuity calculated on the basis of one-sixth of a month's salary of the office held by such officer or servant at the time of such retirement or termination, for each completed month of service in the Department:

Provided that the maximum service for which a gratuity shall be payable under these regulations shall in no case exceed two hundred and forty months;

And provided further that where such officer or servant has served part of his service under the Tea Control Department and part of his service under the Tea Subsidy Scheme, then the maximum service in respect of which a gratuity shall be payable either under these regulations or under the Tea Subsidy Scheme Employees' Provident Fund Regulations, 1958, shall not exceed two hundred and forty months;

And provided further that in the case of any officer or servant who is transferred from his post in the Department to any post in the Tea Subsidy Scheme, such gratuity shall be paid at the time he leaves the service of the Tea Subsidy Scheme in any one of the circumstances specified in regulation 4 of the Tea Subsidy Scheme Employees' Provident Fund Regulations, 1958, and shall be calculated on the basis of one-sixth of a month's salary of the office held by such officer or servant in that Scheme at the time he leaves its service.

(ii) Every officer or servant who has been seconded for service under the Department and who retires from the Department under circumstances which would have entitled him to a pension under the Minutes on Pensions had he retired from a pensionable appointment in the public service may—

(a) if such officer or servant has, at the time of his retirement, completed not less than ten years' continuous service under the Department to the satisfaction of the Controller, and

(b) if the salary received by such officer or servant in respect of the post held by him in the Department at the time of his retirement exceeds the salary which he would have received in respect of his pensionable appointment had he not been seconded for service in the Department,

be paid a gratuity calculated on the basis of one-sixth of a month's salary of the office held by such officer or servant at the time of his retirement for each completed month of service in the Department;

Provided, however, that the maximum service for which a gratuity shall be payable under this regulation shall in no case exceed two hundred and forty months.

5. When any officer or servant who has been paid a gratuity under these regulations or under the Tea Subsidy Scheme Employees' Provident Fund Regulations, 1958, for a period of less than two hundred and forty months, is re-employed in the Department, he may be paid at the time he leaves the service of the Department in any one of the circumstances specified in regulation 4 of these regulations, a gratuity calculated on the total length of his service under the Tea Subsidy Scheme as well as in the Department;

Provided that any gratuity paid to him in respect of his earlier service under the Tea Subsidy Scheme or in the Department shall be deducted from his salary on re-employment in such number of monthly instalments as the Controller may determine;

And provided further that in the case of any officer or servant who has been re-employed in the Depart-

ment prior to the date on which these regulations come into force any gratuity paid to him in respect of his earlier service in the Department shall not be deducted from his salary on re-employment but shall be deducted from the final gratuity paid to him. In no case shall the total service in respect of which gratuities are paid under this regulation exceed 240 months.

6. Where any officer or servant dies while in the service of the Department, a gratuity calculated on the basis specified in regulation 4 may be paid to the dependants of such officer or servant or to any person for the benefit of such dependants.

7. No officer or servant and no dependants of such officer or servant shall have any claim as of right to a gratuity under these regulations.

8. There shall be paid once in every year to the Tea Control Department Gratuity Scheme from the Tea Control Fund a sum of Rs. 15,000 or a sum equal to the aggregate amount of the gratuities payable under these regulations during that year, whichever sum shall be the greater.

9. In the event of the permanent or temporary cessation of the work of the Department, there shall be paid to the Tea Control Department Gratuity Scheme from the Tea Control Fund, a sum equal to the aggregate amount of the gratuities payable under these regulations;

Provided that where the amount lying to the credit of the Tea Control Fund is insufficient to pay such sum, there shall be paid to the Tea Control Department Gratuity Scheme from the Tea Control Fund such other sum as may be available and the gratuities payable under these regulations shall be calculated pro rata and payment made accordingly.

10. The Tea Control Department (Gratuity Scheme) Regulations, 1941, published in *Gazette* No. 8,735 of April 8, 1941, as subsequently amended, are hereby rescinded.

11. In these regulations, unless the context otherwise requires—

“Controller” means the person appointed or deemed to have been appointed under the Tea Control Act, No. 51 of 1957, to be or to act as the Tea Controller;

“Department” means the Tea Control Department;

“local authority” means any Municipal Council, Urban Council, Town Council or Village Committee;

“Month's salary” in the case of a daily paid officer or servant means an amount equivalent to twenty-six times the daily pay of such officer or servant;

“Officer or servant” means any officer or servant who is appointed or who is deemed to be appointed for the purposes of the Tea Control Act, No. 51 of 1957, and includes any officer or servant who is seconded for service in the Department.

#### THE TEA SUBSIDY ACT, No. 12 OF 1958 Tea Subsidy Advisory Board

IT is hereby notified for general information that the Honourable the Minister of Agriculture and Food has been pleased to appoint the following persons to serve on the Tea Subsidy Advisory Board constituted under section 9 of the Tea Subsidy Act, No. 12 of 1958, for a period of three years with effect from 1st January, 1959:—

- (1) B. Mahadeva Esq., C.C.S., Tea Controller (Chairman ex-officio).
- (2) Francis Amarasuriya Esq., Chairman, Tea Research Board (ex-officio).

- (3) Dr. A. W. R. Joachim, Acting Director, Tea Research Institute (ex-officio).  
(4) R. J. S. Bean Esq.  
(5) J. L. D. Peiris Esq.

T 97/M.

K. ALVAPPILLAI,  
Permanent Secretary,  
Ministry of Agriculture and Food.

Colombo, December 15, 1958.

### THE REGISTRATION OF DOMESTIC SERVANTS ORDINANCE (CHAPTER 115)

THE Honourable the Minister of Labour, Housing and Social Services has been pleased, under section 3 of the Registration of Domestic Servants Ordinance (Chapter 115), as modified by the Proclamation under section 8 of the Ceylon (Independence) Order in Council, 1947, published in *Gazette Extraordinary* No. 9,828 of February 5, 1948, to appoint Mr. D. A. Perera, Inspector of Police, Badulla, as Registrar of Servants, Badulla, with effect from 1.11.58—vice Mr. E. Egodapitiya.

C. B. KUMARASINHA,  
Acting Permanent Secretary,  
Ministry of Labour, Housing and Social Services.

Colombo, 8th December, 1958.

IT is hereby notified that the Hon. Minister of Labour, Housing and Social Services has been pleased, in terms of section 9 (1) of the Indian Immigrant Labour Ordinance (Chapter 111), to appoint Mr. L. F. J. Smith to be a member of the Board of Indian Immigrant Labour for a period of three years with effect from 19th November, 1958.

C. B. KUMARASINHA,  
Acting Permanent Secretary,  
Ministry of Labour, Housing and Social Services.

Colombo, December 10, 1958.

### THE SHOP AND OFFICE EMPLOYEES (REGULATION OF EMPLOYMENT AND REMUNERATION) REGULATIONS, 1954

IT is hereby notified under regulation 31 of the Shop and Office Employees (Regulation of Employment and Remuneration) Regulations, 1954, published in *Gazette* No. 10,724 of October 15, 1954, that the Minister of Labour, Housing and Social Services has, under section 25 (1) of the Shop and Office Employees (Regulation of Employment and Remuneration) Act, No. 19 of 1954, appointed Mr. G. N. Jayasuriya, to be a representative of employers on the Panel from which Remuneration Tribunals shall be constituted, in place of Mr. Raja Hewavitharne, deceased.

C. B. KUMARASINHA,  
Acting Permanent Secretary,  
Ministry of Labour, Housing and Social Services.

### THE WAGES BOARDS ORDINANCE

IT is hereby notified under regulation 26 of the Wages Boards Regulations, 1943, that the Honourable Minister of Labour, Housing and Social Services, has been pleased to appoint Mr. E. Young, under section 9 of the Wages Boards Ordinance, No. 27 of 1941, as amended by section 5 (2) of the Wages Boards (Amendment) Act, No. 5 of 1953, to act as a member of the Wages Board for the Baking Trade during the absence, out of the Island, of Mr. O. F. Blaxall, representative of the employers on the said Wages Board.

J. L. E. FERNANDO,  
for Permanent Secretary,  
Ministry of Labour, Housing and Social Services.

Colombo, December 11, 1958.

### THE WAGES BOARDS ORDINANCE

IT is hereby notified under regulation 26 of the Wages Boards Regulations, 1943, that under section 9 of the Wages Boards Ordinance, No. 27 of 1941, as amended by the Wages Boards (Amendment) Ordinance, No. 40 of 1943 and the Wages Boards (Amendment) Act, No. 5 of 1953, the Honourable the Minister of Labour, Housing and Social Services has been pleased to make the following appointments:—

1. Mr. P. Kasilingam to be a nominated member on the Wages Board for the Motor Transport Trade, vice Mr. G. R. W. de Silva, who has resigned; and
2. Mr. M. A. Ginige to be an employers' representative on the Wages Board for the Motor Transport Trade, vice Mr. K. Ponnampalam, who has resigned.

J. L. E. FERNANDO,  
for Permanent Secretary,  
Ministry of Labour, Housing and Social Services.

Colombo, 11th December, 1958.

### THE INDUSTRIAL DISPUTES ACT, No. 43 OF 1950

THE award transmitted to me by the Industrial Court constituted for the purpose of settling the industrial dispute between the Ceylon Workers' Congress and the Superintendent of Bopitiya Group, Deltota, which was referred by the Honourable the Minister of Labour, Housing and Social Services by Order dated May 20, 1958, made under section 4 (2) of the Industrial Disputes Act, No. 43 of 1950, and published in *Ceylon Government Gazette* No. 11,328 dated May 30, 1958, for settlement by an Industrial Court, is hereby published in terms of section 25 (1) of the said Act.

N. L. ABEYWIRA,  
Acting Deputy Commissioner of Labour,  
Department of Labour,  
Colombo, 15th December, 1958.

### Industrial Court at Colombo

No. I. D. 69

In the matter of an industrial dispute  
between

The Ceylon Workers' Congress, 84/4,  
Lauries Road, Colombo 4,

and

The Superintendent, Bopitiya Group,  
Deltota.

### THE AWARD

This is an award under section 24 of the Industrial Disputes Act, No. 43 of 1950, as amended by Acts No. 25 of 1956, No. 14 of 1957 and No. 62 of 1957.

The Hon. the Minister of Labour, Housing and Social Services, by his Order dated 20th May, 1958, made under section 4 (2) of the Industrial Disputes Act, has referred to this Court for settlement an industrial dispute specified in the statement of the Commissioner of Labour. The Commissioner of Labour in his statement dated 20th May, 1958, has stated that the non-employment of P. A. Suppiah by the Superintendent of Bopitiya Group, Deltota, is the matter in dispute between the Ceylon Workers' Congress and the Superintendent of Bopitiya Group, Deltota.

In this award, the Ceylon Workers' Congress is hereinafter referred to as "the Congress" and the Superintendent of Bopitiya Group, Deltota, as "the Superintendent".

2. Suppiah, referred to in the statement of the matter in dispute, was a supervising kangany on the Mousakelle Division of Bopitiya Group, Deltota, when his services were terminated by one month's notice in writing being given to him by the Superintendent on 26th November, 1956. Suppiah in his evidence stated that he joined this estate as a labourer in February, 1943, and was made a supervising kangany in June of that year. His father was also employed on the same estate as a kangany. According to the statement dated 17th July, 1958, filed in this Court by the Congress in terms of Regulation 12 (1), "Suppiah was an activist of our organization. The then Acting Manager, Mr. Windus, is stated to have taken exception to the interest that Suppiah has taken in our organization and in regard to the attempts of the head kangany who had been dismissed to seek reinstatement." The statement then goes on to say that as the weeding on a contract to weed 6½ acres which had been entered into by his wife, Kamalachi, had not yet been completed though the last week of the month had been reached, "Suppiah had engaged on a cash payment basis for work on the contract, 3 boys who had not on that day (24th November, 1955), turned out for work on checkroll account. The Acting Manager utilized this as the reason for serving notice on Suppiah and his wife on 26th November, 1955, though no inquiry into the complaint against him was held."

According to the statement filed by the present Superintendent (Mr. D. W. G. Burroughs) dated 14th July, 1958, Suppiah had been found guilty of misconduct amounting to fraud and a breach of the trust reposed in him as a supervising kangany and his services were terminated by a month's notice in December, 1955. The statement goes on to say that Suppiah was subsequently convicted by the Magistrate of Kandy of criminal trespass by reason of his maliciously remaining on the estate after the lawful termination of his employment and sentenced to a term of imprisonment and that the conviction has been upheld in appeal by the Supreme Court.

3. According to the evidence placed before this Court by the Superintendent, the kanakapulle of Mousakelle Division, S. Karuppiyah, at muster on the 24th November, 1955, allocated weeding work on estate account on a 26½ acre field to Suppiah, the supervising kangany, and 16 labourers. After they had left for work on the field, a man named Vadivel came from the Bopitiya Division, in accordance with an arrangement previously made by the Superintendent, and he was also assigned to supervise the weeding work that day on the 26½ acre field. There were then 18 people assigned to work on that field. Later in the morning, when the kanakapulle was going on his rounds on the estate he passed the field where Suppiah Kangany's wife had a private weeding contract, and found that 3 boys named Suppiah, Karuppiyah and Jinadasa, whom he had assigned to do weeding work on the 26½ acre field at muster that morning, doing weeding work on the private contract of Suppiah Kangany's wife. Having questioned the boys, who informed him that they had been sent there to work at that spot by Suppiah Kangany, he proceeded to the 26½ acre block, and on meeting Suppiah Kangany asked him how many workers were engaged on the 26½ acre block and was informed that there were 18. He states that he then counted the number and found that there were 3 workers less, and when he asked Suppiah Kangany what had happened to them he gave no answer. He thereupon informed him that 3 of the boys had been sent without his permission to work on his wife's private contract and that he would report the matter to the Superintendent. The Acting Super-

intendent, Mr. Windus, visited the Mousakelle Division on the next day, the 25th November. The Kanakapulle, Karuppiyah, then informed him of what he had detected Suppiah Kangany had done the previous day. Thereupon Mr. Windus proceeded to the 26½ acre block where Suppiah was supervising weeding work on the 25th as well and questioned him about the report that the kanakapulle had made to him. According to Karuppiyah, Suppiah made no answer although Mr. Windus questioned him about two or three times and got the kanakapulle to repeat the report that he had made to Mr. Windus in the presence of Suppiah. As Suppiah made no denial of the charge nor gave any explanation to Mr. Windus, the latter informed him that he would have to give him notice of discontinuance of his services, and on the next day, 26th November, the kanakapulle handed to Suppiah the written notice which Mr. Windus had sent from his office.

The names of these three boys were not entered in the checkroll of the estate as having worked on the 24th November. The position taken up by the Superintendent was that neither the three boys nor the supervising kangany could possibly have claimed a "name" for them on the 24th after the kanakapulle had detected that they had been sent by the kangany to work on his private contract on that day, but that it was undoubtedly the intention of Suppiah to give them names on the estate checkroll if the detection had not been made.

4. Suppiah in his evidence stated that these three boys had not turned out for muster on the morning of the 24th and had not been assigned to work on the 26½ acre block by the kanakapulle on that day. He admits that the three of them worked on his wife's private weeding contract, but says that he sent them to work on that contract when he found after the muster that they were not going to work for the estate on the 24th November. According to him there were only 15 persons, including himself and Vadivel, who were allocated work on the 26½ acre block that morning by the kanakapulle. He denies that he was questioned by the kanakapulle. In his examination-in-chief he said that on the 26th November about 9.30 a.m. Mr. Windus came accompanied by Karuppiyah Kanakapulle to the 26½ acre block where he was supervising the weeding and questioned him as to why the bush of wild cherries had not been removed; when he tried to give him an explanation Mr. Windus abused him saying, "who gave you the kanganyship and the presidentship", scolded him in filthy language and then left. He further said that the same evening he was served with a notice by the kanakapulle terminating his services. In cross-examination he admitted that when Mr. Windus spoke to him on the 26½ acre block he asked him why he had used labourers allotted to him for work on estate account to work on his private weeding contract but that he did not give him any details. He said that he was not in a position to say how Mr. Windus had got this information and that he was not in a position to protest his innocence to Mr. Windus as the latter did not give him an opportunity to speak. In re-examination he produced marked P2 a wrapper from a tin of condensed milk, on the back of which he had written down, he said, the names of labourers who worked under him from the 23rd to the 26th November. He pointed to the fact that on 24th November the names of the three boys, Suppiah, Karuppiyah and Jinadasa, are not entered. He said that at the end of each day's work he has to send in a note to the kanakapulle of the names of the labourers who had worked under him and he usually kept a copy of the names he sent each day to the kanakapulle on a rough piece of paper and that P2 is one of those. He had with him a bundle of similar other pieces of paper with names on them.

5. On receipt of the notice terminating his services, Suppiah went to the office of the District Labour Representative of the Congress at Galaha and handed



over the notice to him. The District Representative, Mr. Palanisamy, thereupon wrote a letter to the Superintendent of Bopitiya Group dated 28th November, 1955, which was produced by the Superintendent and marked R2. In this letter the District Representative states that the contents of the notice dated 26th November, 1955, are vague and "therefore we shall thank you to give full particulars for his dismissal. As he is a member of our union we are intervening on his behalf." The notice itself which was served on Suppiah has not been produced in evidence, although Counsel for the Congress stated on the first date when Suppiah was giving evidence that the notice was in another file which was not in Court on that day and that it would be produced on the next date. As it was not produced subsequently, Counsel explained that the notice was in the file which had been left with the Proctor who appeared for Suppiah in connection with the Magistrate's Court case and that the file had not been yet returned. Both Suppiah and the District Representative, Mr. Palanisamy, stated in evidence that the reason given in the notice for the termination of Suppiah's services was that Suppiah had used labour allotted to do weeding on estate account on his own private contract. Mr. Palanisamy also stated that Suppiah told him that in November, a few days before the date of the notice, he had sent two labourers named Suppiah and Karupiah who were not working on estate account that day to do work on his private contract and that he had been found fault with on that account. He was not able to give a satisfactory explanation as to why he wrote the letter R2 in those terms if he knew what the charge against Suppiah was on which his services were terminated, and also obtained Suppiah's version of the incident, namely, that he had sent these labourers on that day to work on his private contract as they had not turned out for work on estate account.

In reply to R2, Mr. Windus, the Acting Superintendent, wrote to the District Representative a letter dated 1st December, 1955 (copy marked R3). In that letter Mr. Windus stated that "it is obvious that P. A. Suppiah has been in the habit of weeding his five-acre contract by utilizing labourers doing estate work under his charge as a sub-kangany. On 24th November, 1955, three estate labourers were found weeding his contract without permission from the K. P." On the 25th January, 1956, the District Representative wrote to the Assistant Commissioner of Labour, Kandy, in which he refers to an interview he had with the Superintendent of the estate regarding the termination of the services of Suppiah when he failed to persuade the Superintendent to reinstate this kangany. He enclosed a copy of Mr. Windus' letter of 1st December, 1955. He adds, "Suppiah says that he is prepared to leave the estate if the allegation of the Superintendent is proved", and therefore requested the Assistant Commissioner of Labour to summon the conference in order to discuss the matter and come to a settlement. Apparently the allegation, of which Suppiah wanted proof, was that he had been in the habit of weeding his five-acre contract by utilizing estate labourers doing estate work under his charge.

6. Mr. Windus was acting as Superintendent for Mr. D. W. G. Burroughs, during the absence of the latter on leave out of the Island. Mr. Burroughs returned from leave and resumed duties on the 28th February, 1956. On the 27th February, Mr. Windus had made a note in the labour diary (marked R6A) regarding the conditions on which he was prepared to reinstate two of the workers on the estate named Jamis and Ammavasi and added that as they refused to comply with those conditions they should not be reinstated. According to the entry both these labourers had come to the office and seen Mr. Windus and asked for work. Below the entries regarding them Mr. Windus has added a note that "Mr. Thondaman,

Mr. Annamalai and a representative of the T. U. C. came to see me and Mr. Thondaman asked me to see whether something could not be done in regard to the above two labourers and he undertook to send them to me if I would consider taking them back as in the case of Vellasamy on a bond of good behaviour." Mr. Burroughs in his evidence said that when he took over charge of the estate from Mr. Windus on his return from leave, Mr. Windus had informed him that he had dismissed Suppiah and that Mr. Thondaman and Mr. Annamalai had seen him about the dismissal of three persons on the estate, that he raised the matter of Suppiah and that when he (Mr. Windus) explained the circumstances that led to Suppiah's dismissal Mr. Thondaman had dropped the matter. With regard to the other two cases (Ammavasi and Jamis) Mr. Windus said that he had made an entry in the diary on 27th February, 1956, regarding the conditions on which he was prepared to reinstate them. After Mr. Burroughs resumed duties he received a letter dated 6th March, 1956, which was signed by the District Assistant Representative, Mr. Ganesh. According to the evidence of Mr. Palanisamy, Mr. Ganesh was the representative of the T. U. C. who had accompanied Messrs. Thondaman and Ammavasi when they saw Mr. Windus sometime in February. This letter refers to three persons, Suppiah, Ammavasi and Jamis, and requests the Superintendent to reconsider their cases as they have been without work for nearly 3 months. He states that "this is enough punishment to them because unemployment the above three members have faced for the past nearly 3 months has had a severe effect on their very existence." Mr. Palanisamy says that Mr. Ganesh was acting for him at that time and admitted that according to the terms of this letter Mr. Ganesh's view was that all three persons were guilty of the charges made against them but asked that they be taken back as they had been punished enough. On the 3rd April, 1956, the Assistant Commissioner of Labour wrote to the Superintendent a letter (marked R5) in which he made a suggestion for an amicable settlement of the dispute regarding the same three persons, namely, that they will in future work as ordinary labourers and sign bonds to be of good behaviour and work satisfactorily. He also stated that he had discussed the matter with the Congress Representative and he had agreed to a settlement on that basis. Mr. Burroughs in his evidence stated that when he received this letter of the 3rd April, 1956, he questioned the kanakapulle in charge of the division regarding the circumstances which led to the termination of the services of Suppiah and also two of the labourers concerned who were available at that time (that is, two of the three boys whom the kanakapulle found working on the private contract on 24th November) and recorded their statements. He was satisfied on their statements that the dismissal of Suppiah was justified.

As the Superintendent was not prepared to come to a settlement on the terms suggested in R5, the Assistant Commissioner of Labour summoned a conference, as requested by the Congress, on the 30th April, 1956. Mr. Subramaniam, the Assistant Commissioner of Labour who presided at this conference, has given evidence and has produced his notes of the conference marked P4. The conference was in respect of the termination of the services of Suppiah, Ammavasi and Jamis. Mr. S. Thondaman, President of the Congress, was present at the conference and there are statements in these notes of what he said his impression was of what had transpired at the interview he had with Mr. Windus, the Acting Superintendent, regarding Suppiah. "I do not think it is necessary to embark on an investigation as to what exactly was said by either side at that interview as Mr. Windus was not available as witness at this inquiry since he had left the Island and Mr. Thondaman himself has not given evidence. At the conference

Mr. Thondaman pressed for an inquiry into the charge against Suppiah. The charge as understood by both sides was that based on the detection made on 24th November and referred to in the second paragraph of Mr. Windus' letter of 1st December (R3). Mr. Burroughs' position was that no further inquiry was necessary as the Acting Superintendent, Mr. Windus, had made him understand that an inquiry had been held. It was, however, stated by Mr. Melville Pereira, Labour Relations Officer of the Estates Employers' Federation, who appeared for the Superintendent, that if the Congress pressed for an inquiry he was agreeable to having a further inquiry held by the Federation Convenor. As the Congress was not agreeable to this suggestion, Mr. Burroughs, on the suggestion of the Assistant Commissioner of Labour, agreed "to find out from Mr. Windus who had been Acting Superintendent whether an inquiry at which Suppiah was given a chance to defend himself was held, and whether it was found that Suppiah had employed on his contract workers who had been detailed to do other work and would have got names in the check-roll or that he had employed workers who were not working on the checkroll that day." Mr. Burroughs subsequently made this inquiry from Mr. Windus and conveyed to the Assistant Commissioner of Labour the information he had obtained from Mr. Windus by his letter of the 25th May, 1956, marked P5. According to this information, after he received the report from the kanakapulle, Mr. Windus spoke to Suppiah in the weeding field in the presence of two kanakapulles and the labourers. "When charged with employing estate labour on his contract he did not deny the charge and when Mr. Windus told him that he would be given notice he said nothing." On receipt of this letter, the Assistant Commissioner of Labour sent a copy of it to Congress. Mr. Subramaniam himself took no action in the matter beyond forwarding a copy of this letter. The position as it then stood and as understood by Mr. Subramaniam is stated in his evidence as follows:— "When the worker accepted the charge at the inquiry it was for the Union, to which a copy was sent, to deny it; that is what is implied by this letter. The charge was not denied by the worker and he was told that he would be given notice. He has said nothing. He accepted the position. The Union has an opportunity of saying anything it has to say when a copy is sent to the Union." The Congress, however, took no further action in the matter till more than a year later. According to Mr. Subramaniam, he received a letter dated 26th June, 1957, from the District Representative asking him to summon a conference to discuss certain matters, one of them being the discontinuance of the services of Suppiah and his wife. This conference took place on the 16th August, 1957. Mr. Subramaniam had left Kandy on transfer on the 4th August, 1957, and this conference was presided over by his successor. Mr. Subramaniam, however, had with him the notes of the conference made by the then Assistant Commissioner of Labour, Mr. Saranadasa. According to those notes, when the question of the reinstatement of Suppiah and his wife came up for discussion, Mr. Pereira, the Labour Relations Officer, stated that the matter had been discussed on several occasions previously and at the conference on 30th April, 1956, that there was a case then pending in the Appeal Court and that the Management was not prepared to re-employ these persons.

7. The case referred to by Mr. Pereira is the prosecution filed in the Magistrate's Court of Kandy, Case No. 7141, by Mr. Burroughs against Suppiah and his wife for criminal trespass. According to the evidence of Mr. Burroughs, Suppiah had been allowed to remain on the estate by Mr. Windus after the termination of his notice because he had made a request of Mr. Windus to be allowed to remain there until he (Mr. Burroughs) returned from leave. In

view of this, Mr. Burroughs sent for him to his office to find out what he had to say. Suppiah then asked for his forgiveness. Mr. Burroughs then told him that he could not agree to that, that he had warned him before he left to be particularly careful as to what he did, and therefore asked him when he intended to leave the estate. Mr. Burroughs says that Suppiah then agreed to leave by the 17th of March and that he made an entry in his diary to that effect. As Suppiah did not keep to his undertaking he filed a prosecution against him and his wife in the Magistrate's Court, Kandy, on the 3rd April, 1956. (A certified copy of the proceedings is marked R7). Mr. Burroughs gave evidence at that trial and produced a copy of the notice given to Suppiah by the Acting Superintendent on 26th November, 1955, and also the labour diary in which he had made a note of Suppiah's undertaking to leave the estate on the 17th March, 1956. Suppiah was represented by two Proctors and did not give evidence at the trial. The Magistrate convicted both Suppiah and his wife of the charge on 3rd July, 1956, and sentenced them to 3 months' rigorous imprisonment each. They both appealed to the Supreme Court. The appeals were decided towards the end of 1957. The conviction of Suppiah's wife was set aside. His own conviction was, however, affirmed but the sentence was reduced to one month's rigorous imprisonment. According to the evidence of Mr. Subramaniam, Assistant Commissioner of Labour, the Congress had written to the Commissioner of Labour in January, 1958, applying that the question of the dismissal of Suppiah be referred to an Industrial Court and, as already stated, the Minister's order referring the question of the non-employment of Suppiah to this Court was made on 20th May, 1958. This was about 2½ years after the termination of the services of Suppiah by the Superintendent.

8. Suppiah, as well as Mr. Palanisamy, the District Representative, when giving evidence sought to make out that Mr. Windus wanted to get rid of Suppiah on account of his having taken an active part in union activities. Suppiah claimed to be the Thalaivar of the Congress committee on the estate. The Superintendent produced a letter sent by the District Labour Representative of the Congress dated 18th September, 1955, to the Superintendent informing him that the committee had been dissolved and that Suppiah was no more the leader of the group committee nor of the Mousagalle and Neelawella division committees, that "he cannot represent the labour disputes and enrol members on behalf of our union", and that until a new committee was formed two other persons had been nominated as the Congress representatives for the whole of Bopitiya Group. It will be noted that Mr. Windus must have received this letter more than two months before he discontinued the services of Suppiah, and if he had any animus against Suppiah on account of his activities on behalf of the Congress on the estate, one would naturally expect that his objections to Suppiah on account of his union activities would thereafter have ceased. It is, however, not necessary to consider the evidence and make a decision as to whether Suppiah was victimised on account of his being an "activist" of the Congress in view of the fact that Mr. Chitty, Q.C., who appeared for the Congress on the last three dates of inquiry in place of Mr. Advocate S. Kanagaratnam who had appeared on the earlier dates and retired from the case on the 23rd September, 1958, stated on behalf of the Congress that after due consideration he was not attacking the bona fides of Mr. Windus and did not wish me to decide the issues on the basis of the case as at first presented. He raised certain other points for my consideration with which I shall deal later.

9. In view, however, of the fact that the allegation of victimization against Mr. Windus was made after he had left the Island for good and had therefore no opportunity of appearing before this Court when the allegation was being proceeded with, I think that it

is only fair by him to state as follows. According to the documents which have been produced in the case, to which I have already referred, no allegation of victimization or of having acted mala fide in discontinuing the services of Suppiah was made against him by the Congress until it was made in the statement filed in this Court dated 17th July, 1958. At the inquiry in this Court there was only the oral evidence of Suppiah and the District Representative with regard to this allegation. The Congress also called as its witness the present Superintendent, Mr. Burroughs, who had been summoned by them to produce 14 different sets of documents. These contained, in addition to checkrolls, muster chits, diaries and labour registers and quit notice books, other documents like estimates for 1955, Visiting Agent's report for 1955 and a list of persons who had been dismissed by Mr. Windus when he was Acting Superintendent and had been subsequently reinstated. When this matter was brought to the notice of the Court by Counsel for the Superintendent before Mr. Burroughs gave evidence, it was made clear that only documents which were relevant to the question of the dismissal of Suppiah should be put in evidence and that the Congress representatives should not have access to all the documents that they had listed, presumably with the intention of finding out whether there was anything in them to support the allegation made by the Congress of mala fides against Mr. Windus. When Mr. Burroughs gave evidence he was questioned by Counsel for the Congress about certain entries in the muster book and checkrolls. There was nothing in these entries either to support the allegation of victimization. Objection was taken by Counsel for the Congress to the Superintendent's Counsel questioning him in cross-examination about other matters, although they were relevant to this inquiry. This objection was over-ruled. At the conclusion of the cross-examination, Counsel for the Congress wished the inquiry postponed for another date as he said he was not in a position to re-examine Mr. Burroughs on the other matters on which he had been questioned in cross-examination. When this application was refused, Counsel for the Congress withdrew from the case. As none of the Congress representatives present in Court was able to proceed with the case without their Counsel, a postponement was allowed to them, and it was on the next date that Mr. Chitty, Q.C., appeared for the Congress. He then stated that he did not propose to attack Mr. Burroughs' evidence as untrue but desired to re-examine him to clarify certain matters, and that the Congress was not proceeding any further with the allegation of victimization against Mr. Windus.

10. The position taken by Mr. Chitty was that it was not possible to hold on the evidence that a fraud was committed or intended to be committed by Suppiah even if the evidence of his having sent three labourers who were allotted to do weeding on estate account on the 24th November, 1955, to work on his private contract is accepted. He urged that in order to establish fraud a further act on the part of Suppiah was necessary, viz. that he should have claimed "names" for these three weeders on the 24th November, 1955, on estate checkroll. His position was that the burden was on the Superintendent to prove that a fraud was being perpetrated and that a mere suspicion that names would have been claimed in the evening on the checkroll is insufficient. He argued that on the evidence called by the Superintendent, Suppiah had only committed a breach of discipline and of duty in sending the three labourers to work on his private weeding contract without having obtained the permission of the kanakapulle, and that dismissal is too severe a punishment in those circumstances. Mr. Chitty was aware that that was not the case put forward by Suppiah himself in his evidence, but he urged that, even though it is obvious that the whole of Suppiah's evidence cannot be true,

the burden being on the Superintendent to justify the dismissal, this Court should consider whether the Superintendent discharged that burden.

11. I have considered Mr. Chitty's arguments carefully, as well as the evidence given in the case, but regret that I am unable to accept his submission that Suppiah's conduct amounted only to a breach of duty or discipline. If it be the fact that for some reason or other he was unable to obtain the permission of the kanakapulle on the 24th November to send three of the labourers assigned for the work on estate account to work on his private contract and had no intention of defrauding the estate, he had ample opportunity to explain his position subsequently. According to the evidence of Karuppiyah, the kanakapulle, when he questioned Suppiah soon after he detected the three labourers working on his private contract, he tried to make out that all the 18 employees were working on the 26½ acre block. When, however, Karuppiyah counted them and pointed out to him that there were only 15 and asked him where the other three were, he made no reply nor did he offer any explanation as to how those three labourers came to be working on his private contract. Karuppiyah had been appointed kanakapulle of the Mousagalle division only on the 7th of the same month when Suppiah met him for the first time, and Suppiah in his evidence stated that there was no reason why Karuppiyah should want to put him into trouble and that he had nothing against Karuppiyah. Suppiah himself when he gave evidence in this Court took up the position that the three labourers had not been allocated to work on the 26½ acre block on the 24th November but that there were only 15 workers including the kangany, who were allotted to do estate work on that block that day. Karuppiyah's evidence that 18 workers in all had been allocated by him is supported by the evidence of Anthony who was the weeding kanakapulle on the Mousagalla Division at that time and had left Bopitiya Group on the 30th November, 1955, and is now employed on another estate. No reason has been alleged in his case too why he should give evidence which is not true against Suppiah. The mere fact that Karuppiyah in his evidence, and Mr. Windus in his letter to the District Representative of the Congress dated 1st December, 1955 (R3), have stated that on the 24th November three estate labourers were found doing weeding work on Suppiah's private contract without the permission of the kanakapulle is insufficient on which to base an argument that Suppiah had committed a mere breach of duty in using these labourers without such permission. Suppiah had been employed for quite a long time on this estate as a kangany to realize what the rights of labourers were who turned out for muster and were allotted to do estate work, and that they would be entitled to claim names on the estate checkroll in the normal course. Mr. Burroughs has stated the position correctly in his evidence as follows:—"The men having attended muster, the K. P. has to find them employment. Thereafter the estate is responsible for their wages, to see that they are given work, and if they were taken after muster and put on to other work they are still in a position to demand their wages from the estate." When he was questioned as to what the position would have been if Suppiah had got the kanakapulle's permission after muster to send some labourers to work on his private contract, he stated that "they would then normally be given a name in the checkroll on Suppiah's account and charged to him."

As Suppiah has given evidence in this Court it is not possible to close one's eyes to what he has said. If he had intended to see that these three labourers did not get names on the 24th November on the estate checkroll, it was open to him to say so in his evidence; but that was not his case, his position being that he had not employed the three labourers who were assigned to work on estate account on the 24th

November to work on his private contract. If the evidence of Karuppiyah, the kanakapulle, and Anthony, the weeding kanakapulle, is true, Suppiah's evidence must necessarily be false. No evidence has been produced of any statement made by Suppiah on this point to any official of the Congress. Mr. Palanisamy stated that he had made a record of what Suppiah had told him after the notice was served on him and that Suppiah signed it. If it be the case that some mistake had in fact occurred and that Mr. Windus had not been correctly informed and was not for some reason prepared to give him a hearing, it was still open to Suppiah when he met Mr. Burroughs early in March, 1956, to explain the full facts to him and ask him to hold an inquiry as he had been unjustly treated. According to Mr. Burroughs, all that Suppiah did was to ask for forgiveness for what he had done and to be reinstated. When Mr. Burroughs informed him that this was not possible, Suppiah undertook to leave the estate by the 17th March. As I have already stated, Counsel for the Congress stated that he was not challenging the veracity of Mr. Burroughs's evidence. In the setting of the procedure adopted on the estate, as proved by the evidence called by the Superintendent, and in view of Suppiah's conduct and of the fact that his own evidence does not support this argument, it is not possible for me to hold that Suppiah's action on the 24th November, 1955, amounted only to a breach of duty or discipline. If it be the fact, as he says, that he had not employed the three labourers who had already been allotted to do estate work to work on his private contract, he is of course entitled to be exonerated, but the evidence called for the Superintendent which I accept, clearly shows that Suppiah is not speaking the truth.

I accordingly hold that the Superintendent was justified in having terminated the services of Suppiah by giving him one month's notice and that there is no ground for any interference by this Court.

12. Counsel for the Superintendent applied for an order for costs in favour of the Superintendent under section 37 of the Industrial Disputes Act. This section provides that all costs incidental to any proceedings before an arbitrator or an industrial court shall, subject to regulations made under the Act, be in the discretion of such arbitrator or court. The only regulation framed on this subject is that any costs ordered shall be recovered as if they were costs incurred in a civil suit. Costs have not been ordered hitherto in the normal course in favour of a successful party in proceedings in an industrial court, but they have been awarded in a few cases for special reasons. In the present case I consider that some costs should be allowed to the Superintendent on account of expenses which the estate has been obliged to incur in this inquiry as a result of its having been prolonged by reason of the fact that the Congress started out to establish that the dismissal of Suppiah was actuated by mala fides on the part of Mr. Windus. As Mr. Chitty very fairly stated after he came into the case, on considering the whole matter he found that the case for the Congress had at the start been put "far too high". There is also the further fact that the allegation of victimization was made very belatedly by the Congress and Suppiah. If there were any substance in it they had ample opportunity of making the allegation very much earlier when Mr. Windus was in Ceylon. There were altogether 10 days of inquiry into this dispute. It was only on the seventh date of inquiry that the allegation of victimization and mala fides was dropped. I think that at least two days of hearing might have been saved if this allegation had not been made. I therefore order the Congress to pay the Superintendent a sum of Rs. 262.50 as costs on account of this allegation which was later dropped. This will be in addition to any batta which the Congress had paid to secure the attendance of witnesses from the estate who were to produce the documents they wanted.

(Sgd.) S. J. C. SCHOKMAN.

Colombo, 11th December, 1958.

**THE INDUSTRIAL DISPUTES ACT,  
No. 43 OF 1950**

THE award transmitted to me by the Industrial Court constituted for the purpose of settling the industrial dispute between the Democratic Workers' Congress and the Superintendent of Tummodera Estate, Tummodera, which was referred by the Honourable the Minister of Labour, Housing and Social Services by Order dated July 9, 1958, made under section 4 (2) of the Industrial Disputes Act, No. 43 of 1950, and published in *Ceylon Government Gazette* No. 11,436 dated July 25, 1958, for settlement by an Industrial Court, is hereby published in terms of section 25 (1) of the said Act.

N. L. ABEYWIRA,

Acting Deputy Commissioner of Labour,  
Department of Labour,  
Colombo, December 16, 1958.

**Industrial Court at Colombo  
No. I. D. 80**

In the matter of an Industrial Dispute  
between

The Democratic Workers' Congress, 213/2, Main  
Street, Colombo 11

and

The Superintendent of Tummodera Estate,  
Tummodera

**THE AWARD**

This is an award under Section 24 of the Industrial Disputes Act, No. 43 of 1950 (as amended by Act No. 25 of 1956, Act No. 14 of 1957 and Act No. 62 of 1957).

2. It relates to an industrial dispute between the Democratic Workers' Congress and the Superintendent of Tummodera Estate, Tummodera. Acting under the provisions of Section 4 (2) of the Act, the Honourable Minister of Labour, Housing and Social Services referred the matters in dispute in this case to this Court by his Order dated 9th July, 1958. The Commissioner of Labour by his statement of the 8th July, 1958, has set out the matter in dispute as the non-employment of the 36 persons named therein.

3. The first person mentioned in the list, M. K. Sollamuthu, had by notice dated 30th April, 1957, been discontinued as from 1st July, 1957. The others were by notice dated 4th January, 1958, discontinued as from 4th February, 1958.

4. According to the Democratic Workers' Congress, hereafter referred to as the "Congress", the reason for the discontinuance of Sollamuthu was that he was suffering from tuberculosis. The Superintendent admits that he was suffering from tuberculosis but the reason for the discontinuance was that he was irregular in attendance for work in spite of warnings. He had attended for work only 19 days during the six months prior to discontinuance. The two reasons are not inconsistent with each other. Apparently because he was suffering from tuberculosis, Sollamuthu was irregular in attendance. In October 1957 Sollamuthu produced a medical certificate issued by the Tuberculosis Institute that he had been cured of his illness. The matter was then taken up by the Congress on his behalf and the Superintendent had agreed to re-employ him; but before that could be done there was the retrenchment of the other thirty-five and his case became merged with those of the rest, so that his case should be considered with that of the rest.

5. There is no question as to whether the Superintendent was justified in retrenching these labourers. This is a rubber estate and the price of rubber continued to decline and the proprietor decided in January

1958 that it would be uneconomical to continue to work the estate. Hence notice was given on 4th January, 1958, and work was stopped from the 4th of February. The bona fides of the proprietor are not challenged. It was however urged that the proprietor did not completely abandon the estate and let it go into jungle but employed casual labour to do weeding and maintenance; that for this purpose he could have by coming to an arrangement with the Congress, employed these persons themselves to work a few days a week. But that would be contrary to Labour Laws which require that a labourer should be given 6 days' work a week. Further the Congress itself does not appear to have proposed at the conference on 1st February or 15th February that these workers be given a reduced number of days of work; that tappers be given sundry work. The Assistant Commissioner of Labour gave evidence. He was not asked as to whether the Congress made this proposal and whether it was turned down. I think the proprietor acted correctly in discharging them from service. He however permitted them to continue to reside in the labour lines on the estate so as to minimise the hardship caused by non-employment. There was nothing to prevent them from applying for casual work as and when such work was available and I have no doubt that such application would have received favourable consideration.

6. In July 1958 the Government announced its decision to reduce the export duty on rubber and the proprietor immediately decided to recommence working the estate on a modified and reorganized basis. Prior to the closing down the estate was divided into 26 tapping blocks. On reorganization he divided the estate into 15 tapping blocks, some portion of the estate having been in the meantime replanted. There was a change in the tapping method too. Prior to closing down each tree had one cut on alternate days. After recommencement there were two cuts every third day. The result was that the services of all the retrenched labourers were not required; only 16 labourers were required. On 11th July the proprietor informed the Assistant Commissioner of Labour of his intention to start tapping and that he was in a position to re-employ some of the retrenched labourers vide R.7. He asked that the matter be taken up with the Congress to see that the other labourers left the estate. The Assistant Commissioner of Labour appears to have delayed in taking action. The Superintendent on 12th July called up the labourers who were all residing in the lines and offered work to 16 of their number (14 to do tapping and 2 for sundry work). Of course no communication was sent direct to the Congress at that time. The labourers themselves said that they would consult the Congress and let him know whether they would accept the work. After consultation they declined the offer. It is stated that the Congress felt that it may be prejudicial to the interest of those not offered work and that as the dispute had already been referred to an industrial court it was best not to accept the offer. I think this has been an unwise step. The proprietor who had decided to recommence tapping to take advantage of the Government concession and rise in price of rubber instructed his Superintendent to recruit fresh labour. He could do nothing else in the circumstances. Ten new tappers were recruited from the villages in the neighbourhood and four villagers engaged in doing sundry work were transferred as tappers. This has now complicated matters. These newly recruited persons refused to accept notices given on the 9th August, after the proposed compromise in this case, terminating their services on the 9th September. Even though the Assistant Commissioner of Labour visited the estate and spoke to them still they refused. Some of them petitioned this Court asking that their services be retained or that they be given due compensation. The Court issued notices on them asking them to appear before Court

and state whether they wished to be added as parties to this case so that their claims for retention may be considered. Ten of them appeared and asked that they be added and gave evidence setting out their case for retention. The Assistant Commissioner of Labour stated that the four sundry workers transferred to do tapping refused to be re-transferred to sundry work; that all fourteen did not want compensation but they wanted to be continued in service as tappers.

7. I have now to consider the position of these fourteen persons. The Superintendent produced marked R. 1 a statement showing the attendance of work by these fourteen persons. Of the four persons transferred from sundry work to tapping, Asaneri worked in July  $12\frac{1}{2}$  days out of a possible  $12\frac{1}{2}$ , in August  $7\frac{1}{2}$  days out of a possible  $20\frac{1}{2}$  and not a single day out of a possible  $20\frac{1}{2}$  days in September. The last day he had worked was on 5th of August. I have no hesitation in deciding that he should be regarded as having vacated his job. He is one of those to whom a notice terminating his services on 9th September was given. Nandawathie has attended work on every possible day in every month except half a day in September. I do not think she should be re-transferred or discontinued. Fernando attended work on every possible day in July and August and  $18\frac{1}{2}$  days out of a possible  $20\frac{1}{2}$  in September. I do not think he should be re-transferred or discontinued. Leelawathie, wife of Kirineris, has attended work on every possible day in July and August and  $18\frac{1}{2}$  days out of a possible  $20\frac{1}{2}$  days in September. Kirineris stated in his evidence on her behalf that as she has a small child if she does tapping she could finish her work early and go home to feed the child. I think she should not be re-transferred.

8. Of the other ten newly recruited persons David worked  $11\frac{1}{2}$  days out of a possible  $12\frac{1}{2}$  in July,  $16\frac{1}{2}$  out of a possible  $20\frac{1}{2}$  in August and only 9 out of a possible  $20\frac{1}{2}$  in September. He was a firewood contractor before he was recruited. It is not as if he had been working as tapper on some other estate and gave up the job to take up this place. I think for this reason and for the reason that he had worked only 9 days in September, he should be discontinued. Melin has worked on every possible day in every month. She resides about half-a-mile away from the estate. Her husband is unemployed and she had been working under one Rampi for 5 or 6 months at a lower wage before she took employment on this estate. I think she should be retained. Simeon Singho has worked  $10\frac{1}{2}$  days in July out of a possible  $12\frac{1}{2}$ ,  $14\frac{1}{2}$  days in August out of a possible  $20\frac{1}{2}$  and only 6 days out of a possible  $20\frac{1}{2}$  in September. Before he commenced work on this estate as a tapper he was working on contracts. He had worked on this estate on contracts for uprooting rubber trees. He should be discontinued. Masilin Nona has worked  $10\frac{1}{2}$  days out of a possible  $12\frac{1}{2}$  in July,  $18\frac{1}{2}$  out of a possible  $20\frac{1}{2}$  in August and  $11\frac{1}{2}$  out of a possible  $20\frac{1}{2}$  in September. She lives on the boundary of this estate. Before she came to this estate she worked as a tapper on another small estate and was paid Re. 1.50 a day. Her previous employer will not give her work now for good reasons she has mentioned. She should be retained. Seimon worked  $10\frac{1}{2}$  days out of  $12\frac{1}{2}$  days in July,  $15\frac{1}{2}$  out of  $20\frac{1}{2}$  days in August and only 8 days out of a possible  $20\frac{1}{2}$  in September. Before he came to this estate he was working on Dharmaratne Estate where he was paid between Rs. 3 and Rs. 3.50 a day and was given scrap rubber. On Tummodera Estate the wage is Rs. 2.58 per day. The reason given by him for preferring to work on this estate is that he expected regular work here while Dharmaratne, according to him, would not tap even after a small shower. The fact that he turned up for work only 8 days in September shows that he is not a dependable worker. I do not think he should be retained. Edwin worked  $11\frac{1}{2}$  days out of  $12\frac{1}{2}$  in July, 2 days out of

20½ in August and did not turn up for work on any day in September. He did not come before this Court even though notice was served on him. He should be discontinued. Rosalin has worked on every possible day except 2 days in August. Before she came here she was working on Waga Estate but has been without a job for about 3 months on account of retrenchment on that estate. I think she should be retained. Belin Nona worked 11½ days in July out of 12½, 19½ days in August out of 20½, and 20½ days in September out of a possible 20½ days. Before she came here she worked at Melbourne Estate about ¾ mile from her residence, whereas this estate is only ¼ mile away. Her place in Melbourne Estate has now been given to another. She should be retained. Babun Nona worked 5½ days in July, 19½ days in August and the full 20½ days in September. Her husband is a rheumatic patient and is unsound in mind. The Wak Oya separates her residence from this estate. Before she came to work on this estate she tapped for a villager at a lower wage. I think she should be retained. Sugathan did not work in July. In August he worked only 19½ days and in September 6 days out of a possible 20½ days. Before he came to this estate he worked on the Kalatuwawa Scheme. His lack of diligence in attendance for work is a sufficient cause for discontinuing him.

9. In the result, out of the four sundry workers transferred to do tapping, Asanaris will be discontinued while Nandawathie, Fernando and Leelawathie will be retained as tappers. Out of the ten newly recruited, the five men David, Simon Singho, Seimon, Edwin and Sugathan will be discontinued, while the five women Melin, Masilin Nona, Rosalin, Belin and Babun Nona will be retained.

10. Mr. Dias, the proprietor, stated that he would prefer Tamil resident workers to village labour because they are better workers and because being resident they could be called upon to work at any time—if it rains, immediately after the shower is over, while village labour would have returned to their homes; if rain threatened the resident labour could be called up to work earlier than usual while village labour would not be available. But he was afraid that there may be trouble from the people living in the villages in the neighbourhood if the village labour recruited is not retained. I do not think that fear should influence my judgment. It is admitted that normally on the re-opening of an estate and restarting of work the workers previously employed should be given preference. That is why in July when work recommenced the Superintendent asked sixteen of the old labourers to return to work and they did not because the Congress felt that the returning to work of the sixteen after the dispute had been referred to an industrial court would jeopardise the position of the rest and new workers were recruited. The Superintendent says that it was generally understood that the work would be permanent. The five men out of the ten newly recruited have not conducted themselves as if they were keen on retaining their jobs. They have behaved as if they were just casual workers free to work when they felt the inclination and to keep away when they did not. They are a contrast to the five women whose services I have directed should be retained. As for the fear of disturbances and troubles from the villagers living in the neighbourhood it is for the Government to maintain law and order and afford protection to the estate against any mischief.

11. The position then is that the estate should re-employ five persons in place of the five newly recruited men to be discontinued, and in place of Asanaris, and also six others because though there was work for 16 in July only 10 new persons were recruited. Therefore there are vacancies for 12. In selecting the 12, Sollamuthu's case will also be considered with the rest and length of service on the estate should be the criterion.

12. Now with regard to relief, the learned Counsel for the Congress agreed that those who were taken back need not be paid any compensation. He said: "No compensation is claimed for the resident labourers who may be re-employed because it is only a lay-off for them". With regard to the others, should compensation be paid and, if so, how much? For the Superintendent it was urged that no compensation should be paid because the labourers were all given a month's notice; prior to the month's notice, as far back as October 1957, they were informed that because of the fall in price in the rubber market retrenchment might become necessary; employment was available on the Kalatuwawa Scheme and elsewhere and some had availed themselves of the opportunity and earned larger sums than they would have earned if they had been employed on the estate; the proprietor had been suffering loss for a period of years in running the estate.

13. If as is alleged the proprietor has been suffering loss in running the estate it is a good reason for refusing compensation. Just as it is reasonable that labourers collaborating in the production of profit should enjoy a share of that profit it is also reasonable that when adversity comes they should also undergo suffering with the proprietor. Mr. Dias the proprietor stated in evidence and produced marked R.8 to R.12 documents which he described as balance sheets in support of his statement that he suffered a loss of Rs. 21,824 in 1954-55; that he had a profit of Rs. 11,168 in 1955-56; that he suffered a loss of Rs. 1,317 in 1956-57; that he suffered a loss of Rs. 28,354 in 1957-58; and that he suffered a loss of Rs. 8,114 in the period 1st April to 31st August 1958. An examination of R.8 to R.12 shows that these documents are not balance sheets as the term is understood in book-keeping. They are, what is purported to be on the face of the documents themselves income and expenditure accounts. These were prepared for income tax purposes and have been audited. On the expenditure side one finds included items of expenditure incurred in replanting portions of the estate—items like cost of uprooting trees, dynamiting, holeing, bud-wood, etc. On the income side the subsidy paid by Government for replanting is not stated. This is quite in order so far as income tax purposes are concerned. The income tax authorities do not levy a tax on the Government subsidy. For their tax purposes they consider net income after making allowance for the amounts spent in replanting. The Government subsidy would appear to be Rs. 700 per acre while the actual cost of replanting is about Rs. 1,600 to Rs. 1,750 per acre. So that even if the subsidy is added to the income side of these accounts, still it is not possible to ascertain the true profit or loss. In ascertaining the true profit or loss in running an estate one should not take into consideration any part of the income which are applied for opening up a new portion or replanting an old portion. This would be capital expenditure from which an income may be anticipated in future years. What should be taken into consideration is the expenditure actually incurred in maintaining the estate by manuring, weeding, etc. and in working the estate. On the material placed before me it is not possible for me to say that the proprietor has suffered loss over a number of years in running this estate.

14. With regard to the argument that no compensation is payable because the labourers were given a month's notice, no doubt the law provides that monthly paid employees may be discontinued from service on a month's notice, but an industrial court does not view this question entirely from a legal angle. It considers this question from a humane point of view, and where it is possible for the proprietor to give them some relief during their period of unemployment for a certain reasonable period of time an industrial court would direct that such relief be given. With regard to the argument that so far back

as October, 1957, the labourers were made aware that on account of the fall in prices in the rubber market it may become necessary to close down the estate, just as the proprietor himself hoped that that eventuality may not occur, the labourers also would have optimistically hoped and prayed that the occasion would not arise for the closing down of the estate. The fear that the estate may have to be closed down is not likely to have urged them to go about seeking for fresh employment elsewhere. It is only after the blow fell they would seek fresh employment. Therefore it would be morally just to give them some relief during the period necessary to seek and obtain fresh employment.

15. The evidence of Mr. Sivaramalingam the supervisor employed by the Chettinad Corporation (Private) Ltd., which performed the work on the Kalatuwawa Scheme is that the 12 persons whose names appear in list R.2 worked on the Kalatuwawa Scheme from 24th February for a certain number of months. They had been paid at the rate of Rs. 3.67 a day a sum much larger than the wage of Rs. 2.58. R.6 shows that Kalimuthu, Sangappillai, Murugiah, Perumal, Marinuthu, Karuppiyah, Arumugam, Sivanu and another Marimuthu who commenced work on the 24th February, 1958, have been paid for their periods of service terminated on the 23rd August and 16th July, 1958, various sums ranging from Rs. 504 to R. 355. Palanivel, Rasu and Sinniah who joined in March 1958 and whose services were terminated in May 1958 have received sums varying from Rs. 175 to Rs. 130 during the period that these men were employed on the Kalatuwawa Scheme. Knowing that the work in the Kalatuwawa Scheme was not likely to last long and having had the opportunity of seeking fresh employment what they have received during these months is a sufficient relief for themselves and their wives. Therefore I do not think that the payment of any further relief would be justifiable. On the Kalatuwawa Scheme no women were employed and therefore women employees on Tummodera Estate could not have obtained employment there. Those women labourers who are not the wives of any of these 12 men should be granted relief. With regard to the other men who were not in employment on the Kalatuwawa Scheme, it was urged for the Superintendent that they could have obtained employment there had they been disposed to do so; that it was their duty to do everything in their power to minimise any compensation that may be claimed. With regard to the question as to whether they could have obtained employment on the Kalatuwawa Scheme, the evidence of Mr. Sivaramalingam is rather contradictory. When he gave evidence on the 8th October he stated in examination-in-chief that all the 34 persons who were retrenched from Tummodera Estate could have found employment on the Kalatuwawa Scheme and that there were vacancies for them. On the 9th October he stated in cross-examination that when 100 men turned up for work only 50 were taken and that some of those who came from Tummodera Estate and who tried to get work failed to do so. He stated that he acted on the recommendations of the baases in recruiting new labour, so that one is unable to say definitely that these men who did not work on the Kalatuwawa Scheme made no effort to help themselves. It was urged that these men should have come before Court to give evidence that they made attempts to get employment but failed to do so. It would be necessary for them to give evidence if that principle that a person who claims compensation should make every endeavour to minimise the amount claimed by him is applicable in this case. It is not a question of compensation or damages that one considers in this case. It is merely relief during a period of unemployment that is being claimed. Document R.3 shows that three women, Lourdes Marie, Savithana. (Sandanamamah) Mary and Karupai have been doing some work under one Mr. J. D. G. Wickrama-

ratne and had received Rs. 32 as wages. R.3 does not set out as to how many days they worked to earn these thirty-two rupees. The document does not even state as to whether it is Rs. 32 each or whether Rs. 32 was earned by all of them together. I do not think that the receipt of this Rs. 32 should be taken into consideration in estimating relief.

16. With regard to the question as to the quantum of relief that should be given it is important to know that the proprietor had not turned out these labourers from the lines in which they have been living. He has been charitable enough to permit them to continue to live in these lines though some of them went out to work in places like Kalatuwawa. In the Carfax case (I. D. 60) where the labourers had to leave the lines in which they had been living, it was directed that relief should be granted by the payment of three months' wages and allowances. Taking into consideration the fact that these labourers were not ousted from their homes and had no rent to pay. I would consider the payment of two months' wages and allowances would be reasonable relief. As stated earlier this will not be payable to those 12 persons who are to be re-engaged or to the persons who worked on the Kalatuwawa Scheme and their wives but only to the others. As to who these persons are should be gone into between the management of the estate and the Congress, if necessary, with the assistance of an officer of the Labour Department. The persons who are not re-engaged should vacate the lines. The proprietor may be depended upon to grant them a short period of grace to enable them to move their belongings and to leave the place. The relief payable may be placed in the hands of the Labour Department to be paid only on vacation of the lines.

I make award accordingly.

R. R. SELVADURAI.

Colombo, 10th December, 1958.

**THE INDUSTRIAL DISPUTES ACT,  
No. 43 OF 1950**

THE Award transmitted to me by the President of the Industrial Court constituted for the purpose of settling the industrial dispute between the Nidahas Karmika Saha Velanda Sevaka Vurthiya Samithiya and Colombo Club, Galle Face, Colombo 3, which was referred by the Honourable the Minister of Labour, Housing and Social Services, by Order dated September 4, 1958, made under section 4 (2) of the Industrial Disputes Act, No. 43 of 1950 and published in *Ceylon Government Gazette* No. 11,523 dated September 12, 1958, for settlement by an Industrial Court, is hereby published in terms of section 25 (1) of the said Act.

N. L. ABEYWIRA,

Acting Deputy Commissioner of Labour.

Department of Labour,  
Colombo, December 6, 1958.

**Industrial Court at Colombo**

**No. I. D. 90**

In the matter of an Industrial Dispute  
between

The Nidahas Karmika Saha Velanda Sevaka Vurthiya Samithiya, 129, Kumaran Ratnam Road, Colombo 2  
and  
Colombo Club, Galle Face, Colombo 2

**THE AWARD**

This is an award under the Industrial Disputes Act, No. 43 of 1950 as amended by Acts No. 25 of 1956, No. 14 of 1957 and No. 62 of 1957.

2. This is a dispute between The Nidahas Karmika Saha Velanda Sevaka Vurthiya Samithiya, hereinafter referred to as the "Union" and Colombo Club, Galle Face, Colombo, hereinafter referred to as the "Club". The Honourable the Minister of Labour, Housing and Social Services by his Order dated 4th September, 1958, referred this industrial dispute to this Court for settlement.

3. According to the statement of the Acting Deputy Commissioner of Labour dated 3rd September, 1958 the matters in dispute were as follows:—

- (1) A regular wages scale to be drawn up with yearly increments, the salary for the 1st year of service being Rs. 60 per month. Dearness allowance to be exclusive of this basic wage.
- (2) The Special Living Allowance of Rs. 17.50 to be paid to all workers with retrospective effect from 1.1.58.
- (3) Eight-hour working day to be instituted and any hours worked in excess of such 8 hours, to be considered and remunerated as overtime.
- (4) A provident fund for the employees to be started and one month's wages for each year of service to be included in such provident fund.
- (5) A meal allowance to be granted.
- (6) Proper sleeping facilities to be provided.
- (7) Victimization of the employees to be stopped and those who have been already victimised to be reinstated.

4. The Club originally filed a statement that this Court had no jurisdiction to inquire into this dispute as the matter in dispute was not an industrial dispute. This matter came up for inquiry on 10th October, 1958, when the Union was represented by Dr. W. D. de Silva and Mr. Mallawaratchie, and the Club by Mr. Advocate E. F. N. Gratiaen, Q. C. with Mr. Advocate S. J. Kadirgamar instructed by Messrs. Julius & Creasy. Mr. Gratiaen mentioned that it had been decided to submit to the jurisdiction of the Court and added that a sub-committee of the Club had been appointed to consider the demands of the Union. He also undertook to submit the Club's statement on the matters in dispute on or before 28th October, 1958. On 28th October, 1958, the Club forwarded a statement which it was stated that the Club agreed to:—

- (a) (i) a minimum basic wage of Rs. 40 per mensem,
  - (ii) an increase of Rs. 5 to the basic wage per mensem for all employees now receiving the basic wage between Rs. 40 and Rs. 50,
  - (iii) long service employees to be given due consideration by the Club.
- (b) With regard to the Special Living Allowance, they agreed to pay this allowance from 1st August, 1958.
- (c) The Club agreed to eight-hour working day for each employee spread over a period of 12 hours with the exception of the head barman, his senior assistant, the two butlers and the head cook who were in receipt of higher salaries and were expected to work over 8 hours per day.
- (d) A special provident fund was regarded as unnecessary in view of the introduction of the Employees Provident Fund Act, No. 15 of 1958.

(e) With regard to the meal allowance it was mentioned that the Club makes a payment of Rs. 18 in cash to every employee and that food is supplied to each employee estimated to cost Rs. 10.50 per month.

(f) With regard to sleeping facilities it was stated that no employee was expected to sleep on the premises but the Club provided two rest rooms for the employees.

(g) With regard to victimisation the Club denied that there had been any victimisation either by a member of the Club or by the staff of the Club.

5. On 31st October, 1958, when the matter came up for inquiry we tried to effect an amicable settlement in view of the statement forwarded by the Club but our efforts were not successful.

6. The Union called the Secretary of the Queen's Club and the secretary of the Orient Club to give evidence on behalf of the Union. The employees at the Queen's Club received Rs. 40 per mensem as basic salary, Rs. 40 as dearness allowance, and Rs. 7.50 as Special Allowance. No meals are provided but the employees are paid overtime if they worked over 8 hours per day. The Club is open only in the afternoons and the employees are not expected to work over 8 hours. The Secretary of the Orient Club stated that the minimum wage for minor employees was Rs. 90 per month. No additional allowances are paid. According to the statement submitted by the Club, the employees of the Club will receive a minimum basic wage of Rs. 40 plus dearness allowance which amounts to about Rs. 20, the special living allowance of Rs. 17.50, a meal allowance of Rs. 18 and food allowance of Rs. 10.50. Thus the total minimum wage will be Rs. 106. This monthly wage is higher than the wages paid to employees of other Clubs. It was urged by the Union that the minimum scale of salary should be fixed at Rs. 60 per month but in view of the salary scales of employees in other Clubs we are unable to agree that the basic wage should be fixed as high as Rs. 60 per month. Taking into consideration the other allowances that the employees of the Club are entitled to, we consider that Rs. 40 mensem is an adequate basic wage.

7. With regard to the salary scale with annual increments, it was stated on behalf of the Club that it was difficult to agree to an incremental scale as it was impossible to state whether the finances of the Club would be sufficient to meet payments on an incremental basis. The Club however undertook to consider the question of increasing salaries annually and to grant increases whenever possible.

8. With regard to the dearness allowance the amount that each employee is entitled to has been fixed on an arbitrary basis. In one case where the salary is Rs. 187 the dearness allowance is Rs. 7.50. In another case where the salary is Rs. 100 the dearness allowance is Rs. 34.50. In a large number of cases the dearness allowance has been fixed at Rs. 21. In a few cases it is Rs. 19.50, while in two cases it is Rs. 14.50. We consider that the present system of fixing dearness allowances is unsatisfactory. The minimum dearness allowance in future should be Rs. 21 but it will be open to the Club to pay higher dearness allowances in suitable cases. In the case, however, of those who have drawn higher dearness allowance than Rs. 21 they will continue to draw the same allowances unless the Club considers that the allowances should at any time be increased. The minimum salary scale of Rs. 40 and the minimum dearness allowance of Rs. 21 should be paid from 1st October, 1958. In the case of those employees who are in receipt of salaries between Rs. 40 and Rs. 50 the salaries will be increased by Rs. 5 per month.



9. With regard to the special living allowance the Union made the demand earlier this year and the Club agreed in March 1958, to pay a special living allowance of Rs. 7.50. This was accepted at the time but the Union raised the question again by its letter dated 30th July, 1958. It was urged on behalf of the Club that the Union was bound by its earlier agreement to accept Rs. 7.50 and that the higher allowance of Rs. 17.50 should not be payable from a date earlier than 1st August, 1958. We are agreed that it is not possible to make an award from a date earlier than the date on which the demand was made. Our award therefore is that the special living allowance of Rs. 17.50 should be paid from 1st August, 1958.

10. With regard to the eight-hour working day it was stated on behalf of the Club that in all residential hotels employees had to work for 8 hours within a period of 12 hours. A large number of the employees were waiters and if they were expected to be on duty for a continuous period of 8 hours they would probably have work only for 3 or 4 hours a day. Owing to the special nature of their duties it is not possible to give them continuous work for 8 hours. Our award therefore is that each employee should be given 8 hours work spread over a period not exceeding 12 hours. This award will, however, not affect the head barman, his senior assistant, the two butlers and the head cook who are paid higher salaries because they are expected to work over 8 hours a day.

11. With regard to the provident fund, we agree that it is not necessary to start a special provident fund for the employees of the Club in view of the introduction of the Employees Provident Fund Act, No. 15 of 1958, which will be in operation in the near future.

12. With regard to the meal allowance, we consider that the present arrangements are quite satisfactory. The Union suggested that in respect of the food which is provided by the Club each employee might be given the estimated cost of Rs. 10.50. We consider that the present arrangement is much more satisfactory especially as tea, &c., has to be provided during the working hours of the employees.

13. With regard to sleeping facilities the Club later agreed to provide camp beds for the employees. It was mentioned that about 30 employees were on duty till 11 p.m. and a few employees till mid night. According to the evidence given buses are available till about midnight and the majority of employees should be able to return to their homes after their work is over at 11 p.m. There are two rooms for the use of the employees and the Club will provide as many beds as the accommodation available will permit.

14. With regard to the allegation of victimisation, the evidence shows that two employees had been suspended pending prosecution by the police. There had been a complaint by the watcher that he was assaulted by two employees. The case has been settled and the employees have been reinstated. We consider that there has not been any victimisation of the employees. The Club stated that no employees had been victimised in the past and gave an assurance that they will not be victimised in the future.

15. All payments due with regard to salaries and allowances should be made within one month of the publication of this Award.

(Sgd.) P. O. FERNANDO,  
President.

(Sgd.) K. KANAGARATNAM,  
Member.

(Sgd.) H. S. R. B. KOBBEKADUWA,  
Member.

Colombo, 22nd November, 1958.

## THE MOTOR TRANSPORT ACT, No. 48 OF 1957 Order under Section 25 (1)

BY virtue of the powers vested in me by sub-section (1) of section 25 of the Motor Transport Act, No. 48 of 1957, I, Chandradasa Wijesinghe, Minister of Nationalised Services and Road Transport, do by this Order approve the proposed acquisition of immovable property specified in the Schedule hereto for the purposes of the business of the Ceylon Transport Board.

C. WIJESINGHE,  
Minister of Nationalised  
Services and Road Transport.

Colombo, December 11, 1958.

### SCHEDULE

1. An allotment of land situated in the village of Baddegama, Baddegama North Village Headman's Division, D. R. O's Division of Gangaboda Pattu, Galle District, Southern Province.

Extent about  $\frac{3}{4}$  acre.

2. Bounded on the north by the property of J. W. Gunawardena and others.

Bounded on the East by the main road to Galle.

Bounded on the South by the property of Charles de Silva.

Bounded on the West by the property of the Anglican Church Missionary Society.

3. Particulars of lot to be acquired are as follows:—

(a) Name of Land: Meegahawatta.

(b) Description: Contains a few coconut trees.

(c) Extent: About  $\frac{3}{4}$  acre.

(d) Name and address of Claimants: (1) K. U. G. Upasena, Ganegama South, Baddegama. (2) D. Wittanachchi, C/o Messrs. Brown & Co., Hatton.

L. D.—B 60/34.

No. W. H. 33 K.

### CUSTOMS NOTIFICATION

#### The Customs Ordinance

IN pursuance of the powers vested in me by section 69 of the Customs Ordinance (Chapter 185), I, Maxim Lucian Dido Caspersz, Principal Collector of Customs, do, with the approval of the Minister of Finance granted by virtue of the powers vested in him by that section, as modified by the Proclamation published in *Gazette Extraordinary*, No. 9,773 of September 24, 1947, by this notice published in accordance with his directions, approve and appoint the Fuel Tank No. 224, situated in the oil installation of Messrs. Caltex Ceylon Limited at Bloemendhal Road, Colombo, as a warehouse in which diesel oil imported by Messrs. Caltex Ceylon Limited may be warehoused, kept and secured without payment of duty on the first entry thereof.

M. L. D. CASPERZ,  
Principal Collector of Customs.

Colombo, December 12, 1958.

## FORM 4A

The Indian and Pakistani Residents (Citizenship)  
Act, No. 3 of 1949

## NOTICE UNDER SECTION 10 OF THE ACT

I, Victor Joseph Harold Gunasekera, Acting Commissioner for the Registration of Indian and Pakistani Residents, do hereby give notice under section 10 of the Indian and Pakistani Residents (Citizenship) Act, No. 3 of 1949, that I shall make order allowing each such application under sub-section (1) of section

4 of the Act as is specified in the Schedule hereto, unless any written objection to the making of such order, together with a statement of the grounds or facts on which such objection is based, is received by me from any member of the public within a period of one month from the date of publication of this notice.

Every statement of objection shall contain the full name and address of the person making the objection.

V. J. H. GUNASEKERA,  
Acting Commissioner for the Registration of Indian  
and Pakistani Residents.

Colombo, 16th December, 1958.

## SCHEDULE

Number and date of application	Name and Address of Applicant for Registration as a Citizen of Ceylon
F 2521—4.6.51	... Karuppa Pillai Marimuthu Pillai, Periyatam, Moraluwatta, Koshinna, Gurudeniya
F 5224—20.7.51	... Vaithilingam Subramaniam, 41, Pattiyaagama Bazaar, Deltota
G 1517/F—23.7.51	... Angappen Rajaratnam, c/o Mr. A. S. Iyaswamy, Galaha Group, Galaha
K 1116/F—1.10.50	... Muthukaruppen Kathamuthu Muthiah, Waimalai, Ketawela, Ampitiya
KD 254/F—22.4.50	... Shahul Hameed Mohideen Hamsa, 131/4, Tennekumbura, Gurudeniya
G 2298/AA/G—3.8.51	... Segu Mustapha Sheik Noordeen, 28, Blue Palace, Rajaveediya, Kandy
M 520—21.11.50	... Olagan Sandanam, 71, Trincomalee Street, Dambulla
M 3962—30.5.51	... Marudamuthu Maruday, Hapuwidha Division, Elkaduwa Group, Elkaduwa
M 8232—1.8.51	... Maria Theresammal Rodrigo, 191, Trincomalee Street, Matale
M 11577—3.8.51	... Suppiah Sivaraman, Palapathwela, Matale
N 529—22.7.50	... Ponnusamy Muthammah, Mary Hill Division, Prottoft Estate, Ramboda
N 5725—3.4.51	... Murugan Sengan alias Govindan, Labookellie Estate, Labukelle.
N 7019—4.6.51	... Poongan Angammah, Gingranoya Division, Kolapatna Estate, Kotmale
N 7302—21.6.51	... Veeran Peria Ramaie, Kolapatna Estate, Kotmale
N 7673—16.7.51	... Anthoni Selvam, Lower Division, Kataboola Group, Kotmale
R 1795—14.4.51	... Maruday Arian, Calsay Estate, Nanu Oya
T 852—4.8.51	... Ponnampalam Rengasamy alias Renganathan, 101, Main Street, Trincomalee
DD 3646—11.7.51	... Govindasamy Pitchai, Lower Division, Degalessa Estate, Yatiyantota
DD 3650—17.7.51	... Patchamuthu Duraisamy, Lower Division, Degalessa Estate, Yatiyantota
DD 5523—31.7.51	... Sebastian Soosai, Aludeniya Estate, Dehiowita
M 5910/DD—16.7.51	... Yesudian David, Dabar Estate, Deraniyagala

## FORM 4B

The Indian and Pakistani Residents (Citizenship)  
Act, No. 3 of 1949

## NOTICE UNDER SECTION 10 OF THE ACT

I, Victor Joseph Harold Gunasekera, Acting Commissioner for the Registration of Indian and Pakistani Residents, do hereby give notice, under section 10 of the Indian and Pakistani Residents (Citizenship) Act, No. 3 of 1949, that I shall make order allowing each such application under sub-sections (1) and (2) of section 4 of the Act as is specified in the Schedule hereto,

unless any written objection to the making of such order, together with a statement of the grounds or facts on which such objection is based, is received by me from any member of the public within a period of one month from the date of publication of this notice.

Every statement of objection shall contain the full name and address of the person making the objection.

V. J. H. GUNASEKERA,  
Acting Commissioner for the Registration  
of Indian and Pakistani Residents.

Colombo, 16th December, 1958.

## SCHEDULE

Number and date of application	Name and Address of Applicant for Registration as a Citizen of Ceylon	Name and relationship to applicant of each person whose registration as a citizen of Ceylon applicant seeks to procure simultaneously with applicant's registration as a citizen of Ceylon
F 883—26.11.50	... Sinnathamby Duraisamy, Ingrogalla Estate, Kandy	Angammal (wife), Poongavanam (daughter), Ganeson (son), Letchimie (daughter), Supramaniam (son), Amarawathie (daughter)
F 1023—19.12.50	... Ramasamy Pillai Thangaraj, 100, Paradeka, Pussellawa	Kamachchiammal (wife), Saundararaja (son), Neelambika (daughter)
F 1282—20.3.51	... Muthiah Kandasampillai, Digatenna Estate, Seminary Gardens, Ampitiya	Letchimie (wife), Sarosani alias Saroja (daughter), Sivapackiam (daughter), Sathasivam (son), Balasundaram (son), Sellammal (daughter), Mononmoney (daughter), Thiyyagadevi (daughter), Mageswari (daughter), Sathiyaseelan (son)
F 1297—7.3.51	... Oyyan Kalimuthu, Gallantenne Lower Division, Deltota Group, Galaha	Vallaiyammah (wife), Alagu (daughter), Muthurakku alias Sinna Rakku (daughter), Kamalam (daughter), Sathiyavel (son), Thamotheram (son), Seetha Letchumie (daughter)
F 1828—27.3.51	... Arammah, w/w/o Savoogan, Dunally Division, Galaha Group, Galaha	Murugesu alias Murugiah alias Periyasamy (son), Arumugam alias Thangiah (son), Karuppiak (son)
F 3052—19.4.51	... Muthiah Sandanam, 4/8, Upper Waloya Division, Loolecondra Group, Deltota	Sinnamma (wife), Thavaras (son), Venthamarai (daughter)
F 4822—13.7.51	... Mariya Pillai Kumarasamy Pillai, 91, Main Street, Galaha	Sinnammal (wife), Manikkam (son), Mahaletchumie (daughter)
F 4409—16.7.51	... Rama Perumal Gopalaswamy Pillai, Pinnagolla Estate, Talatuoya	Kamatchi Ammal (wife), Vengadasalam (son)
F 4540—9.7.51	... Suppiah Thangamuthu alias Marimuthu, Gonkoduwa, Ketawela, Ampitiya	Kamalam (wife), Ganeson (son), Vanaja (daughter), Krishnamoorthy (son)
F 4548—20.7.51	... Arunasalampillai Periyasamy, 39, Talatuoya Bazaar, Talatuoya	Amurdam (wife), Mallika (daughter)
F 4558—23.4.51	... Eagambaram Pillai Sockalingam Pillai, Magulテナ Estate, Ampitiya	Kamalambal alias Mariaie (wife), Shanmugam alias Ganeson (son), Kadiramma (daughter), Pushpa Valli alias Valliamma (daughter), Rajamma alias Rajeswari (daughter)

Number and date of application	Name and Address of Applicant for Registration as a Citizen of Ceylon	Name and relationship to applicant of each person whose registration as a citizen of Ceylon applicant seeks to procure simultaneously with applicant's registration as a citizen of Ceylon
F 4740—16.7.51	... Vellayan Samiyar Naikar, Erin Estate, Galaha	Vengatammal (wife), Nagammah (daughter), Ramaie (daughter), Maduram (daughter)
F 6485—26.7.51	... Sithambaram Sivalingam, Kurunduwatta Estate, Peradeniya	Kamatchy (wife), Sivapackiapathiammal (daughter), Visalatchie (daughter)
F 7690—5.8.51	... Sithambarampillai Ponnusamypillai, Ellahena Estate, Ampitiya	Thailammaiammal (wife), Rajoo alias Rasiah Pillai alias Rasipillai (son), Meenambal alias Sellammah alias Sinnapillai (daughter), Sithambaram (son), Sivapackiam (daughter), Kannammal (daughter), Subramaniam (son), Sundararaj (son)
G 1011/F—13.3.51	... Sinuappen Savarimuthu, Seminary Estate, Ampitiya	Nayagam (wife), Anthony Arulappen (step-son), Maria Irudaya Raj (son), Philomena Maria Pushpam alias Catherinammal (daughter), Agnes Catherina Anthoniammal (daughter), Joseph Nicholas (son)
G 2452/F—22.7.51	... Sevugan Letchumanen, Middle Division, Oode-wella Estate, Kandy	Sandanam (wife), Suppiah (son)
H 2643/F—14.3.51	... Kareapillai Muniandy, Thumpelawaka, Panwila-tenne	Thylamma (wife)
L 8336/F—7.6.51	... Michael Gnanapragasam, Block No. 9, Old Nilambe Division, Nilambe Estate, Galaha	Sandanam (wife), Somalamani (daughter)
L 8432/F—11.6.51	... Raman Kanniah, New Nilambe Division, Nilambe Estate, Galaha	Mariaie (wife), Valliamma (daughter), Sinnamma (daughter), Balakrishnan (son)
CC 2482/F—3.6.51	... Anthony Salis Lopez, Jayanthi, Ranawana, Katugastota	July Mary (wife), Rita Francina (daughter), Catherine Ida (daughter), Lazarus Peter Anthony (son), Benedict Anthony (son)
CC 4710/F—30.7.51	... Subramaniam Chettiar Arumugam Chettiar, 53A, Colombo Road, Peradeniya	Vaduammah alias Mencha (wife), Subramaniam (son), Suppuleetchimy (daughter), Kumareson (son), Kadirvale (son), Indrani (daughter)
H 872—30.9.50	... Iyacanno Shanmugam, Pansalatenne Estate, Ukuwela	Natchie (wife), Vellaamma (daughter), Kandiah (son), Kaneson (son)
M 1823—27.3.51	... Muthucomaren Palany, Selegama Estate, Mahawela	Nagoo (wife), Natchiamma (daughter), Letchimie (daughter), Araie (daughter)
M 1890—27.3.51	... Narayanan Ponnen, Selegama Group, Mahawela	Sinna Anchalai (wife)
M 2972—8.5.51	... Vellayan Muniandy, Aluwihare Estate, Matale	Pottu (wife), Meenambika alias Avadaiamma (daughter), Kumarasivam (son), Sadasivam (son), Kuppanachy (daughter)
M 4114—9.6.51	... Alagan Alagoo alias Sinniah, Nichola Oya Estate, Rattota	Ponnamma (wife), Ponnalagu (son), Kandasamy (son)
M 5843—15.7.51	... Peravi Muthiah, Belligama Estate, Galewela	Mariaie (daughter), Letchimie (daughter)
M 6039—17.7.51	... Sellan Alagan, Millrigg Division, Akaramboda Group, Pallepola	Sellamma (wife), Masimalay (son), Maruthaveeran (son), Ramaie (daughter), Arvie (daughter), Mariamma (daughter), Amarawathy alias Umayawathie (daughter)
M 6894—5.7.51	... Vellasamy Periyasamy, Ehalapola Estate, Madawela, Ulpota	Mariamamma (wife), Thorarajah (son), Sivapackiam (daughter), Thambirajah (son)
M 7245—23.7.51	... Cereammal Lonappen Anthony, Roman Catholic Church, Kadai, Mahawela	Jessi Agnes (wife), Mary Josephine Domitilla (daughter), Juanie (daughter)
M 7309—22.7.51	... Malayandy Karuppiyah, Mahawela Estate, Mahawela	Veeramma (wife), Petchaie (daughter)
H 9649/M 15.7.51	... Govindan Murugiah, Suduganga Estate, Matale	Palaie (wife), Selladorai (son), Anjalai (daughter), Arunasalam (son), Sinniah (son)
N 558—22.7.50	... Sadayan Sinniah, Mary Hill Division, Frotoft Estate, Ramboda	Karuppaie (wife), Valliamma (daughter)
N 596—22.7.50	... Karuppiyah Ramiah, Mary Hill Division, Frotoft Estate, Ramboda	Velliammah (wife)
N 5137—4.5.51	... Sevi Ramasamy, Gongalla Division, Kolapatna Estate, Kotmale	Sundaramma (daughter), Letchumie (daughter), Nallamma (daughter)
N 6042—13.5.51	... Muniandy Sivancoo, Middle Division, Kataboola Group, Kotmale	Vellaie (wife)
N 6103—13.5.51	... Sinniah Sathasivam, Middle Division, Kataboola Group, Kotmale	Sinnammal (wife)
N 7713—16.7.51	... Arunasalam Veeramuthu, Lower Division, Kataboola Group, Kotmale	Sellammal (wife), Periyasamy alias Sevenoo (son), Caruppiyah (son), Periamma alias Nagamma (daughter)
N 7723—16.7.51	... Sinnathamby Periyasamy, Lower Division, Kataboola Group, Kotmale	Palaniaie (wife)
N 7725—16.7.51	... Andy Veeran, Lower Division, Kataboola Group, Kotmale	Valliammal (wife)
N 7742—16.7.51	... Karuppan Palaniandy, Lower Division, Kataboola Group, Kotmale	Kandaie (wife), Ramu (son), Letchimie (daughter)
N 8477—9.7.51	... Ramasamy Marimuthu, Heenawella Division, Kataboola Group, Kotmale	Anjallay (wife), Muthusamy (son)
N 8478—9.7.51	... Periyam Angamuthu, Heenawella Division, Kataboola Group, Kotmale	Sinnapillay (wife), Arumugam (son), Perian alias Periyasamy (son)
R 382—23.10.50	... Maree Arumugam, Radella Estate, Nanu Oya	Muthammah (wife), Pappammah (daughter), Suppiah (son), Papathy (daughter), Letchumi (daughter), Rajaletchumie (daughter)
R 1784—14.4.51	... Caruppiyahpillai Doraisamy, Calsay Estate, Nanu Oya	Thangaie (wife), Karunawathy Ammal (daughter)
R 1788—14.4.51	... Sebastian Rayappan, Calsay Estate, Nanu Oya	Annammal (wife), Ronikmery alias Savariaie (daughter), Anthonyammah (daughter), Sebastiammah (daughter), Anthonisamy (son), Loorthumary (daughter)
R 1789—14.4.51	... Savarimuthu Sebastian, Calsay Estate, Nanu Oya	Sandanam (wife), Kannikka Mari (daughter), Siluvai Marie (daughter), Mudiappen (son)
R 1790—14.4.51	... Sebastian Soosay, Calsay Estate, Nanu Oya	Silethmary alias Sebastimary (wife), Anthonysamy (son), Alexander (son), Loorthumary (daughter)

Number and date of application	Name and address of applicant for registration as a citizen of Ceylon	Name and relationship to applicant of each person whose registration as a citizen of Ceylon applicant seeks to procure simultaneously with applicant's registration as a citizen of Ceylon
AA 1244—19.6.51	... Ramiah Subramaniam, Noragalla Estate, Nivigala	Thangammah (wife)
AA 1652—21.7.51	... Gurusamy Duraiswamy Dominic, New Mahawela Estate, Ratnapura	Sellestinahamy (wife), Michael (son)
AA 1852—4.7.51	... Suppamma, ww/o Madasamy Karuppiyah, Alupolla Group, Ratnapura	Palsamy (son), Sevanu (son), Kandasamy (son)
AA 8920—3.8.51	... Mookan, s/o Venkittan, Ayagama Estate, Kiriella	Angammah (wife), Ramasamy (son), Veeraie (daughter)
F 4543—28.5.51	... Palaniandy Subramaniam <i>alias</i> Murugiah <i>alias</i> Murugan, Sundaravalli Estate, Ampitiya	Angammal (wife), Palaniaie (daughter), Carmegam (son)
K 13208—6.7.51	... Adam Saibo Saik Hussain, Bridwell Estate, Bogawantalawa	Balkisho Bee Bee (wife)
R 6384/O/R—4.8.51	... Kumarasamy Sithambaram, 18, Bazaar Street, Kandapola	Kamatchy <i>alias</i> Jayamany (wife), Pathmanathan (son), Sundararajah (son), Saroja (daughter)
M 10619/F—2.8.51	... Muthiah Nagalingham, A Division, Nilambe Estate, Galaha	Parvathy (wife), Muthiah (son), Saundararaj (son), Thanapackiam (daughter), Sarasvathy (daughter), Selvaraj (son), Rajaletchumie (daughter)

## FORM 7

## The Indian and Pakistani Residents (Citizenship) Act, No. 3 of 1949

## NOTIFICATION UNDER SECTION 16 (1) (c) OF THE ACT

IT is hereby notified, under section 16 (1) (c) of the Indian and Pakistani Residents (Citizenship) Act, No. 3 of 1949, that each person particulars of whom are specified in column I of the Schedule hereto was, on the date specified in the corresponding entry in column II of that Schedule, registered as a citizen of Ceylon in the register of citizens kept under section 16 (1) (a) of the Act.

Colombo, December 16, 1958.

V. J. H. GUNASEKERA,  
Acting Commissioner for the Registration of Indian and Pakistani Residents.

## SCHEDULE NO. 58/39

I  
Particulars of Person Registered as a Citizen of Ceylon

II

Name	Age	Sex	Address	
Savari Kathirvel	46	M	All of Kobowella Division, Sorona Group, Horana	June 15, 1957
Letchimi	35	F		
Thevaraj	15	M		
Ramachandran	13	M		
Ramiah	10	M		
Rajaratsnam <i>alias</i> Jayaraman	8	M		
Dharmaraju	5	M		
Tharmalingam	2	M		
Balamani	1	F		
Perumal Karuppiyah	22	M		
Selva Pakkiyam	7 mths.	F	June 18, 1957	
Subramaniam Pichay	42	M	All of Millawa Estate, Padukka	November 19, 1958
Annamma	32	F		
Thangavelu <i>alias</i> Kandiah	12	M		
Annalechimi <i>alias</i> Letchimy	10	F		
Saraswathie	3	F		
Thaivany	1	F		
Ramasamy Arumugam	25	M		
Sellammal	20	F		
Maheswari	1	F		
Perumal Sivano	31	M		
Sevanammah	27	F	November 19, 1958	
Kadiramalay	6	M	All of Finzine Estate, Govinna	July 2, 1957
Sathiyavale	5 mths.	M		
Aseervatham, s/o Sandanam	28	M		
Raji Thavamaneay <i>alias</i> Jeyamanie	21	F		
Anthony	2	M		
Philomina	1	F		
Muniandy Arunasalam	28	M		
Alagamma	20	F		
Pushparanee	7 mths.	F		
Periannan Pillai Nallukutiya Pillai	52	M		
Kamatchi	32	F		
Manickam	14	F		
Mariaie	10	F		
Vellaiamma	6	F		
Sappany	4	M		
Vijayalakshmi	1½	F		
Arumugam Mayandy	36	M		
Mariaie	26	F		
Subramaniam	8	M		
Sathasivam	3	M		
Nadarajah	1	M	All of Unit 2, Maddagedera Estate, Matugama	September 12, 1957
Mallika	1	F		
Sengayan Alagan	49	M	Of Battalagalla Estate, Dickoya	November 20, 1958
Veloo Velai	24	F		

I  
Particulars of Person Registered as a Citizen of Ceylon

II

Name	Age	Sex	Address	
Sellamuthu Rengammah	60	F	Of Condagalla Division, Labookellic Estate, Labukelle	November 20, 1958
A. Palanyandy Marimuthu	28	M	Of 4, Lower Bazaar, Punduloya	do.
Palaniandy Sellamma	56	F	Of North Division, Hellbodde Estate, Katukitula	do.
Annamalay Arunasalam	28	M	Of Memalay Division, Hellbodde Estate, Katukitula	do.
Ponnan Manickam	28	M	Of Hangurankette Division, Hangurankette Group, Hangurankette	do.
Sinnasamy Iyavoo	30	M	Of 1st Division, Diyagama East Estate, Agrapatana	do.
O. M. Meeramohideen <i>alias</i> O. M. Segumohamed	42	M	Of Nithsdale Estate, Agrapatana	do.
Veerasamy Nayadoo Angammah	58	F	Of Raddegoda Division, Delwita Group, Rambodagalla	do.
Masimalai Veloosamy	31	M	Of Waldemar Group, Udapussellawa	do.
Selliah Carupiah <i>alias</i> Sevakuru	29	M	Of Lower Division, Udapolla Group, Deraniyagala	do.
Valliamma, d/o Soorudayan	28	F	Of Weweltalawa Division, Halgolle Group, Yatiyantota	do.
Sandanam Arulappen	43	M	Of Manikande Division, Udapolla Group, Deraniyagala	do.
Muthiah Suppiah	47	M	Both of Bathford Estate, Dickoya	do.
Sittu	45	F		
Anthony Alangaram	45	M	Both of Bathford Estate, Dickoya	do.
Mariammal	41	F		
Karuppan Marie	55	M	Both of Battalgalla Estate, Dickoya	do.
Ponnammah	50	F		
Kathirvelu Palanimuthu	31	M	All of Lower Division, Campion Estate, Bogawantalawa	do.
Govindammal	23	F		
Angamma	8	F		
Kayambo Vellayan	49	M	All of St. Vigeans Estate, Bogawantalawa	do.
Karuppaie	46	F		
Selliah <i>alias</i> Kathan	21	M		
Kanniah	16	M		
Ganesan	14	M		
Rasihah	11	M		
Krishnaveny	8	F		
Vadamalai Ponnappan	35	M		
Letchumy	25	F		
P. Karuppiyah Muthiah	42	M	All of Roscrea Estate, Dickoya	do.
Adaickaie	40	F		
Meyappan <i>alias</i> Iyavoo	23	M		
Nadeson	19	M		
Arangan <i>alias</i> Mookaiah	16	M		
Mariaie <i>alias</i> Kailammal	13	F		
Murugan Appavoo	41	M	All of South Wanarajah Division, Poyston Estate, Dickoya	do.
Iyammah	33	F		
Kamala	17	F		
Leela <i>alias</i> Angamma	15	F		
Jayaletchumy	13	F		
Packiyaletchumy	11	F		
Annakily <i>alias</i> Annaletchumy	9	F		
Thanaletchumy <i>alias</i> Thannaccaie	7	F		
Annakily <i>alias</i> Saraswathy	5	F		
Jayajothi	2	F		
Muthu Sathiah	69	M	Both of Manickawatte Estate, Dickoya	do.
Karuppaie	64	F		
Kolandai Marappen	31	M	All of Blinkbonnie Estate, Dickoya	do.
Ellammal	27	F		
Thanaletchumy	8	F		
Selvaraj	5	M		
Letchumanan	2	M		
Vannan Muthu	47	M	All of North Delta Estate, Pussellawa	do.
Sittu	36	F		
Perumal <i>alias</i> Rakkammal	23	F		
Comaran <i>alias</i> Muniandy <i>alias</i> Selvaraj	16	M		
Mani <i>alias</i> Rakkie	13	F		
Vanni <i>alias</i> Puspam	11	F		
Muthurakku <i>alias</i> Pooranam	9	F		
Araie <i>alias</i> Kamalam	7	F		
Rakkie	5	F		
Muthuvanni	1	M		
Patchamuthu Palaniyandy	63	M		
Peramayie	—	F		
Arumugam	24	M		
Palanivelu Arumugam	34	M	All of Gammadua Estate, Gammaduwa	do.
Nallamma	33	F		
Packiam <i>alias</i> Annaletchumy	14	F		
Thanaletchimie <i>alias</i> Ponnalagu <i>alias</i> Pambatchi	11	F		
Sitto	9	F		
Palanivail	5	M		

## I

## II

## Particulars of Person Registered as a Citizen of Ceylon

Name	Age	Sex	Address			
Vythilingam Kitnasamy ..	52	M	All of Gonapitiya Group, Kandapola	November 20, 1958		
Mariaie ..	48	F				
Kandiah <i>alias</i> Vythilingam ..	27	M				
Arunasalam ..	23	M				
Valliyamma ..	21	F				
Panchavarnam ..	19	F				
Letchumie ..	16	F				
Janakiammal ..	14	F				
Muthukumar ..	12	M				
Kamala ..	10	F				
Subramaniam ..	8	M	All of Lawriston Division Bramley Group, Kandapola	do.		
Caruppan Palany ..	50	M				
Mariyaoe ..	42	F				
Veerappen <i>alias</i> Veeriah ..	25	M				
Aruchunan Poosari Nadeson ..	36	M				
Sellammal ..	26	F				
Jegathan ..	9	M				
Sadasivam ..	7	M				
Thuraiaraju ..	5	M				
Theenamoney ..	3	F				
Balen Valauthem ..	37	M	All of Lower Division, Hope Estate, Hewaheta	do.		
Sellammah ..	13	F				
Suppiah ..	11	M				
Kamatthy ..	8	F				
Veerappan Veeramuthu ..	38	M				
Pootchy ..	36	F				
Veloo ..	18	M				
Kaliamah ..	15	F				
Murugiah ..	12	M				
Selvaraju ..	8	M				
Arumugam ..	4	M	Both of Lower Division, Harrow Estate, Punduloya	do.		
Seerangan Ramu ..	35	M				
Arraie ..	26	F				
Sinniah Thangavel ..	30	M				
Soranavallie ..	28	F				
Jayakumar ..	7	M				
Kaneswari ..	4	F				
Pusparani ..	3	F				
Narayana Reddiyar Sithambaram Reddiyar ..	44	M			All of 5, Upper Bazaar, Punduloya	do.
Sellapapathy ..	27	F				
Vasuthevan <i>alias</i> Narayanan ..	12	M				
Nadarajah ..	6	M				
Muthusamy Mariyappan ..	48	M				
Karuppaie ..	45	F				
Theivanai <i>alias</i> Valliamma ..	16	F				
Karuppiah <i>alias</i> Arangan ..	15	M				
Kamatthie ..	13	F				
Wijeyaletchumy ..	10	F				
Sellambaram ..	5	M	All of Upper Division, Sheen Group, Punduloya	do.		
Muthiah Suppiah ..	39	M				
Valliammai ..	32	F				
Rejamanickam ..	15	F				
Krishnamoorthy ..	12	M				
Sundararaj ..	9	M				
Seethaletchumy ..	7	F				
Veloo Karuppiah ..	39	M				
Rasammal ..	28	F				
Palanisamy ..	7	M				
Rajeswary ..	6	F				
Yoganathan ..	5	M	All of Meddetenne Estate, Punduloya	do.		
Mari Mahadevan ..	33	M				
Mariaie ..	28	F				
Poopathie ..	10	F				
Jeevasiromani ..	6	F				
Munian Kadirvelu ..	28	M				
Varathammal ..	26	F				
Kesarivaman ..	3	M				
Sandirasekeram ..	2	M			All of Labookellie Estate, Labukelle	do.
Nagan Munian ..	57	M				
Vadamalai ..	38	F				
Walliammah ..	23	F				
Mariaie ..	18	F				
Ramiah ..	13	M				
Arumugam ..	8	M				
Suppan Ramasamy ..	40	M				
Neela ..	30	F				
Perumal ..	17	M				
Supramaniam ..	13	M	All of Labookellie Estate, Labukelle	do.		
Nadeson ..	11	M				
Sellaie <i>alias</i> Sellen ..	9	M				
Ponnan Munusamy ..	37	M				
Sellammal ..	26	F				
Ramiah <i>alias</i> Raman ..	9	M				
Supramaniam ..	4	M				

I  
 Particulars of Person Registered as a Citizen of Ceylon

II

Name	Age	Sex	Address
Sengan Munian ..	49	M	All of Condagalla Division, Labookellie Estate, Labukelle
Ragumani ..	31	F	
Munusamy <i>alias</i> Perumal ..	18	M	
Perumal ..	13	M	
Marie ..	11	M	
Madasamy ..	6	M	
Vengadasalam Perumal ..	42	M	Both of Condagalla Division, Labookellie Estate, Labukelle
Muniammal ..	42	F	
Sinnakanoo Perumal ..	33	M	All of Condagalla Division, Labookellie Estate, Labukelle
Sellamma ..	25	F	
Magamaie ..	10	F	
Manivelu ..	5	M	
Kugathan ..	3	M	
Sellan Perumal ..	64	M	
Munusamy ..	28	M	Both of Lower Division, Labookellie Estate, Labukelle
Perumal Sivano ..	34	M	All of Lower Division, Labookellie Estate, Labukelle
Mariaie ..	7	F	
Selvarajee ..	3	M	
Perumal Rasiah ..	33	M	All of Lower Division, Labookellie Estate, Labukelle
Sinnammal ..	27	F	
Vijayaletchumie ..	4	F	
Puvanesparie ..	2	F	
Suprayan Sinniah ..	45	M	All of Condagalla Division, Labookellie Estate, Labukelle
Kullammah ..	35	F	
Ramaye <i>alias</i> Rasu ..	18	F	
Letchumy ..	18	F	
Rukmany <i>alias</i> Sellamma ..	16	F	
Subramaniam ..	14	M	
Dhanamanie ..	8	F	
Irusan Ponn ..	28	M	Both of Middle Division, Hellbodde Estate, Katukitula
Sellamma ..	19	F	
Sigamony Ratnavel ..	42	M	All of Condagalla Division, Labookellie Estate, Labukelle
Mariaie ..	33	F	
Grace ..	15	F	
Thavamaney ..	13	M	
Regina <i>alias</i> Roopee ..	10	F	
Thandan Angamuthu ..	46	M	
Periyammal ..	43	F	
Petchaie ..	16	F	
Ponnusamy Perumal ..	37	M	All of Lower Division, Kataboola Group, Kotmale
Thilammal ..	31	F	
Soleamma ..	14	F	
Sivapakiam ..	12	F	
Nagaratnam ..	8	M	
Sronmani ..	6	M	
Mallikasunderi ..	3	F	
Ramasamy Sappani ..	34	M	
Parameswaran ..	10	M	
Thanapackiam <i>alias</i> Packiam ..	7	F	All of Balapokuna Group, Ramboda
S. Maruday Palanimuthu ..	30	M	All of North Division, Hellbodde Estate, Katukitula
Palaniaie ..	21	F	
Chinthamany ..	3	F	
Gurusamy ..	1	M	
Thevaraya Reddiar Ramasamy Reddiar ..	44	M	All of Penrith Group, Avissawella
Alameluammal ..	28	F	
Selamba Reddiar <i>alias</i> Silambaran ..	7	M	
Thevarajoo Rettiyar <i>alias</i> Devaraja ..	4	M	
Kodian Kalimuthu ..	40	M	All of Vellai Oya Estate, Hatton
Vellachy ..	30	F	
Alamail ..	13	F	
Nagappan ..	10	M	
Letchumy ..	8	F	
Sivapakiam ..	4	F	
Pooranam ..	2	F	
Narayanan Karuppiah ..	46	M	All of Hornsey Estate, Dickoy
Karuppaie ..	38	F	
Ramaie ..	12	F	
Vaiyapury Kandan ..	31	M	Both of Friedland Estate, Bogawantalawa
Mariaie ..	—	F	
Karandan Sinniah ..	34	M	All of Abergaldie Estate, Rozella
Sevanamma ..	28	F	
Sivalingam ..	13	M	
Poospathy <i>alias</i> Pushpavalli ..	11	F	
Sivapakiam ..	8	F	
Paramakurunathan <i>alias</i> Paramakanathan ..	4	M	
Pachamuthu Kanchamalai ..	59	M	
Alagammah ..	51	F	
Sellammah ..	24	F	
Pooleetchumy ..	20	F	
Veeran Sokkan ..	52	M	All of No. 2 Division, Ragalla Estate, Halgranoya
Veeral ..	—	F	
Ammasy ..	18	M	

I				II		
<i>Particulars of Person Registered as a Citizen of Ceylon</i>						
Name	Age	Sex	Address			
Arumugam Kandasamy ..	37	M	All of Upper Division, Hope Estate, Hewaheta	November 20, 1958		
Rengammah ..	32	F				
Rathenam ..	15	F				
Aiyama ..	13	F				
Parwathy ..	9	F				
Radhakrishnan ..	7	M				
Camalamal ..	5	F				
Rajaratnam ..	1	M				
Angamuthu Sinnamuthu ..	45	M	All of Lower Division, Dimbula Estate, Kotagala	do.		
Andichy ..	42	F				
Sinnammal ..	24	F				
Rasammal ..	21	F				
Nagammal ..	20	F				
Panchavarnam <i>alias</i> Pancharatnam ..	18	M				
Araie ..	14	F				
Manivel ..	9	M				
Saraswathy ..	6	F				
Sellan Veeran ..	33	M	All of Wishford Estate, Agrapatna	do.		
Sellaie ..	26	F				
Rajamony ..	10	F				
Selvamalar ..	8	F				
Veerappan Periasamy ..	40	M	All of Powysland Estate, Agrapatana	do.		
Veerammah ..	33	F				
Sinnammah ..	17	F				
Rasie ..	13	M				
Papathy ..	10	F				
Suppiah Pillai Ramasamy ..	32	M	All of Yarravale Estate, Agrapatana	do.		
Selvambal <i>alias</i> Sellammal ..	28	F				
Sarweswari ..	9	F				
Vanaja ..	6	F				
Ravichandran ..	4	M				
Kalyani Vijayaletchumy ..	2	F				
Ponnusamy Arumugam ..	43	M	All of Lower Division, Wattagodde Estate, Watagoda	do.		
Sivasundararaj ..	14	M				
Jayasundararaj ..	13	M				
Sathasivan Pillai ..	8	M				
Thangaraju ..	6	M				
Saravanarajah Pillai ..	3	M				
Durairaja Pillai ..	1	M				
Sinnamuthusamy Palaniandy ..	48	M	All of Park Estate, Kandapola	do.		
Pooranam ..	35	F				
Selvadurai <i>alias</i> Selvanathan ..	14	M				
Vijayaletchimie <i>alias</i> Karuppaie ..	10	F				
Nagalingam ..	9	M				
Papathy ..	2	F				
Caruppan Cathan ..	38	M	All of Edinburgh Estate, Nanu Oya	do.		
Adaikkey ..	36	F				
Mariaie ..	19	F				
Karlimuthu ..	14	M				
Selliah ..	11	M				
Arumugam ..	8	M				
Veeriah ..	5	M				
Letchuman ..	2	M				
Andiakavundan Muthiah ..	46	M	All of Paravipanchan, Kilinochchi	do.		
Pachaiamma ..	35	F				
Ratnam <i>alias</i> Palanisamy ..	20	M				
Chinniah ..	18	M				
Rukmoney ..	16	F				
Kandasamy ..	13	M				
Palarajah ..	11	M				
Santhirarajah ..	7	M				
Navamoney ..	5	F				
Supramaniam ..	3	M				
Pushparaney ..	1	F				
Peria Nadiamma, w/w/o Caruppiah ..	49	F	All of Neluwa Estate, Bandarawela	do.		
Peraman <i>alias</i> Peramiah ..	25	M				
Ramaie ..	22	F				
Perumal <i>alias</i> Muthucaruppen ..	19	M				
Veloo ..	16	M				
Sinniah ..	12	M				
Ramiah Vadivel ..	40	M	All of Kalupahani Estate, Haldummulla	do.		
Kathiraie ..	—	F				
Ramiah ..	17	M				
Ratnavalli ..	13	F				
Muthamah ..	11	F				
Palaniandy ..	7	M				



## Miscellaneous Departmental Notices

### C/DEHIWALA VIDYAWARDANA VIDYALAYA (S. M. S.)

NOTICE is hereby given that an application has been received from the General Manager, Buddhist Academy of Ceylon, Mattegoda, Polgasowita, for the provisional registration of the above school, situated at Dehiwala in the Colombo District of the Western Province, as a grant-in-aid school.

Observations will be received not later than 30 days from the date of publication of this notice.

S. F. DE SILVA,  
Director of Education.

ASM 5471  
Education Department,  
Malay Street,  
Colombo 2, 9th December, 1958.

### MR/HIGGODA SRI SUMANA PRIMARY SCHOOL

NOTICE is hereby given that an application has been received from the General Manager of schools, the Buddhist Academy of Ceylon, Mattegoda, Polgasowita, for the registration of the above school, situated at Higgoda, Akuressa in the Matara District of the Southern Province, as a grant-in-aid school.

Observations will be received not later than 30 days from the date of publication of this notice.

S. F. DE SILVA,  
Director of Education.

Education Department,  
Malay Street,  
Colombo 2, 9th December, 1958.

### MN/PANDIVIRICHAN R. C. T. M. SCHOOL

NOTICE is hereby given that an application has been received from the General Manager, R. C. Schools, Bishop's House, Jaffna, for the provisional registration of the above school, situated at Pandivirichan in the Mannar District of the Northern Province, as a grant-in-aid school.

Observations will be received not later than 30 days from the date of publication of this notice.

S. F. DE SILVA,  
Director of Education.

Education Department,  
Malay Street,  
Colombo 2, 10th December, 1958.

### CHANGE OF MANAGEMENT—KG/KOBBEWELA KEERTHIRATNE VIDYALAYA S. M. SCHOOL

UNDER the provisions of Section 31 of the Education Ordinance No. 31 of 1939, it is hereby notified for general information that Mr. B. P. M. Senanayake, Education Officer, Sabaragamuwa Province, is temporarily appointed Manager of KG/Kobbewela Keerthiratne Vidyalaya S. M. School with effect from 24th November, 1958, in place of Mr. N. H. Keerthiratne who ceased to be the Manager of the said school with effect from 24th November, 1958.

S. F. DE SILVA,  
Director of Education.

Education Department,  
Malay Street,  
Colombo 2, December 11, 1958.

### CHANGE OF MANAGEMENT—G/AKURATIYA SUBODHARAMA SCHOOL

UNDER the provisions of Section 31 of the Education Ordinance, No. 31 of 1939, it is hereby notified for general information that Mr. M. B. Noordeen, Education Officer, Southern Province, is temporarily appointed Manager of G/Akuratiya Subodharama School with effect from 11.11.1958, in place of Dr. W. L. F. Dissanayake who ceased to be the Manager of the said school with effect from 11.11.58.

S. F. DE SILVA,  
Director of Education.

ASX 202,  
Education Department,  
Malay Street,  
Colombo 2, December 10, 1958.

### REGISTRATION OF PIRIVENAS FOR GRANT

IT is hereby notified for general information that the undermentioned Pirivenas have been registered for grant:—

- (1) Mr/Sri Siddhartha Pirivena (Junior) Morawaka.
- (2) A/Weerakkody Pirivena (Junior) Nuwarawewa, Anuradhapura.
- (3) G/Wijayananda Pirivena (Junior) Weliwatta, Galle.
- (4) K/Sri Sanghananda Pirivena (Junior) Henegama, Harankawa.
- (5) Bd/Dharmaniketana Pirivena (Junior) Galauda, Haliela.

S. F. DE SILVA,  
Director of Education.

Education Department,  
Malay Street,  
Colombo 2, 15th December, 1958.

### THE AGRICULTURAL AND INDUSTRIAL CREDIT CORPORATION OF CEYLON

Resolution under Section 70 of the Agricultural and Industrial Credit Corporation Ordinance, No. 19 of 1943

IT is hereby notified that the following resolution was unanimously passed by the Board of Directors of the Agricultural and Industrial Credit Corporation of Ceylon on October 22, 1958:—

“WHEREAS Lindamullage Percy Titus de Silva of ‘Sea View’, Kapparatota, Weligama in the District of Matara, has made default in the payments due on bond No. 105 dated 30th September, 1950, attested by A. M. Nanayakkara, Notary Public, in favour of the Agricultural and Industrial Credit Corporation of Ceylon and there is now due and owing to the Corporation a sum of Rupees four thousand two hundred and ninety-seven and cents five (Rs. 4,297.05) on the said bond, the Board of Directors of the Agricultural and Industrial Credit Corporation under the powers vested in them by the Agricultural and Industrial Credit Corporation Ordinance, No. 19 of 1943, do hereby resolve that the property and premises mortgaged to the said Corporation by the said bond No. 105 of 30th September, 1950, attested by A. M. Nanayakkara, Notary Public, be sold by public auction by Mr. A. P. D. Abeysuriya, Licensed Auctioneer of Matara,

for the recovery of the said sum of Rs. 4,297.05 with further interest on the principal sum of Rs. 4,038.09 at 6 per centum per annum from 23rd October, 1958, to date of sale and costs of sale ”.

#### SCHEDULE OF PROPERTY MORTGAGED

All that land called Mirissepatabendigewatta *alias* Paluwatta marked lots 1 and 2 in Plan No. 638 with the buildings thereon bearing assessment Nos. 101 and 102 situated at Kapparatota within the Urban Council limits of Weligama in Matara District in extent three roods according to the aforesaid plan.

H. S. F. GOONEWARDENA,  
General Manager.

51, Iceland Building,  
Colombo 3, December 12, 1958.

#### THE IRRIGATION ORDINANCE, No. 32 OF 1946

IT is hereby notified that I, Don Charles Lionel Amarasinghe, Government Agent, of the Anuradhapura District in the North-Central Province, have by virtue of powers vested in me by section 15 (1) (a) of the Irrigation Ordinance, No. 32 of 1946, approved the resolution set out in the Schedule hereto.

D. C. L. AMARASINGHE,  
Government Agent.

The Kachcheri,  
11.11.1958.

#### Schedule

#### RESOLUTION

“This Meeting of Proprietors within the Irrigable Area of Badahelagama irrigation work in the Anuradhapura District, North-Central Province, approve the scheme relating to that irrigation work prepared under Part V of the Irrigation Ordinance, No. 32 of 1946.”

#### RABIES

WHEREAS danger of rabies exists in the area specified in the Schedule hereto, notice is hereby given in terms of section 11 of the Rabies Ordinance (Cap. 333), that the said area is from 10th December, 1958, proclaimed as an area within which there is a danger of rabies. Any dog found in any public place, other than a private building, compound, or garden within the said area, and not being tied up or led is liable to be destroyed forthwith.

A. B. S. N. PULLENAYEGUM,  
Government Agent.

The Kachcheri,  
Kandy, 9th December, 1958.

#### Schedule referred to above

The whole of the Administrative District of Kandy excluding the areas within the jurisdiction of Urban Councils, Town Councils and the Kandy Municipal Council.

#### NOTICE

NOTICE is hereby given that the area declared infected in Attidiya V. H. Division No. 543 Salpiti Korale Colombo Mudliyar's Division in Colombo District of the Western Province, in accordance with the provisions of the Contagious Diseases (Animals) Ordinance (Amendment) Act, No. 33 of 1957, Section

4, sub-section 1 (Chapter 327) and proclaimed in *Government Gazette* No. 11,516 of 5th September, 1958, is free of Foot-and-Mouth Disease and is no longer an “INFECTED AREA”.

This declaration shall take effect from the date hereof.

A. AMARASINGHE,

Chief Government Veterinary Surgeon.

Office of the Chief Government  
Veterinary Surgeon,  
Peradeniya, 8th December, 1958.

#### NOTICE

NOTICE is hereby given that the area declared infected in Kelanimulla V. H's Division No. 504 in Salpiti Korale Colombo Mudliyar's Division in Colombo District of the Western Province, in accordance with the provisions of the Contagious Diseases (Animals) Ordinance (Amendment) Act, No. 33 of 1957, Section 4, sub-section 1 (Chapter 327) and proclaimed in *Government Gazette* No. 11,555 of 17th October, 1958, is free of Foot-and-Mouth disease and is no longer an “INFECTED AREA”.

This declaration shall take effect from the date hereof.

A. AMARASINGHE,

Chief Government Veterinary Surgeon.

Office of the Chief Government  
Veterinary Surgeon,  
Peradeniya, 8th December, 1958.

#### PROCLAMATION

WHEREAS Hæmorrhagic Septicæmia disease has broken out among cattle in Aluthwewa wasama in the Divisional Revenue Officer's Division of Matale North in Matale District of the Central Province, I, Aryadasa Amarasinghe, Chief Government Veterinary Surgeon, by virtue of the powers vested in me under the Contagious Diseases (Animals) Ordinance (Amendment) Act, No. 33 of 1957, and in terms of Section 4, sub-section (1) of the said Ordinance (Chapter 327), do hereby declare an “INFECTED AREA”—the area bounded on—

North by: Anuradhapura District boundary

South by: Kurunegala District boundary and Beligamuwa wasama

East by: Beliyakanda and Bambaragaswewewa wasamas;

West by: Kurunegala District boundary.

2. Under section 7 of the same Ordinance, I proclaim that no movement of cattle or cart traffic from and to this wasama shall be allowed, until this proclamation is revoked.

3. The attention of all cattle owners and carters in the area, is drawn to the Contagious Diseases (Animals) Regulations, 1937, which lays down the actions which persons are by law required to take in an “INFECTED AREA”. Details of these regulations can be obtained from the Veterinary Surgeon, Matale, and the Divisional Revenue Officer, Matale North at Naula.

4. This declaration shall take effect from the date hereof.

ARYADASA AMARASINGHE,

Chief Government Veterinary Surgeon.

Office of the Chief Government  
Veterinary Surgeon,  
Peradeniya, 10.12.58.

**PROCLAMATION**

WHEREAS "Foot-and-Mouth" disease has broken out among cattle in Pallegama wasama in the Divisional Revenue Officer's Division of Matale North in Matale District of the Central Province, I, Aryadasa Amarasinghe, Chief Government Veterinary Surgeon, by virtue of the powers vested in me under the Contagious Diseases (Animals) Ordinance (Amendment) Act. No. 33 of 1957, and in terms of Section 4, sub-section (1) of the said Ordinance (Chapter 327), do hereby declare an "INFECTED AREA"—the area bounded on—

- North by: Inamaluwa wasama
- South by: Mirisgoniya Oya
- East by: do.
- West by: do.

2. Under section 7 of the same Ordinance, I proclaim that no movement of cattle or cart traffic from and to this wasama shall be allowed, until this proclamation is revoked.

3. The attention of all cattle owners and carters in the area, is drawn to the Contagious Diseases (Animals) Regulations, 1937, which lays down the actions which persons are by law required to take in an "INFECTED AREA". Details of these regulations can be obtained from the Veterinary Surgeon, Matale and the Divisional Revenue Officer, Matale North at Naula.

4. This declaration shall take effect from the date hereof.

ARYADASA AMARASINGHE,  
Chief Government Veterinary Surgeon.  
Office of the Chief Government  
Veterinary Surgeon,  
Peradeniya, 10.12.58.

**PROCLAMATION**

WHEREAS "Foot and Mouth" disease has broken out among cattle in the following V.HH Divisions in the Divisional Revenue Officer's Division of Vavuniya South (Tamil Division) in Vavuniya District of the Northern Province, I, Aryadasa Amarasinghe, Chief Government Veterinary Surgeon, by virtue of the powers vested in me under the Contagious Diseases (Animals) Ordinance (Amendment) Act, No. 33 of 1957, and in terms of section 4, sub-section 1 of the said Ordinance (Chapter 327), do hereby declare the following as "INFECTED AREAS"—

1. *V. H.'s Division of Puthukulam*  
North—V. H's Division of Maruthammadu  
South—V. H's Division of Thandikulam  
East—V. H's Division of Kallikulam  
West—V. H's Division of Thandikulam
2. *V. H's Division of Omantai*  
North—Vavuniya North D. R. O's Division boundary  
South—V. H's Division of Kallikulam  
East—Vavuniya North D. R. O's Division boundary  
West—V. H's Division of Maruthammadu
3. *V. H's Division of Kallikulam*  
North—V. H's Division of Omantai  
South—V. H's Division of Madukande  
East—V. H's Division of Mamaduwa  
West—V. H's Division of Puthukulam

2. Under section 7 of the same Ordinance, I proclaim that no movement of cattle or cart traffic from and to these V. HH Divisions shall be allowed, until this proclamation is revoked.

3. The attention of all cattle owners and carters in these areas, is drawn to the Contagious Diseases (Animals) Regulations, 1937, which lays down the actions which persons are by law required to take in an "INFECTED AREA". Details of these regulations can be obtained from the Veterinary Surgeon, Vavuniya, and the Divisional Revenue Officer of the respective Division.

4. This declaration shall take effect from the date hereof.

A. AMARASINGHE,  
Chief Govt. Veterinary Surgeon.  
Office of the Chief Govt. Veterinary Surgeon,  
Peradeniya, 8th December, 1958.

**PROCLAMATION**

WHEREAS "Hæmorrhagic Septicæmia" disease has broken out among cattle in the Divisional Revenue Officer's Divisions of Eravur and Korale Pattu in Batticaloa District of the Eastern Province, I Aryadasa Amarasinghe, Chief Government Veterinary Surgeon, by virtue of the powers vested in me under the Contagious Diseases (Animals) Ordinance (Amendment) Act, No. 33 of 1957, and in terms of section 4, sub-section (1) of the said Ordinance (Chapter 327), do hereby declare an "INFECTED AREA"—the area bounded on—

- North by:—Verugal Aru
- South by:—D. R. O's Divisions of Munmunai North and Bintenne Pattu
- East by:—Sea
- West by:—Tamankaduwa District

2. Under section 7 of the same Ordinance, I proclaim that no movement of cattle or cart traffic from and to these D. R. O's Divisions shall be allowed, until this proclamation is revoked.

3. The attention of all cattle owners and carters in the area, is drawn to the Contagious Diseases (Animals) Regulations, 1937, which lays down the actions which persons are by law required to take in an "INFECTED AREA". Details of these regulations can be obtained from the Veterinary Surgeon, Batticaloa, and the Divisional Revenue Officer of the respective Divisions.

4. This declaration shall take effect from the date hereof.

ARYADASA AMARASINGHE,  
Chief Government Veterinary Surgeon.  
Office of the Chief Government  
Veterinary Surgeon,  
Peradeniya, 8th December, 1958.

**PUBLIC WORKS DEPARTMENT**

BRIDGE No. 2/4, Galatura-Ketapola Road will be closed to all vehicular traffic from 20.12.58, until further notice, for repairs. No alternative route is available.

A. C. PERERA,  
for Director of Public Works.  
Public Works Office,  
Colombo 1, December 15, 1958.

## “Excise Ordinance” Notices

### NOTICE

#### Local Option Poll for Re-opening of Toddy Tavern at Gonawala in Pata Dumbara, Kandy District

I, Allan Basil Samuel Nesarajah Pullenayegum, Government Agent, Kandy District, in the exercise of the powers vested in me by rule 6 of the Excise Notification No. 146 published in *Government Gazette* No. 7,478 of August 14, 1923, as amended by Excise Notifications Nos. 180, 187, 194, 221, 225, 231, and 401, give notice that a Poll will be taken on Saturday, January 17, 1959, at the place mentioned in the sub-joined schedule for recording of votes for the purpose of ascertaining whether sixty per cent of the inhabitants whose names appear in the certified final list of voters of the voting area in respect of the Toddy Tavern referred to above are in favour of the re-opening of the Toddy Tavern in question.

2. Polling will take place between the hours of 8 a.m. and 12 noon and between 1 p.m. and 6 p.m. on the date of the Poll.

3. No person whose name does not appear in the list of voters shall be entitled to vote at the Poll.

A. B. S. N. PULLENAYEGUM,  
Government Agent.

The Kachcheri,  
Kandy, December 13, 1958.

### SCHEDULE

Voting Area	Polling Station
Gomagoda, Karagastenna, Kumbure Gammedda, Maluwe Gammedda, Uda Gammedda, Palle Gammedda, Wepatana in Gomagoda Wasama;	
Digane Kadamandiya, Gankewala, Gonawala, Pahala Gammedda, Uda Gammedda, in Gonawala Wasama;	
Ihala Gammedda, Kumbukkandura, Pahala Gammedda, in Kumbukkandura Wasama;	
Alutgangapitiya, Ambakotte Estate, Angentenna Estate, Aswelapitiya, Balagolla Estate, Kolongahawatta Estate, Gangapitiya Estate, Ithalawela, Gonagalla, Kengalla, Kengalla Weediya, Medawala, Moragahapitiya Estate, Nekatumbura, Gammedda, Pahala Gammedda, Pallekelle Kadaweediya, Paranagangapitiya, Rajawella Estate, Udukanatte Estate, in Kengalla Wasama;	Digane Roman Catholic School
Aspokuna Estate, Dahayakanuwe Gammedda, Ekolahakanuwe Gammedda, Heepitiya, Kovilakelle Gammedda, Medagammedda, Pahala Gammedda, Tennegammedda, in Attaragalla Pallegama Wasama.	

### NOTICE

#### Local Option for Re-opening of Arrack and Toddy Taverns at Teldeniya

I, Allan Basil Nesarajah Pullenayegum, Government Agent, Kandy District, in the exercise of the powers vested in me by rule 6 of the Excise Notification No. 146 published in *Government Gazette* No. 7,478 of August 14, 1923, as amended by Excise Notifications Nos. 180, 187, 194, 221, 225, 231, and 401, give notice that a Poll will be taken on Saturday, January 24, 1959, at the place mentioned in the sub-joined schedule for recording of votes for the purpose of ascertaining whether 60 per cent of the inhabitants whose names appear in the certified final list of voters of the voting area in respect of the Arrack Tavern and the Toddy Tavern at Teldeniya are in favour of the re-opening of the taverns referred to above.

2. Polling will take place between the hours of 8 a.m. and 12 noon and between 1 p.m. and 6 p.m. on the date of the Poll.

3. No person whose name does not appear in the final list of voters shall be entitled to vote at the Poll.

A. B. S. N. PULLENAYEGUM,  
Government Agent.

The Kachcheri,  
Kandy, December 13, 1958.

### SCHEDULE

Voting Area	Polling Station
Ambagahalande Village, Ellepola Gammedda, Gamadiha Gammedda, Ganima, Mahaberitenna Estate, Purankumbura, Udadekada Kadamandiya, Teldeniya Town Council Ward No. 1, 2, and 3 in Teldeniya Wasama;	
Egoda Gammedda, Godamaditte Gammedda, Ihagolla Village Karandawake, Waragolla, Gammedda, in Wewegama Wasama;	
Hapugolle Village, Kudadeniya, Mahaberitenna Estate, Medagammedda, Nitule Gammedda, Podaweketiya, Victoria Estate, Waragolleyaya, Wedi Gammedda, Teldeniya Town Council Henegehuwala Ward No. 3, Ellapahura Colony, in Henegehuwala Wasama; Ihala Gammedda, Pahala Gammedda in Alutwela Wasama;	Teldeniya Court House
Digane Gammedda, Kande Gammedda, Kandewatta Estate, Medapola Gammedda, Medagammedda, Pahala Gammedda, Wilamune Gammedda, in Karailiyadde Wasama;	
Udawela, Udawela Pahala Gammedda, in Udawela Wasama;	
Dodagolle Ihala Gammedda; Galagedera Gammedda, Kepunpone Gammedda, in Meda Gammedda, Medaysaya Village, Pahure Ekkassa Village, Teldeniya Town Council Wellatota Ward No. 4, Urugala Road, Rangala Road, Urugala Lane No. 1, Rambukwella Ward No. 5, Urugala Road, Urugala Lane No. 2, and Rangala Road 'A' in Rambukwella Wasama.	

### NOTICE

IT is hereby notified that in view of the Public Holiday on Thursday, December 25, 1958, all Notices and Advertisements for Publication in the *Ceylon Government Gazette* of December 26, 1958, should reach the Government Press not later than 4 p.m. on Monday, December 22, 1958.

Government Press,  
Colombo, December 6, 1958.

BERNARD de SILVA,  
Government Printer.