



පාර්ලිමේන්තු විවාද

(හැන්සාඩ්)

X



නිල වාර්තාව

(අශෝධිත පිටපත)



අන්තර්ගත ප්‍රධාන කරුණු

පාර්ලිමේන්තුව උත්සවාකාරයෙන් විවෘත කිරීම

අතිගරු ජනාධිපති උතුමාණන් පාර්ලිමේන්තුව ඇමතීම



1922

(1922)

1922

(1922)

1922

1922

பாராளுமன்ற விவாதங்கள்

(ஹன்சார்ட்)

அதிகார அறிக்கை

(பிழை திருத்தப்படாதது)

பிரதான உள்எடக்கம்

பாராளுமன்றத் திறப்புவிழா

மேன்மைதங்கிய சனாதிபதி பாராளுமன்றத்துக்கு நிகழ்த்திய உரை

Volume 34
No. 1

Wednesday
20th February 1985

PARLIAMENTARY DEBATES

(HANSARD)

OFFICIAL REPORT

(Uncorrected)

PRINCIPAL CONTENTS

CEREMONIAL OPENING OF PARLIAMENT
ADDRESS TO PARLIAMENT BY HIS EXCELLENCY THE
PRESIDENT

பாராளுமன்றப் பேரவை

(மொழி)

ஆங்கில மொழி

(ஆங்கில மொழி)

பேரவை

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3-A 082041-3-130 (82/03)

පාර්ලිමේන්තු විවාද

(හැන්සාඩ්)

(නිල වාර්තාව)

34 වන කාණ්ඩය

ශ්‍රී ලංකා ප්‍රජාතාන්ත්‍රික සමාජවාදී ජනරජයේ

පළමුවන පාර්ලිමේන්තුව

පස්වන සභා වාරය

1985

දැරි ලක්මිතිරය

(විකෘත)

(වෛරය ෭෯)

වෛරය ෧෫ 18

කෘතියේ දැරියලිය කලියාගමට ගෞරව

ලක්මිතිරය සමූහය

කෘතිය සහ කලියා

පාඨලිමේන්තු මන්ත්‍රීවරු

[1977 ජූලි 21 දින සිට අද වන තෙක් වූ වෙනස් වීම්ද ඇතුළුව]

අ

- අතුරුගොඩ, සේපාල (බද්දේගම) [නාම යෝජනාවෙන් පත් විය.-1981 ජූලි 14 ; ඉල්ලා අස්විය.-1983 පෙබරවාරි 10]
- අනන්තාසක, අන්තනාසක මුදියන්සේලාගේ රම්බණ්ඩා (උඩදුම්බර)
- අනපත්තු, වෛද්‍යාචාර්ය රත්නේ කණිෂ්ඨ පරාක්‍රම (බෙලිඅත්ත) [ඉල්ලා අස්විය.-1983 පෙබරවාරි 10 ; තුවන තේරී පත්විය.-අතුරු මැතිවරණය 1983 මැයි 18]
- අතුකෝරාල, ගාමිණී (තිව්තිගල)
- අධිකාරී, අදිකාරී මුදියන්සේලාගේ සෝමපාල (කලාවැව)
- අප්පුහාමි, රත්නාසක මුදියන්සේලාගේ (බණ්ඩාරවෙල)
- අබ්දුල් කාදර්, මොහමඩ් ජබීර් (මැද කොළඹ දෙවන)
- අබ්දුල් බාකීර් මාකාර්, මොහමඩ් (බේරුවල පලමුවන)
- අබ්දුල් මජීඩ්, මොහමඩ් අලි අහමඩ් (සම්මන්තුරේයි)
- අබ්දුසාලි, මොහමඩ් ලෙබ්බේ මර්තකාර් (බලන්ගොඩ)
- අබේකෝත්, රත්නාසක මුදියන්සේලාගේ (ගාලිඇල)
- අබේගුණසේකර, ජෝර්ජ් හෙක්ටර් (හඟුරන්කෙත) [අභාවප්‍රාප්ත විය.-1981 ජනවාරි 4]
- අබේගුණසේකර, රොහාන් (හඟුරන්කෙත) [නාම යෝජනාවෙන් පත් විය.-1981 මාර්තු 11]
- අබේරත්න, හේරත් බණ්ඩා (යාපහුව)
- අබේවර්ධන, මහින්ද යාපා (හත්මණ) [අතුරු මැතිවරණය.-1983 මැයි 18]
- අබේවික්‍රම, කීර්තිසේන වන්දනා (දෙතියාය)
- අබේවික්‍රම, සුමනදාස (අක්මීමන) [ඉල්ලා අස්විය.-1983 පෙබරවාරි 10]
- අබේසුන්දර, සුභිල් සුබසිරි (යටිනුවර)
- අමරතුංග, ජෝන් ඇන්තනි එම්.නුවෙල් (වත්තල) [නාම යෝජනාවෙන් පත් විය.-1978 ඔක්තෝබර් 5]
- අමරසිරි, මාතරගේ සිරිසේන (හිඹිදුම)
- අමීර්නලියාමි, අප්පාපිල්ලෙයි (කන්කසන්තුරේයි) [අසුන හිස් විය.-1983 ඔක්තෝබර් 22]
- අලවතුචල, සෝමවීර විජේසිංහ (දොඩන්ගස්ලන්ද)
- අලුවිහාරේ, ඇලික් (මානලේ)
- අහමඩ්, පරීත් මීරා ලෙබ්බේ (මඩකලපුව දෙවන)

ආ

- ආචිගල, ධර්මසේන (කැස්බෑව) ඉල්ලා අස්විය.-1982 නොවැම්බර් 5]
- ආනන්දසංගරී, වීරසිංහම් (කිලිකොව්ව) [අසුන හිස් විය.-1983 ඔක්තෝබර් 22]
- ආලාපසුන්දරම්, ආරුමුගම් මුරුගේසු (කෝපායි) [නාම යෝජනාවෙන් පත් විය.-1981 ජූලි 10 අසුන හිස් විය.-1984 ජනවාරි 4]

ඇ

- ඇතුළත් මුදලි, ලලිත පලයම් (රත්මලාන)

ඉ

- ඉඹුලාන, ප්‍රේමවර්ණ (රුවන්වැල්ල)
- ඉරත්තිනම්, කාර්තිගේසර් පොත්තම්බලම් (කයිට්ට) [අසුන හිස් විය.-1983 ඔක්තෝබර් 22]
- ඉෂාක්, මොහමඩ්, හලීම් (මැද කොළඹ තුන්වන)

උ

- උදයරත්න, වික්‍රමනිලක වෙදආරච්චිලාගේ ගොඩ්ඩි වසන්ත (අරනාසක) උදුමා ලෙබ්බේ, මොහමඩ් ඉබ්‍රා ලෙබ්බේ (පොතුච්චි) [නාමයෝජනාවෙන් පත් විය.-1983 මාර්තු 31]

ඌ

- ඌකනාසක, අප්පුහාමිගේ ඩී.ගීර් බණ්ඩා (මැදිරිගිරිය)
- ඌකනාසක, කාරජේරු විජේතුංග රාජපක්ෂ මුදියන්සේලා (දඹුල්ල)

ඍ

- කදිරිවෙලපිල්ලෙයි, සීවසුප්‍රමනිසම් (කෝපායි) [අභාවප්‍රාප්ත විය.-1981 මාර්තු 31]
- කන්තන්ගර මහත්මිය, අසිරිත් විමලා (ගලිගමුව)
- කනගරත්නම්, මයිල්වාගනම් (පොතුච්චි දෙවන) [මැතිවරණයෙන් තේරී පත් විය.-1977 සැප්තැම්බර් 12 ; අභාවප්‍රාප්ත විය.-1980 අප්‍රේල් 20]
- කරුණානිලක, ලොකුගමගේ රුපසේන (බෙන්තර-ඇල්පිටිය)
- කරුණාරත්න, වන්දු (නාවලපිටිය)
- කරුණාරත්න, නුවරපක්ෂ හේවායලාගේ අශෝක මහානාම (රඹුක්කන)
- කරුණාරත්න, රත්නාසක මුදියන්සේලාගේ (ඌව-පරණගම)
- කරුණාරත්න, වනසිංහ මුදියන්සේලාගේ (පස්සර)
- කවීරත්න, රත්නාසක මුදියන්සේලාගේ ප්‍රාචී බණ්ඩා (රත්තොට)
- කාරියවසම්, දේවරාකෝට්ටගේ මෙරිල් විජේසේන (අගලවත්ත)
- කීර්ඇල්ල, ලෙනාඩ් පෙත්රිත් බණ්ඩාර (ඇගැලියගොඩ) [අතුරු මැතිවරණය.-1983 මැයි 18, අභාවප්‍රාප්ත විය.-1984 ජනවාරි 7]
- කුමාරදාස, ජයසුන්දර මුදියන්සේලාගේ (වැල්ලවාය)
- කුරේ, මාන්තමරක්කලගේ මර්වින් ජෝශප් (පාතදුර) [නාම යෝජනාවෙන් පත් විය.-1983 මාර්තු 22]
- කුලරත්න, කඩුකන්තගේ ආනන්ද (මුල්කීර්ගල) [අතුරු මැතිවරණය.-1983 මැයි 18 ; අසුන අහම පය.-1984 දෙසැම්බර් 10]
- කුලරත්න, මර්වින් (ඇගැලියගොඩ) [ඉල්ලා අස්විය.-1983 පෙබරවාරි 10]
- කුලරත්න, හීර්පිටියගේ (රක්වාන)
- කොරයා, හරිත්‍ර ජයන්ති (හලාවත)

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- ගන්කන්ද, මුහම්දිරමලාගේ වන්දසේන (පැල්මඩුල්ල)
- ගනේෂලියම්, පුපාලපිල්ලෙයි (පදිරිප්පු) [අසුන හිස් විය.-1983 ඔක්තෝබර් 22]
- ගලප්පත්ති, පීටර් සිල්වා ලොකු (දෙවිනුවර) [අතුරු මැතිවරණය.-1983 මැයි 18]
- ගුණවර්ධන, වන්දකුමාර විජය (කඹුරුපිටිය) [අතුරු මැතිවරණය.-1983 මැයි 18]
- ගුණවර්ධන, දිනේෂ් වන්දු රුපසිංහ (මහරගම) [අතුරු මැතිවරණය.-1983 මැයි 18]
- ගුණසේකර, ගමගේ දොන් ප්‍රේමරත්න (මහරගම) [ඉල්ලා අස්විය.-1983 පෙබරවාරි 10]
- ගුණසේකර, රණසිංහ හෙට්ටිආරච්චිගේ විදුසිරි එඩ්වඩ් රණසිංහ (මහර) [ඉල්ලා අස්විය.-1983 පෙබරවාරි 10]
- ගුණසේකර, සෙනරත් ගුණසේකර විදානෙරාලලාගේ බැනට් දියෙස් (මිනුවන්ගොඩ)

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වන්දනාල, දෙබහුපුවේ මුද්‍රිතයන්ගේ (කුණ්ඩසාලේ) [අභාවප්‍රාප්ත විය.-1984 පෙබරවාරි 1]

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ජගත්සේන, මාද්‍රව හේවා කුසුමවන්ද (අම්බලන්ගොඩ) [අතුරු මැතිවරණය.-1983 මැයි 18 අභාවප්‍රාප්ත විය.-1984 ජූලි 5]

ජයකොඩි, කමලවර්ණ කුමාරසිංහ (මහර) [අතුරු මැතිවරණය.-1983 මැයි 18]

ජයකොඩි, ජයකොඩි ආරච්චිලාගේ දොන් සුනිල් රංජන් (පොල්ගහවෙල) ජයකොඩි, ලක්ෂ්මන් (අන්තකගල්ල) [නාම යෝජනාවෙන් පත් විය.-1980 දෙසැම්බර් 17]

ජයතිලක, ලයනල් (කුලියාපිටිය) ජයතිලක, හිටිනාමි අප්පුනාමිලාගේ ආර්යරත්න (දිවුලපිටිය) ජයවර්ධන, ජුනියස් ඊවඩ් (බටහිර කොළඹ) [ජනාධිපති ධුරය භාර ගත්ත.-1978 පෙබරවාරි 4]

ජයවර්ධන, මහබාලගේ දොන් හෙන්රි (කඩුවෙල) [ඉල්ලා අස් විය.-1983 මැයි 30]

ජයවික්‍රම, වෝල්ටර් ජයෝප්‍රිය මොන්ටේගු (වැලිගම) ජයසිංහ, ඩොනල්ඩ් ඡෙල්ටන් (වත්තල) [අභාවප්‍රාප්ත විය.-1978 සැප්තැම්බර් 9]

ජයසිංහ, නානාසක්කාර අටුලගමගේ ස්විටන් ද සිල්වා (දෙහිවෙල) [අභාවප්‍රාප්ත විය.-1977 සැප්තැම්බර් 26]

ජයසූරිය, ගාමනී නන්ද (හෝගමගම) ජලදීක්, මොහමඩ් අලියාර් මොහමඩ් (පොකුටිල් පලමුවන) [මැතිවරණයෙන් තේරී පත් විය.-1977 සැප්තැම්බර් 12 ; පාර්ලිමේන්තු සම්මතයෙන් තෙරපන ලදී.-1983 පෙබරවාරි 25]

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ධයස්, දෙන් වින්සන්ට් (බදුල්ල) ධූනියෙල්, මහනිහාන ආරච්චිගේ අනුර (හේවාහැට) [ඉල්ලා අස් විය.-1982 අප්‍රේල් 18]

ධූනියෙල් මෙනෙවිය, මහනිහාන ආරච්චිගේ රූපා ශ්‍රියානි (හේවාහැට) [නාමයෝජනාවෙන් පත් විය.-1982 ජූලි 12]

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නිරුවෙල්වම් ආචාර්ය නිලකන්ඩන් (වඩුක්කෝඩ්ඩෙයි) [නාම යෝජනාවෙන් පත් විය.-1983 මාර්තු 1 ; අසුන හිස් විය.-1983 ඔක්තෝබර් 22]

නිරුණාධිකරණ, නාමෝදරම්පිල්ලෙයි (වඩුක්කෝඩ්ඩෙයි) [අභාවප්‍රාප්ත විය.-1982 අගෝස්තු 1]

නිලකරත්න, දොන් එඩ්වින් (රත්ගම) [ඉල්ලා අස් විය.-1983 පෙබරවාරි 10] නිලකසේකර, රයිටර් (අම්බලන්ගොඩ) [ඉල්ලා අස් විය.-1983 පෙබරවාරි 10 ; නාම යෝජනාවෙන් පත් විය.-1984 සැප්තැම්බර් 4]

තුරෙයිරත්නම්, කදිරිපපිල්ලෙයි (පේදුරුතුඩුව) [අසුන හිස් විය.-1984 ජනවාරි 4]

තොන්ඩමන්, සොමාමුර්ති (නුවරඑළිය-මස්කෙළිය තුන්වන)

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ඳ අල්විස්, මහා අමරසිංහගේ ආනන්දනිසස් (කෝට්ටේ) ඳ මැල්, රොනල්ඩ් ජෝශප් ගොඩ්ලි (දෙවිනුවර) [ඉල්ලා අස් විය.-1983 පෙබරවාරි 9 ; බුලත්සිංහල අසුනට නාමයෝජනාවෙන් පත් විය.-1983 පෙබරවාරි 9] ඳයාරත්න, පැට්කීර්ගේ (අම්පාර) ඳසනාසක, ඳසනාසක මුද්‍රිතයන්ගේ ආනන්ද (කොන්මල්)

ඳ සිල්වා, හෝනුපිනුවල විතානගේ සිරිසේන (ගබරාදුව) [අතුරු මැතිවරණය.-1983 මැයි 18]

ඳ සිල්වා, දන්ගෙරු ගමගේ ඇල්බට් (ගාල්ල) [අසුන අහිමි විය.-1979 සැප්තැම්බර් ; කෂුරුපිටිය අසුනට නාම යෝජනාවෙන් පත් විය.-1979 නොවැම්බර් 22 ; ඉල්ලා අස් විය.-1983 පෙබරවාරි 10]

ඳ සිල්වා, මෙරිල් වර්නන් (මින්නේරිය) [ඉල්ලා අස් විය.-1983 ඔක්තෝබර් 24]

ඳහනාසක, ආචාර්ය විජයානන්ද (ගාල්ල) [අතුරු මැතිවරණය, 1979 දෙසැම්බර් 20]

දිසානාසක, ලයනල් ගාමිණී (නුවරඑළිය-මස්කෙළිය පලමුවන) දිසානාසක, විරසූරිය දිසානාසක මුද්‍රිතයන්ගේ පුංචිබණ්ඩා (ගම්පොල) දේවනාසගම, කණපතිපිල්ලෙයි විලියම් (කල්කුඩා)

දොඩන්ගොඩගේ, ගාර්දිසේ හේවාට්ටම් අමරසිරි (බද්දේගම) [අතුරු මැතිවරණය.-1983 මැයි 18]

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ධර්මදස බණ්ඩා, රත්නාසක මුද්‍රිතයන්ගේ (බිබිලේ) ධර්මලිංගම්, විශ්වනාදර් (මනිපායි) [අසුන හිස් විය.-1983 ඔක්තෝබර් 8]

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නසිත මරිකාර්, මොහමද් හනිෆා මහමුද් (පුත්තලම) නවරත්නම්, වල්ලිපුරම් නල්ලනම්බි (වාටකවිටේර්) [අසුන හිස් විය.-1983 ඔක්තෝබර් 22]

නෙල්සන්, හේවා ගපමන් පත්තිනිගේ (පොළොන්නරුව)

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පත්මනාදන් මහත්මිය, රංගනාසකී (පොකුටිල් දෙවන) [නාම යෝජනාවෙන් පත් විය.-1980 නොවැම්බර් 20]

පතිරණගේ, බෙන්තොට ඊවඩ් ද සිල්වා (අක්මමන) [අතුරු මැතිවරණය.-1983 මැයි 18]

පියදස, සුදුවැලි කොන්දගේ (මාතර) පිලපිටිය, අබේරත්න බණ්ඩාර හේරත් (කලවාන) [අසුන හිස් විය.-1979 ජනවාරි 5 ; නාම යෝජනාවෙන් පත් විය.-1979 ජනවාරි 17 ; ඉල්ලා අස් විය.-1981 ජනවාරි 15]

පුංචිකිලමේ, ගල්ගමුව විද්‍යාලයේ (රත්නපුර) පුංචි බණ්ඩාර, රත්නාසක මුද්‍රිතයන්ගේ (මොණරාගල)

පෙරේරා, ඉරක්පිටිය මුද්‍රිතයන්ගේ පිටර් පෝල් (කඩුවෙල) [නාම යෝජනාවෙන් පත් විය.-1983 ජූලි 2]

පෙරේරා, ඕවිට්ගලගේ සෝමදස (බුලත්සිංහල) [ඉල්ලා අස් විය.-1983 පෙබරවාරි 2]

පෙරේරා, කසදේරු වින්සන්ට් (යටියන්තොට) පෙරේරා, මයිකල් ජෝසප්ස් වෙක්සල්ලෝස් (වෙත්තප්පුව)

පෙරේරා, මල්ලවාරච්චිගේ ගාමිණී ජයවික්‍රම (කටුගම්පොල) පෙරේරා, මහපටබැඳිගේ ජෝශප් මයිකල් (ජාඇල)

පෙරේරා, මැතිවි වින්සන්ට් (ලතුරු කොළඹ) ජෝසප්ස්කා, ගම්පොලගේ පත්මින් (පාතදුර) [නාම යෝජනාවෙන් පත් විය.-1982 ජනවාරි 20 ; ඉල්ලා අස් විය.-1983 පෙබරවාරි 10]

ප්‍රනාන්දු, විරෝන් ලයිල් ඩිලානෝ (මොරටුව) ප්‍රනාන්දු, නිකලස් ඩෙන්සිල් (මීගමුව)

ප්‍රනාන්දු, වෛද්‍යවාර්ය සිරික්කාන්තුගේ නෙවිල් ආනර් (පාතදුර) [ඉල්ලා අස් විය.-1981 දෙසැම්බර් 23]

ප්‍රාන්සිස්කු, සෝමරත්න දෙන් (මුල්කීර්ගල) [ඉල්ලා අස් විය.-1983 පෙබරවාරි 10]

ප්‍රේමවන්දු, ගම්ලත් මොහොට්ටිගේ (මාවතගම) ප්‍රේමදස, රණසිංහ (මැද කොළඹ පලමුවන)

ප්‍රේමරත්න, මිරිහානගේ දෙන් (අවිස්සාවේල්ල)

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බණ්ඩා, විරකෝන් මුදියන්සේලාගේ ගෞර කුඹුරේ ගෞර වික්‍රි (ගලගෞර) බණ්ඩාර, කුලතුංග දිසානායක මුදියන්සේලාගේ වන්දනාම (බටහිර අනුරාධපුරය)

බණ්ඩාරනායක, ප්‍රියදර්ශී අනුර සොලමන් ඩයස් (නුවරඑළිය-මස්කෙලිය දෙවන)

බණ්ඩාරනායක, සෑමුවෙල් ඩයස් (ගම්පහ)

බණ්ඩාරනායක මහත්මිය, සිරිමාවෝ රත්වත්තේ ඩයස් (අත්තනගල්ල) [පාර්ලිමේන්තු සම්මතියෙන් තෙරපන ලදී-1980 ඔක්තෝබර් 16]

බැස්ටියන්, අනුර (බටහිර කොළඹ) [අතුරු මැතිවරණය, 1978 මාර්තු 21]

බෙලිගමමන, රත්නායක මුදියන්සේලාගේ වන්දනා රත්නායක (මාවතැල්ල) [අභාවප්‍රාප්ත විය.-1980 සැප්තැම්බර් 20]

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මහසූර, අබ්දුල් රසාක් (කල්මුනේ)

මල්ලිමාරවිච්චි, විරසිංහ (කොලොන්නාව)

මලවරආරවිච්චි, දෙත් එඩ්වඩ් (කඹුරුපිටිය) [ඉල්ලා අස්විය.-1979 නොවැම්බර් 19]

මහරුප්, මොහමඩ් එහුන්නාර් හජ්ජාජ් (මුතුර්)

මහින්දයෝම, ගමගේ දොන් (කැකිරාව)

මැතිවි, කථාවාදේවගේ තන්ද (කොලොන්නාව)

මැතිවි, කථාවාදේවගේ සිරිල් (කැලණිය)

මුණසිංහ, අනිල් කුමාර් (මතුගම) [අතුරු මැතිවරණය.-1983 මැයි 18]

මුත්තේටුවේගම, සරත්වන්ද (කලවාන) [අතුරු මැතිවරණය, 1981 ජනවාරි 12]

මෙන්ඩිස්, විජයපාල (කටාන)

මොහමඩ්, මොහමඩ් හකීෆා (බොරැල්ල)

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යෝගේස්වරත්, වෙට්ටිවෙලු (යාපනය) අසුන හිස් විය-1983 ඔක්තෝබර් 22]

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රණතුංග, වන්දනා (මාවතැල්ල) [නාම යෝජනාවෙන් පත් විය.-1980 නොවැම්බර් 20]

රණරාජ, ෂෙල්ටන් (සොකඩගල)

රණසිංහ මහත්මිය, පුත්තා (දෙහිවල) [අතුරු මැතිවරණය.-1977 නොවැම්බර් 11]

රත්නායක මහත්මිය, රත්නායක මුදියන්සේලාගේ අමරාවතී පියසීලි (වාරියපොල)

රත්නායක, රත්නායක මුදියන්සේලාගේ කථබණ්ඩා රත්නායක (පඬුවස්තුවර)

රාජකරුණ, රාජකරුණ මොහොට්ටි අප්පුහාමිලාගේ සරත් වන්ද (දෙමිපො)

රාජදරේයි, සෙල්ලයිසා (මඩකලපුව, පලමුවන)

රාජපක්ෂ, ගාමිණී (තෙල්දෙණිය)

රාසලිංගම්, තමිසිල්ලෙයි (උඩුප්පිටිය) [අසුන හිස් විය-1983 ඔක්තෝබර් 21]

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ලීලාරත්න, හෙට්ටිආරච්චිගේ දොන් ලුටස් (සේරුවිල)

ලොකුගේ, ගාමිණී කුලවංශ (කැස්බෑව) [අතුරු මැතිවරණය.-1983 මැයි 18]

ලොකුබණ්ඩා, සේරත් මුදියන්සේලාගේ ආර්යවර්ධනගේ (ගල්ගමුව)

ලොකු බණ්ඩාර, විජේසිංහ ජයවීර මුදියන්සේලාගේ (හපුතලේ)

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චචිගමංගාව, අබේසිංහ සේරත් මුදියන්සේලාගේ සද්ධානිස්ස (ආනමඩුව) [අසුන අහිමි විය.-1980 පෙබරවාරි 18]

චචිගමංගාව, අයෝක (ආනමඩුව) [අතුරු මැතිවරණය, 1980 මැයි 7]

චන්තිනායක, චන්තිනායක මුදියන්සේලාගේ සේරත් බණ්ඩා (තිකවැරටිය) චතිගරත්න, ආනන කපුගේ දොන් (දැරණියගල)

චතිගස්කර, හර්ෂ් (හත්මන) [ඉල්ලා අස්විය.-1983 පෙබරවාරි 10]

චලගම්බාහු, රාජප්‍රිය දයාරත්න (මිහින්තලේ)

චක්‍රමනිලක, වාල්ස් ඩයස් (බද්දේගම) [නාම යෝජනා වෙන් පත්විය.-1981 පෙබරවාරි 6; අභාවප්‍රාප්ත විය.-1981 අප්‍රේල් 2]

චක්‍රමනිලක, එඩ්වඩ් ඩයස් (බද්දේගම) [අභාවප්‍රාප්ත විය.-1980 නොවැම්බර් 28]

චක්‍රමසිංහ, ගෝචිත්තගේ විමල් පද්මසිරි (අ.නැලියගොඩ) [නාම යෝජනාවෙන් පත්විය.-1984 පෙබරවාරි 10]

චක්‍රමසිංහ, දයානන්ද අබේවර්ධන (අකුරැස්ස)

චක්‍රමසිංහ, රනිල් (බියගම)

චජයරත්න, නිශංශක පරාක්‍රම (දැරිගම)

චජේකෝන්, උක්කුබණ්ඩා (දඹදෙණිය)

චජේකෝන් සරණසිරි බණ්ඩා (මින්නේරිය) [අතුරු මැතිවරණය, 1984 ඔක්තෝබර් 25]

චජේතුණරත්න, සමරවීර මුදලිගේ දොන් රෙජිනෝල්ඩ් වැලන්ටයින් (මතුගම) [ඉල්ලා අස්විය.-1983 පෙබරවාරි 10]

චජේතුංග, සිංහිරි බණ්ඩා (උඩුතුවර)

චජේමානන, වික්සන්ට් ලියනෝල්ඩ් (කථනර) [ඉල්ලා අස්විය.-1983 පෙබරවාරි 10; නැවත තේරී පත්විය.-අතුරු මැතිවරණය, 1983 මැයි 18]

චජේරත්න, මහේන්ද්‍ර සුරසිංහ (මීරිගම)

චජේරත්න බණ්ඩා, ජම්බුගහපිටියගේ ගෞර (ලගගල)

චජේසිරි, රත්කැන්තේගේ ප්‍රේමවන්ද (හාරිස්පත්තුව දෙවන) [ඉල්ලා අස්විය.-1984 සැප්තැම්බර් 21 ; කුණ්ඩියාලේ තේරී පත් විය.-අතුරු මැතිවරණය, 1984 ඔක්තෝබර් 25]

චජේසිරි මහත්මිය, ලෝහිණී මහේෂ්වරී ජරියගම (හාරිස්පත්තුව දෙවන) [නාම යෝජනාවෙන් පත් විය.-1984 නොවැම්බර් 1]

චිරසිංහ, පුවක් දණ්ඩාවේ ජිතදාස (තංගල්ල) [ඉල්ලා අස්විය.-1983 පෙබරවාරි 10; නැවත තේරී පත්විය.-අතුරු මැතිවරණය, 1983 මැයි 18]

චෙලගෞර, සිංහිරිබණ්ඩා (කුරුණෑගල)

චේරපිටිය, වික්‍රි බණ්ඩා (පානුමිබර)

චේද්‍යරත්න, නෝමන් (බලපිටිය)

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සමපන්දන්, රාජවරෝදයම (ත්‍රිකුණාමලය) [අසුන හිස් විය-1983 සැප්තැම්බර් 7]

සමරනායක, පුත්සිරි සේනරාජා පෙරේරා (බණ්ඩාරගම)

සමරනායක, ඊවඩ් ග්‍රෙගරි (බේරුවිල දෙවන)

සමරච්ඡම, ආනර් එඩ්වඩ් (නැගෙනහිර කොළඹ)

සමරවීර, පොල්වත්තේ සමරවීර ආරච්චිලාගේ පර්සි (වැලිමඩ)

සමරවීර, විරවන්ති මුදියන්සේලාගේ (වියළුව)

සිරිල්, වෛද්‍යවාර්ය පට්ටිච්චි මදුම බදුගේ (හිස්සමහාරාම) [ඉල්ලා අස්විය.-1983 පෙබරවාරි 10; නැවත තේරී පත්විය.-අතුරු මැතිවරණය, 1983 මැයි 18]

සිරිසේන, ජයෙන්තු ලියන (බැහිරිය)

ශ්‍රී ලංකා විද්‍යා මණ්ඩලයේ (විද්‍යා මණ්ඩලය) [අයුතු හිස් විය-1983
 මක්කෝබර 5]
 ශ්‍රී ලංකා විද්‍යා මණ්ඩලයේ (විද්‍යා මණ්ඩලය) [අයුතු හිස් විය-1983 මක්කෝබර 22]
 සුමනිරත්න, පියවීර (හබරාදව) [ඉල්ලා අස්විය-1983 පෙබරවාරි 10]
 සුසංසිදාසන්, පිලේසියන් සෝසොසි (මන්නාරම) [අයුතු හිස් විය-1983
 මක්කෝබර 22]
 සෙනෙවිරත්න, නිශංක ආරච්චිලාගේ (කැගල්ල)
 සෙනෙවිරත්න, සිරිල් පිත්තු ජයතිලක (මහියංගනය) [අභාවප්‍රාප්ත විය-
 1984 දෙසැම්බර 26]
 සෙල්ලනම්බු, සේවසර මාරන් (මුලතිව්) [අයුතු හිස් විය-1983 මක්කෝබර
 21]
 සේනාධීර මහත්මිය, දයා සේනාධීර (කරන්දෙණිය) [නාම යෝජනාවෙන් පත්
 විය-1982 මාර්තු 26]
 සේනාධීර, ඛන්දලසේවා (කරන්දෙණිය) අභාවප්‍රාප්ත විය-1982 ජනවාරි
 13]
 සේනානායක, එඩ්වඩ් ලකුණු (මහනුවර)
 සේනානායක, සෛත්‍රිපාල (මැදවව්විය)
 සෝමරත්න, අසෝකවීර (රත්මම) අතුරු මැතිවරණය- 1983 මැයි 18]

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හමීඩ්, අබ්දුල් කාදර් සාහුල් (හාර්ස්පත්තුව පලමුවන)
 හුරුල්ලේ, එඩ්වින් ලොකු ඛණ්ඩාර (හොරොවිපොහාන)
 හෙට්ටිආරච්චි, ඉන්ද්‍රදාස (හොරණ)
 හේරත්, ජේමස් එඩ්වඩ් හැරල්ඩ් (නාතනන්ඩිය)
 හේරත් මහත්මිය, දුණුතිලක මුදියන්සේලාගේ ජේණුකා මැණිකේ
 (වලපනේ)
 හේරත්, චන්තිනාමි යසපාල (නැගෙනහිර අනුරාධපුර)
 හේරත්, සීර්සේන ඛණ්ඩාර (හිරියාල) [අභාවප්‍රාප්ත විය-1983 ජූනි 6]
 හේරත්, වෛද්‍යාචාර්ය සිවුරත්න යාපා ඛණ්ඩාර සේමසිංහ ඛණ්ඩාර
 (හිරියාල) [නාම යෝජනාවෙන් පත් විය-1983 ජූලි 19]

ශ්‍රී ලංකා විද්‍යා මණ්ඩලයේ (විද්‍යා මණ්ඩලය) [අයුතු හිස් විය-1983
 මක්කෝබර 5]
 ශ්‍රී ලංකා විද්‍යා මණ්ඩලයේ (විද්‍යා මණ්ඩලය) [අයුතු හිස් විය-1983 මක්කෝබර 22]
 සුමනිරත්න, පියවීර (හබරාදව) [ඉල්ලා අස්විය-1983 පෙබරවාරි 10]
 සුසංසිදාසන්, පිලේසියන් සෝසොසි (මන්නාරම) [අයුතු හිස් විය-1983
 මක්කෝබර 22]
 සෙනෙවිරත්න, නිශංක ආරච්චිලාගේ (කැගල්ල)
 සෙනෙවිරත්න, සිරිල් පිත්තු ජයතිලක (මහියංගනය) [අභාවප්‍රාප්ත විය-
 1984 දෙසැම්බර 26]
 සෙල්ලනම්බු, සේවසර මාරන් (මුලතිව්) [අයුතු හිස් විය-1983 මක්කෝබර
 21]
 සේනාධීර මහත්මිය, දයා සේනාධීර (කරන්දෙණිය) [නාම යෝජනාවෙන් පත්
 විය-1982 මාර්තු 26]
 සේනාධීර, ඛන්දලසේවා (කරන්දෙණිය) අභාවප්‍රාප්ත විය-1982 ජනවාරි
 13]
 සේනානායක, එඩ්වඩ් ලකුණු (මහනුවර)
 සේනානායක, සෛත්‍රිපාල (මැදවව්විය)
 සෝමරත්න, අසෝකවීර (රත්මම) අතුරු මැතිවරණය- 1983 මැයි 18]

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හමීඩ්, අබ්දුල් කාදර් සාහුල් (හාර්ස්පත්තුව පලමුවන)
 හුරුල්ලේ, එඩ්වින් ලොකු ඛණ්ඩාර (හොරොවිපොහාන)
 හෙට්ටිආරච්චි, ඉන්ද්‍රදාස (හොරණ)
 හේරත්, ජේමස් එඩ්වඩ් හැරල්ඩ් (නාතනන්ඩිය)
 හේරත් මහත්මිය, දුණුතිලක මුදියන්සේලාගේ ජේණුකා මැණිකේ
 (වලපනේ)
 හේරත්, චන්තිනාමි යසපාල (නැගෙනහිර අනුරාධපුර)
 හේරත්, සීර්සේන ඛණ්ඩාර (හිරියාල) [අභාවප්‍රාප්ත විය-1983 ජූනි 6]
 හේරත්, වෛද්‍යාචාර්ය සිවුරත්න යාපා ඛණ්ඩාර සේමසිංහ ඛණ්ඩාර
 (හිරියාල) [නාම යෝජනාවෙන් පත් විය-1983 ජූලි 19]

ශ්‍රී ලංකා ප්‍රජාතාන්ත්‍රික සමාජවාදී ජනරජය

ජනාධිපතිතුමා

අතිගරු ජුනියස් ඊවඩ් ජයවර්ධන උතුමාණේ

අමාත්‍ය මණ්ඩලය

අග්‍රාමාත්‍යතුමා, පළාත් පාලන, නිවාස හා ඉදිකිරීම් ඇමතිතුමා, මහා මාර්ග කටයුතු පිළිබඳ ඇමතිතුමා, හදිසි අවස්ථා මහජන පරිපාලන ඇමතිතුමා සහ පාර්ලිමේන්තුවේ සභානායකතුමා	ගරු රණසිංහ ප්‍රේමදාස මහතා
රාජ්‍ය පරිපාලන ඇමතිතුමා සහ වැවිලි කර්මාන්ත ඇමතිතුමා	ගරු චෝල්ටර් ජයෝති මොන්ටේගු ජයවික්‍රම මහතා
සමාජ සේවා ඇමතිතුමා	ගරු නුවරපක්ෂ හේවායලාගේ අශෝක මහානාම කරුණාරත්න මහතා
සංස්කෘතික කටයුතු පිළිබඳ ඇමතිතුමා	ගරු එඩ්වින් ලොකුබණ්ඩාර හුරුල්ල මහතා
ප්‍රවාහන කටයුතු පිළිබඳ ඇමතිතුමා, ගමනාගමන මණ්ඩල පිළිබඳ ඇමතිතුමා, පුද්ගලික බස් ප්‍රවාහනය පිළිබඳ ඇමතිතුමා සහ වාණිජ සහ කර්මාන්ත ආයතනයන්ගේ ආරක්ෂාව පිළිබඳ ඇමතිතුමා	ගරු මොහමඩ් හනිෆා මොහමඩ් මහතා
ග්‍රාම සංවර්ධනය පිළිබඳ ඇමතිතුමා	ගරු අයිරිස් විමලා කන්තනගර මහත්මිය
කෘෂිකාර්මික සංවර්ධනය හා පර්යේෂණ පිළිබඳ ඇමතිතුමා සහ ආහාර හා සමුපකාර ඇමතිතුමා	ගරු ගාමනී තන්ද ජයසූරිය මහතා
ජෛවකර්මාන්ත ඇමතිතුමා	ගරු විජයපාල මෙන්ඩිස් මහතා
විදේශ කටයුතු පිළිබඳ ඇමතිතුමා	ගරු අබ්දුල් කාදර් සාහුල් හමීඩ් මහතා
ස්වදේශ කටයුතු පිළිබඳ ඇමතිතුමා	ගරු කනපතිපිල්ලෙයි විලියම් දේවනායගම් මහතා
තැපැල් හා විදුලි සංදේශ ඇමතිතුමා	ගරු ඩී.ගීර් බණ්ඩා විජේතුංග මහතා
මුදල් හා ක්‍රමසම්පාදන ඇමතිතුමා	ගරු රොනල්ඩ් ජෝශප් ගොඩ්දි ද මැල් මහතා
ඉඩම් හා ඉඩම් සංවර්ධන ඇමතිතුමා සහ මහාවැලි සංවර්ධනය පිළිබඳ ඇමතිතුමා	ගරු ලයනල් ගාමිණී දිසානායක මහතා
පාර්ලිමේන්තු කටයුතු හා ක්‍රීඩා ඇමතිතුමා සහ ආණ්ඩු පාර්ශ්වයේ ප්‍රධාන සංවිධායකතුමා	ගරු මැතිව් විත්සන්ටි පෙරේරා මහතා
ජාතික ආරක්ෂාව පිළිබඳ ඇමතිතුමා	ගරු ලලිත් විලියම් ඇතුලත්මුදලි මහතා
අධිකරණ ඇමතිතුමා	ගරු නිශ්ශංක පරාක්‍රම විජයරත්න මහතා
ධීවර කටයුතු පිළිබඳ ඇමතිතුමා	ගරු මයිකල් ජේපසධස් චන්ද්‍රසේන පෙරේරා මහතා
ග්‍රාමීය කර්මාන්ත සංවර්ධනය පිළිබඳ ඇමතිතුමා	ගරු සොමරමුරුති තොන්ඩමන් මහතා
යොවන කටයුතු හා රැකියා ඇමතිතුමා සහ අධ්‍යාපන ඇමතිතුමා	ගරු රනිල් වික්‍රමසිංහ මහතා
රාජ්‍ය ඇමතිතුමා	ගරු ආචාර්ය මහා අමරසිංහගේ ආනන්දතිස්ස ද අල්විස් මහතා
ප්‍රාදේශීය සංවර්ධන ඇමතිතුමා	ගරු චෙල්ලයිසා රාජදරෙයි මහතා
සෞඛ්‍ය ඇමතිතුමා	චෛද්‍යාචාර්ය රංජිත් කණිෂ්ක පරාක්‍රම අනපත්තු මහතා
වනිතා කටයුතු හා ශික්ෂණ රෝහල් පිළිබඳ ඇමතිතුමා	සුනේත්‍රා රණසිංහ මහත්මිය
කාර්ය නියමයක් නොමැති ඇමතිතුමා	ගරු අල්හාජ් මොහොමඩ් අබ්දුල් බාහිර් මාකාර් මහතා
වෙළඳ හා තාවක කටයුතු පිළිබඳ ඇමතිතුමා	ගරු මානරගේ සිරිසේන අමරසිරි මහතා
කර්මාන්ත හා විද්‍යා කටයුතු පිළිබඳ ඇමතිතුමා	ගරු නිකලස් ඩෙන්සිල් ප්‍රනාන්දු මහතා
කම්කරු කටයුතු පිළිබඳ ඇමතිතුමා	ගරු ප්‍රේමචන්ද්‍ර ඉබ්‍රාහිම මහතා

දිසා ඇමතිවරු

කොළඹ දිසා ඇමතිතුමා
 ගම්පහ දිසා ඇමතිතුමා
 කළුතර දිසා ඇමතිතුමා
 මහනුවර දිසා ඇමතිතුමා
 මාතලේ දිසා ඇමතිතුමා
 නුවරඑළිය දිසා ඇමතිතුමා
 ගාල්ල දිසා ඇමතිතුමා
 මාතර දිසා ඇමතිතුමා
 හම්බන්තොට දිසා ඇමතිතුමා
 කුරුණෑගල දිසා ඇමතිතුමා
 පුත්තලම දිසා ඇමතිතුමා
 අනුරාධපුර දිසා ඇමතිතුමා
 පොළොන්නරුව දිසා ඇමතිතුමා
 කෑගල්ල දිසා ඇමතිතුමා
 රත්නපුර දිසා ඇමතිතුමා
 බදුල්ල දිසා ඇමතිතුමා
 මොණරාගල දිසා ඇමතිතුමා
 ත්‍රිකුණාමලය දිසා ඇමතිතුමා
 අම්පාර දිසා ඇමතිතුමා
 මඩකලපුව දිසා ඇමතිතුමා
 මන්නාරම දිසා ඇමතිතුමා
 වවුනියාව දිසා ඇමතිතුමා
 මුලතිව් දිසා ඇමතිතුමා
 යාපනය දිසා ඇමතිතුමා

වීරසිංහ මල්ලිමාරවිච්චි මහතා
 ජයතිලක හිටිනාමි අප්පුහාමිලාගේ ආර්යරත්න ජයතිලක මහතා
 ඉන්දුදාස හෙට්ටිආරච්චි මහතා
 වීරසුරිය දිසානායක මුදියන්සේලාගේ පුංචි බණ්ඩා දිසානායක මහතා
 කාරජපේරු විජේතුංග රාජපක්ෂ මුදියන්සේලා ඒකනායක මහතා
 දුනුතිලක මුදියන්සේලාගේ රේඛුකා මැණිකේ හේරත් මහත්මිය
 ලොකුගමගේ රූපසේන කරුණාතිලක මහතා
 කීර්තිසේන වන්දනාස අබේවික්‍රම මහතා
 වෛද්‍යාවාර්ය පටබැඳි මද්දුමබදුගේ සීර්ජ මහතා
 මල්ලවාරච්චිගේ ගාමිණී ජයවික්‍රම පෙරේරා මහතා
 වන්තිනායක මුදියන්සේලාගේ හේරත් බණ්ඩා වන්තිනායක මහතා
 කුලතුංග දිසානායක මුදියන්සේලාගේ වන්දසෝම බණ්ඩාර මහතා
 අප්පුහාමිගේ ඩී.ගීර් බණ්ඩා ඒකනායක මහතා
 නියංක ආරච්චිලාගේ සෙනෙවිරත්න මහතා
 කථවාදේවගේ නන්ද මැතිවි මහතා
 රත්නායක මුදියන්සේලාගේ අප්පුහාමි මහතා
 රත්නායක මුදියන්සේලාගේ අබේකෝන් මහතා
 හේවා ගජමත් පත්තිනිගේ නෙල්සන් මහතා
 පැටිකීරගේ දයාරත්න මහතා
 රංගනායකී පත්මනාදන් මහත්මිය
 මොහොමඩ් එහුන්නාර් හජ්ජ් ආර් මහරුප මහතා
 ගමගේ දොන් මහින්දසෝම මහතා
 අබ්දුල් රසාක් මන්සූර් මහතා
 උක්කුබණ්ඩා විජේකෝන් මහතා

නියෝජ්‍ය ඇමතිවරු

නියෝජ්‍ය රාජ්‍ය ආරක්ෂක ඇමතිතුමා
 නියෝජ්‍ය ජනතා වතු සංවර්ධන ඇමතිතුමා
 නියෝජ්‍ය මුදල් හා ක්‍රමසම්පාදන ඇමතිතුමා
 නියෝජ්‍ය සැලසුම් ක්‍රියාත්මක කිරීමේ ඇමතිතුමා
 නියෝජ්‍ය ස්වදේශ කටයුතු ඇමතිතුමා
 නියෝජ්‍ය වැවිලි කර්මාන්ත ඇමතිතුමා
 නියෝජ්‍ය සමාජසේවා ඇමතිතුමා
 නියෝජ්‍ය සංස්කෘතික කටයුතු ඇමතිතුමා
 නියෝජ්‍ය ප්‍රවාහන ඇමතිතුමා
 නියෝජ්‍ය විදුලිබල හා බලශක්ති පිළිබඳ ඇමතිතුමා
 නියෝජ්‍ය මහවැලි සංවර්ධන ඇමතිතුමා
 නියෝජ්‍ය කම්කරු ඇමතිතුමා
 නියෝජ්‍ය කෘෂිකාර්මික සංවර්ධන හා පර්යේෂණ පිළිබඳ ඇමතිතුමා
 නියෝජ්‍ය තැපැල් හා විදුලි සංදේශ ඇමතිතුමා
 නියෝජ්‍ය ජෛවකර්ම ඇමතිතුමා
 නියෝජ්‍ය විදේශ කටයුතු ඇමතිතුමා
 නියෝජ්‍ය අධිකරණ ඇමතිතුමා
 නියෝජ්‍ය ආහාර හා සමුපකාර ඇමතිතුමා

නියෝජ්‍ය රාජ්‍ය ඇමතිතුමා
 නියෝජ්‍ය ඉඩම් හා ඉඩම් සංවර්ධන ඇමතිතුමා
 නියෝජ්‍ය යොවන කටයුතු හා රැකියා ඇමතිතුමා
 නියෝජ්‍ය ග්‍රාමීය කර්මාන්ත සංවර්ධන ඇමතිතුමා
 නියෝජ්‍ය උසස් අධ්‍යාපන ඇමතිතුමා
 නියෝජ්‍ය රාජ්‍ය පරිපාලන ඇමතිතුමා
 නියෝජ්‍ය ධීවර කටයුතු පිළිබඳ ඇමතිතුමා
 නියෝජ්‍ය අධ්‍යාපන ඇමතිතුමා
 නියෝජ්‍ය මහාමාර්ග ඇමතිතුමා සහ නියෝජ්‍ය පළාත්පාලන , නිවාස හා ඉදිකිරීම් ඇමතිතුමා

නියෝජ්‍ය ගමනාගමන මණ්ඩල පිළිබඳ ඇමතිතුමා
 නියෝජ්‍ය ග්‍රාම සංවර්ධනය පිළිබඳ ඇමතිතුමා
 නියෝජ්‍ය පුද්ගලික බස් ප්‍රවාහණය පිළිබඳ ඇමතිතුමා
 නියෝජ්‍ය සෞඛ්‍ය ඇමතිතුමා
 නියෝජ්‍ය පාර්ලිමේන්තු කටයුතු හා ක්‍රීඩා ඇමතිතුමා
 නියෝජ්‍ය රාජ්‍ය ආරක්ෂක ඇමතිතුමා
 නියෝජ්‍ය ප්‍රාදේශීය සංවර්ධනය ඇමතිතුමා
 නියෝජ්‍ය වහිතා කටයුතු හා ශික්ෂණ රෝහල් ඇමතිතුමා
 නියෝජ්‍ය රාජ්‍ය වැවිලි පිළිබඳ ඇමතිතුමා
 නියෝජ්‍ය වෙළඳ හා කාවික කටයුතු පිළිබඳ ඇමතිතුමා

ලලිත් විලියම් ඇතුලත් මුදලි මහතා
 ජේම්ස් එඩ්වඩ් හැරල්ඩ් හේරන් මහතා
 මොහමද හනිෆා මහුමුදු නයිනා මරිකාර් මහතා
 ඩී.ගීර් බණ්ඩා වෙලගෙදර මහතා
 පොල්වත්තේ සමරවීර ආරච්චිලාගේ පරසි සමරවීර මහතා
 ඇලික් අච්චිහාජේ මහතා
 ජසෙන්තු ලියන සිරිසේන මහතා
 වීරකෝන් මුදියන්සේලාගේ ගෙදර කුණුරේගෙදර ටීකීර් බණ්ඩා මහතා
 ගිරපිටියගේ කුලරත්න මහතා
 පැටිකිරිගේ දයාරත්න මහතා
 මොහමඩ් ලොබ්බේ මරිකාර් අබුසාලි මහතා
 මහපටබැඳිගේ ජෝශප් මයිකල් පෙරේරා මහතා
 සුනිල් සුබසිරි අබේසුන්දර මහතා
 මොහමඩ් අලි අහමඩ් අබ්දුල් මජිඩ් මහතා
 රත්නායක මුදියන්සේලාගේ ධර්මදස බණ්ඩා මහතා
 ටීරෝන් ලයිල් ඩිලානෝ ප්‍රනාන්දු මහතා
 ඡෙල්ටන් රණරාජ මහතා
 රාජකරුණා මොහොට්ටි අප්පුහාමිලාගේ සරත් වන්දු රාජකරුණා මහතා
 වන්දු කරුණාරත්න මහතා
 අධිකාරී මුදියන්සේලාගේ සෝමපාල අධිකාරී මහතා
 ගාමිණී අතුකෝරල මහතා
 සුදුවැලි කොන්දගේ පියදස මහතා
 අත්තනායක මුදියන්සේලාගේ රම්බණ්ඩා අත්තනායක මහතා
 හරිත්ද ජයන්ති කොරයා මහතා
 ගමිලන් මොහොට්ටිගේ ප්‍රේමවන්දු මහතා
 වීරවන්ති මුදියන්සේලාගේ සමරවීර මහතා
 සෝමවීර විජේසිංහ අලවතුටල මහතා
 හේරන් බණ්ඩා අබේරත්න මහතා
 මීරාලොබ්බේ අහමඩ් ෆජර් මහතා
 රත්නායක මුදියන්සේලාගේ පූච්චි බණ්ඩා කවීරත්න මහතා
 මුහම්දරම්ලාගේ වන්දුසේකර ගත්කන්ද මහතා
 මීරිහානගේ දෙන් ප්‍රේමරත්න මහතා
 අනුර බැස්ටියන් මහතා
 දෙන් වින්සන්ට් ඩයස් මහතා
 ගල්ගමුවේ වීදනෙලාගේ පූච්චි නිලමේ මහතා
 වින්සන්ට් ලියනෝල්ඩ් විජේමාන මහතා
 මනේන්ද්‍ර සුරසිංහ විජේරත්න මහතා

පාර්ලිමේන්තු කාරක සභා

උසස් නීලතලවලට අයදුම් කරන්නන්ගේ සුදුසුකම් පරීක්ෂා කිරීම පිළිබඳ විශේෂ කාරක සභාව

- ආර්. ප්‍රේමදාස මහතා (සභාපති)
- වෛද්‍යාචාර්ය රංජිත් අතපත්තු මහතා
- එස්. තොන්ඩිමන් මහතා
- ආචාර්ය ආනන්දනිසස්ස ද අල්විස් මහතා
- අබ්දුල් රසාක් මන්සූර් මහතා
- හරිත්දු කොරයා මහතා
- ෂෙල්ටන් රණරාජ මහතා
- දිනේෂ ගුණවර්ධන මහතා
- සරත් මුත්තේට්ටුවෙගම මහතා

පාර්ලිමේන්තු මන්ත්‍රී ආර්. ජී. සමරනායක මහතාට විරුද්ධ චෝදනා විභාග කිරීමේ විශේෂ කාරක සභාව

- ගාමිණී දිසානායක මහතා (සභාපති)
- වෛද්‍යාචාර්ය රංජිත් අතපත්තු මහතා
- හරිත්දු කොරයා මහතා
- අනුර බණ්ඩාරනායක මහතා
- අනිල් මුණ්ඩංග මහතා

1972-1977 දක්වා හදිසි අවස්ථාව පවත්වා ගෙන යෑම සම්බන්ධයෙන් ඇමතිවරුන්ගේ වගකීම පිළිබඳව විභාග කිරීමේ විශේෂ කාරක සභාව

- ආර්. ප්‍රේමදාස මහතා (සභාපති)
- ලලිත් ඇතුලත් මුදලි මහතා
- කේ. ඩබ්ලිව්. දේවනායගම් මහතා
- එම්. වික්සන්ට් පෙරේරා මහතා
- රනිල් වික්‍රමසිංහ මහතා
- එම්. එල්. එම්. අබ්බාසාදි මහතා
- හරිත්දු කොරයා මහතා

පාර්ලිමේන්තු මන්ත්‍රීවරුන් සම්බන්ධයෙන් පුවත්පත් වල පළ කරන ලද දේ සම්බන්ධිත විශේෂ කාරක සභාව

- ආචාර්ය ආනන්දනිසස්ස ද අල්විස් මහතා (සභාපති)
- එම්. එල්. අහමඩ් ෆිපර්න් මහතා
- ලක්ෂමන් ජයකොඩි මහතා
- ඊ. පී. පෝල් පෙරේරා මහතා
- සරත් මුත්තේට්ටුවෙගම මහතා
- ගාමිණී රාජපක්ෂ මහතා
- ජිතදාස විරසිංහ මහතා

භාර්යපත්තුව දෙවන මන්ත්‍රීතුමාගේ චෝදනා පිළිබඳ විශේෂ කාරක සභාව

- ආර්. ජේ. ජී. ද මැල් මහතා (සභාපති)
- කේ. ඩබ්ලිව්. දේවනායගම් මහතා
- විජයවර්ධන පෙරේරා මහතා
- රනිල් වික්‍රමසිංහ මහතා
- ජේ. ඊ. ඊ. අමරතුංග මහතා
- ජබීර් ජී. කාදර් මහතා
- ලක්ෂමන් ජයකොඩි මහතා
- අනිල් මුණ්ඩංග මහතා

ගම්පහ මන්ත්‍රීතුමා ශ්‍රී. ල. නී. පක්ෂයෙන් තෙරපීම පිළිබඳ විශේෂ කාරක සභාව

- ලලිත් ඇතුලත් මුදලි මහතා (සභාපති)
- විරසිංහ මල්ලිමාර්ට්ටි මහතා
- හරිත්දු කොරයා මහතා
- අමරසිරි දෙඩන්ගොඩ මහතා
- චන්ද්‍ර රණතුංග මහතා

මහර අතුරු මැතිවරණය පිළිබඳ විශේෂ කාරක සභාව

- එම්. එච්. මොහමඩ් මහතා (සභාපති)
- විජයවර්ධන පෙරේරා මහතා
- ඩී. බී. විජේතුංග මහතා
- වී. ජ. මු. ලොකුබණ්ඩාර මහතා
- එම්. ඩී. ප්‍රේමරත්න මහතා
- එස්. ඩී. බණ්ඩාරනායක මහතා

ජන්ද බලය, ජන්ද විමසීම් හා මැතිවරණ පිළිබඳ විශේෂ කාරක සභාව

- ආර්. ප්‍රේමදාස මහතා (සභාපති)
- ලලිත් ඇතුලත් මුදලි මහතා
- එස්. තොන්ඩිමන් මහතා
- ගාමිණී දිසානායක මහතා
- කේ. ඩබ්ලිව්. දේවනායගම් මහතා
- රනිල් වික්‍රමසිංහ මහතා
- එම්. එල්. එම්. අබ්බාසාදි මහතා
- ෂෙල්ටන් රණරාජ මහතා
- දිනේෂ ගුණවර්ධන මහතා
- අනුර බණ්ඩාරනායක මහතා
- සරත් මුත්තේට්ටුවෙගම මහතා
- මෙත්‍රීපාල සේනානායක මහතා

පාර්ලිමේන්තුව

කථානායකතුමා
නියෝජ්‍ය කථානායකතුමා හා කාරක සභාපතිතුමා
නියෝජ්‍ය කාරක සභාපතිතුමා

ඊ. එල්. සේනානායක මහතා
නෝමන් වෛද්‍යරත්න මහතා
එඩ්මන්ඩ් සමරවික්‍රම මහතා

ප්‍රධාන නිලධාරී මණ්ඩලය

පාර්ලිමේන්තුවේ මහ ලේකම්
නියෝජ්‍ය මහ ලේකම්
සහකාර මහ ලේකම්

එස්. එන්. සෙනෙවිරත්න
බී. එස්. බී. නින්නවැල්ල
සී. ඩබ්ලිව්. පත්තිල

වේලාධාරී දෙපාර්තමේන්තුව

වේලාධාරී :
ආර්. අබේසිංහ

නියෝජ්‍ය වේලාධාරී :
එච්. ඒ. බී. චන්දින

සහකාර වේලාධාරී :

හැන්සාඩ් දෙපාර්තමේන්තුව

හැන්සාඩ් සංස්කාරක :
එන්. පී. ඊ. ඊ. ඩී. ගුණසිංහ

නියෝජ්‍ය හැන්සාඩ් සංස්කාරක :
ඩබ්ලිව්. එම්. ප්‍රනාන්දු

සහකාර හැන්සාඩ් සංස්කාරකවරු :
එම්. ඒ. එම්. එම්. මොහිදීන්
එස්. එම්. පී. බී. සකලසූරිය
සී. හේවාටසම්
පී. ටී. විජයදස
බී. ඒ. විජයරත්න
ටී. එල්. ජුමාට්
ඩී. ඊ. සී. ද සිල්වා
බී. පෙරේරා

පොෂ්ඩ් හැන්සාඩ් වාර්තාකරුවෝ :
එම්. සී. එම්. සායිරු
පී. රාජදෙරේ
එස්. නඩිරාජා
ජේ. ගුණදස
ටී. ඩබ්ලිව්. කරුණාරත්න
කේ. පී. අල්විස්
දෙ. ස. ලෝ. ජයකොඩි
කේ. ජේ. ඒ. පෙරේරා
බී. ඒ. ධර්මසේන
කේ. පී. ධර්මබන්දු
එම්. ඒ. මල්ලගස්කැත්ත මහත්මිය
ඊ. කදිරවේලු

හැන්සාඩ් වාර්තාකරුවෝ :
ච. ජ. ජේ. ප්‍රනාන්දු
එම්. කේ. එච්. පී. සේන
ඒ. ඒ. රණසිංහ
එස්. එම්. ප්‍රනාන්දු මහත්මිය
පී. නිලගුණසේන
ඊ. එච්. ප්‍රනාන්දු මහත්මිය
කේ. ඒ. පී. අල්විස් මහත්මිය
ජේ. එම්. ඩී. රත්නති මෙනෙවියා
බී. එල්. පී. වික්‍රමරත්න
ඕ. පී. ගුණසේකර මහත්මිය
සී. එන්. ඒ. සමරකෝන් මහත්මිය
එම්. එච්. ඩී. මුකුලිප මහත්මිය

සුවි සම්පාදක නිලධාරී :
ඊ. එම්. එස්. බෝගුට්ටු මෙනෙවියා

පරිපාලන දෙපාර්තමේන්තුව

අධ්‍යක්ෂ, පරිපාලන :

නියෝජ්‍ය අධ්‍යක්ෂ, පරිපාලන :
කේ. ටී. එන්. ද සිල්වා

සහ ලේඛන කාර්යාලය :
කේ. ගුණදස (ප්‍රධාන සහ ලේඛන නිලධාරී)
එම්. ඩී. සිරිපාල
එම්. එල්. ඒ. ධර්මදස
ඩී. රම්මණ්ඩආරච්චි
එම්. සිවකාදත්
ආර්. ජෝෂප්
ජේ. එම්. ආර්. ජයසුන්දර

ආයතන කාර්යාලය :
බී. එස්. බෝදරගම (ප්‍රධාන ආයතන නිලධාරී)
ඩබ්ලිව්. ඒ. බුද්ධදස
ඒ. එච්. ඒ. ආර්. ප්‍රනාන්දු
එම්. එන්. පීරිස්
එච්. නිව්ටන්
පී. ඒ. වෙලගෙදර

මුදල් හා ගිණුම් කාර්යාලය :
එම්. එම්. සෝමපාල (ප්‍රධාන මුදල් හා ගිණුම් නිලධාරී)
කේ. සබානායගම්
ආර්. එච්. පතිකාදර
කේ. ඩබ්ලිව්. සුනිල්
එම්. එස්. ජයවිර
ටී. කේ. සිදුම්බරනාදන්
එච්. ආර්. ඒ. ද සොයිසා
එන්. එස්. කේ. වෛද්‍යරත්න
ඩී. ඩී. පී. ඇත්තති

පතන් කෙටුම්පත් කාර්යාලය :
ඩී. පරණවිතාන (ප්‍රධාන පතන් කෙටුම්පත් නිලධාරී)
ඒ සුමුමනියම් (ප්‍රධාන පතන් කෙටුම්පත් නිලධාරී)
ඩබ්ලිව්. පී. පෙරේරා
ටී. ඩබ්ලිව්. ජේ. ජයරත්න
අයි. එස්. ඒ. ප්‍රනාන්දු

කාරක සහාය කාර්යාලය I :

ජේ. ඉලංගසිංහ

(ප්‍රධාන කාරක සහාය නිලධාරී)

ඩබ්ලිව්. පල්ලියගුරුගේ
එච්. එල්. ආරියරත්න
එස්. ඩී. ජයසේකර
එන්. එම්. කේ. ප්‍රනාන්දු
ජේ. සමරවීර

කාරක සහාය කාර්යාලය II :

එස්. එම්. ඩී. බී. සකලසූරිය

(ප්‍රධාන කාරක සහාය නිලධාරී)

එච්. එම්. ජී. ප්‍රනාන්දු
යූ. විජේසිංහ
ජේ. ආර්. ගජවීර ආරච්චිගේ
එල්. එම්. එන්. සී. ප්‍රනාන්දු

සැපයුම් සහ සේවා කාර්යාලය :

එච්. ඒ. සුගතපාල (ප්‍රධාන සැපයුම් සහ සේවා නිලධාරී)
ආර්. ඒ. ද සොයිසා (ප්‍රධාන සැපයුම් සහ සේවා නිලධාරී)
ඒ. එම්. පෙරේරා
එම්. ජේ. එම්. පී. පිරිස
ඩබ්ලිව්. ඒ. ජේ. ගුණපාල
බී. ඒ. ජයතිලක

පුස්තකාලයාධිපති :

වී. වී. එස්. එස්. අමරසේකර

සහකාර පුස්තකාලයාධිපති :

ප්‍රධාන පාර්ලිමේන්තු කථා පරිවර්තකයා :
ඩබ්ලිව්. එන්. එච්. ඩී. ද එස්. විජේසිංහ

ජ්‍යෙෂ්ඨ පාර්ලිමේන්තු කථා පරිවර්තකයෝ :

එන්. සුමුමනියම්
එච්. චේතනසිංහ

පාර්ලිමේන්තු කථා පරිවර්තකයෝ :

එස්. කේ. නම්බිපිල්ලෙයි
එස්. කුමාරසාම්
එම්. කේ. රාහුලන්
එස්. රාජපක්ෂ
එච්. එම්. ෂෙරිප්
ආර්. එස්. වේදකායගම්
එස්. කේ. ඒකනායක මහත්මිය
ඒ. එම්. පලාපත්වල මහත්මිය

ලඝු ලේඛකයෝ :

ආර්. පී. සිරිපාල
එච්. ඩී. ද සිල්වා මහත්මිය

பாராளுமன்ற விவாதங்கள்

(ஹன்சாட்)

அதிகார அறிக்கை

தொகுதி 34

இலங்கைச் சனநாயக சோசலிசக் குடியரசின்
முதலாவது பாராளுமன்றம்

ஐந்தாம் கூட்டத்தொடர்

1985

நான்வசுநாப

ந்கங்குபாபி

(பாபாபா)

காங்குபா பாபாபா

18 சிபாபா

ந்கங்குபாபா கங்குபாபா பாபாபாபா

நான்வசுநாப பாபாபாபா

பாபாபாபா பாபாபா

1982

பாராளுமன்ற அங்கத்தினர்

[21 ஜூலை 1977 இலிருந்து இன்றுவரை இடம்பெற்ற மாற்றங்களுடன்]

அ

அக்குறுகொட, சேபால (பத்தேகம) [நியமனம்: 14 ஜூலை 1981;

இராஜினாமா: 10 பெப்ரவரி 1983]

அத்தநாயக்க, அத்தநாயக்க முதியன்சேலாகே றம்பண்டா (உடதும்பற)

அத்தபத்து, வைத்திய கலாநிதி ரஞ்ஜித் கணிஷ்க பராக்ரம (பெலியத்த)

[இராஜினாமா: 10 பெப்ரவரி 1983; இடைத்தேர்தலில் மீண்டும் தெரிவு: 18 மே 1983]

அத்துக்கோறல, காயினி (நிவித்திகல)

அத்துலத் முதலி, லலித் வில்லியம் (இரத்மலானை)

அதிகாரி, அதிகாரி முதியன்சேலாகே சோமபால (கலாவெவ)

அப்துல் காதுர், முஹம்மத் ஜாயிர் (கொழும்பு மத்தி இரண்டாம் அங்கத்தவர்)

அப்துல் பாகீர் மாகார், முகம்மத் (பேருவளை முதலாம் அங்கத்தவர்)

அப்துல் மஜீத், முஹம்மத் அலீ அஹ்மத் (சம்மாந்துறை)

அப்புஹாமி, ரத்நாயக்க முதியன்சேலாகே (பண்டாரவெல)

அபூசாலி, முகம்மத் லெப்பை மரிக்கார் (பலாங்கொடை)

அபேகுணசேக்கர, ரெஹான் (ஹங்குரன்கெத்த) [நியமனம்: 11 மார்ச் 1981]

அபேகுணசேக்கர, ஜோர்ஜ் ஹெக்டர் (ஹங்குரன்கெத்த) [இறப்பு: 4 ஜனவரி 1981]

அபேகோன், ரத்நாயக்க முதியன்சேலாகே (ஹாலிஎல)

அபேகந்தர, சுனில் சுபசிறி (யட்டிநுவர)

அபேரத்ன, ஹேரத் பண்டா (யாப்பஹுவ)

அபேவர்த்தன, மஹிந்த யாபா (ஹக்மன) [இடைத்தேர்தல்: 18 மே 1983]

அபேவிக்ரம, கீர்த்திசேன சந்திரதாச (தெனியாய)

அபேவிக்ரம, சுமன்தாச (அக்மீன) [இராஜினாமா: 10 பெப்ரவரி 1983]

அமரசிறி, மாத்தறகே சிறிசேன (ஹினிதம)

அமரதுங்க, ஜோன் அந்தனி இமானுவல் (வத்தளை) [நியமனம்: 5 ஒக்டோபர் 1978]

அமிர்தலிங்கம், அப்பாப்பிள்ளை (காங்கேசந்துறை) [ஆசனம் காலியாதல்: 22 ஒக்டோபர் 1983]

அலவத்துவெல, சோமவீர விஜேசிங்ஹ (தொடங்கல்லந்த)

அலுவிறாரே, அலிக் (மாத்தளை)

அஹ்மத் பரீத், மீரா லெப்பை (மட்டக்களப்பு இரண்டாம் அங்கத்தவர்)

ஆ

ஆட்டிகல, தர்மசேன (கெஸ்பாவ) [இராஜினாமா: 5 நொவம்பர் 1982]

ஆலாகுத்தரம், ஆறுமுகம் முருகேசு (கோப்பாய்) [நியமனம்: 10 ஜூன் 1981; ஆசனம் காலியாதல்: 4 ஜனவரி 1984]

ஆனந்தசங்கரி, வீரசிங்கம் (இனிநொச்சி) [ஆசனம் காலியாதல்: 22 ஒக்டோபர் 1983]

இ

இம்புலான, பிரேமசந்திர (ருவான்வெல)

இரத்தினம், கார்த்திகேசர் பொன்னம்பலம் (ஊர்காவந்துறை) [ஆசனம் காலியாதல்: 22 ஒக்டோபர் 1983]

இராசதுரை, செல்வையா (மட்டக்களப்பு முதலாம் அங்கத்தவர்)

இராசலிங்கம், தம்பிப்பிள்ளை (உடுப்பிட்டி) [ஆசனம் காலியாதல்: 21 ஒக்டோபர் 1983]

இஷாக், முகம்மத் ஹலீம் (கொழும்பு-மத்தி மூன்றாம் அங்கத்தவர்)

உ

உதயரத்ன, விக்ரமநிலக்க வெத ஆர்ச்சிலாகே கொட்பிறி வசந்த (அறநாயக்க)

உதுமாலெப்பை, முஹம்மத் இப்ரஹிமெப்பை (பொத்துவில்) [நியமனம்: 31 மார்ச் 1983]

ஏ

ஏக்கநாயக்க, அப்புஹாமிகே டிங்கிரி பண்டா (மெதிரிகிரிய)

ஏக்கநாயக்க, காரப்பேறு விஜேதுங்க ராஜபக்ஷ முதியன்சேலா (தம்புள்ள)

ஈ

கண்கந்த, முஹந்திரம்லாகே சந்திரசேக்கர (பெல்மதுல்ல)

கணேசலிங்கம், பூபாலபிள்ளை (பட்டிநுப்பு) [ஆசனம் காலியாதல்: 22 ஒக்டோபர் 1983]

கதிரவேலுப்பிள்ளை, சிவசுப்பிரமணியம் (கோப்பாய்) [இறப்பு: 31 மார்ச் 1981]

கருணதிலக்க, லொகமகே ருபசேன (பெந்தர-எல்பிட்டிய)

கருணரத்ன, சந்திரா (நாவலப்பட்டி)

கருணரத்ன, நுவரபக்ஷ ஹேவாயலாகே அசோக்க மஹாநாம (றம்புக்கண)

கருணரத்ன, ரத்நாயக்க முதியன்சேலாகே (ஊவா-பறணகம)

கருணரத்ன, வனசிங்ஹ முதியன்சேலாகே (பஸ்ஸற)

கலப்பதி, பீட்டர் சில்வா லொக்கு (தெவிநுவர) [இடைத்தேர்தல்: 18 மே 1983]

கவிரத்ன, ரத்நாயக்க முதியன்சேலாகே புஞ்சி பண்டார (ரத்தொட்ட)

கன்னங்கர, திருமதி ஐரின் விமலா (கலிகமுல)

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இலங்கைச் சனநாயக சோசலிசக் குடியரசு

சனாதிபதி

மேன்மை தங்கிய ஜூனியஸ் ரிச்சட் ஜயவர்த்தன

அமைச்சரவை

பிரதம அமைச்சரும், உள்ளூராட்சி, வீடமைப்பு, நிர்மாண அமைச்சரும் நெடுஞ்சாலைகள் அமைச்சரும் அவசரகால சிவில் நிர்வாக அமைச்சரும் பாராளுமன்றச் சபை முதல்வரும்	மாண்புமிகு ரணசிங்ஹ பிரேமதாச
பொது நிர்வாக அமைச்சரும் பெருந்தோட்டத் தொழில்கள் அமைச்சரும் சமூக சேவைகள் அமைச்சர்	மாண்புமிகு வேல்டர் ஜியோப்ரி மொண்டேகு ஜயவிக்கிரம மாண்புமிகு நுவரபக்ஷ ஹேவாலாகே அசோக மஹாநாம கருணரத்தன
கலாசார அலுவல்கள் அமைச்சர்	மாண்புமிகு எட்வின் லொக்குபண்டார ஹுரூளே
போக்குவரத்து அமைச்சரும் போக்குவரத்துச் சபைகள் அமைச்சரும் தனியார் பஸ் போக்குவரத்து அமைச்சரும் வர்த்தக, கைத்தொழில் நிறுவனங்கள் பாதுகாப்பு அமைச்சரும்	மாண்புமிகு முறம்மத் ஹனீபா முறம்மத்
கிராம அபிவிருத்தி அமைச்சர்	மாண்புமிகு ஜூன் விமலா கன்னங்கர
விவசாய அபிவிருத்தி, ஆராய்ச்சி அமைச்சரும் உணவு, கூட்டுறவு அமைச்சரும்	மாண்புமிகு காமனீ நந்த ஜயகுரிய
புடைவைக் கைத்தொழில் அமைச்சர்	மாண்புமிகு விஜயபால மெண்டிஸ்
வெளிநாட்டலுவல்கள் அமைச்சர்	மாண்புமிகு அப்துல் காதிர் ஷாஹுல் ஹமீத்
உள்நாட்டலுவல்கள் அமைச்சர்	மாண்புமிகு கணபதிப்பிள்ளை வில்லியம் தேவநாயகம்
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நிதி, அமைப்புத்திட்ட அமைச்சர்	மாண்புமிகு ரெணல்ட் ஜோசப் கொட்பிநி த மெல்
காணி, காணி அபிவிருத்தி அமைச்சரும், மகாவலி அபிவிருத்தி அமைச்சரும்	மாண்புமிகு லயனல் காமீனீ திஸாநாயக்க
பாராளுமன்ற அலுவல்கள், விளையாட்டுத்துறை அமைச்சரும் பிரதம அரசாங்க கொறடாவும்	மாண்புமிகு மத்திங் வின்சன்ட் பெரேரா
தேசிய பாதுகாப்பு அமைச்சர்	மாண்புமிகு லலித் வில்லியம் அத்துலத் முதலி
நீதி அமைச்சர்	மாண்புமிகு நிஸங்க பராக்கரம் விஜயரத்தன
கடற்றொழில் அமைச்சர்	மாண்புமிகு மைக்கல் பெஸ்ரஸ் வென்சிஸ்லோஸ் பெரேரா
கிராமிய தொழில்துறை அமைச்சர்	மாண்புமிகு செளமியமூர்த்தி தொண்டமான்
இளைஞர் அலுவல்கள், தொழில் வாய்ப்பு அமைச்சரும் கல்வி அமைச்சரும்	மாண்புமிகு ரணில் விக்ரமசிங்ஹ
இராஜாங்க அமைச்சர்	மாண்புமிகு கலாநிதி மஹா அமரசிங்ஹகே ஆனந்தநிஸ்ஸ த அல்வி
பிரதேச அபிவிருத்தி அமைச்சர்	மாண்புமிகு செல்லையா இராசதுரை
சுகாதார அமைச்சர்	மாண்புமிகு வைத்திய கலாநிதி ரஞ்ஜித் கணிஷ்க பராக்கரம் அத்தபத்
மாதர் அலுவல்கள், போதனா வைத்தியசாலைகள் அமைச்சர்	மாண்புமிகு சுனேத்ரா ரணசிங்க
இலாகா இல்லா அமைச்சர்	மாண்புமிகு அல்ஹாஜ் முஹம்மத் அப்துல் பாகிர் மாகார்
வர்த்தக, கப்பல்துறை அமைச்சர்	மாண்புமிகு மாத்ஹகே சிறிசேன அமரசிறி
கைத்தொழில், விஞ்ஞான அலுவல்கள் அமைச்சர்	மாண்புமிகு நிக்கலஸ் டென்சிஸ் பெர்னாண்டோ
தொழில் அமைச்சர்	மாண்புமிகு பிரேமசந்திர இம்புலான

அமைச்சரவையில் இல்லா அமைச்சர்கள்

சுயமேலி கல்விக்காகிய அமைச்சர்கள்

- முமைச்சர் ... திரு. ரிசிரி பண்டர் வேரபிற்றிய
- முமைச்சர் ... திரு. ஜேம்ஸ் எட்வட் ஹரல்ட் ஹேரத்
- முமைச்சர் ... திரு. லயனல் ஜயதிலக்க
- முமைச்சர் ... திரு. விஜேசிங்ஹ ஜயவீர முதியன்சேலாகே லொக்கு பண்டார

புத்தகங்கள் பற்றி பரிசீலிக்கும் மன்றம்

புத்தகப்பு அமைச்சினதும் திட்டச் செயற்படுத்தல் அமைச்சினதும் ஜனநாயக தோட்ட அபிவிருத்தி அமைச்சினதும் அரசு பெருந்தோட்ட அமைச்சினதும் யர் கல்வி அமைச்சினதும் மின்சக்தி எரிபொருள் அமைச்சினதும் விடயங்களையும் பணிகளையும் சனநாயக தாமே பொறுப்பேற்றுள்ளார்.]

சுயமேலி கல்விக்காகிய அமைச்சர்கள்	புத்தகங்கள் பற்றி பரிசீலிக்கும் மன்றம்
முமைச்சர் ... திரு. ரிசிரி பண்டர் வேரபிற்றிய	புத்தகங்கள் பற்றி பரிசீலிக்கும் மன்றம்
முமைச்சர் ... திரு. ஜேம்ஸ் எட்வட் ஹரல்ட் ஹேரத்	புத்தகங்கள் பற்றி பரிசீலிக்கும் மன்றம்
முமைச்சர் ... திரு. லயனல் ஜயதிலக்க	புத்தகங்கள் பற்றி பரிசீலிக்கும் மன்றம்
முமைச்சர் ... திரு. விஜேசிங்ஹ ஜயவீர முதியன்சேலாகே லொக்கு பண்டார	புத்தகங்கள் பற்றி பரிசீலிக்கும் மன்றம்

மாவட்ட அமைச்சர்கள்

மாவட்ட அமைச்சர், கொழும்பு	...	திரு. வீரசிங்ஹ மல்லிமாராச்சி
மாவட்ட அமைச்சர், கம்பஹ	...	திரு. ஜயதிலக்க ஹிற்றிஹாமி அப்புகாமிலாகே ஆரியர்தன் ஜயதிலக்க
மாவட்ட அமைச்சர், களுத்துறை	...	திரு. இந்திரதாச ஹெற்றியாரச்சி
மாவட்ட அமைச்சர், கண்டி	...	திரு. வீரகூரிய திஸாநாயக்க முதியன்சேலாகே புஞ்சிபண்டா திஸாநாயக்க
மாவட்ட அமைச்சர், மாத்தளை	...	திரு. காரப்பேறு விஜேதுங்க ராஜபக்ச முதியன்சேலா ஏக்கநாயக்க
மாவட்ட அமைச்சர், துவரேவியா	...	திருமதி துணுதிலக்க முதியன்சேலாகே நேணுகா மெனிக்கே ஹெரத்
மாவட்ட அமைச்சர், காலி	...	திரு. லொக்ருகமகே ரூபசேன கருணதிலக்க
மாவட்ட அமைச்சர், மாத்தறை	...	திரு. கீர்த்திசேன சந்திரதாச அபேவிக்காம
மாவட்ட அமைச்சர், ஹம்பாந்தோட்டை	...	வைத்தியகலாநிதி படபெத்தி மத்தும் பதுகே சிறில்
மாவட்ட அமைச்சர், குருணாகல்	...	திரு. மல்லவாராச்சிகே காமினி ஜயவிக்காம பெரேரா
மாவட்ட அமைச்சர், புத்தளம்	...	திரு. வள்ளிநாயக்க முதியன்சேலாகே ஹெரத்பண்டா வள்ளிநாயக்க
மாவட்ட அமைச்சர், அனுராதபுரம்	...	திரு. குலதுங்க திஸாநாயக்க முதியன்சேலாகே சந்திரசோம பண்டார
மாவட்ட அமைச்சர், பொலன்னறுவை	...	திரு. அப்புஹாமிகே டிங்கிரி பண்டா ஏக்கநாயக்க
மாவட்ட அமைச்சர், கேகாலை	...	திரு. நிஸங்க ஆரச்சிலாகே சௌவிரதன்
மாவட்ட அமைச்சர், இரத்தினபுரி	...	திரு. களுவாதேவகே நந்த மத்திவ்
மாவட்ட அமைச்சர், பதுளை	...	திரு. ரத்னயக்க முதியன்சேலாகே அப்புஹாமி
மாவட்ட அமைச்சர், மொனராகலை	...	திரு. ரத்னயக்க முதியன்சேலாகே அபேகோன்
மாவட்ட அமைச்சர், திருகோணமலை	...	திரு. ஹேவா கஜமன் பத்தினிகே நெல்சன்
மாவட்ட அமைச்சர், அம்பாறை	...	திரு. பெற்றகிரிகே தயாரதன்
மாவட்ட அமைச்சர், மட்டக்களப்பு	...	திருமதி ரங்கநாயகி பத்மநாதன்
மாவட்ட அமைச்சர், மன்னார்	...	ஜனாப் முஹம்மத் இஹ்தார் ஹாஜியார் மஹ்ராப்
மாவட்ட அமைச்சர், வவுனியா	...	திரு. கமகே தொன் மகிந்தசோம
மாவட்ட அமைச்சர், முல்லைத்தீவு	...	ஜனாப் அப்துல் ரஸ்ஸாக் மன்ஸூர்
மாவட்ட அமைச்சர், யாழ்ப்பாணம்	...	திரு. உக்குபண்டா விஜேகோன்

பிரதி அமைச்சர்கள்

பாதுகாப்புப் பிரதி அமைச்சர்	...	திரு. லலித் வில்லியம் அத்துலத் முதலி
ஜனநாயக அபிவிருத்திப் பிரதி அமைச்சர்	...	திரு. ஜேம்ஸ் எட்வட் ஹரல்ட் ஹேரத்
நிதி, அமைப்புத் திட்டப் பிரதி அமைச்சர்	...	ஜனாப் முஹம்மத் ஹஸீபா முஹம்மத் நயினா மரிக்கார்
திட்டச் செயற்படுத்தற் பிரதி அமைச்சர்	...	திரு. டிங்கிரி பண்டா வெலகெதர
உள்நாட்டலுவல்கள் பிரதி அமைச்சர்	...	திரு. பொல்வத்தே சமரவீர ஆர்ச்சிலாகே பேஸி சமரவீர
பெருந்தோட்டத் தொழில்கள் பிரதி அமைச்சர்	...	திரு. அலிக். அலுவிறாரே
சமூகசேவைகள் பிரதி அமைச்சர்	...	திரு. ஜசெந்து வியன சிறிசேன
கலாசார அலுவல்கள் பிரதி அமைச்சர்	...	திரு. வீரகோன் முதியன்சேலாகே கெதர கும்புரே கெதர டிங்கிரி பண்டா
போக்குவரத்துப் பிரதி அமைச்சர்	...	திரு. ஹிரியபிற்றியகே குலர்தன்
மின்சக்தி, எரிபொருள் பிரதி அமைச்சர்	...	திரு. பெற்றிகிரிகே தயார்தன்
மகாவலி அபிவிருத்திப் பிரதி அமைச்சர்	...	ஜனாப் முஹம்மத் லெப்பை மரிக்கார் அபூசாலி
தொழிற் பிரதி அமைச்சர்	...	திரு. மஹபட்டபெத்திகே ஜோசப் மைக்கல் பெரோர
விவசாய அபிவிருத்தி, ஆராய்ச்சி பிரதி அமைச்சர்	...	திரு. சனில் சுபசினி அபேசுந்தர
தபால், தந்திப் போக்குவரத்துப் பிரதி அமைச்சர்	...	ஜனாப் முஹம்மத் அலீ அஹ்மத் அப்துல் மஜீத்
புடைவைக் கைக்கெதாழிற் பிரதி அமைச்சர்	...	திரு. ரத்னாயக்க முதியன்சேலாகே தர்மதாச பண்டா
வெளிநாட்டலுவல்கள் பிரதி அமைச்சர்	...	திரு. நிரோன் லைல் டிலானே பெர்னான்டோ
நீதிப் பிரதி அமைச்சர்	...	திரு. ஷெல்டன் ரணராஜ
உணவு, கூட்டுறவுப் பிரதி அமைச்சர்	...	திரு. ராஜகருணை மொஹொட்டி அப்புஹாமிலாகே சரத்சந்திர ராஜகருணை
இராசாங்கப் பிரதி அமைச்சர்	...	திரு. சந்திரா கருணார்தன்
காணி, காணி அபிவிருத்திப் பிரதி அமைச்சர்	...	திரு. அதிகாரி முதியன்சேலாகே சோமபால அதிகாரி
இளைஞர் அலுவல்கள், தொழில் வாய்ப்புப் பிரதி அமைச்சர்	...	திரு. காமினி அத்துகோறன்
கிராமிய தொழில்துறை அபிவிருத்திப் பிரதி அமைச்சர்	...	திரு. சுதுவெனி கொந்தகே பியதாச
உயர்கல்விப் பிரதி அமைச்சர்	...	திரு. அத்தநாயக்க முதியன்சேலாகே ரம்பண்டா அத்தநாயக்க
பொது நிர்வாகப் பிரதி அமைச்சர்	...	திரு. ஹரீந்திர ஜயந்தி கொறயா
கடற்செழில் பிரதி அமைச்சர்	...	திரு. கம்ளத் மொஹொட்டிகே பிரேமசந்திர
கல்விப் பிரதி அமைச்சர்	...	திரு. வீரவன்னி முதியன்சேலாகே சமரவீர
நெடுஞ்சாலைகள் பிரதி அமைச்சரும் உள்ளூராட்சி, வீடமைப்பு, நிர்மாணப் பிரதி அமைச்சரும்	...	திரு. சோமவீர விஜேசிங்க அலவத்துவல
போக்குவரத்துச் சபைகள் பிரதி அமைச்சர்	...	திரு. ஹேரத் பண்டா அபேர்தன்
கிராம அபிவிருத்திப் பிரதி அமைச்சர்	...	ஜனாப் மீரா லெப்பை அஹ்மத் பரீத்
தனியார் பஸ் போக்குவரத்துப் பிரதி அமைச்சர்	...	திரு. ரத்னாயக்க முதியன்சேலாகே புஞ்சி பண்டா கவிர்தன்
சுகாதாரப் பிரதி அமைச்சர்	...	திரு. முஹந்திரம்லாகே சந்திரசேக்கர கண்கந்த
பாராளுமன்ற அலுவல்கள், வினையாட்டுத்துறைப் பிரதி அமைச்சர்	...	திரு. மிரிஹானகே தொன் பிரேமர்தன்
பாதுகாப்புப் பிரதி அமைச்சர்	...	திரு. அனுர பஸ்தியன்
பிரதேச அபிவிருத்திப் பிரதி அமைச்சர்	...	திரு. தொன் வின்சன்ற் டயஸ்
மாதர் அலுவல்கள், போதனா வைத்தியசாலைகள் பிரதி அமைச்சர்	...	திரு. கம்கமுவே விதானலாகே புஞ்சிநிலமே
அரசு பெருந்தோட்டப் பிரதி அமைச்சர்	...	திரு. வின்சன்ற் வியனோல்ட் விஜேமான்ன
வர்த்தக, சுப்பற்றுறைப் பிரதி அமைச்சர்	...	திரு. மகேந்திர கரசிங்ஹ விஜேர்தன்

பாராளுமன்றக் குழுக்கள்

உயர்பதவி அபேட்சகர் தகுதி ஆய் தெரிஞ்சு

திரு. ஆர். பிரேமதாசு (தலைவர்)
 திரு. எஸ். தொண்டமான்
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 வைத்தியகலாநிதி ரஞ்ஜித் அத்தபத்து
 ஜனாப் அப்துல் றஸ்ஸாக் மன்ஸ்லிர்
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 திரு. சரத் முத்தெட்டுவெகம

பாராளுமன்ற அங்கத்தவர் திரு. ஆர். ஜி. சமரநாயக்கவுக்கு எதிரான குற்றச்சாட்டுக்களை விசாரிப்பதற்கான தெரிஞ்சு

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பாராளுமன்ற அங்கத்தினர் சம்பந்தமாகப் புதினப் பத்திரிகை வெளியீடுகள் பற்றிய தெரிஞ்சு

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ஹரிஸ்பத்துவ இரண்டாம் அங்கத்துவரது குற்றச்சாட்டுக்கள் பற்றிய தெரிஞ்சு

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கம்பஹ அங்கத்தவரை ஸ்ரீ ல. சு. க. இலிருந்து வெளியேற்றியது பற்றிய தெரிஞ்சு

திரு. லலித் அத்துலத் முதலி (தலைவர்)
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வாக்குரிமை, தேர்தல்கள் பற்றிய தெரிஞ்சு

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பாராளுமன்றம்

சபாநாயகர்

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பிரதிச் சபாநாயகரும் குழுத் தலைவரும்

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எம். சிவநாதன்

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எம். என். எம். ஸாஹிர்

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எஸ். நடராசா

ஜே. குணதாச

ரி. டபிள்யூ. கருணாரத்ன

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தொ. ச. லோ. ஜயக்கொடி

திரு. கே. ஜே. ஏ. பெரேரா

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கே. பி. தர்மபந்து

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பீ. திலகதாஸ்

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கே. சபாநாயகம்

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கே. டபிள்யூ. சுனில்

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குழு அலுவலகம் I

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குழு அலுவலகம் II

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விநியோகம், சேவைகள் அலுவலகம்

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நூனிலையப் பொறுப்பாளர் :

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என். சுப்ரமணியம்
எச். வெத்தசிங்ஹ

பாராளுமன்றப் பேச்சு மொழிபெயர்ப்பாளர் :

எஸ். கே. தம்பிப்பிள்ளை
எஸ். குமாரசாமி
எம். கே. இராகுலன்
எஸ். ராஜபக்சு
எச். எம். ஷரீப்
ஆர். எஸ். வேதநாயகம்
திருமதி எச். கே. ஏக்கநாயக்க
திருமதி ஈ. எம். பலாபத்வல

சுருக்கமெழுத்தாளர்கள்

ஆர். பி. சிரிபால
திருமதி எச். டி. த சில்வா

PARLIAMENTARY DEBATES

(HANSARD)

OFFICIAL REPORT

VOLUME 34

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THE DEMOCRATIC SOCIALIST REPUBLIC
OF
SRI LANKA**

FIFTH SESSION

1985

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FIRST PARLIAMENT OF
THE DEMOCRATIC SOCIALIST REPUBLIC
OF
SRI LANKA

FIFTH SESSION

1985

MEMBERS OF PARLIAMENT

(From 21st July 1977 including changes to date)

A

- Abdul Bakeer Markar, Mohamed (First Beruwala)
 Abdul Cader, Mohamed Jabir (Second Colombo Central)
 Abdul Majeed, Mohamedali Ahamed (Sammanturai)
 Abeygoonasekera, George Hector (Hanguranketa)—*died, 4th January, 1981*
 Abeygunasekera, Rohan (Hanguranketa)—*(nominated, 11th March, 1981)*
 Abeykoon, Ratnayake Mudiyansele (Hali-ela)
 Abeyratne, Herath Banda (Yapahuwa)
 Abeyesundera, Sunil Subasiri (Yatinuwara)
 Abeywardana Mahinda Yapa, (Hakmana)—*(by-election, 18th May, 1983)*
 Abeywickrema, Keerthisena Chandradasa (Deniyaya)
 Abeywickrema, Sumanadasa (Akmeemana)—*(resigned, 10th February, 1983)*
 Aboosally, Mohamed Lebbe Marikkar (Balangoda)
 Adikari, Adikari Mudiyansele Somapala (Kalawewa)
 Ahamed Fareeth, Meera Lebbe (Second Batticaloa)
 Akurugoda, Sepala (Baddegama)—*nominated, 14th July, 1981; resigned, 10th February, 1983.*
 Alaalasuntharam, Arumugam Murugesu (Kopay)—*(nominated, 10th February, 1982; vacated Seat, 4th January, 1984)*
 Alawatuwala, Somaweera Wijesinghe (Dodangaslanda)
 Aluvihare, Alick (Matale)
 Amarasiri, Matarage Sirisena (Hiniduma)
 Amaratunga, John Anthony Emmanuel (Wattala)—*(nominated, 5th October, 1978)*
 Amirthalingam, Appapillai (Kankesanturai)—*(vacated Seat, 22nd October, 1983)*
 Ananthasangare, Veerasingham (Kilinochchi)—*(vacated Seat, 22nd October, 1983)*
 Appuhamy, Ratnayake Mudiyansele (Bandarawela)
 Atapattu, Dr. Ranjith Kaniska Parakrama (Beliatta)—*(resigned, 10th February, 1983; re-elected at by-election, 18th May, 1983)*
 Athulath Mudali, Lalith William (Ratmalana)
 Attanayake, Attanayake Mudiyansele Rambanda (Udadumbara)
 Attygalle, Dharmasena (Kesbewa)—*(resigned, 5th November, 1982)*
 Atukorale, Gamini (Nivitigala)

B

- Banda, Weerakoon Mudiyansele Gedera Kumburegedera Tikiri (Galagedera)
 Bandara, Kulatunga Dissanayake Mudiyansele Chandrasoma (Anuradhapura West)
 Bandaranaika, Priyadarsi Anura Solomon Dias (Second Nuwara Eliya-Maskeliya)

- Bandaranaike, Mrs. Sirimavo Ratwatte Dias (Attanagalla)—*(expelled upon Resolution of Parliament, 16th October, 1980)*
 Bandaranayake, Samuel Dias (Gampaha)
 Bastian, Anura (Colombo West)—*(by-election, 21st March, 1978)*
 Beligammana, Ratnayake Mudiyansele Chandrasena Ratnayake (Mawanella) — *(died, 20th September, 1980)*

C

- Canagaratnam, Mylvaganam (Second Pottuvil)—*(elected, 12th September, 1977; died, 20th April, 1980)*
 Chandrapala, Debahepuwe Mudiyansele (Kundasale)—*(died, 1st February, 1984)*
 Cooray, Mannamarakkalage Mervyn Joseph (Panadura)—*(nominated, 22nd March, 1983)*
 Corea, Harindra Jayanthi (Chilaw)
 Cyril, Dr. Patabendi Madduma Baduge (Tissamaharama)—*(resigned, 10th February, 1983; re-elected at by-election, 18th May, 1983)*

D

- Dahanayake, Dr. Wijayananda (Galle)—*(by-election, 20th December, 1979)*
 Daniel, Mahahithana Aratchchige Anura (Hewaheta)—*(resigned, 18th April, 1982)*
 Daniel, Miss Mahahithana Aratchchige, Rupa Sriyani (Hewaheta)—*(nominated, 12th July, 1982)*
 Dassanayake, Dassanayake Mudiyansele Ananda (Kotmale)
 Dayaratne, Petikirige (Amparai)
 de Alwis, Dr. Maha Amarasinghage Anandatissa (Kotte)
 de Mel, Ronald Joseph Godfrey (Devinuwara)—*(resigned, 9th February, 1983; nominated (Bulathsinhala)—9th February, 1983)*
 de Silva, Dangedera Gamage Albert (Galle)—*(election declared void, September, 1979; nominated (Kamburupitiya), 22nd November, 1979; resigned, 10th February 1983)*
 de Silva, Gonapeenuwala Vithanage Sirisena (Habaraduwa)—*(by-election, 18th May, 1983)*
 de Silva, Merrill Vernon (Minneriya)—*(resigned, 24th October, 1983)*
 Devanayagam, Kanapathipillai William (Kalkudah)
 Dharmadasa Banda, Ratnayake Mudiyansele (Bibile)
 Dharmalingam, Visvanāthar (Manipay)—*(vacated Seat, 8th October, 1983)*
 Dias, Don Vincent (Badulla)
 Dissanayake, Lionel Gamini (First Nuwara Eliya-Maskeliya)

Dissanayake, Weerasuriya Dissanayake
Mudiyanselage Puchi Banda (Gampola)
Dodangodage, Gardiye Hewawasam Amarasiri
(Baddegama)—(by-election, 18th May, 1983)

E

Ekanayake, Appuhamige Dingiri Banda
(Medirigiriya)
Ekanayake, Karapperu Wijetunge Rajapakse
Mudiyansele (Dambulla)

F

Fernando, Nicholas Denzil (Negombo)
Fernando, Dr. Sirikkaththuge Neville Arthur
(Panadura)—(resigned, 23rd December, 1981)
Fernando, Tyrone Lyle Delano (Moratuwa)
Fonseka, Gampolage Pathmin (Panadura)
—(nominated, 20th January, 1982; resigned, 10th
February, 1983)
Franciscu, Thomaratne Don (MulKirigala)—(resigned,
10th February, 1983)

G

Galappatthy, Peter Silva Loku-
(Devinuwara)—(by-election, 18th May 1983)
Ganeshalingam, Poopatapillai (Paddiruppu)—
(vacated Seat, 22nd October, 1983)
Gankanda, Muhandiramalage Chandrasekera
(Pelmadulla)
Gunasekera, Gamage Don Premaratne
(Maharagama)—(resigned, 10th February, 1983)
Gunasekera, Ranasinghe Hettiaratchchige Tudor
Edward Ranasinghe (Mahara)—(resigned, 10th
February, 1983)
Gunasekera, Senerath Gunasekera Vidaneralalage
Bennet Dias (Minuwangoda)
Gunawardane, Chandrakumara Wijeya
(Kamburupitiya)—(by-election, 18th May, 1983)
Gunawardene, Dinesh Chandra Rupasinghe
(Maharagama)—(by-election, 18th May, 1983)

H

Hameed, Abdul Cader Shahul (First Harispattuwa)
Herat, James Edward Harold (Nattandiya)
Herat, Sirisena Bandara (Hiriyala)—(died, 6th June,
1983)
Herat, Dr. Sivuratne Yapabandara Semasinghe
Bandara (Hiriyala)—(nominated, 19th July, 1983)
Herath, Mrs. Dunutilaka Mudiyanselage Renuka
Menike (Walapane)
Herath, Wannihamy Yasapala (Anuradhapura East)
Hettiarachchi, Indradasa (Horana)
Hurulle, Edwin Loku Bandara (Horowpotana)

I

Imbulana, Pema Chandra (Ruwanwella)
Ishak, Mohamed Haleem (Third Colombo Central)

J

Jagathsena, Maduwa Hewa Kusumachandra
(Ambalangoda)—(by-election, 18th May, 1983; died,
5th July 1984).
Jalaldeem, Mohamed Aliyar Mohamed (First
Pottuvil)—(elected, 12th September, 1977; expelled
upon Resolution of Parliament, 25th February,
1983)
Jayakody, Jayakody Aratchchige Don Sunil Ranjan
(Polgahawela)
Jayakody, Kamalawarna Kumarasinghe
(Mahara)—(by-election, 18th May, 1983)
Jayakody, Lakshman (Attanagalla)—(nominated, 17th
December, 1980)
Jayasinghe, Donald Shelton (Wattala) — (died, 9th
September, 1978)
Jayasinghe, Nanayakkara Atulugamage Stephen de
Silva (Dehiwala)—(died, 26th September, 1977)
Jayasuriya, Gamini Nanda (Homagama)
Jayatilleke, Jayatilleke Hitihamy Appuhamilage
Ariyaratne (Divulapitiya)
Jayatilleke, Lionel (Kuliyapitiya)
Jayawardena, Mahabalage Don Henry (Kaduwela)
—(resigned, 30th May, 1983)
Jayawickrema, Walter Geoffrey Montague
(Weligama)
Jayewardene, Junius Richard (Colombo
West)—(assumed office of President, 4th February,
1978)

K

Kannangara, Mrs. Irene Wimala (Galigamuwa)
Kariyawasam, Dewarakottege Merril Wijesena
(Agalawatta)
Karunaratne, Chandra (Nawalapitiya)
Karunaratne, Nuwarapaksa Hewayalage Asoka
Mahanama (Rambukkana)
Karunaratne, Ratnayake Mudiyanselage (Uva-
Paranagama)
Karunaratne, Wanasinghe Mudiyanselage (Passara)
Karunatillake, Lokugamage Rupasena (Bentara-
Elpitiya)
Kathiravelupillai, Sivasupramaniam (Kopay) — (died,
31st March, 1981)
Kaviratne, Ratnayake Mudiyanselage Puchi Banda
(Rattota)
Kiriella, Dr. Léonard Penryn Bandara
(Eheliyagoda)—(by-election, 18th May, 1983; died,
7th January, 1984)
Kularatne, Hiripitiyage (Rakwana)
Kularatne, Kadukannage Ananda (MulKirigala)—
(by-election, 18th May, 1983; election declared
void, 10th December, 1984)
Kularatane, Mervyn (Eheliyagoda)—(resigned, 10th
February, 1983)
Kumaradasa, Jayasundera Mudiyanselage
(Wellawaya)

L

- Leelaratne, Hettiaratchige Don Lutus (Seruwila)
 Lokubanda, Herath Mudiyansele Ariewardanage
 (Galgamuwa)
 Lokubandara, Wijesinghe Jayaweera Mudiyansele
 (Haputale)
 Lokuge, Gamini Kulawansa (Kesbawa) – *(by-election,
 18th May, 1983)*

M

- Maharroof, Mohamed Ehuttar Hadjiar (Muttur)
 Mahindasoma, Gamage Don (Kekirawa)
 Malawaraarachchi, Don Edwin (Kamburu-
 pitiya) – *(resigned, 19th November, 1979)*
 Mallimarachchi, Weerasinghe (Kolonnawa)
 Mathew, Caluwadewage Cyril (Kelaniya)
 Mathew, Caluwadewage Nanda (Kolonna)
 Mendis, Wijayapala (Katana)
 Mohamed, Mohamed Haniffa (Borella)
 Moonesinghe, Anil Kumar (Matugama) – *(by-election,
 18th May, 1983)*
 Munsoor, Abdul Razak (Kalmunai)
 Muttetuwegama Sarathchandra (Kalawana) –
(by-election, 12th January, 1981)

N

- Naina Marikar, Mohamadu Haniffa Mohamadu
 (Puttalam)
 Navaratnam, Vallipuram Nallathamby (Chava-
 kachcheri) – *(vacated Seat, 22nd October, 1983)*
 Nelson, Hewa Gajaman Paththinige (Polonnaruwa)

P

- Pathiranage, Benthota Richard de Silva
 (Akmeemana) – *(by-election, 18th May, 1983)*
 Pathmanathan, Mrs. Ranganayaki
 (Pottuvil) – *(nominated, 20th November, 1980)*
 Perera, Elluppitiyamudiyansele Peter Paul
 (Kaduwela) – *(nominated, 2nd July, 1983)*
 Perera, Kasadoruge Vincent (Yatiantota)
 Perera, Mahapatabendige Joseph Michael (Ja-Ela)
 Perera, Mallawaratchige Gamini Jayawickrema
 (Katugampola)
 Perera, Mathew Vincent (Colombo North)
 Perera, Michael Festus Wenceslaus (Wennappuwa)
 Perera, Owitigalage Somadasa (Bulathsinhala)
 – *(resigned, 2nd February, 1983)*
 Pilapitiya, Abeyratne Bandara Herath
 (Kalawana) – *(vacated seat, 5th January, 1979;
 nominated, 17th January, 1979; resigned, 15th
 January, 1981)*

- Piyadasa, Suduweli Kondage (Matara)
 Premachandra, Gamlath Mohottige (Mawatagama)
 Premadasa, Ranasinghe (First Colombo Central)
 Premaratne, Mirihanage Don (Avisawella)
 Punchi Bandara, Ratnayake Mudiyansele
 (Moneragala)
 Punchinilame, Galgamuwa Vidanelage, (Ratnapura)

R

- Rajadurai, Chelliah (First Batticaloa)
 Rajakaruna, Rajakaruna Mohotti Appuhamilage
 Sarath Chandra (Dompe)
 Rajapakse, Gamini (Teldeniya)
 Ranaraja, Shelton (Senkadagala)
 Ranasinghe, Mrs. Sunethra (Dehiwala) – *(by-election,
 11th November, 1977)*
 Ranatunga, Chandradasa (Mawanella) – *(nominated,
 20th November, 1980)*
 Rasalingam, Thambipillai (Uduppidy) – *(vacated
 Seat, 21st October, 1983)*
 Ratnam, Karthigesar Ponnambalam
 (Kayts) – *(vacated Seat, 22nd October, 1983)*
 Ratnayake, Mrs. Ratnayake Mudiyansele
 Amarawathie Piyaseeli (Wariyapola)
 Ratnayake, Ratnayake Mudiyansele Kalubanda
 (Panduwasnuwara)

S

- Samaranayake, Punsiri Senaraja Perera (Bandaragama)
 Samaranayake, Richard Gregory (Second Beruwala)
 Samaraweera, Polwatte Samaraweera Aratchilage Percy
 (Welimada)
 Samaraweera, Weerawanni Mudiyansele (Wiyaluwa)
 Samarawickrema, Arthur Edmund (Colombo East)
 Sampanthan, Rajavarodayam (Trincomalee) – *(vacated
 Seat, 7th September, 1983)*
 Sellathambu, Xavier Mark (Mullaitivu) – *(vacated
 Seat, 21st October, 1983)*
 Senadheera, Bandulahewa (Karadeniya) – *(died, 13th
 January, 1982)*
 Senadheera, Mrs. Daya Sepali (Karadeniya) –
(nominated, 26th March, 1982)
 Senanayake, Edward Lionel (Mahanuwara)
 Senanayake, Maithripala (Medawachchiya)
 Seneviratne, Cyril Pinto Jayatilleke
 (Mahiyangana) – *(died, 26th December, 1984)*
 Seneviratne, Nissanga Aratchilage (Kegalle)
 Sirisena, Jasenth Liyana (Bingiriya)
 Sivasithamparam, Murugesu (Nallur) – *(vacated Seat,
 22nd October, 1983)*
 Sivasithamparam, Thamodarampillai
 (Vavuniya) – *(vacated Seat, 5th October, 1983)*
 Somaratne, Asokaweera (Ratgama) – *(by-election, 18th
 May, 1983)*
 Soosaitasan, Pilesiyan Sosai (Mannar) – *(vacated
 Seat, 22nd October, 1983)*
 Sumathiratne, Piyaweera (Habaraduwa) – *(resigned,
 10th February, 1983)*

T

- Thilakasekara, Ryter (Ambalangoda)—(*resigned, 10th February, 1983; nominated, 4th September, 1984*)
 Thirunavukkarasu, Thamodarampillai (Vaddukkoddai)—(*died, 1st August, 1982*)
 Thondaman, Savumiamoorthy (Third Nuwara Eliya-Maskeliya)
 Thurairatnam, Kadiripillai (Point-Pedro)—(*vacated Seat, 4th January, 1984*)
 Tillekeratne, Don Edwin (Ratgama)—(*resigned 10th, February, 1983*)
 Tiruchelvam, Dr. Neelakandan (Vaddukkoddai)—(*nominated, 1st March, 1983; vacated Seat, 22nd October, 1983*)

U

- Udayaratne, Wickramatileke Wedaratchilage Godfrey Wasantha (Aranayake)
 Uthumalebe, Mohamed Ibralebe (Pottuvil)—(*nominated, 31st March, 1983*)

W

- Wadigamangawa, Abeysinghe Herath Mudiyansele Saddhatissa (Anamaduwa)—(*election declared void, 18th February, 1980*)
 Wadigamangawa, Asoka (Anamaduwa)—(*by-election, 7th May, 1980*)
 Waidyaratna, Norman James (Balapitiya)
 Walagamabahu, Rajapriya Dayaratne (Mihintale)
 Wanigaratne, Ahana Kapuge Don (Deraniyagala)
 Wanigasekera, Harish (Hakmana)—(*resigned, 10th February, 1983*)
 Wanninayake, Wanninayake Mudiyansele Herath Banda (Nikaweratiya)
 Weerasinghe, Puwakdandawe Jinadasa (Tangalle)—(*resigned, 10th February, 1983; re-elected at by-election, 18th May, 1983*)

- Welagedara, Dingiri Banda (Kurunegala)
 Werapitiya, Tikiri Banda (Pata Dumbura)
 Wickremasinghē, Dayananda Abeywardane (Akuressa)
 Wickramasinghe, Govinnage Wimal Padmasiri (Eheliyagoda)—(*nominated, 10th February, 1984*)
 Wickremasinghe, Ranil (Biyagama)
 Wickrematillake, Charles Dias (Baddegama)—(*nominated, 6th February, 1981; died, 2nd April, 1981*)
 Wickrematillake, Edward Dias (Baddegama)—(*died, 28th November, 1980*)
 Wijegooneratne, Samaraweera Mudalige Don Reginald Valentine (Matugama)—(*resigned, 10th February, 1983*)
 Wijekoon, Ukku Banda (Dambadeniya)
 Wijekoon, Saranasiri Bandara (Minneriya)—(*by-election, 25th October, 1984*)
 Wijemanne, Vincent Leonald (Kalutara)—(*resigned, 10th February, 1983; re-elected at by-election, 18th May, 1983*)
 Wijeratne, Mahendra Surasinghe (Mirigama)
 Wijeratne Banda, Jambugahapitiya Gedara (Laggala)
 Wijesiri, Rankeththage Premachandra (Second Harispattuwa)—(*resigned, 21st September, 1984; elected to Kundasale at by-election, 25th October, 1984*)
 Wijesiri, Mrs. Lohini Maheswari Eriyagama (Second Harispattuwa)—(*nominated, 1st November, 1984*)
 Wijetunga, Dingiri Banda (Udunuwara)
 Wijeyeratne, Dr. Nissanka Parakrama (Dedigama)

Y

- Yogeswaran, Vettivelu (Jaffna)—(*vacated Seat, 22nd October, 1983*)

DEMOCRATIC SOCIALIST REPUBLIC OF SRI LANKA

PRESIDENT

HIS EXCELLENCY JUNIUS RICHARD JAYEWARDENE

CABINET

Prime Minister, Minister of Local Government, Housing & Construction, Minister of Highways, Minister of Emergency Civil Administration and Leader of the House of Parliament

Minister of Public Administration and Minister of Plantation Industries

Minister of Social Services

Minister of Cultural Affairs

Minister of Transport, Minister for Transport Boards, Minister for Private Omnibus Transport and Minister for the Security of Commercial and Industrial Establishments.

Minister of Rural Development

Minister of Textile Industries

Minister of Agricultural Development & Research and Minister of Food & Co-operatives

Minister of Foreign Affairs

Minister of Home Affairs

Minister of Posts & Telecommunications

Minister of Finance & Planning

Minister of Lands & Land Development and Minister of Mahaweli Development

Minister of Parliamentary Affairs & Sports and Chief Government Whip

Minister of National Security

Minister of Justice

Minister of Fisheries

Minister of Rural Industrial Development

Minister of Youth Affairs & Employment and Minister of Education

Minister of State

Minister of Regional Development

Minister of Health

Minister of Women's Affairs and Teaching Hospitals

Minister without Portfolio

Minister of Trade & Shipping

Minister of Industries & Scientific Affairs

Minister of Labour

THE HON. RANASINGHE PREMADASA

THE HON. WALTER GEOFFREY MONTAGUE JAYAWICKREMA

THE HON. NUWARAPAKSA HEWAYALAGE ASOKA MAHANAMA KARUNARATNE

THE HON. EDWIN LOKU BANDARA HURULLE

THE HON. MOHAMED HANIFFA MOHAMED

THE HON. IRENE WIMALA KANNANGARA

THE HON. WIJAYAPALA MENDIS

THE HON. GAMANI NANDA JAYASURIYA

THE HON. ABDUL CADER SHAHUL HAMEED

THE HON. KANAPATHIPILLAI WILLIAM DEVANAYAGAM

THE HON. DINGIRI BANDA WIJETUNGA

THE HON. RONALD JOSEPH GODFREY DE MEL

THE HON. LIONEL GAMINI DISSANAYAKE

THE HON. MATHEW VINCENT PERERA

THE HON. LALITH WILLIAM ATHULATH MUDALI

THE HON. NISSANKA PARAKRAMA WIJEYERATNE

THE HON. MICHAEL FESTUS WENCESLAUS PERERA

THE HON. SAVUMIAMOORTHY THONDAMAN

THE HON. RANIL WICKREMASINGHE

THE HON. DR. MAHA AMARASINGHAGE ANANDATISSA DE ALWIS

THE HON. CHELLIAH RAJADURAI

THE HON. DR. RANJITH KANISKA PARAKRAMA ATAPATTU

THE HON. SUNETHRA RANASINGHE

THE HON. AL HAJ MOHAMED ABDUL BAKEER MARKAR

THE HON. MATARAGE SIRISENA AMARASIRI

THE HON. NICHOLAS DENZIL FERNANDO

THE HON. PEMA CHANDRA IMBULANA

MINISTERS NOT IN THE CABINET

Minister
Minister
Minister
Minister

MR TIKIRI BANDA WERAPITIYA
MR JAMES EDWARD HAROLD HERAT
MR LIONEL JAYATILLEKE
MR WIJESINGHE JAYAWEEERA MUDIYANSELAGE
LOKUBANDARA

(The President has assigned to himself the subjects and functions pertaining to the Ministry of Defence, the Ministry of Plan
Implementation, the Ministry of Janata Estates Development, the Ministry of State Plantations, the Ministry of Higher Education and the
Ministry of Power and Energy.)

4

DISTRICT MINISTERS

District Minister, Colombo	MR. WEERASINGHE MALLIMARATCHI
District Minister, Gampaha	MR. JAYATILLEKE HITIHAMY APPUHAMILAGE ARIYARATNA JAYATILLEKE
District Minister, Kalutara	MR. INDRADASA HETTIARACHCHI
District Minister, Kandy	MR. WEERASURIYA DISSANAYAKE MUDIYANSELAGE PUNCHI BANDA DISSANAYAKE
District Minister, Matale	MR. KARAPPERU WIJETUNGE RAJAPAKSE MUDIYANSELE EKANAYAKE
District Minister, Nuwara Eliya	MRS. DUNUTILAKA MUDIYANSELAGE RENUKA MENIKE HERATH
District Minister, Galle	MR. LOKUGAMAGE RUPASENA KARUNATILLAKE
District Minister, Matara	MR. KEERTHISENA CHANDRADASA ABEYWICKREMA
District Minister, Hambantota	MR. PATABENDI MADDUMA BADUGE CYRIL
District Minister, Kurunegala	MR. MALLAWARATCHCHIGE GAMIN JAYAWICKREMA PERERA
District Minister, Puttalam	MR. WANNINAYAKE MUDIYANSELAGE HERATH BANDA WANNINAYAKE
District Minister, Anuradhapura	MR. KULATUNGA DISSANAYAKE MUDIYANSELAGE CHANDRASOMA BANDARA
District Minister, Polonnaruwa	MR. APPUHAMIGE DINGIRI BANDA EKANAYAKE
District Minister, Kegalle	MR. NISSANKA ARATCHILAGE SENEVIRATNE
District Minister, Ratnapura	MR. CALLWADEWAGE NANDA MATHEW
District Minister, Badulla	MR. RATNAYAKE MUDIYANSELAGE APPUHAMY
District Minister, Moneragala	MR. RATNAYAKE MUDIYANSELAGE ABEYKOON
District Minister, Trincomalee	MR. HEWA GAJAMAN PATHTHINIGE NELSON
District Minister, Amparaï	MR. PETIKIRIGE DAYARATNE
District Minister, Batticaloa	MRS. RANGANAYAKI PATHMANATHAN
District Minister, Mannar	MR. MOHAMED EHUTTAR HADJIAR MAHAROOF
District Minister, Vavuniya	MR. GAMAGE DON MAHINDASOMA
District Minister, Mullaitivu	MR. ABDUL RAZAK MUNSOOR
District Minister, Jaffna	MR. UKKU BANDA WIJEKOON

DEPUTY MINISTERS

Deputy Minister of Defence	MR. LALITH ATHULATH MUDALI
Deputy Minister of Janatha Estates Development	MR. JAMES EDWARD HAROLD HERAT
Deputy Minister of Finance & Planning	MR. MOHAMADU HANIFFA MOHAMADU NAINA MARIKAR
Deputy Minister of Plan Implementation	MR. DINGIRI BANDA WELAGEDERA
Deputy Minister of Home Affairs	MR. POLWATTE SAMARAWEEERA ARATCHILAGE PERCY SAMARAWEEERA
Deputy Minister of Plantation Industries	MR. ALICK ALUVIHARE
Deputy Minister of Social Services	MR. JASENTHU LIYANA SIRISENA
Deputy Minister of Cultural Affairs	MR. WEERAKOON MUDIYANSELAGE GEDERA KUMBUREGEDERA TIKIRI BANDA
Deputy Minister of Transport	MR. HIRIPITIYAGE KULARATNE
Deputy Minister of Power & Energy	MR. PETIKIRIGE DAYARATNE
Deputy Minister of Mahaweli Development	MR. MOHAMED LEBBE MARIKKAR ABOOSALLY
Deputy Minister of Labour	MR. MAHAPATABENDIGE JOSEPH MICHAEL PERERA
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PROCLAMATION
BY HIS EXCELLENCY THE PRESIDENT

J. R. JAYEWARDENE



KNOW YE that by virtue of the powers vested in me by Article 70 of the Constitution of the Democratic Socialist Republic of Sri Lanka, I, Junius Richard Jayewardene, President do by this Proclamation summon Parliament to meet at the Parliament Hall, Sri Jayewardenepura, on the Twentieth day of February, One Thousand Nine Hundred and Eighty Five at 9.35 a.m.

Given at Colombo this Twenty-fifth day of January, One Thousand Nine Hundred Eighty-five.

By His Excellency's command.

W. M. P. B. Menikdiwela,
Secretary to the President.

අතිගරු ජනාධිපති උතුමාණන් පාර්ලිමේන්තුව
ඇමතීම

மேன்மைத்தங்கிய சனாதிபதி அவர்கள் பாராளுமன்றத்துக்கு
ஆற்றிய உரை

ADDRESS TO PARLIAMENT BY
HIS EXCELLENCY THE PRESIDENT

ප්‍ර.හා.9.35

අතිගරු ජනාධිපති උතුමාණන්
(மேன்மைத்தங்கிய சனாதிபதி அவர்கள்)
(His Excellency the President)

ගරු මන්ත්‍රීවරුනි, මම සභාවට සිංහල භාෂාවෙන් කථා කරන විට එය ද්‍රවිඩ භාෂාවට පරිවර්තනය කරනවා ඇති. ඊට පසුව මම බලාපොරොත්තු වෙනවා, ඉංග්‍රීසි භාෂාවෙන් කථා කරන්නට.

Hon. Members, my Sinhala speech will be interpreted into Tamil. After my speech in Sinhala, I will address the House in English.

ගරු මන්ත්‍රීවරුනි, 1977 දී මහජනතාවට ඉදිරිපත් කරන ලද ප්‍රතිපත්ති ක්‍රියාත්මක කිරීමට, රජය ගත් ප්‍රයත්නයද, යම්කිසි ප්‍රතිපත්තියක් ක්‍රියාත්මක කිරීමට නොහැකි වී නම් ඒ පිළිබඳව ද, ගරු මුදල් ඇමතිතුමා, අතිකුත් ඇමතිවරුන් හා පාර්ලිමේන්තු මන්ත්‍රීවරුන් විසින් පැහැදිලි ලෙස විස්තර කර තිබෙනවා. 1985 අයවැය පිළිබඳව පසුගිය අවුරුද්දේ නොවැම්බර් හා දෙසැම්බර් මාස දෙක තුළ පැවති විවාදය තවමත් අපට මතකයි. එමනිසා ඒ කරුණු පිළිබඳව දැන් කිසිවක් මා කතාකරන්නේ නැහැ. එහෙත් ඉහත කී අපේ ප්‍රතිපත්තිවලින් ලැබුණු සාර්ථක ප්‍රතිඵල කීපයක් ගැන කෙටියෙන් කරුණු දක්වන්නට මා කැමතියි.

ආර්ථික වර්ධනය තුන් ගුණයකින් වැඩි වී ඇති අතර එය දළ දේශීය නිෂ්පාදිතයෙන් සියයට හයකුත් දශම දෙකක්ව පවතිනවා. රැකියා සහන සියයට පණහකින් පමණ අඩු වී තිබෙනවා. වැඩ කළ හැකි අයගෙන් සියයට විසිහයක ප්‍රමාණයක් කලින් රැකියා තැනිල් හිටියා. දැන් එය සියයට දෙළහ දක්වා අඩුවී තිබෙනවා. දළ දේශීය නිෂ්පාදිතයේ සියයට ගණන වශයෙන් බලන විට ආයෝජන සියයට දහසයේ සිට සියයට නිහ දක්වා දෙගුණ වී තිබෙනවා. උද්ධමනය සියයට හත දක්වා පහත ගොලා තිබෙනවා. නිවාස ලක්ෂයක් පාද අවසන් කර ගමාරයි. ගිං ගහ හා ඉහිණිමිටිය වාර්ෂික යෝජනා ක්‍රම සම්පූර්ණ කර ඇති අතර, මාරුරු මය හා වික්ටෝරියා යන වේලිවල ඉදිකිරීම් කටයුතු සම්පූර්ණයෙන් ම නිම කර තිබෙනවා.

කොත්මලේ, ලුණුගම් වෙතෙර හා රත්දෙනිගල වේලි සහ තිල්වලා ගහ යෝජනා ක්‍රමයේ ප්‍රථම අදියර මේ වසර සහ ලබන වසර තුළදී අවසන් කළ හැකි වෙයි. ප්‍රධාන වාර්ෂික ක්‍රම කීපයක් ද අවන්වැඩියා කරන ලද අතර කුඩා වාර්ෂික යෝජනා ක්‍රම හාරදහස් එකසිය හැත්තෑවක් නිමාවට පත්වී තිබෙනවා.

1980 දී අපේ අයවැය හිඟය දළ දේශීය නිෂ්පාදිතයෙන් සියයට විසිතුනක්ව පැවතුණි. එය දැන් සියයට දහතුන දක්වා අඩු කරගෙන ඇති අතර මේ වසර අවසානයේදී සියයට තවයයි දශම අට දක්වා තවත් අඩු කර ගන්නටයි අපේ බලාපොරොත්තුව. අපේ සමස්ත ගෙවීම් ශේෂය වසර ගණනාවක් තිස්සේ අහපත් තත්ත්වයක පැවතුණි. එහෙත් දැන් එය කෝටි හයසියයක පමණ අතිරික්තයක් බවට පත් වී තිබෙනවා. අපේ ජාත්‍යන්තර සම්පත් හා විනිමය පස් මසක පමණ ආනයනවලට වටිනාකමට සමාන වන අතර දැන් ඒ විදේශ විනිමය සංවිතය රුපියල් කෝටි එක්දහස් හත්සිය විස්සක් වෙයි. මෙය අවුරුදු බොහෝ ගණනාවක් තිස්සේ පැවති තත්ත්වයට වඩා ඉතාමත්ම සතුටුදායක තත්ත්වයක් බව සඳහන් කළ යුතුයි.

ජාත්‍යන්තර වශයෙන් පවතින ආර්ථික පසුබෑම, තෙල් මිළ තව තවත් ඉහළ නැගීම, ලෝකය පුරාම පවතින අධික පොලී අනුපාතිකය, ඉතා ශීඝ්‍රයෙන් වෙනස් වන විනිමය අනුපාතිකය, පහත වැටී ඇති වෙළඳ ද්‍රව්‍යවල මිල, සෞඛ්‍ය ලෝකයේ පවත්නා ආරක්ෂණවාදය ඇතුළු අයහපත් වටාපිටාව මධ්‍යයේ මේ සාර්ථක ප්‍රතිඵල ලබා ගැනීමට අපට හැකි වූණි.

1977 ට කලින් පැවති වකවානුවේදී අනුගමනය කරන ලද සම්බාධක හා වෙනත් ප්‍රතිපත්ති අත්හැර අප විසින් එම වයරේදී දියත් කරන ලද ආර්ථික ප්‍රතිපත්තිවල සාර්ථකත්වය නිසා මේ යහපත් ප්‍රතිඵල ලබා ගැනීමට අපට හැකි වූණි. එම ප්‍රතිපත්ති නිසා ආර්ථික හා මුදල් හඳුල් පිළිබඳ මනා විනායයකින් බෙරෙන්තට අපට හැකි වූ අතර ජනතාව සාගීන්තෙන් වලක්වා ගන්නට ද අපට හැකි වූණි.

ත්‍යාජීක බලය හා තාක්ෂණික සොයා ගැනීම් පිළිබඳව ඇති වී තිබෙන තව වර්ධනයක් නිසා අපි පමණක් නොවෙයි ලෝකයේ හැම තැනකම දේශපාලන පක්ෂ දැන් ඔවුන්ගේ ප්‍රතිපත්ති පිළිබඳව පුනරාවලෝකනයක යෙදෙනවා.

ප්‍රංශයේ දැනට පවතින සමාජවාදී ආණ්ඩුව, සමාජවාදී අධ්‍යාපන ක්‍රමයක් ඇති කිරීමට දැරූ උත්සාහය අනගැර ව්‍යාපාර ජනසතු කිරීමත් තතර කර තිබෙනවා. කෙනෙකුට ධන සම්භාරයක් රැස්කර ගැනීමට දැන් එහි තහනමක් නැහැ. ධනය සහ රැකියා සහ ජනිත කරන පුද්ගලික ව්‍යාපාරවලට ධෛර්යය ලැබෙන අතර සමාජවාදී නොවන බදු ක්‍රම මගින් ආයෝජනවලට ආධාර හා අනුබල ලැබෙනවා.

සමාජවාදී රටක් වන චීනය කියනවා එකම ආණ්ඩුවක් යටතේ ආර්ථික ක්‍රම දෙකක් පැවතිය හැකි බව. ඒ රටේ වෙරළබඩ පිහිටි තරග ගණනාවකම තිදහස් වෙළඳ කලාප පිහිටු වන්නට ඉඩ දී තිබෙනවා. කෝටි ගණන් සිටින චීන ජාතිකයන්ට වෙළඳ ගාණිඩ විකිණීමේ අරමුණ ඇතිව ජාත්‍යන්තර බහු ජාතික සමාගම් ඒ වෙළඳ කලාපවල විශාල ලෙස මුදල් ආයෝජනය කරනවා. චීන තායකයන් එලිපිටම ප්‍රකාශ කර තිබෙනවා, කාල්මාක්ස්ගේ සමහර ක්‍යාසවල් අද පවත්නා තත්ත්වයන්ට ගැලපෙන්නේ නැහැ කියලා.

කියුබාවේ තිදහස් වෙළඳ කලාපයක් ඇති කර තිබෙනවා. එම වෙළඳ කලාපය පිළිබඳ ප්‍රතිපත්ති අප අනුගමනය කරන ප්‍රතිපත්තිවලට ග්‍රහාන්ම සමානයි.

1977 ට පසුව අපේ රජය තව ප්‍රතිපත්ති ගණනාවක්ම අනුගමනය කර තිබෙනවා. අපේ රටට, අපේ ජනතාවට, අපේ සම්පත්වලට ගැලපෙන තවත් අවන් ප්‍රතිපත්ති ගැන අනාගතයේදී අප කල්පනා කළ යුතුයි.

1983 මැයි මාසයේ පවත්වන ලද ඇගයීමේදී අතුරු මැතිවරණයේ දී ශ්‍රී ලංකා තිදහස් පක්ෂයෙන් ආධාර ලබා ගත් අපේක්ෂකයා නිකුත් කළ මැතිවරණ ප්‍රකාශනයේ මෙසේ සඳහන් වෙනවා :

"(අ) ජනතා විරෝධය තතර කර ගැනීමට ආණ්ඩුව බලාපොරොත්තු වන්නේ ජනතාවගේ ප්‍රජාතන්ත්‍රවාදී අයිතීන් විනාශ කිරීම මගිනි. . . . ප්‍රස්තාවාද වැළැක්වීමේ පහත වැඩි මර්දන පහත් පැනවීමෙන් එය සිදු කරමින් සිටී.

(අ) නව සමසමාජ පක්ෂය මෙම අතුරු මැතිවරණය සඳහා කරන වදින්නේ ඉහත කී ක්‍රියා කලාපයට විරුද්ධව දැනට අරඹා ඇති අරගලය මෙම මැතිවරණ ජයග්‍රහණය තුළින් ද පෝෂණය කර වෙනවත්ව ඉදිරියට ගෙන යාම සඳහාය. එම අරගලය.... නියමිත කාලය ඉකුත් වන්නට පෙර 83 දී ම පාර්ලිමේන්තුව විසුරුවා හැර මහ මැතිවරණයක් ලබා ගැනීම සඳහා කරන අරගලයකි.

(ආ) උතුරේ විමුක්ති බලවේග ආදිය සමඟ ඒකාබද්ධ කර... උද්දෝෂණය කරන පුළුල් ජන ව්‍යාපාරයක් පාර්ලිමේන්තුවෙන් පිටත පෙළ ගැසීමට මන්ත්‍රීවරයෙකු වශයෙන් ලබන බලය හා ශක්තිය උපයෝගී කර ගත හැකිය."

1983 මැයි මාසයේදී එම අපේක්ෂාකාරී ඇගයීමට පරාජයට පත්වුණි. 1983 ජූලි 23 වැනිදා යාපනය අර්ධද්වීපයේ සිටු වූ බෝම්බ පිරිමිකරණ සංග්‍රහ යුද්ධ තවදුරටත් දහතුන් දෙනෙක් මරණයට පත්වුණි. පසුවද, එනම් අවමභූමි පැවැත්වූ කොළඹ කලාපයට ඇතිවුණි. ජූලි මාසයේ පැවති මෙම සිද්ධිවලින් ලෝකය පුරාම ශ්‍රී ලංකාවේ තමට අපකීර්තියක් ඇතිවුණි පමණක් නොවෙයි ඒවායින් පෙනුණා මහජන ජනදයෙන් පිහිටුවන ලද ආණ්ඩුවක් ප්‍රවණ්ඩ ක්‍රියාවලින්, විවිධ ජාතීන් හා ආගම් අතර හේද ඇති කිරීමෙන්, ත්‍රස්තවාදයෙන් හා ඒ සමඟ මාර්ගවලින්, පෙරලා දැමීමට බලාපොරොත්තු වන උතුරේ හා දකුණේ සියලුම අය එකතුවී සිටින බව.

ගතවූ හය අවුරුදු කාලය තුළ ජනදයකයන්ගට තම අදහස් ප්‍රකාශ කිරීමට අවස්ථාවක් කිහිපයක් ලබා දුන්නා. ඒ අවස්ථාවලදී එනම්, පළාත් ආණ්ඩු මැතිවරණවලදී, මහ නගර සභා මැතිවරණවලදී, සංවර්ධන සභා මැතිවරණ වලදී, අතුරු මැතිවරණවලදී, ජනාධිපතිවරණයේදී, 1982 ඔක්තෝබර්/නොවැම්බර් මාසවල පැවැත්වුණු ජනමත විචාරණයේ දී සහ 1984 සැප්තැම්බර් මාසයේ දී පවත්වන ලද මින්තේරිය සහ කුණ්ඩසාලේ අතුරු මැතිවරණවලදී ආණ්ඩු පක්ෂය එනම්, එක්සත් ජාතික පක්ෂය විශිෂ්ඨ ජයක් ලබා ගත්තා.

ජනාධිපතිවරණයේ සහ ජනමත විචාරණයේ ප්‍රතිඵල අනුව ජනාධිපතිතුමාට පුළුවනි 1983 පෙබරවාරි මාසයේ සිට 1989 පෙබරවාරි මාසය දක්වා ජනාධිපති වශයෙන් සේවය කරන්නට, පාර්ලිමේන්තුවට පුළුවනි 1989 ජූලි/අගෝස්තු දක්වා කටයුතු කරන්නට.

මේ නිසා දේශපාලන බලයේ රජ උරා ගැනීමට පුළු පුලා බලා සිටින අයට හිතෙන්නට ඇති තමන්ගේ බලාපොරොත්තු ඉෂ්ඨ කර ගන්නට ජනදය වෙනුවට වෙනත් කඩිනම් ක්‍රම ගැන කල්පනා කළ යුතුය කියා.

දැනට හිස්ව ඇති ත්‍රිකුණාමලය, පදිප්පු, මහියංගනය හා මුල්කිරිගල ආසනයල අතුරු මැතිවරණ ඉක්මණින් පවත්වනු වැඩි. උතුරු පළාතේ අතුරු මැතිවරණ පැවැත්වීමේ හැකියාව ගැන ද අප සොයා බලාගෙන යනවා.

පාර්ලිමේන්තු මන්ත්‍රීන් වශයෙන් තම තමන් පාර්ලිමේන්තුවේ අයුත් ගෙන සිටින්නේ තමන්ගේ ජනද වලින් හෝ වෙනත් කිසියම් කෙනෙකුගේ ආදායක බලයෙන් හෝ නොව, ජනමත විචාරණයක් මගින් ලබාගත් ජනද දයකයින් වැඩි දෙනෙකුගේ ජනද බලයෙන් බව ගරු පාර්ලිමේන්තු මන්ත්‍රීවරුන් ස්ථිරවම සිතා ගත යුතුයි. ඒකක් කියා තව එකක් කරන්නන්ගේ අහිමනාර්ථයක් ඉෂ්ඨ කිරීම සඳහා මහජනතාව විසින් දෙන ලද තීරණයකට එරෙහිව සමීන් පාර්ලිමේන්තුව විසුරුවා හැර මහා මැතිවරණයක් පැවැත්වීමට මා ක්‍රියා නොකරන බැව් ගරු මන්ත්‍රීවරුන් නිසැකවම සිතා ගත යුතුයි.

1984 ජනවාරි මාසයේ ඇරඹුණු සර්වභාෂික සම්මේලනයේ කටයුතු පිළිබඳව ගරු මන්ත්‍රීවරු දන්නවා.

1984 දෙසැම්බර් මස 21 වැනි සිකුරාදා පැවැත්වුණු පූර්ණ සැසි වාරවල අවසාන රැස්වීම තෙක් එම සර්වභාෂික සම්මේලනයේ වැඩ කටයුතුවලට අදාළ සියලුම ලිපි ලේඛන මන්ත්‍රීවරුන්ගේ පරීක්ෂණය සඳහා මම සහාගත කරනවා.*

1984 දෙසැම්බර් මස 14 වැනි සිකුරාදා පැවැත්වුණු සර්වභාෂික සම්මේලනයේ පූර්ණ සැසි වාරයේදී එම සම්මේලනයේ සහාපති වශයෙන් මා ප්‍රකාශයක් කළා. එම ප්‍රකාශයේ අන්තර්ගත වූයේ සර්වභාෂික

සම්මේලනයේ රැස්වීම්වල සාකච්චාවලින්ද, නියෝජිත කණ්ඩායම්වල නායකයන් සමඟ පවත්වන ලද සාකච්චාවලින්ද, පිළිගත් දේශපාලන පක්ෂ හා සම්මේලනයේ වැඩ කටයුතුවලට ආධාර කළ නීතිඥයන් සමඟත් ඇමතිවරුන් සමඟත් කරන ලද කතාබහවලින්ද එළඹුණු යෝජනා පිළිබඳ ලුහුඬු විස්තරයක්. සර්වභාෂික සම්මේලනයට සහභාගි වූ නියෝජිත පිරිස්වලින් වැඩි දෙනාගේ අදහස් පිළිබිඹු කෙරෙන නීති කෙටුම්පතක ස්වරූපය ගත් මේ යෝජනා සැසි වාරයට ඉදිරිපත් කළ මා ඒවා "ඉතා සුපරීක්ෂාකාරී අන්දමින් හා විවක්ෂණ බුද්ධියෙන් සලකා බැලීම" සඳහා නියෝජිත පිරිස්වලට භාරකළා. 1984 දෙසැම්බර් මස 14 වැනිදා මවිසින් කරන ලද එම ප්‍රකාශය දැන් මා සහාගත කරනවා.*

1984 දෙසැම්බර් 21 වැනිදා පැවති සර්වභාෂික සම්මේලනයේ පූර්ණ සැසි වාරයේදී මා නියෝජිත පිරිස්වලට දැනුම් දුන්නා, ඔවුන්ගේ වැඩකටයුතු නිමාවට පත්වී ඇති බව. මෙම සම්මේලනය විසින් පවත්වන ලද සාකච්චා, වැය කරන ලද කාලය හා දරන ලද වෙනස මහත්සිය මේ රටට කිසියම් ප්‍රමාණයක සාමයක්, එකමුතු බවක් හා ස්ථාවරභාවයක් ලබාදීමට උපකාර වේ යැයි මා බලාපොරොත්තු වූනා.

මගේ එම ප්‍රකාශය කරමින් සම්මේලනයට සහභාගි වූ සෑම නියෝජිත කණ්ඩායමකම නායකයන් හට මා බැය ගත් තීරණය දැන්වූ බවත්, ඒ සඳහා ඔවුන්ගේ එකඟත්වය ලබා ගත් බවත් මා ගත් එම පියවරට කිසිවෙක් විරුද්ධ නොවූ බවත් මා පැවසුවා.

විෂයයන් හා කර්තව්‍යයන් විමර්ශන කිරීම පිළිබඳව අදාළ තොරතුරු කිසිවක් තිබුණි නම් ඒවා නියෝජිත කණ්ඩායම් වෙත සැපයීමට කටයුතු යොදා තිබුණ අතර නියෝජිත කණ්ඩායම් විසින් ගැනී පමණ ඉක්මණින් තම තමන්ගේ අදහස් ලිඛිතව මට සපයන ලෙස මා ඉල්ලා සිටියා.

අවසානයේදී රජය විසින් තීරණයක් ගෙන අවශ්‍ය නීති පාර්ලිමේන්තුවට ඉදිරිපත් කළ යුතුව තිබුණි. (1984 දෙසැම්බර් 22 වැනි දින "සිලෝන් ඩේලි නිවුස්" පුවත්පත).*

මෙම යෝජනා ගැසට් පත්‍රයක් මගින් පල කළ යුතු බව ද ශ්‍රේෂ්ඨාධිකරණය විසින් ඒවා පරීක්ෂා කළ යුතු බව ද මා කීවා. සමහර විටෙක ශ්‍රේෂ්ඨාධිකරණය විසින් හෝ මවිසින් හෝ කරනු ලබන තීරණයක් අනුව ජනමත විචාරණයක් හෝ මහ මැතිවරණයක් හෝ පැවැත්වීම අවශ්‍ය වනු ඇතැයි ද මා සඳහන් කළා.

සැසි වාරය අවසානයේදී, සම්මේලනයේ නිල ප්‍රකාශකවූ, ජාතික ආරක්ෂක ඇමති ලලිත් ඇතුලත්වූද මහතා පුවත්පත්වලට මෙම ප්‍රකාශය ඉදිරිපත් කළා: "සම්මේලනයේ රැස්වීම් අවසන් වීමෙන් දේශපාලන පක්ෂ අතර මේ පිළිබඳව පවත්නා සාකච්චා අවසන් වූ බව අදහස් නොකෙරේ. නිල භාවන සාකච්චා හා පොදු සංවාද මේ පිළිබඳව තවදුරටත් පවත්වාගෙන යනු ඇත." (1984 දෙසැම්බර් මස 22 වැනි දින "සිලෝන් ඩේලි නිවුස්" පුවත්පත).*

උච්ච එක්සත් විමුක්ති පෙරමුණේ නායකයන් ද සමහර අනෙකුත් නියෝජිත කණ්ඩායම්වල නායකයන් ද 1985 ජනවාරි මාසය තුළ හමුවී තවදුරටත් කතාබහ කිරීමට මා එකඟ වී සිටියා. මේ සඳහා දින කිහිපයක්ම වෙන් කර තිබුණි. උච්ච එක්සත් විමුක්ති පෙරමුණේ නායකයන් දෙසැම්බර් මස 22 වැනි දින හෝ 23 වැනි දින මදුරාසියට යන බවත් 1985 ජනවාරි මාසයේ පළමුවැනි සතිය අවසන් වන තුරු ඔවුන් ආපසු නොපැමිණෙන බවත් කියා සිටියා.

මේ අතරතුර සර්වභාෂික සම්මේලනයේ යෝජනාවත්, 1984 දෙසැම්බර් මස 19 වැනි බදාදා පැවති කැබිනට් මණ්ඩල රැස්වීමට සාකච්චා කිරීම සඳහා මා ඉදිරිපත් කර තිබුණා. එහෙත් මේ යෝජනාවත් 19 වැනිදා උදේ කැබිනට් මණ්ඩල රැස්වීමට මුදකට ප්‍රථම ඉදිරිපත් කර තිබුන හෙයින් කැබිනට් ඇමතිවරුන්ට ඒවා පිරික්සන්නට ප්‍රමාණවත් කාල වේලාවක් තිබුණේ නැහැ. එබැවින් යෝජනා ගැන සාකච්චාව දෙසැම්බර් මස 26 වැනි බදාදාට කල් කැබුවා.

දෙසැම්බර් 22 වැනි සෙනසුරාදා හටස් භාගයේ බුලත්සිංහල මැතිවරණ කොට්ඨාශයේ පැවති මහජන රැස්වීමකදී මෙම යෝජනාවත් මහජනතාවට විස්තර කර ඒවා පරීක්ෂා කිරීමට දැන් සියලු දෙනාටම ඉඩකඩ ඇති බව මා ප්‍රකාශ කළා. (1984 දෙසැම්බර් මස 23 වැනි ඉරිදා "බෙස්වර්" පුවත්පත).*

*වැඩ කටයුතු අවසානයේ පළකර ඇත.

එහෙයින් දෙසැම්බර් 23 වැනි ඉරිදා "එක් එක්" පුවත්පතේද දෙසැම්බර් 24 වැනි සඳුදා "සිලෝන් ඩේලි නිවුස්" පුවත්පතේ ද පළවූ ද්‍රවිඩ එක්සත් විමුක්ති පෙරමුණේ නායක ඒ. අමරනාඨම් මහතා විසින් කරන ලද ප්‍රකාශයක් දක මා පුද්ගලයාට පත්වුණි. එම ප්‍රකාශයෙන් ඔහු කියා තිබුණේ මෙම යෝජනා කිසිවක් දෙමළ ජනතාවට පිළිගත නොහැකි බවයි. (1984 දෙසැම්බර් මස 23 වැනි ඉරිදා "එක් එක්" පුවත් පත හා 1984 දෙසැම්බර් මස 24 වැනිදා "සිලෝන් ඩේලි නිවුස්" පුවත්පත.)*

මෙම යෝජනාවක් තවදුරටත් සාකච්ඡාවට භාජනය කිරීම පල රහිත බවත් ඒවා පිළිබඳව සාකච්ඡා කිරීමෙන් හෝ තීරණ ගැනීමෙන් කිසිවක් සපුරා ගත නොහැකි බවත් ද්‍රවිඩ එක්සත් විමුක්ති පෙරමුණ ප්‍රකාශ කර තිබුණ කියා, 1984 දෙසැම්බර් මස 26 වැනි බදාදා පැවති කැබිනට් මණ්ඩල රැස්වීමේදී මෙම යෝජනා ක්‍රියාත්මක නොකිරීමට තීරණය කලා. (1984 දෙසැම්බර් මස 27 වැනි බ්‍රහස්පතින්දා "සිලෝන් ඩේලි නිවුස්" පුවත්පත.)*

1983 දෙසැම්බර් මාසයේ දී, සර්වජානමික සමමේලනයට සහභාගි වීමට මවිසින් ආරාධනා කරන ලද ශ්‍රී ලංකා නිදහස් පක්ෂය අතුරු, විවිධ පක්ෂ ද්‍රවිඩ එක්සත් විමුක්ති පෙරමුණටත් එම සමමේලනයට සහභාගිවීමට ආරාධනා කරන ලෙස මගෙන් ඉල්ලා සිටියා. ඒ ඉල්ලීම අනුව එම සමමේලනයට ද්‍රවිඩ එක්සත් විමුක්ති පෙරමුණට මා ආරාධනා කලා. එහෙත් වැඩි කල් යත්තට ප්‍රථම සර්වජානමික සමමේලනයෙන් ශ්‍රී ලංකා නිදහස් පක්ෂය ඉවත් වී ගියා.

උතුරු හා නැගෙනහිර පළාත්වල හිස්ව තිබෙන ආසනවලට හා දිස්ත්‍රික් සභාවලට මැතිවරණ පැවැත්වීමට රජය කටයුතු කරගෙන යනවා. එම පුරප්පාඩු පුරවනු ලබන්නේ එක්සත් ශ්‍රී ලංකාවක් පිළිගන්නා වූ අයගෙන් කියා, ඔවුන්ගේ ජන්ද දයකයන්ගේ දුක් ගැනවිලි පිළිබඳව සාකච්ඡා පවත්වා ඒවාට දේශපාලන, ආර්ථික හා සමාජමය විසඳුම් සෙවීමට අපට හැකිවනු ඇති.

1984 පෙබරවාරි 23 වැනි දින පාර්ලිමේන්තුව ඉදිරියේ කරන ලද මගේ කතාවේදී ක්‍රස්තවාදය පිළිබඳව සඳහන් කරමින් මෙසේ මා ප්‍රකාශ කලා:

"දහට රැස්වෙන සර්වජානමික සමමේලනය, එම සමමේලනයේ නියෝජනය වන පක්ෂ එකට මුණගැසී මේ අරමුදලකාරී තත්ත්වය තුනී කර සාමකාමීව ප්‍රශ්න විසඳන්නේ කොතොමුද කියලා සොයා බැලීමේ අවස්ථාව උදකර දී තිබෙනවා.

එකත්වයකට එළඹෙන්න තිබුණ අවස්ථාව ක්‍රස්තවාදී ක්‍රියා නිසා ගින වනා කියලා මම කල්පනා කරනවා. ක්‍රස්තවාදීන්ට විසඳුමක් අවශ්‍යද යි යන්න ගැන මම සිතමි. විසඳුමක් ලැබුණොත් ක්‍රස්තවාදය තුනීවෙලා යයි කියලා සමහරෙක් හිතනවා. ඉස්සෙල්ලාම ක්‍රස්තවාදය අතුරු ලෙස කල් විසඳුමක් සෙවීම උගහට යයි සෙසු අය හිතනවා."

මගේ එම ප්‍රකාශයෙහි අවසාන වාක්‍යය තුළ ඇති අදහස නිවැරදි යයි මා හිතනවා.

1983 ජූලි මාසයේ සිට 1985 ජනවාරි 15 වැනි දින දක්වා ක්‍රීඩා හමුදා හා පොලීස් නිලධාරීන් 139 දෙනෙක් ක්‍රස්තවාදීන් විසින් මරාදමා තිබෙනවා. එසේම සාමාන්‍ය රටවැසියන් 339 දෙනෙකු ද ඝාතනය කර තිබෙනවා.

මේ මිනිස් ඝාතනය සිදු කිරීමේ අරමුණ කුමක්ද ?

උතුරේ සහ නැගෙනහිර ජීවත්වන ද්‍රවිඩයන්ගේ අයිතිවාසිකම් ආරක්ෂා කිරීම සඳහා රට බෙදීමේ හෙවත් ඊලාම් ව්‍යාපාරයේ, යුද්ධ කරන ආශය තමන් යැයි ක්‍රස්තවාදීන් ප්‍රකාශ කලත්, ඔවුන් රජය පෙරලීම අරමුණු කොට ගත් කැරලිකරුවන් බැව් දත් පැහැදිලි වී තිබෙනවා. ඔවුන්ගේ යුද අවි ගබඩාවලින් සොයාගත් අවි ආයුධ සම්භාරයෙන් පෙනී යන්නේ ඔවුන් යුද්ධයක් පටන් ගැනීමට සියලු කටයුතු යුද්ධයේදී කර ඇති බව සහ උතුරු හා නැගෙනහිර පළාත්වල පමණක් නොව ප්‍රජාතන්ත්‍රවාදී මහජනතාව විසින් නොරා පත් කර ගත් රජයකට විරුද්ධව මේ දිවයින පුරාම යුද්ධ කරන බවයි.

ඉන්දියාවේ පිහිටුවාගෙන ඇති යුද කඳවුරුවල ශ්‍රී ලංකාවේ ක්‍රස්තවාදීන් පුහුණුව ලබන බවට සාක්ෂි ඇති බව ශ්‍රී ලංකා රජය විසින් ඉන්දියානු රජයට නොයෙක් විට දන්වා තිබෙනවා. ක්‍රස්තවාදී ව්‍යාපාරයේ නායකයන් ඉන්දියාවේ ජීවත්වන බවත් ඉන්දියාවේදී මුණගැසී සාකච්ඡා කොට මේ හිතවිතරයට වැඩ කටයුතු ක්‍රියාවට නගන බවත් පැහැදිලි කර දී තිබෙනවා.

* වැඩ කටයුතු අවසානයේ පල කර ඇත.

රජය පමණක් නොව ශ්‍රී ලංකාවේ සියලුම දේශපාලන පක්ෂ හා නායකයන් ද මෙම අදහස දත් දරන බව කීව යුතුයි.

ඉන්දියාවේ කඳවුරුවල ක්‍රස්තවාදීන් පුහුණු කරන බව හා එසේ පුහුණුව ලැබූ ක්‍රස්තවාදීන් යුද්ධයේදී සමග ශ්‍රී ලංකාවට පැමිණෙන බව ඉන්දියානු රජය කොතොමටවත් පිළිගන්නේ නැහැ. ඉන්දියාවේ සිට ශ්‍රී ලංකාවට ක්‍රස්තවාදීන් ගොරෙන් පැමිණීම වැළැක්වීම සඳහා ඒකාබද්ධ ආරක්ෂක කලාපයක් ඇති කළ යුතු යැයි අප ඉන්දියාවට යෝජනා කර තිබෙනවා. මෙවැනි ආරක්ෂක කලාපයක් ඇති කළහොත් ශ්‍රී ලංකාවේ සිට ඉන්දියාවට රැකවරණය පතා පැන යන අය ද වළක්වා ලිය හැකි වෙනවා. මේ යෝජනාවට ඉන්දියාව විරුද්ධ වන්නේ ඇයි ?

ක්‍රස්තවාදීන්ගේ පහර දී පලා යෑමේ පිලිවෙත ලඟදීම වෙතස් කිරීමට ඔවුන් තීරණය කර ඇති බවට වාර්තා හා ලිඛිත තොරතුරු අපට ලැබී තිබෙනවා. යටත් පිරිසෙයින් ක්‍රස්තවාදී කණ්ඩායම් තුනක් එකට එකතු වී ඇති අතර ඔවුන් පොදු යුද්ධෝපායකට එකඟ වී සිටිනවා. ඒ යුද්ධෝපාය නම් අවශ්‍ය තරම් අවිආයුධ හා පුහුණු හටයන් යුද්ධයේදී කර ගත් වහාම ශ්‍රී ලංකා යුද්ධ හමුදාව සමග මුහුණට මුහුණ ලා සටන් කිරීමයි.

අවසානවූත්, ඔවුන් විශ්වාස කරන අන්දමට තීරණාත්මකවූත් සටන සඳහා දත් ඔවුන් යුද්ධයේ වෙතවා.

දකුණු ඉන්දියාවේ බලතල දරන ඇතුම් උදවිය, ශ්‍රී ලංකා දෙමළ ක්‍රස්තවාදී කණ්ඩායම් පොදු වැඩ පිළිවෙලක් යටතේ එකමුතු කිරීමට යන්න දරන බවට ලිඛිත සාක්ෂි තිබෙනවා.

ඉන්දියානු මහ ආණ්ඩුව සහ තමිල්නාඩු ආණ්ඩුව ද තමන්ට සුභ ප්‍රාර්ථනා කරන බව ක්‍රස්තවාදී නායකයෝ ප්‍රකාශ කර තිබෙනවා. (1984 ජූනි මස 28 වැනි දින ඊලාම් ජනතා විප්ලවීය විමුක්ති පෙරමුණ විසින් තමිල්නාඩුවේදී පවත්වන ලද සිය පළමුවැනි සමමේලනයේදී මෙය සඳහන් කර ඇත.)

මේ කණ්ඩායම් සහ ලෝකයේ ප්‍රධාන ක්‍රස්තවාදී කණ්ඩායම් අතර සබඳතාවක් තිබෙන බවට ද සාක්ෂි ලැබී තිබෙනවා. යුද අවි පුහුණුව, යුද අවි සැපයීම, සංවිධානාත්මක ආධාර සහ රැකවරණ සැපයීම යන කරුණු අතීන් එම ක්‍රස්තවාදී සංවිධාන ශ්‍රී ලංකාවේ ක්‍රස්තවාදී කණ්ඩායම්වලට ආධාර උපකාර ලබා දෙනවා. ආඥාදායක රාජ්‍යයන්ගේ සහාය ලැබෙන ජාත්‍යන්තර ක්‍රස්තවාදී සංවිධාන ලෝකයේ නිදහස් රාජ්‍යයන්ට විරුද්ධව ඔවුන්ගේ හිංසාකාරී ක්‍රියා දියත් කරනවා. ක්‍රස්තවාදී කණ්ඩායම් සමූහය වැඩි වැඩියෙන් එකිනෙකට සම්බන්ධවෙත විට, වැඩි වැඩියෙන් තව්න ක්‍රම අනුව සංවිධාන වෙත විට, ඔවුන් සටන් කරන්නේ යැයි කියනු ලබන අරමුණ වඩ වඩාත් අපැහැදිලි තත්ත්වයකට පත් වෙනවා.

ජාත්‍යන්තර ක්‍රස්තවාදයේ අතිශය් විපාකවලට අප සියලු දෙනාටම මුහුණ පාන්නට සිදු වී තිබෙනවා. කෙළින්ම හෝ වක්‍ර ලෙස අප සියලු දෙනා කෙරෙහි තර්ජන එල්ල වී තිබෙනවා. ප්‍රජාතන්ත්‍රවාදී රටවල නායකයන් හා රටවැසියන් බලෙන් පැහැර ගෙන යෑමෙන් හෝ මරා දැමීමෙන් හෝ ඒ තර්ජන කෙළින්ම අප වෙත එල්ල වී තිබෙනවා. මෙම ව්‍යාපාරයේ සැලකිය යුතු ප්‍රතිඵල ඊටත් වඩා දරුණුයි. මා එසේ කියන්නේ අප අනුගමනය කරන ජීවන ක්‍රමයට එය තර්ජනයක් වන නිසයි. ප්‍රජාතන්ත්‍රවාදයේ ජීව රුචිරයට එයින් පහරක් එල්ල වී තිබෙනවා. පාර්ලිමේන්තු ක්‍රියාදාමය, අදහස් ප්‍රකාශ කිරීමේ නිදහස, වෙළඳාමේ නිදහස හා ප්‍රවාහනයේ නිදහසත්, වර්ජන, තර්ජන හා හදිසි පහරදීම් නිසා ඇතිවන හිතියෙන් හා පීඩාවෙන් මිරිසි පවතිනවා.

අපේ රට සංවර්ධනය කිරීමට ද, අධ්‍යාපනය, පර්යේෂණ කටයුතු, සෞඛ්‍ය කටයුතු හා සුභසාධක කටයුතු වර්ධනය කිරීමටද අවශ්‍යව ඇති විශාල ධන සම්භාරයක් රටේ නොයෙක් ප්‍රදේශවල වාසය කරන සාමාන්‍ය ජනතාවට වැඩි රැකවරණයක් ලබාදීම සඳහා දත් වැය කිරීමට සිදුවී තිබෙනවා. සිවිල් ගුවන් සේවාවලට, රජයේ ගොඩනැගිලිවලට, පුර්ණ ස්ථානවලට, නානාපති කාර්යාලවලට, ජාත්‍යන්තර සංවිධානවල මුල්ස්ථානවලට, පාසල්වලට නැපැල් සේවයට, මේ ආදී සියල්ලටම ආරක්ෂාව සැපයීමට සිදු වී තිබෙනවා. මේ සියල්ලම කළ යුතු වන්නේ ජාත්‍යන්තර ක්‍රස්තවාදීන්ගෙන් ආරක්ෂා වීමටයි. එහෙත් පුද්ගලික නිදහස සහතික කරන අතරම ක්‍රස්තවාදයට එරෙහිව ආරක්ෂාව සැලසීම ඉතාම දුෂ්කරයි. මේ අන්දමින් තවදුරටත් ජීවත්වීමට සිදුවුවහොත් ප්‍රජාතන්ත්‍රවාදයට අත්නිවාරම් වී ඇති අපේ විශ්වාසයන් පවා තරමක් දුරට හෝ අත්හැරීමට වැඩිකල් නොගොස්ම

සිදුවෙතැයි. මෙවැනි තත්වයක් ඇති කිරීමෙන් ජාත්‍යන්තර ත්‍රස්තවාදය සිදු කරන්නේ ප්‍රජාතන්ත්‍රවාදී රටවල ආධාරණීය ශක්තියට අහිමිවීමක් හා ප්‍රහාරයක් එල්ල කිරීමයි.

උතුරෙන් දේශපාලනික හා දකුණෙන් දේවිකුටරත්, නැගෙනහිරින් මඩකලපුව හා බටහිරින් කොළඹත්, ශ්‍රී ලංකාවට මායිම් වෙයි. ත්‍රස්තවාදීන් තුළ කරන්නේ ඊලාම් රාජ්‍යය යැයි මවුන් කියා ගන්නා ප්‍රදේශයේ සීමාව වෙඩි උණ්ඩයේ බලයෙන් ශ්‍රී ලංකාවේ හදවත දක්වා දීර්ඝ කිරීමටයි. දේශ සීමාව අප විසින් පාලනය නොකලහොත් එය අප ගිලගනු ඇත. මේ දේශසීමාව විසින් අප ජය ගැනීමට පලමු අප විසින් එම දේශ සීමාව ජයගැනීම අපේ අරමුණයි.

අප සතු සියලුම සම්පත් යොදා ත්‍රස්තවාදය මුලිකුටුවා දැමීමට අපට සිදුවී තිබෙතැයි. සංවර්ධනය, සමාජ හා ආර්ථික සුභසාධන කටයුතු තවත්වා හෝ මෙම කටයුත්ත කිරීමට අපට සිදු වෙතැයි. මෙම කාර්යය සඳුරා ලීම සඳහා එක් ජාතියක් වශයෙන්, එක් ජනතාවක් වශයෙන් එක්සත්ව, එක්සිත්ව අප සියලුදෙනාම නිර්ණයක් ගනිමු.

මේ රටේ පරමාධිපත්‍යය ඇති ව්‍යවස්ථාපනය වශයෙන් මේ පාර්ලිමේන්තුවේ උත්තරීතරභාවයට මගේ ඇපකැපවීම සහතික කරමින් මගේ කතාව අවසන් කිරීමට මම කැමතියි.

මේ රටේ සාමකාමී සහ ව්‍යවස්ථානුකූල අනාගතයේ අවසාන නිර්ණකරුවන් වන්නේ මහජනතාව පමණක් බව, සියලුම වර්ගවලට, සියලුම ආගම්වලට අයත්වූ, උපරතන් හෝ පොහොසත් වූ ද, පිරිමි හෝ ගැහැණු වූ ද, ජන්දදායකයන් පමණක් බව, මෙම සම්භාවිතිය සභාවේ අසුන්ගෙන සිටින ජනතා නියෝජිතයන් බව, මම අවධාරණයෙන් ප්‍රකාශ කරනවා. වෙනත් කිසිම කෙනෙකුට පොදුගලිතව හෝ කණ්ඩායමක් වශයෙන් හෝ මෙම තත්වය උදුරා ගත නොහැකිය. එසේ උදුරා ගැනීමකට ඉඩ තබන්නේ නැහැ. ප්‍රජාතන්ත්‍රවාදී රටක රජයේ යෝජනාවන් ප්‍රසිද්ධියේ හෝ පොදුගලිත වැඩිවිච්චුවට භාජනය කිරීමට පුළුවනි. ලිපිලේඛන මගින් හෝ කතාබහ මගින් හා නීත්‍යානුකූල අභිඤා ක්‍රියා මගින් ඒවාට විරුද්ධත්වය දැක්වීමට ද පුළුවනි. ඉන් මිබිබට වෙනත් කිසිවක් කළ නොහැකියි. මෙම අදහස මමත් මගේ රජයත් අනුමත කරනවා. එසේම මෙම පාර්ලිමේන්තුවේ සියලුම මන්ත්‍රීවරුන් ද එය අනුමත කරන බව මගේ ඒකාන්ත විශ්වාසයයි.

Hon. Members, the Hon. Minister of Finance, other Ministers and Members of Parliament have dealt comprehensively with the Government's attempt to implement the policies placed before the people in 1977, or their failure to do so. The two month's debate on the 1985 Budget in November/December last year is still remembered. I will not therefore refer to these matters now, except to mention as briefly as possible some of the successful results of these policies.

Economic growth was almost trebled, to 6.2 per cent of the G.D.P. Unemployment was halved from 26 per cent of the work-force to 12 per cent. Investment as a percentage of the G.D.P. was doubled from 16 per cent to 30 per cent. Inflation was brought down to 7 per cent. The building of 100,000 houses has been completed. The Gin Ganga and Inginimitiya Irrigation Schemes and the Maduru Oya and Victoria Dams have been completed. The Kotmale, Lunugamwehera and Randenigala Dams and the first stage of the Nilwala Ganga Scheme will be completed this year and the next. 4,170 minor irrigation schemes were also completed as well as the rehabilitation of several major irrigation works.

Our Budget deficit was brought down from 23 per cent of G.D.P. in 1980 to 13 per cent and we hope to reduce it to 9.8 per cent by the end of the year. Our

overall balance of payments, which was in the red for several years, will show a surplus of almost Rs. 6,000 million. Our international resources now represent about 5 months of imports and at Rs. 17,200 million more satisfactory than we have had for many years.

All these were achieved in the midst of the adverse international economic environment in which we had to operate: international economic recession, oil price rises, high interest rates, volatile exchange rates, low commodity prices and protectionism.

We achieved what we did due to the correctness of the economic policies we initiated in 1977 abandoning the restraints and policies of the pre-1977 period. We avoided complete economic and financial disaster and even starvation thereby.

Not only we but political parties all over the world are rethinking their policies in the context of modern developments in nuclear power and technological discoveries.

The socialist Government of France has abandoned its attempt to introduce a socialist education system and imposed a brake on nationalization. Making a fortune is no longer prohibited. Private businesses creating wealth and jobs, as well as investment by non-socialist taxation, are encouraged.

China, a Communist country, says there can be two systems under one Government. Free Trade Zones have been permitted in a number of cities on the coast line and international multi-nationals are investing in them heavily to sell goods to the hundreds of millions living in China. Chinese leaders have openly stated that some of Marx's theories are not suitable for adoption in conditions that exist today.

Cuba has inaugurated a Free Trade Zone. Its policies with regard to the zone are very similar to ours.

Our Government has followed many new policies since 1977, and in the future we have to consider similar new ones that suit our country, its people and the resources we have.

In the election manifesto issued by the SLFP-sponsored candidate for the Eheliyagoda by-election in May 1983, the following passage occurs:

- "(a) Oppressive measures such as the Anti-Terrorism Act are introduced in order to achieve this end.
- (b) A struggle for a General Election dissolving the Parliament in 1983, before the scheduled date.
- (c) By virtue of the power and strength he receives as an MP, he would be in a position to mobilize an extensive extra-Parliamentary mass campaign uniting the said campaign with the liberation movements in the North."

The SLFP-sponsored candidate was defeated at Eheliyagoda in May 1983. Thirteen Sinhalese soldiers were killed by a bomb blast in the Jaffna Peninsula on 23rd July 1983. Riots broke out in Colombo on the next day, the day of the funeral in Colombo. The events of July not only smeared the name of Sri Lanka throughout the world, they also showed that all those in the North and the South who seek to overthrow an elected Government by violence, by creation of communal and religious discord, by terrorism and other similar methods had joined hands.

During the six-year period the following appeals to the electorates had resulted in victories for the Government Party, the United National Party; at Local elections; Municipal Council elections; DDC elections; By-elections; Presidential Election and Referendum in October/November 1982, and two victories in by-elections in Minneriya and Kundasale in September 1984.

The Presidential Election and the Referendum results meant that the President could hold office from February 1983 till February 1989 and the Parliament could function till July/August 1989.

This may have made those thirsting for the sweets of political power think of quicker means of achieving their desires than through elections.

By-elections will be held soon for the vacant seats at Trincomalee, Paddiruppu, Mahiyangana and Mulkirigala, while in the Northern Province the possibility of doing so is being studied.

Hon. Members of Parliament can rest assured that as they are functioning as Members not by their own votes or anybody's fiat but by the wish of a majority of the votes at a Referendum, I will not defy the wish of the People by dissolving Parliament and holding elections to satisfy those who preach one thing and practise something else.

Hon. Members are aware of the proceedings of the All Party Conference which commenced in January 1984.

I am tabling all relevant documents which were part of the official proceedings of the conference for perusal by Members up to the last meeting of the Plenary Sessions on Friday the 21st December 1984.*

At the Plenary Sessions of the All Party Conference on Friday, 14th December 1984, as Chairman of the All Party Conference, I made a statement outlining proposals which were the outcome of discussions at the meetings of the All Party Conference; at meetings with leaders of delegations; with recognised political parties; with the team of lawyers helping the

conference and informal discussions with Ministers. The proposals which took the form of draft legislation representing the views of the majority of the delegations forming the All Party Conference were presented to the Sessions and were commended by me for the "deep, careful and thoughtful consideration" of the delegations. My statement of 14th December 1984 is tabled.*

On Friday, 21st December 1984, at the All Party Conference Plenary Sessions I informed the delegations that their task had now come to an end. I was hopeful that all the hard work and deliberations that the conference had engaged itself in would help to bring at least some peace, unity and stability to the country.

In making this announcement to the conference, I said that the leaders of all the delegations that attended that sessions were informed and they had agreed to my decision and there was no objection by any of them to the step taken.

The delegations were to be provided with whatever other relevant material was available relating to the decentralization of subjects and functions and were requested to inform me of their views as early as possible, in writing.

In the final analysis the Government would have had to make a decision and introduce necessary legislation in Parliament.—("Ceylon Daily News", 22nd December 1984 — tabled.)*

I also said that the proposals would have to be gazetted and examined by the Supreme Court, and it may sometimes be necessary to have a Referendum or a General Election which the Supreme Court or I would have to decide.

At the end of the sessions, the conference spokesman, the Minister of National Security, Mr. Lalith Athulathmudali, made the following statement to the press — "The fact that the Conference has ended does not mean the Parties will stop talking informal exchanges and public discussions will continue." ("Ceylon Daily News", 22nd December 1984 — tabled.)*

I had agreed to meet the Tamil United Liberation Front (TULF) leaders and leaders of some of the other delegations again in January 1985 and had kept several days free for this purpose. The leaders of the TULF had said that they were leaving for Madras on the 22nd or 23rd December and would not be back till after the first week of January 1985.

In the meantime I had tabled the All Party Conference proposals for discussion in the Cabinet on Wednesday, 19th December 1984. It was put off for

*Reproduced at end of proceedings.

discussion on Wednesday, 26th December, because members had no time to study the proposals as they were tabled only on the morning of the Cabinet meeting of the 19th December.

I spoke at a mass rally in the Bulathsinhala Electorate on Saturday, 22nd December, in the afternoon and explained these proposals to the people and said these proposals are now open for study.—("Sunday Observer", 23rd December 1984 – tabled).*

I was therefore surprised to read a statement by Mr. A. Amirthalingam, leader of the TULF, in the "Weekend" of Sunday, 23rd December, and in the "Ceylon Daily News" of Monday, 24th December, that the proposals are totally unacceptable to the Tamil people.—("Weekend", Sunday, 23rd December 1984, and "Ceylon Daily News", 24th December 1984 – tabled).*

At its meeting on Wednesday, 26th December 1984, the Cabinet therefore decided that, as the TULF had said that there was no purpose in discussing these proposals further, nothing could be achieved in discussing or arriving at a decision on them and therefore the Government will not implement these proposals.—("Ceylon Daily News", Thursday, 27th December 1984 – tabled).*

It was at the request of the parties invited to attend the All Party Conference summoned in December 1983, including the SLFP, that I invited the TULF to participate. However, soon after that the SLFP left the conference.

The Government is proceeding to hold elections to the vacant seats and to the District Councils in the Northern and Eastern Provinces. As they would be accepting a United Sri Lanka, it would be possible to talk to them about the difficulties of their voters and seek remedies, political, economic and social.

In my Address to Parliament on the 23rd of February 1984, referring to "Terrorism" I said :

"The All Party Conference now sitting affords an opportunity to all Parties represented there to meet together and discuss peacefully ways and means of easing tension and solving problems.

I feel that the terrorist campaign has made agreement difficult. I wonder whether they want a solution. Some think that a solution will make terrorism wither away. Others think that any solution will be impossible unless terrorism is first eliminated".

I think the last sentence is correct.

The number of personnel of the armed services and the police killed and attempted to be killed from July 1983 to 15th January 1985 is 139. The civilian number is 339.

*Reproduced at end of proceedings.

For what purpose is this human slaughter being continued ?

The terrorists, who said they were the armed wing of the political movement for separatism or 'EELAM' to preserve the rights of the Tamils living in the North and the East, were later exposed as insurgents bent on overthrowing the Government. Now, with the array of weapons discovered in their arsenals, it is clear they are ready and equipped to wage a war and are doing so against a duly democratically elected government not only in the North and the East but throughout the Island.

The Government of Sri Lanka has made representations on several occasions to the Government of India that there is evidence that terrorists operating in Sri Lanka are being trained in camps situated in India. We have also complained that the leaders of this movement live in India and meet and conduct these illegal activities in India.

Now not only the Government but all political parties and leaders in Sri Lanka agree with this view.

The Government of India has denied that terrorists are trained in camps in India, that they operate from there and cross over with arms to Sri Lanka. We have suggested a Joint Surveillance Zone which will attempt to prevent infiltration into Sri Lanka of terrorists from Indian soil. This surveillance can also prevent movement of refugees from Sri Lanka to India. Why should India object ?

We have information, both oral and written, that the hit-and-run tactics of the terrorists are to be changed soon. At least three of the terrorist groups have united and agreed on a common military strategy which will culminate in a "head-on battle" with the Sri Lanka Army as soon as they have sufficient numbers of trained men and weapons.

Preparations are now being made for the final, and what is believed by them to be, decisive battle.

There is documentary evidence that some of those in positions of authority in South India are actively responsible for attempts to unite the Sri Lanka Tamil terrorist groups under a common programme.

Terrorist leaders have also stated that the Indian Central Government and the Tamil Nadu State Government are today extending their good wishes to them. (Vide the first Congress of the EPRLF held on 28th June 1984 in Tamil Nadu).

There is also evidence of links between these groups and the world's major terrorist organizations, which collaborate in training ; in the exchange of weapons ;

organizational aid and the granting of asylum. Backed by totalitarian regimes, international terrorist organizations direct their violence against the free countries of the world. The causes for which they purport to fight tend to blur as the terrorist network becomes increasingly sophisticated and inter-dependent.

We are all affected by international terrorism. We are all threatened by it, directly and indirectly—directly when the leaders and citizens of democratic countries are kidnapped or murdered; indirectly the effects are more insidious, because the threat is to our way of life. The life-blood of democracy is under attack, the parliamentary process, and freedom of expression, of trade and of transport through boycotts, blackmail and the ever-present fear of unexpected attack.

Immense resources needed for the development of our country, for education, research, health and welfare have had to be diverted to provide greater security for civilians everywhere. Protection must be extended to civil aviation, public buildings, places of worship, diplomatic missions, the headquarters of international organizations, schools and the mail.

All this is to protect ourselves against international terrorists. But it is very difficult to safeguard against terrorism while guaranteeing the freedom of the individual. It may not be long before we compromise the very beliefs on which democracy is built. International terrorism, by creating such a situation, is both undermining and challenging the moral strength of the democracies.

The borders of Sri Lanka are Point Pedro and Devinuwara in the North and South; Batticaloa and Colombo in the East and West. The terrorists are attempting to shoot their way into the heart of Sri Lanka to the borders of what they call the State of EELAM. If we do not occupy the Border, the Border will come to us. We intend to act before they succeed.

We have to combat “terrorism” and defeat it with all the resources at our command. We may have to equip ourselves to do so at the expense of development and social and economic welfare plans. Let us then unitedly decide to do so and as one Nation and one People bend ourselves to this task.

I wish to conclude my Address by affirming my commitment to the supremacy of this Parliament as the Sovereign Legislative Assembly in our country.

I wish to emphasize that the final arbiters of the peaceful and constitutional future of this country are the People; the voter—belonging to all nationalities and religions, rich or poor, male or female, and their representatives sitting here in this august Assembly. No

one else individually or collectively can usurp that place, nor will they be allowed to do so. They can argue publicly or privately, write or speak and perform all the legitimate acts of opposition to Government proposals in a democratic country. Thus far and no further. My Government and I, and I am sure every Member of Parliament, endorses this view.

අතිරේක ජනාධිපති උතුමාණන්ගේ කථාවේ දෙමළ පරිවර්තනය

மேன்மை தங்கிய சனாதிபதியினது உரையின் தமிழாக்கம் TAMIL TRANSLATION OF THE SPEECH OF HIS EXCELLENCY THE PRESIDENT

கௌரவ உறுப்பினர்களே, கௌரவ நிதி அமைச்சரும், ஏனைய அமைச்சர்களும், பாராளுமன்ற உறுப்பினர்களும் 1977 இல் மக்கள் முன் வைக்கப்பட்ட பூட்டைகளை அமுல் நடத்துவதற்கு அரசாங்கம் செய்த முயற்சியைப் பற்றி அல்லது அவ்வாறு செய்யத் தவறியமை பற்றி விரிவாக எடுத்துரைத்தார்கள். சென்ற ஆண்டின் நவம்பர், டிசம்பர் ஆகிய இரு மாதங்களில் 1985 ஆம் ஆண்டு வரவு செலவுத் திட்டம் பற்றிச் செய்த விவாதம் இன்னமும் ரூபகத்தில் இருக்கின்றது. எனவே, இவ்விடயங்கள் பற்றி நான் இப்பொழுது குறிப்பிடப் போவதில்லை. இப் பூட்டைகளின் பயனுள்ள விளைவுகள் சிலவற்றைப் பற்றி இயலுமானவரை சுருக்கமாகக் குறிப்பிடுவதற்கே விரும்புகின்றேன்.

பொருளாதார வளர்ச்சி ஏறத்தாழ மும்மடங்காக, மொத்த உண்ணாட்டு விளைவில் 6.2 சத வீதமாக அதிகரித்தது. வேலைவாய்ப்பின்மை தொழில் செய்யக்கூடியவர்களில் 26 சத வீதத்திலிருந்து 12 சத வீதமாகக் குறைக்கப்பட்டது. முதலீடு மொ. உ. விளைவின் ஒரு நூற்று வீதம் எனும் வகையில் 16 சத வீதத்திலிருந்து 30 சத வீதமாக அதிகரிக்கப்பட்டது. பணவீக்கம் 7 சத வீதமாகக் குறைக்கப்பட்டது. 100,000 வீடுகள் கட்டி முடிக்கப்பட்டுள்ளன. கிண்கங்கை, இங்கினியற்றிய நீர்ப்பாசனத் திட்டங்கள், மாதுறு ஓயா, விக்டோரியா அணைக்கட்டுகள் ஆகியவை முற்றுவிக்கப்பட்டுள்ளன. கொத்மலை, லுனும்குவெகர, ரன்டெனிகல அணைக்கட்டுகளும், நிலவலாகங்கைத் திட்டத்தின் முதலாவது கட்டமும் இவ்வருடத்தில் பூர்த்தி செய்யப்படும். மேலும், 4,170 நீர்ப்பாசனத் திட்டங்கள் முற்றுவிக்கப்பட்டுள்ளன. இவற்றுடன், பல்வேறு பாரிய நீர்ப்பாசனத் திட்டங்களும் புனரமைப்புச் செய்யப்பட்டுள்ளன.

நமது வரவு செலவுத்திட்டப் பற்றுகுறை 1980 இல் மொ. உ. விளைவில் 23 சத வீதமாக இருந்ததிலிருந்து 13 சத வீதமாகக் குறைக்கப்பட்டுள்ளது. ஆண்டின் இறுதியில் அதனை 9.8 சதவீதமாகக் குறைக்க முடியும் என்று நம்புகிறோம். பல வருடங்களாகத் திருத்தியற்ற நிலையிலிருந்த நமது மொத்த சென்மதி நிலுவை ஏறத்தாழ 6,000 மில்லியன் ரூபா உபரியைக் காட்டும். நமது சர்வதேச வள வருவாய்கள் இப்பொழுது ஏறக்குறைய 5 மாத கால இறக்குமதிகளைக் குறித்து நின்று, 17,200 மில்லியன் ரூபாவாக இருக்கின்ற நிலையில், சென்ற பல ஆண்டுகளில் இருந்ததிலும் அதிக திருப்தி தருவனவாக அமைந்துள்ளன.

இவையனைத்தும் நாம் தொழிற்பட வேண்டியிருந்த பாதகமான சர்வதேச பொருளாதார சூழ்நிலை, சர்வதேச பொருளாதாரப் பின்னடைவு, என்னென்ற விலை அதிகரிப்புகள், உயரிய வட்டி வீதங்கள், மாறுபடும் செலாவணி வீதங்கள், குறைவான பண்ட விலைகள், வர்த்தகப் பாதுகாப்பு முறை என்பவற்றின் மத்தியில் அடையப்பெற்றனவாகும்.

நாம் பெற்ற அரிய சாதனைகள், 1977 ஆம் ஆண்டுக்கு முந்திய காலத்தில் இடம்பெற்றிருந்த கட்டுப்பாடுகளையும் பூட்டைகளையும் கைவிட்டு, 1977 இல் நாம் ஆரம்பித்துப் புகுந்திய சரியான பொருளாதாரப் பூட்டைகளின் விளைவாகும். இதன் மூலம் பொருளாதாரம், நிதி என்பன சார்ந்த பெருங்கேட்டையும், பட்டினி நிலைமையையும் நாம் முற்றாகத் தவிர்த்துள்ளோம்.

நாம் மட்டுமன்றி உலகம் எங்கணுமுள்ள அரசியற் கட்சிகளுமே அணுவாயுத சக்தியில் ஏற்பட்டுள்ள நவீன அபிவிருத்திகளினதும் தொழினுட்பவியல் சார்ந்த கண்டுபிடிப்புகளினதும் பின்னணியில் தங்களுடைய யூக்கைளை மறு பரிசீலனை செய்து வருகின்றன.

பிரெஞ்சு சமவுடைமை அரசாங்கம் சமவுடைமைக் கல்வி முறைமையைப் புகுத்தும் முயற்சியைக் கைவிட்டதுடன், தேசியமய மாக்கும் கொள்கையையும் நிறுத்திவைத்துள்ளது. இலாபற் சம்பாதிக்கும் முறைக்கு இனி எவ்விதத் தடையுமில்லை. செல்வத்தையும் வேலை வாய்ப்பையும் உருவாக்கும் தனியார் தொழில் நிறுவனங்களும், சமவுடைமையல்லாத வரி விதிப்பினால் முதலீடும் ஊக்குவிக்கப்படுகின்றன.

பொதுவுடைமை நாடாகிய சீனா, ஒரே அரசாங்கத்தின் கீழ் இரண்டு முறைமைகளும் இருக்க முடியும் என்று கூறுகிறது. கரையோரப் பகுதியிலுள்ள பல நகரங்களில் சுதந்திர வர்த்தக வலயங்கள் நிறுவப் படுவதற்கு அனுமதிக்கப்பட்டுள்ளது. சர்வதேச பன்னாட்டுத் தொழில் நிறுவனங்கள் சீனாவில் வாழ்கின்ற பல்லாயிரக் கணக்கான மக்களுக்குப் பொருள்களை விற்பனை செய்வதற்காக இவ்வலயங்களிலே பாரிய முதலீடுகளைச் செய்து வருகின்றன. இன்று நிலவுகின்ற நிலைமைகளிலே கடைப்பிடிப்பதற்கு மாக்கின் கோட்பாடுகளுட் சில பொருத்தமற்றவை என்று சீனத் தலைவர்கள் பகிரங்கமாகக் கூறியுள்ளனர்.

கியூபா ஒரு சுதந்திர வர்த்தக வலயத்தைத் தொடக்கி வைத்துள்ளது. வலயம் தொடர்பான அந்நாட்டின் யூக்கைகள் நமது யூக்கைளைப் பெரிதும் ஒத்தவை.

1977 ஆம் ஆண்டு தொட்டு எமது அரசாங்கம் பல புதிய யூக்கைளைப் பின்பற்றி வந்துள்ளது. வருங்காலத்தில் நமது நாட்டுக்கும், நாட்டு மக்களுக்கும், நம்மிடமுள்ள வளவருவாய்களுக்கும் பொருத்தமான இவ்வாறான புதிய யூக்கைகளை நாம் கவனத்திற்கெடுக்க வேண்டும்.

!நீ. லங்கா சுதந்திரக் கட்சி ஆதரவில் எகெலியகொடை தொகுதிக்குப் போட்டியிட்ட அபேட்சகர் 1983 மே மாதம் நடைபெற்ற இடைத்தேர்தலின்போது வெளியிட்ட தேர்தல் விஞ்ஞாபனத்திற் பின்பரும் வாசகங்கள் காணப்படுகின்றன :

- “(அ) பயங்கரவாதத் தடுப்புச் சட்டம் போன்ற ஒடுக்குமுறை ஏற்பாடுகள் இந்த நோக்கத்தை அடையமுடியாமல் புகுத்தப்பட்டுள்ளன.
- (ஆ) நிருணயிக்கப்பட்ட தேதிக்கு முன்னர், 1983 இல் பாராளுமன்றத்தைக் கலைத்து ஒரு பொதுத் தேர்தலை நடத்துவதற்கான போராட்டம்.
- (இ) ஒரு பாராளுமன்ற உறுப்பினர் என்ற வகையில் அவருக்குள்ள அதிகாரத்தையும் சக்தியையும் கொண்டு, மேற்கூறப்பட்ட போராட்டத்தை வடக்கிலுள்ள விடுதலை இயக்கங்களுடன் ஒன்றிணைத்து, ஒரு பரந்த, பாராளுமன்ற முறைக்குப் புறம்பான மக்கள் இயக்கத்தைத் திரட்டுவதற்கான ஒரு நிலையில் அவர் இருப்பார்.”

!நீ. ல.ச.க. ஆதரவுபெற்ற அபேட்சகர் 1983 மே மாதம் எகெலியகொடையில் தோற்கடிக்கப்பட்டார்.

1983 யூலை 23 ஆந் தேதி யாழ்ப்பாணக் குடாநாட்டில் பதின்மூன்று சிங்கள படைவீரர்கள் குண்டி வெடிப்பினால் கொல்லப்பட்டனர். ஆடுத்த நாளில், அதாவது கொழும்பில் அவர்களுக்கான ஈமக்கிரியைகள் நடைபெற்ற நாளில் கொழும்பில் கலகங்கள் விளைந்தன. யூலைச் சம்பவங்கள் உலகம் முழுவதும் இலங்கையின் பெயருக்கு இழுக்கை ஏற்படுத்தியதுடன், வன்முறையாலும், இன, சமய வேறுபாட்டை உருவாக்குவதாலும், பயங்கரவாதம், அதுபோன்ற ஏனைய முறைகளைக் கையாள்வதாலும், தெரிவுசெய்யப்பட்ட ஓர் அரசாங்கத்தை வீழ்த்துவதற்கு வடக்கிலும் தெற்கிலும் உள்ளவர்கள் ஒன்றுசேர்ந்து முயன்றனர் என்பதனையும் எடுத்துக்காட்டின.

ஆறு ஆண்டுக் காலப்பகுதியிலே தேர்தற்றெடுதிகளுக்குச் செய்ப்பட்ட பின்வரும் வேண்டுகோள்களின் விளைவாக, அரசாங்கக் கட்சியான ஐக்கிய தேசியக் கட்சியானது உள்ளூராட்சித் தேர்தல்களிலும், மாநகர சபைத் தேர்தல்களிலும், மாவட்ட அபிவிருத்திச் சபைத் தேர்தல்களிலும், இடைத் தேர்தல்களிலும், சனாதிபதித் தேர்தலிலும், 1982 ஒக்டோபர்/நவம்பர் மாதம் நடைபெற்ற மக்கள் வாக்கெடுப்பிலும், 1984 செப்டம்பரில் மின்னேரியா, குண்டசாலை தேர்தற்றெடுதிகளில் நடைபெற்ற இடைத் தேர்தல்களிலும் வெற்றிகளை ஈட்டியது.

சனாதிபதி 1983 பெப்ரவரியிலிருந்து 1989 பெப்ரவரி வரையில் பதவிவகிக்க முடியும் என்பதையும், பாராளுமன்றம் 1989 யூலை/ஒகத்து வரையில் தொழிற்பட முடியும் என்பதையும் சனாதிபதி தேர்தலினதும் மக்கள் வாக்கெடுப்பினதும் பெறுபேறுகள் எடுத்துக்காட்டின.

இது காரணமாக, அரசியல் அதிகாரத்தை அனுபவிப்பதற்கு ஆவலாயிருப்போர், தேர்தல்கள் மூலமாகவன்றி சுலபமான வழிவகைகள் மூலம் தங்களுடைய ஆவலை வினாவாகப் பூர்த்தி செய்துகொள்ள நினைத்திருக்கலாம்.

இடைத்தேர்தல்கள் திருகோணமலை, பட்டிநுப்பு, மகியங்களை, முல்கிரிகலை ஆகிய தொகுதிகளிலுள்ள வெற்றிடங்களுக்கு விரைவில் நடைபெறும். வடக்கு மாகாணத்தில் இவ்வாறான இடைத்தேர்தல்கள் நடத்தும் சாத்தியம் பற்றி ஆராயப்பட்டு வருகின்றது.

கௌரவ பாராளுமன்ற உறுப்பினர்கள் தங்களுடைய சொந்த வாக்குகளாலோ அன்றி எவருடைய கட்டினையினாலோ அல்லாமல், மக்கள் வாக்கெடுப்பு ஒன்றிற் கிடைத்த பெரும்பாலான வாக்குகளின் பயனாக உறுப்பினர்களாகத் தொழிற்படுகிறார்கள் என்பதையும், போதனை செய்வது ஒன்று நடைமுறையிற் செய்வது வேறொன்று என்று இருப்போரைத் திருப்தி செய்வதற்காகப் பாராளுமன்றத்தைக் கலைத்து தேர்தல்களை நடத்தி மக்களுடைய விருப்பத்திற்கு மாறாக நான் நடக்க மாட்டேன் என்பதையும் கௌரவ உறுப்பினர்கள் உறுதிப்படுத்திக் கொள்ளலாம்.

1984 சனவரியில் ஆரம்பித்த அனைத்துக்கட்சி மாநாட்டின் நடவடிக்கைகளை கௌரவ உறுப்பினர்கள் அறிந்துள்ளனர்.

1984 டிசெம்பர் 21 ஆந் தேதி வெள்ளிக்கிழமை நடைபெற்ற முழுமொத்தமான கூட்டத் தொடரின் கடைசிக் கூட்டம் வரையிலான மாநாட்டு உத்தியோகபூர்வமான நடவடிக்கைகள் தொடர்பான சம்பந்தப்பட்ட எல்லா ஆவணங்களையும் பற்றி உறுப்பினர்கள் அறிந்து கொள்வதற்காக நான் உங்கள் முன் வைக்கின்றேன்.

1984 டிசெம்பர் 14 ஆந் தேதி வெள்ளிக்கிழமை நடைபெற்ற அனைத்துக் கட்சி மாநாட்டின் முழு நிறைவான கூட்டத்தொடரிலே, அனைத்துக்கட்சி மாநாட்டின் தவிசாளர் எனும் வகையில், பிரேரணைகளை விளக்கும் ஓர் அறிக்கையை நான் செய்தேன். இவை பின்வரும் தாபனங்களுடனும் கூட்டத்தாருடனும் கலந்துரையாடல்கள் செய்ததன் விளைவாக எழுந்தவையாகும்: அனைத்துக் கட்சி மாநாட்டுக் கூட்டங்கள், பேராளர் குழுக்களின் தலைவர்களுடைய கூட்டங்கள், அங்கீகரிக்கப்பட்ட அரசியற் கட்சிகள், மாநாட்டுக்கு உதவிய வழக்கறிஞர்கள், அமைச்சர்களுடன் நடத்திய தனிப்பட்ட முறையான கலந்துரையாடல்கள் ஆகியன. அனைத்துக்கட்சி மாநாட்டிலடங்கிய பேராளர் குழுக்களுட் பெரும்பாலானவர்களின் கருத்துக்களைப் பிரதிநிதித்துவப்படுத்தும் வகையில் இப்பிரேரணைகள் சட்டவரைய வடிவத்தில் அமைக்கப்பட்டு, கூட்டத் தொடரில் முன்வைக்கப்பட்டதுடன், பேராளர் குழுக்களின் “ஆழ்ந்த கவனமுள்ள ஆராய்ச்சியுடைய கவனத்திற்கும்” ஒப்படைக்கப்பட்டன. 1984 டிசெம்பர் 14 ஆந் தேதி நான் செய்த அறிக்கை இவண் முன்வைக்கப்பட்டுள்ளது.*

அனைத்துக்கட்சி மாநாட்டின் முழுநிறைவான கூட்டத்தொடர் 1984 டிசெம்பர் 21 ஆந் தேதி வெள்ளிக்கிழமை நடைபெற்றபோது, பேராளர் குழுக்களின் வேலை முடிவடைந்து விட்டது என்று நான்

*உரையினிற்றுவில் தாப்பட்டுள்ளது.

அக்குழுக்களுக்குத் தெரிவித்தேன். மாநாடு ஈடுபட்டிருந்த கரும்புத் தோட்பாளர் கடின உழைப்பு, ஆழ்ந்த ஆராய்வு ஆகியவை அனைத்தும் குறைந்தபட்சம் நாட்டில் ஓரளவு அமைதியும், ஐக்கியமும், உறுதிநிலைப்படும் ஏற்படுவதற்கு உதவும் என்று நான் நம்பிக்கை கொண்டிருந்தேன்.

மாநாட்டுக்கு நான் இந்த அறிவிப்பைச் செய்தபோது கூட்டத்தொடருக்குச் சமூகமளித்திருந்த எல்லா பேராளர் குழுக்களின் தலைவர்களும் இதுபற்றிய தகவல்களைப் பெற்று, எனது முடிவுக்கு உடன்பட்டனர். நான் மேற்கொண்ட நடவடிக்கை பற்றி அவர்களும் எவருமே மறுப்புத் தெரிவிக்கவில்லை.

விடயங்கள், தொழிற்பாடுகள் என்பவற்றைப் பன்முகப் படுத்தல் தொடர்பாகக் கிடைக்கக்கூடிய சம்பந்தப்பட்ட பொருள் அம்சங்கள் பேராளர் குழுக்களுக்கு வழங்கப்பட்டன. அவர்களுடைய கருத்துக்களை இயலுமான அளவுக்குச் சீக்கிரமாக எழுத்தில் எனக்கு அறியத்தரும்படி அவர்கள் கேட்டுக்கொள்ளப்பட்டனர்.

இறுதியாக நோக்குமிடத்து, அரசாங்கம் முடிவு ஒன்றைச் செய்து, பாராளுமன்றத்தில் அவசியமான சட்டவாக்கத்தை புகுத்த வேண்டியதாக இருக்கும். (சிலோன் டெய்லி நியூஸ், 1984 டிசெம்பர் 22 ஆந் தேதி—இவண் முன்வைக்கப்பட்டுள்ளது.)*

பிரேரணைகள் அரசாங்க வர்த்தமானியிற் பிரசுரிக்கப்பட்டு, உயர்நீதிமன்றத்தினால் பரிசீலனை செய்யப்பட வேண்டியிருக்கும் என்றும், உயர்நீதிமன்றமோ நானே முடிவு செய்தவாறு, மக்கள் தீர்ப்பு ஒன்றையோ ஒரு பொதுத் தேர்தலையோ இப்பிரேரணைகள் பற்றி நடத்துவது சிலவேளை அவசியமாகவும் இருக்கலாம் என்றும் நான் மேலும் கூறினேன்.

கூட்டத்தொடரின் இறுதியில் மாநாட்டுப் பேச்சாளரும் தேசிய பந்தோபஸ்து அமைச்சருமான திரு. லலித் அத்துலத்முதலி பத்திரிகைகளுக்குப் பின்வரும் அறிக்கையை விடுத்தார்: “மாநாடு முடிவடைந்தது என்பது, கட்சிகள் பேச்சுவார்த்தைகளை நிறுத்திக்கொள்ளும் என்ற பொருளைத்தராது தனிப்பட்ட முறையான பேச்சுப் பரிவர்த்தனைகளும் பொதுக் கலந்துரையாடல்களும் தொடர்ந்து நடைபெறும்.” (சிலோன் டெய்லி நியூஸ், 1984 டிசெம்பர் 22 ஆந் தேதி—இவண் முன்வைக்கப்பட்டுள்ளது.)*

தமிழர் ஐக்கிய விடுதலை முன்னணி (த.ஐ.வி.மு) தலைவர்களையும் ஏனைய பேராளர் குழுக்களின் சில தலைவர்களையும் 1985 சனவரியில் மீண்டும் சந்தித்துப் பேசுவதற்கு நாம் சம்மதித்து, இந்த நோக்கத்திற்காகப் பல நாட்களை ஒதுக்கி வைத்திருந்தேன்.

இதனிடையில், 1984 டிசெம்பர் 19 ஆந் தேதி புதன்மீழமை நடைபெற்ற அமைச்சரவைக் கூட்டத்தில் அனைத்துக் கட்சி மாநாட்டுப் பிரேரணைகளைக் கலந்துரையாடலுக்காக நான் முன்வைத்தேன். இவை, டிசெம்பர் 26 ஆந் தேதி புதன்மீழமையன்று கலந்துரையாடலுக்காகப் பின்போடப்பட்டன. டிசெம்பர் 19 ஆந் தேதி காலையில் நடைபெற்ற அமைச்சரவைக் கூட்டத்திலேயே அப் பிரேரணைகள் முன் வைக்கப்பட்டமையால், அமைச்சரவை உறுப்பினர்கள் அவைபற்றி ஆராய்வதற்குக் காலம் போதுமானதாக இருக்கவில்லை என்பதே இதற்குக் காரணமாகும்.

டிசெம்பர் 22 ஆந் தேதி சனிக்கிழமை பிற்பகலில் புலத்திங்கள தேர்தற்செருதியிலே தொகுக் கூட்டம் ஒன்றில் உரை நிகழ்த்திய போது, இப்பிரேரணைகளைப் பற்றி பொது மக்களுக்கு விளக்கி கூறியதுடன், அவை இப்பொழுது ஆராய்வுக்காக முன்வைக்கப்பட்டுள்ளன என்றும் நான் கூறினேன். (1984 டிசெம்பர் 23 ஆந் தேதி. சண்டே ஒப்பீசேர்வர்—முன்வைக்கப்பட்டுள்ளது.)*

எனவே, டிசெம்பர் 23 ஆந் தேதி ஞாயிற்றுக்கிழமை “வீக்என்ட்” பத்திரிகையிலும், டிசெம்பர் 24 ஆந் தேதி திங்கட்கிழமை “சிலோன் டெய்லி நியூஸ்” பத்திரிகையிலும் வெளிவந்த த.ஐ.வி.மு தலைவரான திரு. அ. அமிர்தலிங்கத்தின் அறிக்கையில், இப் பிரேரணைகள் தமிழ் மக்களால்

முற்றாக ஏற்றுக் கொள்ளப்படக் கூடியவையல்ல என்று குறிப்பிட்டிருந்ததை வாசித்து, நான் ஆச்சரியமடைந்தேன். (1984 டிசெம்பர் 23 ஆந் தேதி ஞாயிற்றுக்கிழமை “வீக்என்ட்”, 1984 டிசெம்பர் 24 ஆந் தேதி சிலோன் டெய்லி நியூஸ்—இவண் முன்வைக்கப்பட்டுள்ளது.)*

எனவே, பிரேரணைகளைப் பற்றி மேலும் கலந்துரையாடுவதால் பயன் எதுவுமில்லை என்று த.ஐ.வி.மு கூறியுள்ளதால், அவைபற்றிக் கலந்துரையாடுவதாலோ அவைபற்றி ஒரு முடிவைச் செய்வதாலோ எப்பிரயோசனமும் ஏற்படாது என்றும், அதனால் அரசாங்கம் இப் பிரேரணைகளை அமுலாக்காது என்றும் 1984 டிசெம்பர் 26 ஆந் தேதி புதன்மீழமை நடைபெற்ற அமைச்சரவைக் கூட்டத்தில் முடிவு செய்யப்பட்டது. (1984 டிசெம்பர் 27 ஆந் தேதி வியாழக்கிழமை. சிலோன் டெய்லி நியூஸ்—இவண் முன்வைக்கப்பட்டது.)*

ஸ்ரீ.ல.ச.க. உட்பட்ட, 1983 டிசெம்பர் மாதம் அனைத்துக்கட்சி மாநாட்டுக்குச் சமூகமளிக்குமாறு அழைக்கப்பட்ட கட்சிகளின் வேண்டுகோளின் பேரிலேயே த.ஐ.வி முன்னணியை மாநாட்டிற் பங்குபற்றமாறு நான் அழைத்தேன். எனினும், அதனையடுத்து சீக்கிரமாக ஸ்ரீ.ல.ச.க. மாநாட்டைவிட்டு வெளியேறியது.

வடக்கு, கிழக்கு மாகாணங்களிலே வெற்றிடங்களுக்கும் மாவட்ட சபைகளுக்கும் அரசாங்கம் தேர்தல்களை நடத்துவதற்கு முன்வந்துள்ளது. அங்குள்ள மக்கள் ஐக்கிய இலங்கையை ஏற்றுக்கொள்வார்கள் என்பதால், அங்குள்ள வாக்காளர்களின் கஷ்டங்களைப் பற்றி அவர்களுடன் பேசுவதும், அரசியல், பொருளாதார சமுதாயத் துறைகளிலுள்ள குறைபாடுகளுக்கு நிவாரணத் தேடுவதும் சாத்தியமாகவிருக்கும்.

பயங்கரவாதம் பற்றி 1984 பெப்ரவரி 23 ஆந் தேதி பாராளுமன்றத்தில் நான் ஆற்றிய உரையின் போது, “இப்பொழுது கூடியுள்ள அனைத்துக்கட்சி மாநாடு அங்கு பிரதிநிதித்துவம் பெற்றுள்ள எல்லாக் கட்சிகளும் ஒன்றாகக் கூடி, பதற்ற நிலையை நீக்குவதற்கும் பிரச்சனைகளைத் தீர்ப்பதற்குமான வழிவகைகள் பற்றி அமைதியான முறையில் கலந்துரையாடுவதற்கு ஒரு வாய்ப்பை வழங்குகின்றது” என்று நான் கூறினேன்.

பயங்கரவாதிகளின் இயக்கம் உடன்பாட்டுக்கு வருவதைக் கடினமாக்கியுள்ளதாக நான் உரைகின்றேன். அவர்கள் ஒரு தீர்வினை விரும்புகிறார்களா என்பது பற்றி எனக்கு ஐயப்பாடுண்டு. ஒரு தீர்வு ஏற்பட்டால் பயங்கரவாதம் அழிந்துவிடும் என்று சிலர் நினைக்கிறார்கள். பயங்கரவாதம் முதலாவதாக அழிக்கப்பட்டாலன்றி எந்த ஒரு தீர்வும் ஏற்படுவது சாத்தியமில்லை என்று ஏனையோர் நினைக்கிறார்கள்.

இவற்றுள் கடைசியானதே சரியானது என்று நான் கருதுகின்றேன். 1983 யூலை தொடக்கம் 1985 சனவரி 15 ஆந் தேதி ஈரூக கொலையுண்ணப்பட்ட ஆயுதப்படையினரதும் பொலிசுப் படையினரதும் எண்ணிக்கை 139 ஆகும்; குடிமக்களின் எண்ணிக்கையோ 339 ஆகும்.

எந்த நோக்கத்திற்காக இந்த மனிதக் கொலைகள் தொடர்ந்து நடைபெறுகின்றன ?

வடக்கிலும் கிழக்கிலும் வாழுகின்ற தமிழர்களின் உரிமைகளைப் பேணிக்காப்பதற்காகத் தனிநாடு அல்லது ஈழம் கோரும் அரசியல் இயக்கத்தின் படைப் பிரிவினராக இயங்கிய பயங்கரவாதிகள், பின்னர் அரசாங்கத்தைக் கவிழ்ப்பதற்குக் கங்கணங்கட்டியுள்ள கிளர்ச்சிக்காரராகத் தங்களை வெளிப்படுத்திக் கொண்டனர். இப்பொழுது அவர்களுடைய படைக்கலச்சாலையிற் கண்டுபிடிக்கப்பட்ட பல்வகைப் படைக்கலங்களிலிருந்து, அவர்கள் போர் புரிவதற்குத் தயாராகவும் தளபாடங்களைச் சேகரித்து வைத்திருப்பவர்களாகவும் இருக்கிறார்கள் என்பதும், வடக்கிலும் கிழக்கிலும் மட்டுமன்றி நாடெங்கணுமே சனநாயக முறையில் முறையாகத் தெரிவுசெய்யப்பட்ட அரசாங்கத்திற்கு எதிராக அவர்கள் போரிட்டு வருகிறார்கள் என்பதும் தெளிவாகின்றது.

*உரையினிழையில் தரப்பட்டுள்ளது.

*உரையினிழையில் தரப்பட்டுள்ளது.

இலங்கையிலே செயற்படும் பயங்கரவாதிகள் இந்தியாவில் அமைந்துள்ள பயிற்சி முகாம்களில் பயிற்சிபெற்று வருகிறார்கள் என்பதற்குச் சான்றுண்டு என்பது பற்றி இலங்கை அரசாங்கம் பல தடவைகளில் இந்திய அரசாங்கத்திற்கு முறைப்பாடுகள் செய்துள்ளது. அன்றியும், இந்த இயக்கத்தின் தலைவர்கள் இந்தியாவில் வாழ்ந்து, ஆங்கே சந்தித்து, சட்டவிரோதமான இந்நடவடிக்கைகளை இந்தியாவிலே செய்துவருகிறார்கள் என்றும் நாம் முறைப்பாடு செய்துள்ளோம்.

இப்பொழுது அரசாங்கம் மட்டுமன்றி, இலங்கையிலுள்ள அனைத்து அரசியற் கட்சிகளும் தலைவர்களும் இந்தக் கருத்துடன் உடன்பாடுடையவர்களாக இருக்கிறார்கள்.

பயங்கரவாதிகள் இந்தியாவிலுள்ள பயிற்சி முகாம்களிலே பயிற்சி பெறுகிறார்கள் என்பதையும், அவர்கள் அங்கிருந்து செயற்படுகிறார்கள் என்பதையும் இலங்கைக்கு ஆயுதங்களுடன் கடலைக் கடந்து வருகிறார்கள் என்பதையும் இந்திய அரசாங்கம் மறுத்துள்ளது. இந்திய மண்ணிலிருந்து பயங்கரவாதிகள் இலங்கைக்கு ஊடுருவல் செய்வதைத் தடுப்பதற்காக கூட்டுக்காவல் வலயம் ஒன்றை நிறுவவதற்கு நாம் யோசனை கூறியுள்ளோம். இந்தக் காவல் வலயம் இலங்கையிலிருந்து அகதிகள் இந்தியாவுக்குச் செல்வதையும் தடுக்கக்கூடியதாக இருக்க முடியும். இதற்கு இந்தியா ஏன் ஆட்சேபனை செய்ய வேண்டும்?

பயங்கரவாதிகள் தாக்கிவிட்டு ஓடி ஒழியும் உபாயங்கள் விரைவில் மாற்றியமைக்கப்படவிருப்பதாக வாய்ப்புலமாகவும் எழுத்து மூலமாகவும் எமக்குத் தகவல்கள் கிடைத்துள்ளன. குறைந்தபட்சம் பயங்கரவாதிகளுள் மூன்று பிரிவினரேனும் ஐக்கியப்பட்டு, ஒரு பொதுவான இராணுவப் போர் முறைத் தந்திரத்தைப் பின்பற்றுவதற்குச் சம்மதித்துள்ளனர். இதன்மூலம், அவர்களுக்குப் போதுமான அளவில் பயிற்சிபெற்ற ஆட்களும் ஆயுதங்களும் கிடைத்தவுடன், அவர்கள் இலங்கை இராணுவத்துடன் நேருக்கு நேராகப் போர் புரியக்கூடியவர்களாக இருப்பர்.

இறுதியானதும், ஒரு தீர்க்கமான போர் என்று அவர்கள் நம்புவதுமான ஒரு போராட்டத்திற்கான ஆயத்தங்கள் இப்பொழுது செய்யப்பட்டு வருகின்றன.

ஒரு பொதுவான செயற்றிட்டத்தின் கீழ் இலங்கைத் தமிழ்ப் பயங்கரவாதிகள் பிரிவினரை ஒன்றுபடுத்துவதற்கான முயற்சிகளுக்கு, தென்னிந்தியாவில் அதிகார நிலைகளிலுள்ளோருட் சிலர் ஊக்கமுள்ள பொறுப்பு வகிக்கிறார்கள் என்பதற்கு ஆவணச் சான்று இருக்கின்றது.

மேலும், இந்திய மத்திய அரசாங்கமும் தமிழ்நாட்டு மாநில அரசாங்கமும் இப்பொழுது அவற்றின் நல்வாழ்த்துக்களைத் தங்களுக்கு நல்கிக் கொண்டிருப்பதாக பயங்கரவாதத் தலைவர்கள் கூறியுள்ளனர். (தமிழ் நாட்டில் 1984 யூன் 28 ஆம் தேதி நடைபெற்ற ஈ.பி.ஆர்.எல்.எப். பிரிவினரின் முதலாவது பேரவையை நோக்குக.)

இப்பிரிவுகளுக்கும் உலகப் பெரும் பயங்கரவாத நிறுவனங்களுக்குமிடையே தொடர்புகள் இருக்கின்றன என்பதற்கும் சான்றுண்டு. இந் நிறுவனங்கள் பயிற்சியளிப்பதிலும், ஆயுதங்களைப் பரிவர்த்தனை செய்வதிலும், தாபனரீதியில் உதவி வழங்குவதிலும், புகளிடம் கொடுப்பதிலும் ஒத்துழைப்பை நல்குகின்றன. தனியாதிக்கவாதிகளின் அரசாங்கங்களுடைய துணையுடன், சர்வதேச பயங்கரவாத நிறுவனங்கள் உலகின் சுதந்திர நாடுகளுக்கு எதிராகத் தங்களுடைய வன்செயல்களை முடுக்கிவிடுகின்றன. பயங்கரவாதிகளின் செயல்முறை மேன்மேலும் நவீனமுறைக்குரியதாகவும் ஒன்றிலொன்று சார்ந்திருப்பதாகவும் அமையும்போது, அவர்கள் போராடுவதற்காகக் கூறும் காரணங்கள் மங்கிவிடும் போக்குடையனவாகின்றன.

நாம் அனைவரும் சர்வதேச பயங்கரவாதத்தினாலே பாதிக்கப் பட்டுள்ளோம். நாம் அனைவரும் நோடியாகவோ மறையுமாகவோ அதனால் அச்சுறுத்தப்பட்டுள்ளோம். சனநாயக நாடுகளிலுள்ள தலைவர்களும் பிரசைகளும் கடத்திச் செல்லப்படுவதால் அல்லது கொலை செய்யப் படுவதால் நாம் நோடியாக அச்சுறுத்தப்படுகிறோம். சர்வதேச

பயங்கரவாதத்தின் விளைவுகள் மிகத் தீங்கானவை என்பதால் நாம் மறையுமாக அச்சுறுத்தப்படுகிறோம்: ஏனெனில் இந்த அச்சுறுத்தல் எமது வாழ்க்கை முறையைப் பாதிப்பதொன்றாகும். சனநாயகத்தின் உயிர்க்குருதி தாக்கப்படுகின்றது; பாராளுமன்ற நடைமுறை, கருத்து வெளிப்படுத்தும் சுதந்திரம் என்பன பாதிக்கப்படுகின்றன. வியாபார சுதந்திரம், போக்குவரத்து சுதந்திரம் ஆகியவை பகிஷ்கரிப்பு, அச்சுறுத்திப் பணம் பறித்தல், எதிர்பாராத தாக்குதல் ஏற்படும் எனும் ஓயாத அச்சம் என்பவற்றால் பாதிப்படைகின்றன.

நமது நாட்டின் அபிவிருத்திக்கு, கல்விக்கு, ஆராய்ச்சிக்கு, சுகாதாரத்திற்கு, பொதுநலனுக்குத் தேவையான ஏராளமான வளவருவாய்களை, நாடெங்கணுமுள்ள குடிமக்களின் மேலான பாதுகாப்புக்காகச் செலவிட வேண்டியுள்ளது. விமானப் போக்குவரத்து, அரசாங்கக் கட்டடங்கள், வழிபாட்டுத்தலங்கள், தூதரகங்கள், சர்வதேச நிறுவனங்களின் தலைமை அலுவலகங்கள், பாடசாலைகள், அஞ்சல், போக்குவரத்து ஆகியவற்றுக்குப் பாதுகாப்பு வழங்கப்பட வேண்டியுள்ளது. இவை யாவும் சர்வதேச பயங்கரவாதிகளுக்கு எதிராக எங்களை பாதுகாத்துக்கொள்வதற்கேயாம். ஆனால், தனி மனிதனின் சுதந்திரத்தை உறுதிப்படுத்தும் வேளையில் பயங்கரவாதத்திற்கு எதிராகப் பாதுகாப்பளிப்பது மிகவும் கடினமாகும். சனநாயகம் கட்டியெழுப்பப்பட்டுள்ள நமது நம்பிக்கைகளைத்தானே விட்டுக்கொடுத்து ஒத்துமேவல் செய்யும் காலம் விரைவில் ஏற்படலாம். இவ்வாறான ஒரு நிலைமையை உருவாக்குவதன் மூலம் சர்வதேச பயங்கரவாதம் சனநாயக சமூகங்களின் தார்பீக பலத்திற்குத் தீங்கழைப்பதுடன் அறையுடைய விடுக்கவும் செய்கின்றது.

இலங்கையின் எல்லைகளாக பகுத்தித்துறையும் தெவினுவரவும் வடக்கிலும் தெற்கிலும், மட்டக்களப்பும் கொழும்பும் கிழக்கிலும் மேற்கிலும் முறையே அமைந்துள்ளன. பயங்கரவாதிகள் தமிழீழம் என்று தங்களால் அழைக்கப்படும் அரசின் எல்லைகளை அடையும்வரை இலங்கையின் பகுதிகளில் ஊடுருவல் செய்வதற்கு முயற்சி செய்து கொண்டு இருக்கிறார்கள். எல்லைகளை நாம் சென்றடையாவிட்டால், அந்த எல்லைகள் எமக்குக் குறுகிவிடும். அவர்கள் வெற்றி பெறுவதற்கு முன்னர் நாம் செயற்படுவதற்கு எண்ணியுள்ளோம்.

பயங்கரவாதத்தை எதிர்த்து நாம் போரிட்டு, எமது முழு சத்தியமையும் கொண்டு அதனைத் தோற்கடிக்க வேண்டும். இதனைச் செய்வதற்காக அபிவிருத்திக்கும், சமுதாய பொருளாதார பொது நலத்திட்டங்களுக்கும் பாதிப்பை ஏற்படுத்தும் வகையிலே நாம் நம்மை ஆயத்தமாக்கிக்கொள்ள வேண்டியிருக்கின்றது. அவ்வாறு செய்வதற்கு நாம் ஒற்றுமைப்பட்டு முடிவு செய்வோம். இக்கருமத்தை மேற்கொள்வதற்காக நாம் ஒரே நாட்டினமாகவும் ஒரே மக்களாகவும் ஒன்றுகூடுவோம்.

நமது நாட்டின் இறைமையுடைய சட்டப் பேரவையாகவுள்ள இந்தப் பாராளுமன்றத்தின் மேலாண்மை பற்றிய எளது ஒப்படைையை உறுதிப்படுத்திக்கொண்டு எனது உரையை முடித்துக்கொள்ள விரும்புகின்றேன்.

இந்த நாட்டின் அமைதியானதும் அரசியலமைப்பு சார்ந்ததுமான எதிர்காலத்தின் இறுதியான நடுநிலைத் தீர்ப்பாளர் மக்களும், எல்லா தேசிய இனங்களையும் சமயங்களையும் சேர்ந்த ஆணைகவோ பெண்ணைகவோ, செல்வராகவோ வறியவராகவோ இருக்கின்றவர்களான வாக்காளர்களும், இந்த மேதகு பேரவையில் அமர்ந்துள்ள அவர்களுடைய பிரதிநிதிகளுமே ஆவர் என்பதை நான் வலியுறுத்திக்கூற விரும்புகின்றேன். வேறு வரையாளும் தனிப்பட்ட முறையிலோ கூட்டாகச் சேர்ந்தோ இந்த இடத்தை அபகரிக்க முடியாது அல்லது அவர்கள் அவ்வாறு செய்வதற்கு அனுமதிக்கப்படவும் மாட்டார்கள். அவர்கள் பகிரங்கமாகவோ தனிப்பட்ட முறையிலோ வாதிடலாம். பேசுவோ எழுதவோ செய்யலாம். ஒரு சனநாயக நாட்டில் அரசாங்கப் பிரேரணைகளுக்கு மாறாக சட்டமுறையான எல்லா எதிர்ப்பு முறைகளையும் மேற்கொள்ளலாம். அவ்வளவே செய்யலாமன்றி, அதற்கு மேற் செய்ய முடியாது. நானும் எனது அரசாங்கத்தின் உறுப்பினர்களும், நான் நிச்சயமாக நம்புகிறவாறு இந்தப் பாராளுமன்றத்தின் உறுப்பினர் ஒவ்வொருவருமே இந்தக் கருத்தை ஆதரிக்கிறார்கள்.

ANNEXURE "A"-1

PRESS RELEASE

Visit to Sri Lanka of His Excellency Narasimha Rao,
Foreign Minister of India - 29th July, 1983

In response to a suggestion made by Shri Atal Bihari Vajpayee, Prime Minister of India, to His Excellency J. R. Jayewardene, President of Sri Lanka, which was accepted by him, His Excellency Narasimha Rao, Foreign Minister of India, visited Sri Lanka on 28th July.



3. He had cordial discussions with the President, the Prime Minister and other Ministers of Sri Lanka. The Indian Foreign Minister conveyed to His Excellency Jayewardene, President of Sri Lanka, Prime Minister of India Gandhi's readiness to assist Sri Lanka in whatever way the Government of Sri Lanka wished in the past. Foreign Minister A. C. S. Hammed was associated with His Excellency Narasimha Rao at the discussions.

ANNEXURES

ANNEXURE "A" - **Press Communiques, releases, interviews etc. 1, 2, 3, 4 (1), 4 (2), 5.**

ANNEXURE "B" - **Matters that have been suggested for the formulation of an agenda by the All Party Conference.**

4. At the conclusion of the visit, the two Foreign Ministers reiterated the desire of their respective countries to maintain their close and traditional ties of friendship.

ANNEXURE "A"-1

PRESS RELEASE**Visit to Sri Lanka of His Excellency Narasimha Rao,
Foreign Minister of India-29th July, 1983**

In response to a suggestion made by Shrimati Indira Gandhi, Prime Minister of India, to His Excellency J. R. Jayewardene, President of Sri Lanka, which was accepted by him, His Excellency Narasimha Rao, Foreign Minister of India, visited Sri Lanka on 28th July.

2. He had cordial discussions with His Excellency the President with whom he exchanged views on the prevailing situation in Sri Lanka. The Indian Foreign Minister conveyed to His Excellency the President of Sri Lanka, Prime Minister Indira Gandhi's readiness to assist Sri Lanka in whatever way the Government of Sri Lanka wished in the present situation. Foreign Minister A. C. S. Hameed was associated with His Excellency the President at the discussions.

His Excellency Narasimha Rao called on the Honourable R. Premadasa, Prime Minister, at Temple Trees.

3. The Indian Foreign Minister also met Honourable S. Thondaman, Minister of Rural Industrial Development and President, C. W. C., Honourable Gamini Dissanayake, Minister of Lands and Land Development and Minister of Mahaweli Development and Secretary-General, Lanka Janatha Estate Workers' Union, Honourable C. Rajadurai, Minister of Regional Development and Honourable K. W. Devanayagam, Minister of Home Affairs. His Excellency Narasimha Rao also met the members of the staff of the Indian High Commission in Colombo and Kandy and their families as well as members of the Indian community.

4. At the conclusion of the visit, the two Foreign Ministers reiterated the desire of their respective countries to maintain their close and traditional ties of friendship.

ANNEXURE "A"-2

" INDIA FOR OUR UNITY "

The President's Special Envoy to India, Mr. H. W. Jayewardene, who returned yesterday said, in the course of an interview, that India stands for the integrity, independence and unity of Sri Lanka.

He added that those were the main aspects of the statement issued after his talks with Indian Prime Minister Mrs. Indira Gandhi.

The following is the text of the questions and answers given by Mr. Jayewardene :

Q : You went to India as a special emissary of President J. R. Jayewardene to hold discussions with Indian leaders. What was the nature and extent of the discussions you had with them ?

A : I went to India primarily to meet Indian Prime Minister Indira Gandhi. I started a round of talks with her shortly after noon on Wednesday and a statement that was issued after a second round of talks on Thursday broadly deals with the matters on which there was agreement between us.

Q : Would you mention some of the main aspects of the statement ?

A : India stands for the integrity, independence and unity of Sri Lanka. India did not interfere in the internal affairs of another country. On this basis, the discussions went on and I indicated to Mrs. Gandhi that at the round table conference that turned out to be abortive, the President intended to state that he would take steps to fully implement the laws relating to District Development Councils.

Secondly that the use of Tamil as provided for in the Constitution would be fully implemented. Thirdly, he would initiate a dialogue on the amnesty on condition the violence would be given up.

Fourthly, the discontinuance of the active part the Army played in Jaffna provided again the terrorist violence ends. Finally, the removal of the provisions of the Prevention of Terrorism Act on the undertaking that violence would be given up. The plea for secession would also be given up. I also assured Mrs. Gandhi that the Sri Lanka President is prepared in addition to discuss the question of the release of persons kept in detention who are neither convicted prisoners nor awaiting trial on condition that the demand for secession is abandoned.

The President was also prepared to fully implement the proposals contained in the 1977 UNP manifesto. Mrs. Gandhi told me that perhaps this did not go far enough to meet the aspirations of the Tamil

community. I told her that the President will be prepared to have further discussions of any new proposals provided of course that the unity of Sri Lanka would not in any way be affected. Mrs. Gandhi then offered her good offices to enable a final decision to be reached. I expressed my appreciation of that offer. Having communicated with the President, I told Mrs. Gandhi that he welcomed her offer.

Q : I also understand that the President has invited an all party delegation to visit Sri Lanka. How does India view this proposal ?

A : That question is to be decided by the Lok Sabha in due course. They are due to discuss a statement made by Indian Prime Minister on Tuesday. I am not in a position to say what views would be expressed on this proposal.

Q : I also understand that a Sri Lanka Fund has been set up by the Indian Prime Minister. Have the Indians rallied round this call ?

A : Yes, I think so. We are indeed grateful to the Prime Minister for this generous gesture of hers.

Q : Can you mention about the round table conference ? How soon will it be held ?

A : That is a matter for the President and for the members of the Tamil community, specially the TULF to decide. The decision will be taken within the framework for a United Lanka where there is no question of secession. "

From " Sunday Observer " of 14th August, 1983.

ANNEXURE "A"-3

ANNEXURE "A"-4 (1)

RELEASE FROM PRESIDENTIAL SECRETARIAT

Mr. G. Parathasarathi, the personal envoy of the Prime Minister of India, Mrs. Indira Gandhi, arrived in Sri Lanka on 25th August. His visit was in pursuance to the telephone conversation the Prime Minister of India had with the President of Sri Lanka. Mr. H. W. Jayewardene had earlier visited India as the special envoy of the President to the Prime Minister of India.

2. Mr. Parathasarathi saw His Excellency the President on three occasions.
3. The President briefed the envoy on the measures that his Government had taken since assuming office in July 1977 to resolve the minority problem and also the background to the recent disturbances. He explained that neither the Government nor the people of Sri Lanka would agree to a division of the country.
4. The President thanked the special envoy for assistance that India had sent Sri Lanka for the displaced persons, by sending ships for transporting some of them from Colombo to Jaffna, and giving food, clothing and medicines.
5. The President also explained to the envoy that he proposed to implement fully the scheme of District Development Councils, so that every district would enjoy a measure of autonomy and the people would be able to participate meaningfully in the administration of the district.
6. Mr. Parathasarathi also met Senior Cabinet Ministers, the Leader of the TULF, Mr. A. Amirthalingam, Mrs. Sirimavo Bandaranaike and Dr. Colvin R. de Silva.

ANNEXURE "A"- 4 (1)

ISSUED BY THE PRESIDENTIAL SECRETARIAT

His Excellency the President discussed with the Special Envoy of the Indian Prime Minister, Mr. G. Parathasarathi, proposals regarding amendments to the D.D.C's Law which Mr. Parathasarathi would place before the TULF leaders to enable them to arrive at an acceptable solution to the present problems facing the Tamil Community in Sri Lanka.

Any proposals which are acceptable would be placed before an All-Party Conference in Sri Lanka. The consensus of opinion of the All-Party Conference would itself be considered by the United National Party Executive Committee and presumably by the executive bodies of the other Parties as well, before being placed before Parliament for legislative action.

The proposals would include :

- The giving up of the idea of a separate State.
- The merger of D.D.C. within a Province after acceptance by the Council's Members and a Referendum in the District. This proposal is applicable to the whole Island.
- The recognition of the administration of Trincomalee Port as a Central Government function.

His Excellency expressed the hope that if these proposals are implemented violent activity or support for it will wither away.

10.11.1983

ANNEXURE "A" - 4 (2)

"I have spent three days in Colombo at the invitation of the Sri Lanka Government. As I have mentioned earlier, my visit was part of the continuing process of India's good offices to explore the possibility of reaching a political settlement which would be acceptable to all communities and promote national harmony.

During my last visit in August certain proposals were put forward and these were further considered during this visit.

Intensive discussions were held in a friendly and constructive atmosphere on specific issues of concern. I had five long meetings with His Excellency the President and met the Prime Minister, Foreign Minister and other Cabinet Ministers. I also had discussions with Mr. S. Thondaman, Minister of Rural Industrial Development. I also met several leaders of the Opposition parties.

Positive ideas have emerged in the course of these discussions and tentative proposals have been worked out to provide for greater devolution of powers to the region. These essentially centre on the creation of Regional Councils with appropriate powers within the framework of a united Sri Lanka.

The President's statement mentions the procedure to be adopted. Since the leaders of the TULF were not present in Colombo, I will be discussing these proposals with them on my return to India and will communicate their responses to His Excellency the President when he comes to Delhi for the Commonwealth summit. We are looking forward to his visit. "

From : " Daily News " of Friday 11th November, 1983.

Mr. G. Parthasarathy, the Special Envoy of the Prime Minister of India, has had discussions with the Members of the TULF who are in New Delhi and has obtained their response to the proposals that have emerged as a result of the discussions in Colombo in November. I will first consult all political parties in Sri Lanka on the modalities of summoning an all party conference to discuss these proposals. Once the modalities for the conference are settled, I will communicate to all parties the various proposals that have emerged, so that they will have an opportunity of studying them before participating in the conference. Therefore, I propose to summon a conference of the political parties at which these proposals will be discussed.

ANNEXURE "A" - 5

**PRESS STATEMENT ISSUED BY HIS EXCELLENCY
THE PRESIDENT, J. R. JAYEWARDENE, ON HIS RETURN
FROM NEW DELHI ON 1.12.83**

On my visit to New Delhi to attend the Meeting of the Commonwealth Heads of Government, I had an opportunity to discuss with Her Excellency Shrimati Indira Gandhi, the Prime Minister of India, the problem of Sri Lanka Tamils in Sri Lanka.

2. Before leaving for New Delhi, I had had consultations on this matter with various political leaders in Sri Lanka. The Special Envoy of the Prime Minister of India, Mr. G. Parathasarathi, had also discussed this matter with me during his visits to Sri Lanka and in India.

3. It will be recalled that I had made it clear that I could resume any discussions with the TULF to discuss the possible lines of a solution only if they give up their call for a separate state.

4. I am happy to say that according to available information the TULF is prepared to give up its call for a separate state, if a solution of the Tamil problem that is acceptable to them is worked out.

5. I am also happy to say that the Government of India has stated in clear terms that India is against secession and stands for the independence, integrity and sovereignty of Sri Lanka.

6. Mr. G. Parathasarathi, the Special Envoy of the Prime Minister of India, has had discussions with the Members of the TULF who are in New Delhi and has obtained their response to the proposals that have emerged as a result of the discussions in Colombo in November. I will first consult all political parties in Sri Lanka on the modalities of summoning an all party conference to discuss these proposals. Once the modalities for this conference are settled, I will communicate to all parties the various proposals that have emerged, so that they will have an opportunity of studying them, before participating in the conference. Thereafter, I propose to summon a conference of the political parties at which these proposals will be discussed.

ANNEXURE "B"

**THE FOLLOWING MATTERS HAVE BEEN SUGGESTED
FOR THE FORMULATION OF AN AGENDA BY THE ALL
PARTY CONFERENCE**

1. The giving up of the idea of a separate state.
2. The merger of the District Development Councils within a Province after acceptance by the Councils' members and a Referendum in the District. This proposal would be applicable to the whole Island.
3. Regions that have Regional Councils to establish a convention that the Leader of the Party which commands a majority in a Regional Council would be formally appointed by the President as the Chief Minister of the Region. He will work with a Committee of Members of the Council constituted by him.
4. The President and the Parliament to continue to have overall responsibility for all subjects not transferred to the Region and generally for all other matters relating to the maintenance of the Sovereignty, Integrity, Unity, Security, Progress and Development of the Republic as a whole.
5. The list of subjects to be allocated to the Regions to be worked out in detail. With regard to these subjects the Regional Councils to be empowered to enact laws and exercise executive powers in relation thereto. The Council to have the power to levy taxes, a cess or fees and to raise loans and also to receive grants and allocations from the Central Government.
6. The recognition of the administration of Trincomalee Port as a Central Government function.
7. High Courts to function in each Region while the Supreme Court of Sri Lanka will exercise separate and constitutional jurisdiction.
8. The constitution of a Regional Service of those serving in the Region and those who will be seconded to the Region.
9. Regional Public Service Commissions to be created for recruitment and disciplinary action.
10. The Public Services of Sri Lanka, the Armed Services to reflect the national ethnic composition.

- 11. The Police Services for internal security to reflect the ethnic composition of the Regions.
- 12. A national policy on land settlement to be worked out.
- 13. The Constitution and other laws dealing with the Official Language, Sinhala, and the National Language, Tamil, be accepted and implemented as well as similar laws dealing with the National Flag and Anthem.
- 14. United opposition to the use of violence (terrorism) to attain political objectives.

ANNEXURE C

In terms of paragraph six of the President's statement of December 1st, 1983, the following proposals which have emerged as a result of discussions in Colombo and New Delhi are forwarded for consideration by the All Party Conference. These proposals are in the context of the unity and integrity of Sri Lanka and will form a basis for formulating the Agenda of the All Party Conference.

(1) The District Development Councils in a Province be permitted to combine into one or more Regional Councils if they so agree by decision of the Councils and approved by Parliament in that district.

(2) In the case of the District Councils in the Northern and Eastern Provinces respectively, as they are not functioning due to the resignation of the majority of Members, their names within each province be designated.

(3) Each Region will have a Regional Council if so decided. The convention will be established that the leader of the party which commands a majority in the Regional Council would be formally appointed by the President as the Chief Minister of the Region. The Chief Minister will constitute a Committee of Ministers of the Region.



(4) The President and the Council will continue to have overall responsibility over all subjects relating to the regions and generally for all other matters relating to the maintenance of the sovereignty, integrity, unity and security and progress and development of the Republic as a whole.

ANNEXURE C

(5) The legislative power of the Region would be vested in the Regional Councils which would be empowered to enact laws and exercise executive powers in relation to certain specified matters including the maintenance of internal law and Order in the Region, the Administration of Justice, Social and Economic Development, Cultural matters and Land Policy. The list of subjects which will be allocated to the Regions will be worked out in detail.

(6) The Regional Councils will also have the power to levy taxes, raise or issue and to mobilize resources through loans, the proceeds of which will be credited to a Consolidated Fund set up for that particular Region to which also will be credited grants, allocations or subventions made by the Republic. Financial resources will be apportioned to the Regions on the recommendations of a representative Finance Commission appointed from time to time.

(7) Provision will be made for constituting High Courts in each Region. The Supreme Court of Sri Lanka will exercise appellate and constitutional jurisdiction.

ANNEXURE C

In terms of paragraph six of the President's statement of December 1st, 1983, the following proposals which have emerged as a result of discussions in Colombo and New Delhi are appended for consideration by the All Party Conference. These proposals are in the context of the unity and integrity of Sri Lanka and will form a basis for formulating the Agenda of the All Party Conference.

(1) The District Development Councils in a Province be permitted to combine into one or more Regional Councils if they so agree by decisions of the Councils and approved by Referendum in that district.

(2) In the case of the District Councils in the Northern and Eastern Provinces respectively, as they are not functioning due to the resignation of the majority of Members, their union within each province to be accepted.

(3) Each Region will have a Regional Council if so decided. The convention will be established that the leader of the party which commands a majority in the Regional Council would be formally appointed by the President as the Chief Minister of the Region. The Chief Minister will constitute a Committee of Ministers of the Region.

(4) The President and the Parliament will continue to have overall responsibility over all subjects not transferred to the regions and generally for all other matters relating to the maintenance of the sovereignty, integrity, unity and security and progress and development of the Republic as a whole.

(5) The legislative power of the Region would be vested in the Regional Councils which would be empowered to enact laws and exercise executive powers in relation thereto on certain specified listed subjects including the maintenance of internal Law and Order in the Region, the Administration of Justice, Social and Economic Development, Cultural matters and Land Policy. The list of subjects which will be allocated to the Regions will be worked out in detail.

(6) The Regional Councils will also have the power to levy taxes, cess or fees and to mobilise resources through loans, the proceeds of which will be credited to a Consolidated Fund set up for that particular Region to which also will be credited grants, allocations or subventions made by the Republic. Financial resources will be apportioned to the Regions on the recommendations of a representative Finance Commission appointed from time to time.

(7) Provision will be made for constituting High Courts in each Region. The Supreme Court of Sri Lanka will exercise appellate and constitutional jurisdiction.

(8) Each Region will have a Regional Service consisting of (a) officers and other public servants of the Region and (b) such other officers and public servants who may be seconded to the Region. Each Region will have a Regional Public Service Commission for recruitment and for exercising disciplinary powers relating to the members of the Regional Service.

(9) The armed forces of Sri Lanka will adequately reflect the national ethnic position. In the Northern and Eastern Regions, the Police forces for internal security will also reflect the ethnic composition of these Regions.

(10) A Port Authority under the Central Government will be set up for administering the Trincomalee Port and Harbour. The area which will come under the administration of the Port Authority as well as the powers to be assigned to it will be further discussed.

(11) A national policy on land settlement and the basis on which the Government will undertake land colonization will have to be worked out. All settlement schemes should be based on ethnic proportions so as not to alter the demographic balance subject to agreement being reached on major projects.

(12) The Constitution and other laws dealing with the official language Sinhala and the national language, Tamil, be accepted and implemented as well as similar laws dealing with the National Flag and Anthem.

(13) The Conference should appoint a committee to work out constitutional and legal changes that may be necessary to implement these decisions. The Government would provide its Secretariat and necessary legal offices.

(14) The consensus of opinion of the All Party Conference will itself be considered by the United National Party Executive Committee and presumably by the executive bodies of the other Parties as well, before being placed before Parliament for legislative action.



MEMORANDUM

PRESENTED TO

THE ALL PARTY CONFERENCE

BY

HIS EXCELLENCY THE PRESIDENT

CHAIRMAN OF THE ALL PARTY CONFERENCE

23rd July 1984



MEMORANDUM

1. The present impasse is on account of two contradictory and apparently inflexible positions taken up by two sides – on the one hand, “District Councils and no more”, and on the other hand, “Regional Councils and no less”.

It is therefore important to make the Second Chamber Proposal a bridge between these two positions which does not harm the fundamental premise of each side.

2. Logically, the TULF position is one that admits of no possible compromise. “Regional Councils and nothing less”, cannot be made subject to an exception acceptable to the opposing position. On the other hand the position that the District Council should be the rule, can be reconciled with one or more exceptions made for necessary *functional operations* (without creating a broader provincial or regional structure) on a wider-than-District Basis, where circumstances really demand it.

Therefore the logical compromise is to accept the basic and inflexible principle that the District Council is the only sub-national unit at a structural level ; not to create any larger unit (provincial or regional) ; *but* to permit inter-District collaboration or operation in required and well defined spheres of activity, subject to necessary controls. It is not justifiable for a provincial or regional basis of operation to be demanded for its own sake ; the demand must be based on actual needs, and the permitted exceptions must be related to such actual needs.

THE SECOND CHAMBER PROPOSAL

1. A Second Chamber to be created consisting of members representing the 25 Districts.
2. The functions, power and composition of the Second Chamber to be discussed. It is suggested that they be chosen on the basis of two for each District Council in a Province.
3. The President may choose Cabinet Ministers and non-Cabinet Ministers from the Second Chamber.
4. They must be members selected or elected from the Provinces in which they serve.
5. The functions of these Ministers will be allotted by the President.

COMPOSITION

1. Each District to be represented by TWO (elected) members : Total 50.
2. (a) Other members say 25 to be appointed by the President, the Parliament and Professional Bodies. Such number should not be too small as to be insignificant in relation to total ; nor should it be large as to be too influential.
- (b) Such members should be appointed from among persons of eminence in public life, or who have rendered or have the capacity to render distinguished service to the nation, or who are representatives of the nation's religious bodies, professions, business interests, trade unions, universities/education, the arts, etc.

ELECTION OF DISTRICT MEMBERS

1. One option would be for the two representatives of each District to be elected by the electors or electoral college (or other electing body) at a Provincial level. Whatever the electing body, election at a Provincial level would destroy the result, because the persons elected to represent a District may not command significant support within the District (and may even be totally unacceptable to the District).
2. The second option (which would be in line with the method of election in the U.S.A. and India) would be for the representatives of the District to be elected by the District alone. This seems preferable.

DIRECT OR INDIRECT ELECTION

1. Should the election be direct, by all the electors or by a smaller electoral body ? The U.S. and Indian procedure is not direct election, but election by a body which is itself directly elected by the electors of the unit concerned (namely the State). While direct election has its merits, the principle of a Second Chamber (as being composed of people somewhat removed from the dust and the turmoil of elections) appears to be consistent more with an indirect election.
2. If the election is to be indirect, which should be the electoral body ? This depends on the electoral structure in the District. The electoral body should be one consisting of persons who are themselves directly elected by the people. Thus if under the new system there will be several grassroots level elected bodies, the members of all these bodies in the District should constitute the body which elects the members of the Second Chamber for that District.
3. There may be other bodies which are elected by the grassroots level bodies – e.g. the Chairman of all grassroots bodies may constitute the District Development Council. Such bodies not being themselves constituted by direct election, should not constitute the electoral body to elect these members.

ELIGIBILITY

1. Apart from other criteria, such as residence, age, etc., should persons who are already members of the grassroots bodies (or other electing body) be eligible for election? Should 'defeated candidates' at a Parliamentary election or at a grassroots level election, within a specified period, be eligible?

If the principle that they should be to some extent aloof from elections is accepted, these categories will probably have to be excluded. This involves a policy decision.

2. *Period of Office* : This should be co-terminous with the term of office of the electing body.

POWERS AND FUNCTIONS

1. There should be a definite exclusion of powers in relation to constitutional amendment, money bills, public security, foreign relations, and any other "sensitive" areas.
2. Any power regarding legislation should be confined mainly to a delaying power. The mechanism for this should be worked out so as to avoid undue delay after Parliament has passed a Bill; it is suggested that the Second Chamber should commence examining a Bill after gazetting (or after first reading), so that its views are known to Parliament, when Parliament commences the second reading.
3. A further power could be the initiation of legislation of a provincial, district or parochial nature; this could also include "private member bill" type legislation (such as incorporation of private associations, professional bodies, etc.).
4. Outside the area of legislation the Second Chamber could be an useful forum for balanced and informed debate on various issues, without too much political partisanship. Committees could consider and report on such issues, recommending legislation and executive action where necessary. Such Committees could also scrutinise delegated legislation with much greater care than Parliament presently does.
5. Given the context in which the proposal comes up, the Second Chamber may also be given a role of conciliation and mediation in issues involving ethnic, religious or communal harmony. This should be of a non-binding nature, outside the glare of publicity (somewhat similar to the Ombudsman). However, a parallel jurisdiction to that of the Ombudsman or the Supreme Court, in regard to fundamental or language rights should be avoided.

By way of example, any solution by the All Party Conference to the present ethnic problems will involve—

In the field of education, decisions regarding the quota system for University entrance, the improvement of facilities in underprivileged districts, etc.

In the field of land settlement, decisions regarding quotas and numbers and criteria of eligibility for settlement, etc.

In the field of public employment, decisions regarding quotas and numbers, etc.

The implementation of such decisions, and the review of their effectiveness, if done in Parliament, may be too influenced by party political considerations. If the Second Chamber is in some way a continuing All Party Conference, and if a dialogue without media publicity can be ensured, such issues have a much better chance of being discussed in a balanced way without exaggeration or passion.

6. A similar review of the whole process of decentralisation and delegation which may be necessitated for the solution of the present problems, may be usefully done through the Second Chamber ; also Inter-District problems can be mediated.

GENERAL

1. The All Party Conference should formulate proposals aimed at achieving Inter-District Co-ordination in matters that effect more than one contiguous District.
2. The All Party Conference should formulate a Scheme to set up a Second Chamber consisting of 2 representatives elected from each District and Members nominated by the President and Parliament to represent unrepresented and special interests and also suggest the powers and functions of such Second Chamber.

All Party Conference Secretariat,
B.M.I.C.H., Bauddhaloka Mawatha,
Colombo 7,
23rd July, 1984.



**REPORT OF THE WORKING
GROUP OF OFFICIALS AND
EXPERTS TO COMMITTEE "A" OF
THE ALL PARTY CONFERENCE**

Chairman of Committee 'A'

– Hon. R. Premadasa, M.P.,
Prime Minister

Chairman of Officials & Experts Working Group.

– Mr. G. V. P. Samarasinghe,
Secretary to the Cabinet of Ministers

13th August, 1984

OFFICE OF THE CABINET OF MINISTERS

Hon. R. Premadasa, M.P.,
Prime Minister,
Chairman, Committee 'A',
All Party Conference.

Dear Sir,

I annexe the consensus reached in the Officials and Experts Committee appointed by Committee 'A'.

The Report contains 3 Annexes.

Annexe 1 deals with subjects and functions that the Committee considers should be exclusively reserved by Government.

Annexe 2 deals with subjects and functions suitable for assignment to the grass roots level institutions.

Annexe 3 deals with subjects and functions some of which should be reserved for the Ministry concerned and others that are assignable to intermediate or grassroots level institutions.

It is not possible to be more specific for practical reasons without a detailed study with each Ministry. No doubt this will be examined at the appropriate levels.

Yours faithfully,

G. V. P. Samarasinghe,
Chairman,
Officials & Experts Working Group.

ANNEXE 1

1. SUBJECTS AND FUNCTIONS THAT SHOULD BE EXCLUSIVELY RESERVED BY THE GOVERNMENT

- 1.1 National Policy on all subjects & functions.
- 1.2 Defence.
- 1.3 Internal Security.
- 1.4 Law and Order and Prevention and Detection of Crime.
- 1.5 Foreign Affairs.
- 1.6 Posts & Telecommunications.
- 1.7 Justice in so far as it relates to the Judiciary & the Courts structure.
- 1.8 Finance in relation to National Revenue, Monetary Policy & External Resources.
- 1.9 Foreign Trade.
- 1.10 Ports & Harbours.
- 1.11 Aviation & Air Ports.
- 1.12 National Transport.
- 1.13 Rivers & Waterways.
- 1.14 Minerals & Mines.
- 1.15 Broadcasting.
- 1.16 Television.
- 1.17 Immigration & Emigration and Citizenship.
- 1.18 Customs.
- 1.19 Elections – Presidential, Parliamentary, Intermediate and grassroots units.
- 1.20 Shipping & Navigation.
- 1.21 Territorial Waters and Economic Zone.
- 1.22 Census & Statistics.
- 1.23 Professional Occupations & Training.
- 1.24 All subjects and functions not otherwise specifically assigned.

ANNEXE 2

2. SUBJECTS AND FUNCTIONS ASSIGNABLE TO GRASS ROOTS LEVEL INSTITUTIONS**2.1 AGRARIAN SERVICES**

- 2.1.1 Rehabilitation and maintenance of minor irrigation works.
- 2.1.2 Enforcement of the Irrigation Ordinance in relation to minor irrigation works.
- 2.1.3 Ensuring efficient cultivation of agricultural land (functions in terms of Sections 33 to 38 of the Agrarian Services Act, No. 58 of 1978).
- 2.1.4 Summoning of meetings of cultivators of land served by major and minor irrigation works.
- 2.1.5 Supervision of activities of Agrarian Services Committees.
- 2.1.6 Co-ordinating the following Agrarian Services activities :-
 - (i) Water management ;
 - (ii) Enforcement of decisions at Kanna meetings ;
 - (iii) Control of cattle trespass ;
 - (iv) Soil conservation.

2.2 AGRICULTURE

- 2.2.1 Preparation and implementation of the grass roots Development Plan.
- 2.2.2 Supervision of activities of the Agricultural Development Authority.

2.3 ANIMAL HUSBANDRY

- 2.3.1 Branding of animals under Part II of the Regulations framed under Section 35 of the Animals Act, No. 29 of 1968.
- 2.3.2 Control of trespass of animals under Part III of the Regulations framed under Section 35 of the Animals Act, No. 29 of 1968.
- 2.3.3 Running of stud centres.
- 2.3.4 Control and supervision of slaughter houses.
- 2.3.5 Establishment, inspection and control of dairies.
- 2.3.6 Distribution of feed material.
- 2.3.7 Distribution of breeding material.
- 2.3.8 Identification of pasture reserves.
- 2.3.9 Organizing night paddocks for cattle.
- 2.3.10 Organizing and supervising of vaccination, castration, etc., of livestock.
- 2.3.11 Establishment of milk collecting centres in consultation with the National Milk Board.
- 2.3.12 Assisting in and arranging for the organization and running of collecting points as well as chilling centres.
- 2.3.13 Assisting in the transport of milk from producers.
- 2.3.14 Organization of sales outlets for Milk Board products.

2.4 CO-OPERATIVE DEVELOPMENT

- 2.4.1 Supervision of Co-operative Societies.
- 2.4.2 Formulating the Development Plan of Co-operative Societies.
- 2.4.3 Monitoring progress of Co-operative Development Plans.

2.5 CULTURAL AFFAIRS

- 2.5.1 Organization of religious ceremonies.
- 2.5.2 Organization of religious festivals.
- 2.5.3. Fostering and promotion of drama, art and music.
- 2.5.4 Operation of Divisional Sasana Rakshana Mandalayas.
- 2.5.5 Maintenance of Dhamma School.
- 2.5.6 Promotion of literary and cultural activities, including the organization of Festivals.
- 2.5.7 Encouragement of publication of books of literary and cultural value.
- 2.5.8 Award of Prizes to authors and Artistes and craftsmen.
- 2.5.9 Documentation of information regarding cultural, religious activities.
- 2.5.10 Provision of financial or other assistance for the administration of land and property of religious bodies.
- 2.5.11 Collection of information in regard to artistes, writers, dancers and musicians.
- 2.5.12 Establishment of Cultural Centres.

2.6 EDUCATION

- 2.6.1 Preparation of Educational Development Programme for the provision of facilities for educational development such as—
 - (i) Provision of buildings ;
 - (ii) Provision of furniture ;
 - (iii) Construction of playgrounds ;
 - (iv) Construction of hostels and teachers' quarters ;
 - (v) Provision of sports material ;
 - (vi) Provision of Library facilities.
- 2.6.2 Implementation of the Educational Development Programme.
- 2.6.3 Making recommendations as regards the educational needs of the grass roots organisation area such as—
 - (i) Opening of new schools ;
 - (ii) Closure of schools ;
 - (iii) Re-organisation/amalgamation of schools ;
 - (iv) Naming of schools ;
 - (v) Upgrading of schools ;
 - (vi) Opening of new classes.

2.7 EMPLOYMENT

- 2.7.1 Organising Special Employment Programmes of the grass roots organisation area.

2.8 FISHERIES

- 2.8.1 Preparation Divisional Development Plan.
- 2.8.2 Implementation of the Plan.
- 2.8.3 Recommending applications for issue of boats under the Self-employment Bank Credit Scheme.
- 2.8.4 Approving applications for purchase under subsidy of outboard motor engines.
- 2.8.5 Monitoring progress of the issue of boats under the Bank Scheme.
- 2.8.6 Ensuring repayment of loans issued for purchase of boats, engines, fishing gear and sail cloth.
- 2.8.7 Planning and implementation of welfare facilities
 - e.g. provision of houses –
 - wells.
 - lavatories.
 - beacon lamps.

- 2.8.8 Provision of houses for migrant and non-resident fishermen.
- 2.8.9 Identification and removal of obstruction to coastal fishing.
- 2.8.10 Co-ordination of rescue operations of fishermen.
- 2.8.11 Erection of auction sheds.
- 2.8.12 Implement –
 - (i) Registration of boats,
 - (ii) Data Collection,
 - (iii) Use of fishing gear,
 - (iv) Selection of sites for cold storages, ice plants, ice rooms and fishing gear sales centres,
 - (v) Enforcing action against use of explosives & poisons
- 2.8.13 Supervision of training centres.
- 2.8.14 (i) Payment of subsidy for inland fish production ponds,
(ii) Supervision of construction of ponds.
- 2.8.15 Proposing, supervising and monitoring construction of coast protection structures.
- 2.8.16 Supervision and control of Fisheries Co-operatives.
- 2.8.17 Mechanization programmes, manufacture and sale of fishing gear.
- 2.8.18 Services for coastal fishery.
- 2.8.19 Erection of cold storage and ice plants.
- 2.8.20 Housing for fishermen.
- 2.8.21 Electrification of fishery villages.
- 2.8.22 Fishery roads and transport services.
- 2.8.23 Water supply schemes for fishing villages.
- 2.8.24 Formation of Welfare Societies, provision of recreation facilities.
- 2.8.25 Insurance scheme for fishermen.
- 2.8.26 Accident compensation.
- 2.8.27 Opening up of Fisheries Banks.
- 2.8.28 Loan Recoveries.

2.9 FOOD

- 2.9.1 Supervision of the activities of food storage and distribution within the grass roots area including powers to inspect stores, unloading points such as railway stations, power to inspect any document in the Food Control Branch.
- 2.9.2 Supervision of the operation of the Food Stamp Scheme.
- 2.9.3 Making arrangements for meeting shortages of essential items of food.

2.10 HEALTH SERVICES

- 2.10.1 Preparation of health components of the Annual grass roots area Development Plan.
- 2.10.2 Supervision, monitoring and evaluation of the implementation of the Annual Plan.
- 2.10.3 Mobilization of extra-budgetary funds for health development.
- 2.10.4 Environmental Health, e.g. provision of safe water supply, safe disposal of waste, control of industrial waste, programmes for the supply of water and latrine construction.
- 2.10.5 Food and Food Sanitation, e.g. maintenance of the standard of hygiene in eating houses and hotels, and in processing, preparation and sale of food.
- 2.10.6 Functions under the Rabies Ordinance, e.g. destruction of stray dogs and immunization.
- 2.10.7 Functions under the Nuisances Ordinance.
- 2.10.8 Health promotion and development, involving community participation, e.g. Health education, nutrition, family health and maternity and child care.

- 2.10.9 School health services.
- 2.10.10 Immunization.
- 2.10.11 Management and maintenance of primary health centres and maternity and child welfare centres.
- 2.11 **HOUSING**
 - 2.11.1 Under Protection of Tenants Act : Action regarding protection of tenants.
 - 2.11.2 Post-construction activities, e.g. Community Development and Income Generating Programmes.
 - 2.11.3 Proposing, co-ordinating, supervising and monitoring of housing projects of the National Housing Development Authority.
 - 2.11.4 Development of Divisional Housing Plans and formulation and implementation of specific housing projects.
 - 2.11.5 Housing Loans.
 - 2.11.6 Supervision of authorised dealers in building materials, monitoring the activities of sales outlets.
 - 2.11.7 Planning, construction and maintenance of Divisional Housing Schemes.
 - 2.11.8 Demonstration of low-cost construction methods.
 - 2.11.9 Supplying of building materials for housing.
- 2.12 **IRRIGATION WORKS**
 - 2.12.1 Election of Advisory Committee for irrigable areas.
 - 2.12.2 Summoning of meetings of Proprietors of Manawari Lands.
 - 2.12.3 Identification and preparation of priority lists for irrigation works of a local nature and their implementation.
 - 2.12.4 Maintenance of minor irrigation works within the area.
- 2.13 **RURAL DEVELOPMENT**
 - 2.13.1 Registration of Rural Development and Kantha Samities.
 - 2.13.2 Operation of Shramadana works with World Food Programme and other aid.
 - 2.13.3 Recommending grants to Rural Development Societies.
 - 2.13.4 Rural Women's Development Activities.
 - 2.13.5 Integrated development of selected villages.
 - 2.13.6 Special agro-based development projects at village level.
- 2.14 **SMALL AND MEDIUM-SCALE INDUSTRIES**
 - 2.14.1 Promote the growth of medium scale industries, establish and authorise quality of industrial products.
 - 2.14.2 Promote export of manufactured and semi-manufactured goods within the area.
 - 2.14.3 Promote scientific and industrial research within the area.
 - 2.14.4 Develop an Area Industrial Plan in respect of medium-scale industries.
 - 2.14.5 To co-ordinate, monitor and implement an Area Industrial Plan.
 - 2.14.6 Industrial aspects of co-operatives.
- 2.15 **LOCAL GOVERNMENT**
 - 2.15.1 **General Duties of Town Councils**
The Town Council of each town shall within the administrative limits of the town have the following duties :-
 - (a) to maintain and cleanse all public thoroughfares and open spaces vested in the Council or committed to its management ;
 - (b) to enforce the proper maintenance, cleanliness, and repair of all private streets ;
 - (c) to abate all nuisances.

2.15.2 Powers of Town Councils

(A) The general powers of Town Councils are :

- (a) Appointment of all necessary officers and servants subject to the prior approval of the Commissioner ;
- (b) Assignment of salaries, allowances or remuneration, subject to the approval of the Commissioner ;
- (c) Spending any part of the fund on –
 - (i) maternity and child-welfare services ;
 - (ii) training mid-wives to be deployed by the Council ;
 - (iii) housing schemes ;
 - (iv) charities ; and
 - (v) relief measures against floods, famine, fire, etc.
- (d) Entering into any arrangement with any other authority for employment, remuneration of officers and servants for several purposes of the Council ;
- (e) Taking on lease or purchase any land or building ;
- (f) Selling, exchanging, letting or giving on lease lands and buildings ;
- (g) Entering into contracts with any person ;
- (h) Authorizing officers and servants for entry into lands and buildings for inspection, for abatement of nuisances and contraventions of the Ordinance ;
- (i) Holding of inquiries by the Chairman or officers authorized by him ;
- (j) Instituting action or defend legal proceeding ;
- (k) Acquisition of lands and buildings for public purposes.

(B) Power to Authorize Surveys :

Chairman directs any officer or servant to make surveys of lands and buildings necessary for public purposes.

(C) Powers as to Thoroughfares, Streets and Open Spaces–

- (i) Powers to maintain and repair of thoroughfares ;
- (ii) Power to control buildings along thoroughfares ;
- (iii) Powers to deal with obstructions to thoroughfares ;
- (iv) Powers to deal with injuries to thoroughfares ;
- (v) Powers to abate nuisances on thoroughfares ;
- (vi) Powers to authorize the use of thoroughfares for special purposes.

(D) Powers and Duties as to Public Health

- (1) T. C. is a general administration authority for the purpose of promoting and securing the public health in the town ;
- (2) Surface Drainage ;
- (3) Secure latrine accommodation for all houses, buildings, provision of public latrines and maintenance of latrines ;
- (4) Conservancy and Scavenging–
 - (i) provision for sweeping and cleansing the streets ;
 - (ii) securing removal of house refuse ;
 - (iii) secure cleansing and emptying of all latrines and cesspits ;
 - (iv) proper disposal of street refuse, house refuse and night-soil.
- (5) Insanitary Buildings–
 - (i) inspection as to insanitary buildings ;
 - (ii) Alteration of buildings and their removal.
- (6) Nuisances–Power to–
 - (i) inspect nuisances ;
 - (ii) abatement of nuisances.

(7) Slaughter Houses—

- (i) issue of slaughter house licences ;
- (ii) revoking or suspension of licences.

(E) Powers and Duties regarding Public Utility Services—

- (1) Water supply ;
- (2) Lighting of streets, public places and buildings ;
- (3) Supply of electric power ;
- (4) Markets ;
- (5) Public baths and bathing places ;
- (6) Provision of housing accommodation for poor classes ;
- (7) Making and supply of squatting plates ; and
- (8) Any other service such as burial grounds, cemeteries and crematoria, libraries, playgrounds and stadia.

(F) Powers to make By-laws.

(G) Powers to apply the Local Fund for—

- (i) Civic receptions, celebrations or observances of any event, occasion of public interest ;
- (ii) Contributions towards the cost of public ceremonies ;
- (iii) Contributions towards the cost of public recreations, entertainments, library or any educational, scientific, charitable or benevolent institution.

(H) Power of Taxation

- (i) Power to impose and levy rate.
- (ii) Power to impose licence duties.
- (l) Power to raise loans

2.15.3 Powers of Village Councils

(A) General Powers :

- (1) Power to create any post or office. (Subject to Regional A. C. L. G's Approval) ;
- (2) Power to assign salaries and allowances or remuneration for them, other than posts within the meaning of Local Government Service (Subject to Regional A. C. L. G's approval) ;
- (3) Power to remove officer or servant of the Council, other than a member of the Local Government Service ;
- (4) Power to abolish posts and offices in the service of the Council ;
- (5) Power to grant pensions and to establish and regulate a Provident Fund ;
- (6) Power to grant leave of absence ;
- (7) Power to spend to pay subsistence, travelling etc ;
- (8) Power to spend on maternity and child welfare services ; training of midwives to be deployed by the Council, housing schemes, charities and relief measures due to floods, famine, fire or epidemics ;
- (9) Power to purchase or take on lease land and buildings ;
- (10) Power to sell, exchange, let or give out on lease land and buildings ;
- (11) Power to receive and hold property in trust for the inhabitants of the area ;
- (12) Power to enter into agreements ;
- (13) Power to spend on constructions, alterations, improvement or maintenance of village works and administering any property vested ;

- (14) Power to establish ferries, impose and to levy or lease the right to collect tolls at ferries ;
 - (15) Power to spend on conduct of experiments in agriculture and breeding of domestic animals ;
 - (16) Power to empower officers and servants to enter into lands and buildings and carry out inspections for detection and abatement of nuisances ;
 - (17) Power to administer oaths and summon witnesses ;
 - (18) Power to meet a part of the cost of any association of local Authorities ,
 - (19) Power to pay for travelling and subsistence of Council Members ;
 - (20) Power to pay expenses in connection with civic receptions, celebrations of observance of any events or occasions of public interest, any religious, cultural, charitable, health, recreational and educational purposes ;
 - (21) Power to make contributions towards public entertainments, or recreation, towards support of libraries, educational, scientific, charitable or benevolent institutions, any religious, charitable, cultural, health or educational purposes ;
 - (22) Power to institute or defend any legal proceedings ;
 - (23) Power to enforce by-laws.
- (B) Power to authorise surveys
Same as in the T.C. Ordinance.
- (C) Power to seize certain animals on roads or paths.
- (D) Authority to levy a land tax comprising an assessment tax and acreage tax.
- (E) Power to impose and levy a licence under the Ordinance and by-laws passed by the Council.
- (F) Power to impose and levy a tax on vehicles and animals.
- (G) Power to establish and maintain public utility services.
- (H) Power as to village fairs.
- (I) Power to make by-laws.
- (J) Power to raise loans.
- (K) Powers of Chairman, V.C.C., in regard to trees, branches or fruits endangering the safety of persons and property.

2.15.4 Powers conferred by other Statutes on Town Councils and Village Councils

- (1) Powers as to zoning :
Town & Country Planning Ordinance (Chapter 269).
- (2) Powers as to control of buildings :
 - (a) Housing & Town Improvement Ordinance (Chapter 278) ;
 - (b) Urban Development Authority Act (Act No. 41/1978) ;
- (3) Authority to licence Slaughter Houses and to run Beef Stalls (Butchers Ordinance ; Chapter 262).
- (4) Powers under the Cemeteries and Burial Grounds Ordinance (Chapter 231).
- (5) Power under the Public Performances Ordinance (Chapter 176).
- (6) Powers under the Entertainment Tax Ordinance (Chapter 267).

- (7) Powers under the Animals Act (No. 29 of 1958).
- (8) Powers under the Vehicles Ordinance (Chapter 202).
- (9) Powers under the Boats Ordinance (Chapter 198).
- (10) Powers under the Nuisances Ordinance (Chapter 230).
- (11) Powers under the Contagious Diseases Ordinance (Chapter 223).
- (12) Powers under the Quarantine and Prevention of Diseases Ordinance (Chapter 222).
- (13) Powers under the Wells and Pits Ordinance (Chapter 232).
- (14) Powers under the Poisons, Opium and Dangerous Drugs Ordinance (Chapter 218).
- (15) Powers under the Food and Drugs Act (Chapter 216).
- (16) Powers under the Dog Registration Ordinance (Chapter 477).
- (17) Powers under the Rabies Ordinance (Chapter 476).
- (18) Powers under the Petroleum Ordinance (Chapter 184).
- (19) Powers under the Auctioneers and Brokers Ordinance (Chapter 109).
- (20) Powers under the Tolls Ordinance (Chapter 197).

Other Statutes that confer powers include –

- (1) Electricity Act (Chapter 205).
- (2) Local Authority Housing Act 1964 and 1979.
- (3) State Lands (Recovery of Possession) Act No. 7 of 1979.
- (4) Naming of Streets and Erection of Monuments Act No. 4 of 1975.
- (5) Local Authorities (Special Provisions) Act No. 2 of 1957
Act No. 42 of 1968,
Act No. 4 of 1969,
Act No. 48 of 1971.
- (6) Local Authorities (Stamp Duties on Proctor's Annual Certificate) Act No. 9 of 1961 ;
- (7) Local Authorities (Term of Office) Act No. 39 of 1961 & 2 of 1967 ;
- (8) Village Councils and Town Councils (Amendment) Act No. 28 of 1957 ;
- (9) Municipal Councils and Town Councils (Amendment) Act No. 8 of 1967 ;
- (10) Local Authorities (Revision of Assessment and Reduction of Rates) Act No. 57 of 1979 ;
- (11) Local Government Service Law No. 16 of 1974 ;
- (12) Local Government Service (Amendment) Act No. 36 of 1980 ;
- (13) Urban Councils and Town Councils (Amendment) Act No. 13 of 1979 ;
- (14) Local Authorities Pensions (Special Provisions) Act No. 4 of 1964 ;
- (15) Local Government Service Employees (Special Pension Provisions) Act No. 13 of 1969 ;
- (16) Local Authorities (Pensioners Allowance) Ordinance (Chapter 263) ;
- (17) Local Authorities Standard By-laws Act (Chapter 261) ;
- (18) Rating and Valuation Ordinance (Chapter 266) ;
- (19) Prevention of Corruption in Public Bodies (Chapter 258) ;
- (20) Local Authorities Quarters (Recovery of Possession) Law No. 42 of 1978 ;

- (21) Animals Act No. 29 of 1958 Amendments Act No. 20 of 1964 ; Act No. 10 of 1968 ;
 - (22) Guides Ordinance (Chapter 273) ;
 - (23) Local Authorities Elections (Special Provisions) Law No. 24 of 1977 ;
 - (24) Foods Act No. 26 of 1980 ;
 - (25) Licensing of Clubs Law No. 17 of 1975, amended by Act No. 4 of 1980 ;
 - (26) Poor Law Ordinance (Chapter 141) ;
 - (27) Motor Traffic Act No. 7 of 1957 with amendments ;
 - (28) Local Loans and Development Fund (Chapter 404) with amendments ;
 - (29) Thoroughfares Ordinance (Chapter 193) ;
 - (30) Employees Provident Fund Act No. 15 of 1958 with amendments.
 - (31) Urban Development Authority Act No. 41 of 1978 amended by Act. No. 70 of 1979 ; and
- Other connected legislation.

2.16 SOCIAL SERVICES

- 2.16.1 Public Assistance Monthly Allowances including Statutory Poor Relief.
- 2.16.2 Rehabilitation of Destitute Persons and Families.
- 2.16.3 Financial Assistance to Tuberculosis and Leprous patients and their rehabilitation.
- 2.16.4 Casual Relief for loss of dwelling houses, Implements of trade and fishing boats by fire, rain, storm or other exceptional causes.
- 2.16.5 Rehabilitation and Welfare of the Socially handicapped persons.
- 2.16.6 Family Counselling services.
- 2.16.7 Care, Welfare and Rehabilitation of physically and mentally handicapped persons including supply of aids and appliances.
- 2.16.8 Vocational Training Placement Employment counselling and Rehabilitation of the Deaf, Blind and the Orthopaedically handicapped.

2.17 LAND USE AND LAND SETTLEMENT

- 2.17.1 Powers under the Land Development Ordinance :
 - (i) Holding of Land Kachcheries for residents in the area,
 - (ii) Taking possession of land on failure of succession,
 - (iii) Cancellation of permits for breach of conditions,
 - (iv) Ejectment from land,
 - (v) Seizure of crops on default by permit holders, and
 - (iv) Power to enter land alienated on a permit.
- 2.17.2 Under Crown Lands Ordinance :
 - (i) Lease of reservations adjoining public thoroughfares ;
 - (ii) Issue of permits not exceeding 1 year for the foreshore ;
 - (iii) Prohibition of removal of sand from the sea shore ; and
 - (iv) Cancellation of disposition for non-payment of money.
- 2.17.3 Land Grants (Special Provisions) Act, No. 43 of 1979 :
 - (i) Imposition of soil conservation measures ; and
 - (ii) Registration of instrument of disposition.
- 2.17.4 State Lands (Recovery of Possession) Act No. 7 of 1979 :
 - (i) Serving notice on unauthorised occupiers of land ; and
 - (ii) Making application to the Magistrate for recovery of possession.
- 2.17.5 Forest Ordinance :
 - (i) Protection of reserved trees.

- 2.17.6 Development of Lands alienated ;
- 2.17.7 Establishment of pastures, village forests ;
- 2.17.8 Water Management, conservation of forestry resources and soil conservation
- 2.17.9 Village Expansion Schemes ;
- 2.17.10 Flood protection work.

2.18 ENVIRONMENT

- 2.18.1 Collection of data and information on the environment and National Resources at grass root level.
- 2.18.2 Monitoring of action programmes of Central Environmental Authority, as directed by the Authority.
- 2.18.3 Advising the Central Environmental Authority promptly if events of significant environmental interest taking place at the local level and specially those which may have significant adverse environmental impact on natural resources.
- 2.18.4 Undertaking inquiries and examinations of environmental issues or subjects referred to by the Central Environmental Authority.
- 2.18.5 Implementatin of an environmental awareness programme at the grass root level under the guidance of the Central Environmental Authority.
- 2.18.6 Assisting the Central Environmental Authority in studies, surveys and research projects on environment at the grass root level.

3.2 MINUTE OF PLAN IMPLEMENTATION

Sl. No.	Item	Remarks
(A)	1. The implementation of national, regional and district economic plans	
(B)	2. Formulation and implementation of population policy	
(A)	3. Progress Control	
(A)	4. Monitoring progress of public and private sector investment programmes	
(B)	5. The coordination of the implementation programmes of Government and Non-Government agencies for the achievement of national objectives	
(B)	6. National Operations Room	
(A)	7. The evaluation of the performance of institutions and enterprises engaged in economic activities	
(B)	8. The presentation of relevant data in the achievement of plan targets	
(B)	9. The evaluation and monitoring of foreign and technical co-operation on the development programmes	
(B)	10. The signals and coordination of implementation strategy through the National Operations Room	
(A)	11. Dissemination of information concerning achievement of plan targets	
(A)	12. Feasibility of implementation programmes	
(A)	13. Long-term planning - Employment Data Bank	

ANNEXE 3

3. SUBJECTS AND FUNCTIONS WHICH ARE NOT RESERVED EXCLUSIVELY FOR GOVERNMENT AND SOME OF WHICH ARE ASSIGNABLE TO AN INTERMEDIATE ORGANISATION

(Those that are suggested should be reserved by the line Ministry are marked (My) and those possible of assignment are marked (A))

3.1 MINISTER OF DEFENCE

Column I Departments & Statutory Institutions	(My)	Column II Subjects & Functions
Government Analyst	(My)	Functions of the Government Analyst

3.2 MINISTER OF PLAN IMPLEMENTATION

Ministry of Plan Implementation	(My)	<ul style="list-style-type: none"> Formulation and appraisal of plan implementation strategies. (A) The implementation of national regional and electoral economic plans. (My) Formulation and implementation of population policy. (My) (A) Progress Control. (My) (A) Monitoring progress of public and private sector investment programmes. (My) The co-ordination of the implementation programmes of Government and Non-Government agencies for the achievement of national objectives. (My) National Operations Room. (My) (A) The evaluation of the performance of institutions and enterprises engaged in economic activities. (My) (A) The presentation of relevant data in the achievement of plan targets. (My) The evaluation and monitoring of foreign and technical co-operation on the development programmes. (My) The appraisal and Co-ordination of implementation strategy through the National Operations Room. (My) (A) Dissemination of information concerning achievement of plan targets. (My) (A) Publicity of implementation programmes. (My) (A) Manpower planning – Employment Data Bank.
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3.3 MINISTER OF JANATHA ESTATE DEVELOPMENT

Column I Departments & Statutory Institutions	Column II Subjects & Functions
Janatha Estates Development Board	The Management of Agricultural and Estate lands.
Janatha Estates Development Board I	The promotion of optimum productivity.
Janatha Estates Development Board II	The raising of livestock on such lands.
Janatha Estates Development Board III	The processing and sale of agricultural produce.
Janatha Estates Development Board IV	The training of personnel and the taking of all such measures as are deemed necessary in the interest of the proper management of such agricultural and estate lands.

3.4 MINISTER OF STATE PLANTATIONS

Sri Lanka State Plantations Corporation	The Management of Agricultural and estate lands.
Sri Lanka State Plantations Corporation I	The Promotion of optimum productivity.
Sri Lanka State Plantations Corporation II	The raising of Livestock on such lands
Sri Lanka State Plantations Corporation III	The processing and sale of agricultural produce.
Sri Lanka State Plantations Corporation IV	The training of personnel and the taking of all such measures as are deemed necessary in the interest of the proper management of such agricultural and estate lands.

3.5 MINISTER OF HIGHER EDUCATION

University of Colombo	University Education
University of Peradeniya	Overseas Scholarships
University of Sri Jayawardenepura	Grants to Universities
University of Kelaniya	Technical Education
University of Moratuwa	Polytechnics
University of Jaffna	Technical Education and training in fields of Engineering.
Ruhunu University College	Training of Engineering Students at Technician and Diploma levels.
University Grants Commission	Technical Colleges Senior and Junior Technical Institutes Training of Technical Teachers Trainina of Bhikkhus and Propagation of Dhamma in Sri Lanka and abroad Encouragement of development and research in Buddhism

This matter should be examined by Committee 'B' too.

There can be national institutions, institutions catering exclusively to either the intermediate level or the grass roots level or privately established institutions. The Ministry of Higher Education should determine what controls, if any, it considers is necessary to have on the institutions other than the national institutions.

3.6 MINISTER OF HIGHWAYS

Column I Departments & Statutory Institutions	Column II Subjects & Functions
Department of Highways	Government Roads
P.W.D. Research Institute	Public Roads and Estate Roads
	Inland Waterways
	Thoroughfares, reservations and encroachments
	Closing of roads owing to impassability
	Proclamation of thoroughfares

A, B, C, D, E roads now managed by the Department of Highways are capable of delegation or decentralisation. Rural roads can be devolved on the grass roots level organisation.

3.7 MINISTER OF PUBLIC ADMINISTRATION

Department of Pensions	(My) Public Administration Schemes of Recruitments
Department of Official Language Affairs	Grading of Posts
	Pensionability of Posts
	Acting Pay
	Overtime
	Hours of duty
	Holiday pay
	Medical facilities
	Scholarship allowances, Bonds, Passages and leave
	Rent and Rent Allowances
	Travelling Allowances
	Railway Warrants
	Uniforms
	Compensation to Government employees for losses by fire, theft, riots and floods
	Reimbursements to Government employees of legal expenses
	Other allowances
	Bonuses and honoraria
	Fees and appropriation of fees, pay allowances, etc. of Army, Navy and Air Force
	Incremental credit for previous services and for war service
	Grant of permanent status to temporary employees.
	Compulsory Public Service Act No. 70 of '61
	Government Quarters
	Questions relating to fixing Salary Scales to Public Officers
	Office Accommodation
	Welfare of Public Officers
	Questions of policy relating to administration of the public service
	Establishment code, interpretation, amendments, etc.
	Associations of public officers-questions of policy etc.
	Administration of the combined services.
	Matters relating to implementation of the language policy of Government

Column I Departments & Statutory Institutions	Column II Subjects & Functions
(My)	Advance of salary to public officers Grant of further employment to retrenched employees Leave regulations Air Travel insurance Family remittances, Public holidays, Scholarships – approval of schemes Departmental advisory committees Outfit allowance Affirmation/Oath of allegiance of public officers under the Constitution of the Democratic Socialist Republic of Sri Lanka Rent Ceiling of the officers in foreign missions abroad Re-organisation of the administrative apparatus Management development The conduct of Management Studies and provision of Management Consultancy services to Ministries, Government Departments and State Corporations Training of staff Office equipment machines Academy of Administrative Training
	DEPARTMENT OF PENSIONS
	Pensions and gratuities to State Officers Pensions and gratuities to Armed Forces personnel and their dependants Pensions under the School Teachers' Pension Regulations Workmen's compensation benefits to State employees Compassionate grants to ex-Government servants and their dependents Police Compensation Scheme Pensions scheme for personnel of the overseas Telecommunication Service Pensions to Widows' and Orphans' of Armed Forces personnel Gratuities to sub-postmasters Gratuities to non-teacher employees of the vested schools
	Amendments to the Minutes of Pensions, School Teachers' Pensions Regulations and the Widows' and Orphans' Pension Regulations of the Armed forces Pensions to Widows' and Orphans' of school teachers Amendments to the Teachers' Widows' and Orphans' Pension Fund Regulations Pensions to Widows' and Orphans' of public officers under the Widows' and Orphans' Pension fund ordinance Public Service Provident Fund Department of Official Language Affairs Implementation of the Official Language Act No. 33 of 1956 Compilation and provision of Official Glossaries Provision of Official Translators

3.8 MINISTER OF PLANTATION INDUSTRIES

Column I Departments & Statutory Institutions	(My)	Column II Subjects & Functions
Sri Lanka Tea Board		Matters relating to the tea industry development, promotion & research
Sri Lanka State Trading Corporation	(Tea)	Matters relating to the rubber industry
Tea Smallholdings Development Board		To promote regulate and to undertake the development of the cashew industry
Rubber Control Department		To promote, regulate and to undertake the development Sericulture
State Rubber Manufacturing Corp.		Licences to deal in rubber and tea and rubber estate-Control of fragmentation
Rubber Research Institute		Other primary products
Sri Lanka Cashew Corporation		Collection of Ad Valorem Tax on tea Issue of Permits for export of Tea
Silk & Allied Products Development Authority		
Government-owned Business Undrtaking of British Ceylon Corporation		Estates (Control of Transfer) Act. No. 2 of 1972

3.9 MINISTER OF SOCIAL SERVICES

Social Services	(My) (A)	Relief of Distress due to floods, droughts, epidemics or other exceptional causes and rehabilitation and re-settlement of those affected.
Probation and Child Care Services	(My) (A)	Probation and Child Care Services

3.10 MINISTER OF CULTURAL AFFAIRS

Department of Cultural Affairs		Religious Affairs Pilgrimages Incorporation of and incorporate religious bodies and institutions Religious Organizations Translation of the Thripitaka Bauddha Vishva Koshaya Sinhala Vishva Koshaya Sinhala Dictionary Cultural Affairs Affairs pertaining to Cultural Council and its administration Compilation of Mahawansa
Archaeological Department		Pre-history Maintenance of Archaeological reserves and Monuments thereon Exploration of Antiquities Clearing of ancient sites Opening of roads to ancient monuments and sites Archaeological excavations Conservation of Ancient monuments in Crown Lands Conservation of cultural property research into material culture Restoration of Ancient sites not on Crown Lands Collection, decipherring, editing and publishing of ancient inscriptions

Column I Departments & Statutory (My) Institutions	Column II Subjects & Functions
Department of National Archives	<p>Publication of Scientific and popular literature dealing with antiquities and ancient monuments</p> <p>Maintenance of Archaeological Museums</p> <p>Educational and propaganda activities connected with the study of ancient monuments and the culture of the Island in general</p> <p>Establishment and maintenance of Museums at ancient sites and temples which possess antiquities of outstanding interest</p> <p>Excavation of pre-historic sites</p> <p>"Treasure Troves Epigraphia Zeylanica"</p> <p>Custody and preservation of Archival records and making them available for reference and research</p> <p>Advice and guidance to Government Depts. on record preservation, management, administration and on selection of official records for permanent deposit in the National Archives</p> <p>Compilation of finding aids for the records and manuscripts ; editorial work ; publications, permanent and temporary exhibitions of Archives, manuscripts, printed material etc.</p> <p>Conservation, restoration and photo-duplication of Archives, manuscripts and printed material</p> <p>Functions of the Registrar of Books and Newspapers—</p> <p>(a) Administration of the Printers Ordinance</p> <p>(b) administration of the Printers and Publishers Ordinance</p> <p>(c) Adminisration of the Newspapers Ordinance Private manuscripts and rare books-examination, collection, preservation, repairing, copying and listing of manuscript documents and rare books considered to be of national importance ; technical assistance and advice to custodians of private manuscripts and rare books.</p> <p>Any other functions of the Director of National Archives including the Administration of the Government Record Office.</p>
Department of National Museums	<p>National Museums, Ethnological Survey, Zoological Survey, Palaeongoloby, Museum Libraries, "Spolia Zeylanica"</p> <p>Publication of Scientific and popular literature dealing with Ethnology, Anthropology, Zoology, Art, History, Pleistocene Survey</p>
3.11 MINISTER OF TRANSPORT	
Railway Department	Government Railways
Department of Motor Traffic	Motor Traffic
Sri Lanka Central Transport Board.	Registration & Licensing of Motor Vehicles

Column I Departments & Statutory (My) Institutions	Column II Subjects & Functions
The Colombo North Region Transport Board	Issue of Driving Licenses
The Colombo South Region Transport Board	Regulation of passenger-carriage services and carriage of goods by Motor Vehicles
The North-Western Region Transport Board	Regulation of Motor Transport on Highways
The North-Central Region Transport Board	Issue of Licenses to Conductors and Ticket Inspectors
The Northern Region Transport Board	Implementation of the Motor Cars (Tax on transfers) Law No. 13 of 1978
The Eastern Region Transport Board	Implementation of the Finance Law No. 47 of 1978 relating to Motor Cars
The Central Region Transport Board	Co-ordinating of Transport
The Uva Region Transport Board	Co-ordinating the activities of the Regional Transport Boards and exercising a general control over the policy of those Boards
The Southern Region Transport Board	Providing efficient regular omnibus services within the regions and inter-regionally Providing passenger ferry services by water Undertaking the carriage of goods by land
Department of Muslim Religious & Cultural Affairs	Muslim Religious & Cultural Affairs Fostering and promotion of Muslim Religious and Cultural Affairs. Implementation of the Mosques and Muslim Charitable Trusts Wakf's Act No. 51 of 1956 as amended by the Mosques and Muslim Charitable Trust or Wakf's (Amendments) Act No. 21 of 1962.

3.12 MINISTER OF RURAL DEVELOPMENT

Department of Rural Development	(My) (A) Organisation of Rural Development activities (A) Training Programmes (A) Training of R.D.S./K.S. Office-bearers, Village Leaders and Officials involved in Rural Development
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3.13 MINISTER OF LABOUR

Department of Labour	(My) Industrial Relations Industrial Courts Registration of Trade Unions Employees Councils Wages and Terms and Conditions Employment Safety, Health and Welfare of Workers in Factories Occupational Hygiene and Research
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Column I Departments & Statutory Institutions (My)	Column II Subjects & Functions
	(A) Skills Development and Vocational Training Employment of Labour Market information Regulation of Fee-Laying Employment Foreign Employment Workers' Education (including population Education for Workers) Employees' Provident Fund and Registration and control of Private Provident Funds Work connected with the International Labour Organisation
	(A) Labour Co-operatives Labour Charter
3.14 MINISTER OF HEALTH	
Department of Health	Medical Services
State Pharmaceuticals Corporation of Ceylon	Hospitals and Dispensaries and Staff employed therein Medical Education other than Maternity Hospitals-Schools of training for Auxilliary medical personnel, Specialised medical services-Medicine, Surgery, Obstetrics and Gynaecology, Paediatrics, Psychiatry, Cardiology, Neurology, Rehabilitation, Cancer etc. Anti-Tuberculosis Campaign Dental Service Civil Medical Stores-Drugs and dressings Medical Boards Sale of Opium and control of Dangerous Drugs (A) Private Nursing Homes (A) Medical Charitable Institutions (A) Grants-in-aid to Private Medical Institutions providing Services to Public Legislation - Medical Wants Ordinance (Cap. 226) Mental Diseases Ordinance (Cap. 227) Medical Records
	Public Health Services
	Study of Vital Statistics (My) (A) Control of Epidemic and Endemic Diseases (My) (A) Maternity, infant and Pre-school Hygiene school Health Work Occupational Health (My) (A) General Sanitation (A) Food Sanitation (A) Railway Sanitation (A) Advice to Local Authorities on Housing & Town Improvements (A) Estate Health Work (A) Health Legislation (A) Public Health Personnel International Quarantine and Sanitary Regulations

3.17 MINISTER OF HOME AFFAIRS

Column I Departments & Statutory Institutions (My)	Column II Subjects & Functions
Home Affairs & Govt. Agencies	
Govt. Agencies (Kachcheries) Dept. of Registrar General	<p>General supervision of Govt. Agencies and their direction in respect of subjects not specifically assigned to other Ministries, including Public ceremonials other than religious ceremonials, decoration of public places and public entertainments.</p> <p>Re-naming of towns and villages/Rest-houses and circuit bungalows under the control of Govt. Agents/rewards to Grama Sevaka/Riot damage/Control of rabies/Trespass by domestic animals/Informers Reward Ordinance-Section 3/Betting on horse racing/Crossword puzzles and prize competitions/Gaming and wagers/Lotteries/Pawnbrokers</p> <p>Fairs and exhibitions other than trade exhibitions/Festivals/Firearms</p>
A Central Government Secretariat in each intrmediate unit to carry out reserved powers and those not assigned to the intermediate or grass roots units will be necessary.	
Dept. of Registrat-General	
	<p>(My) (A) Registration of births, marriages and deaths</p> <p>Registration of deeds and other commercial documents/Registration of title to land/Notaries/Kandyan marriage and divorce/Muslim marriage and divorce/Registration of Adoption of Children, Orders issued by Courts and the Adoption of Children Ordinance.</p> <p>Enforcement of the Holidays Ordinance/Registration of written power of authorities</p> <p>Preparation of vital statistics</p>

3.18 MINISTER OF FOOD & CO-OPERATIVES

Dept. of Food Commissioner	(My) (A) Food suply and distribution Control,
Dept. of Co-operative Development & Registrar of Co-operative Societies	(A) Distribution and Rationing of Food/Co-operative Undertakings. The Organisation, Registration,
Co-operative Employees Commission	(A) Supervision and Audit of Co-operative Societies
Co-operative Management Centre	(A) Co-operative Development including Co-operative Education & Propaganda (My) Co-operative Management Centre
	(My) (A) Co-operative employees Commission, Matters connected with employment, Promotion, Retirement and other connected matters of Employees of Co-operative Societies

3.19 MINISTER OF INDUSTRIES & SCIENTIFIC AFFAIRS

Column I Departments & Statutory (My) Institutions	Column II Subjects & Functions
Geological Survey Dept. Department of Salt, Bureau of Ceylon Standards Industrial Development Board of Ceylon	Development and Control of Industries other than textile Industries Establishment of Standards, Promotion, Financing and Sponsoring of Enterprises/Industrial Investigations,
Paranthan Chemicals Corpn. Ceylon Ceramics Corpn.	Analysis and Publicity Industrial Scholarships/ Exploitation,
National Salt Corpn. Ceylon Mineral Sands Corpn.	Royalties and Sale of Mineral Sands. Industrial Products Act, No. 18 of '49.
National Paper Corpn. Ceylon Plywood Corpn.	Administration of the Industrial Development Act, No. 36 of 1969.
Ceylon Steel Corpn.	Manufacture of Matches (Regulations)
Ceylon Leather Products Corpn. Sri Lanka Tyre Corpn.	Ordinance, chapter 131 Industrial Development (includ- ing control & Co-ordination
National Small Industries Corpn. Ceylon State Hardware Corpn.	of Private Industry & Industrial Aspects of co-operatives)
Ceylon Institute of Scientific and Industrial Research (Del)	Regulation of Industries
State Fertilizer Manufacturing Corpn.	Supervision of all private industries including those
Ceylon Petroleum Corpn. Department of Meteorology	carrying State investments and the Control and Co-ordination of Private Sector Industries other than Textile Industries/Pricing of Industrial Products/Export Development Production and distribution of gas from sources such 'as petroleum products, coal etc./State Tile Factories.
	Meteorology
National Science Council Atomic Energy Authority	Meteorological Service including weather forecasting, collection of
State Mining Mineral Development Corpn.	climatological and rainfall statistics and Meteorological Research
Lanka Leyland Ltd.	Time Service
Ceylon Harboard Corpn.	Astronomical Service Seismological Service Magnetic Observations
Sri Lanka Tobacco Industries Corpn. Sri Lanka Jute Industries Corpn.	
	Scientific Research
National Engineering, Research & Development Centre	National Science Policy formulation Implementation and Co-ordination
National Institute of Business Management	with economic planning Scientific Manpower Development
Govt. owned Business Under- taking of United Motors Ltd.	Scientific and Industrial Research Physical Resources Surveys

Column I Departments & Statutory (My) Institutions	Column II Subjects & Functions
Govt. owned business Undertaking of Automobile Assembly and Manufacture Ltd.	Oceanography and Marine Biology Scientific International relations in Science and Technology
Govt. owned Business Undertaking of Ceylon Oxygen Co. Ltd.	Basic Applied Research Promotion, financing & sponsoring of research enterprises
Govt. owned business Undertaking of Colombo Gas & Water Co. Ltd.	Atomic Energy
	Salt
Govt. owned Business Undertaking of Hassan Printers & Publishers	(A) Manufacture, collection, purchase and sale of Salt (including by-products)
Govt. owned Business Undertaking of Bogala Graphite Co. Ltd.	
Govt. owned Business Undertaking of Shaw Industries Ltd.	(A) Production of the Revenue derived from Salt and by-products/Manufacture, Sale and Distribution of
Govt. owned Business Undertaking of Noorani Tiles Ltd.	by-products of sea water/Research of Salt and by-products of sea water.
Govt. owned Business Undertaking of Wijaya Tiles Ltd.	
3.20 MINISTER OF FINANCE & PLANNING	
Treasury	Supply and Cadre
Department of Inland Revenue	Estimates of Revenue & Expenditure
Customs Department	Cadre of Govt. Depts. including creation of posts/Formulation of Salary Scales
Loan Board	Financial Implementations of legislative measures and other proposals submitted by Ministers
Dept. of Excise	
Valuation Dept.	
Dept. of Credit Councils	(A) Works proposals and estimates
Central Bank of Ceylon	(A) Industrial schemes/Loan schemes
Bank of Ceylon	Variation of Works Estimates
People's Bank	Review of Revenue Estimates
National Savings Bank	Appropriation Accts./General Warrants. Supplementary
Development Finance Corp. of Ceylon	Estimates/Special Warrant
Agricultural and Industrial Credit Corp. of Ceylon	Virement/Financial Reserves/Advances from Contingencies Fund/Conditions of Grants
State Gem Corp.	(A) Rents and Leases of Govt. buildings and lands (not including rents of Govt. Quarters)
State Distilleries Corp.	Limits of Advance Accounts
Lady Lochore Loan Fund	Authority to issue deferred liabilities F.R.94
National Development Bank	Programme and Performance Budget
Dept. of External Resources	
Dept. of National Planning	
Dept. of Economic Affairs	Finance
	Ceylon Govt. Financial Regulations Interpretation Amendments, etc. Part I Financial Relations between Govt. and Local Authorities Excesses on Vote Write-off and Waivers under F.R.R. 109 and 113/Surcharges and applications for removal of Surcharges-F.R.117
	Free services involving Waivers/Damage to Govt. Property/Inter-Depts. Transfers of Stores/Stamp Duty.
	Arrack and Toddy Rents other than contracts for the supply of Arrack/ Authorities for charging Expenditure (Miscellaneous Funds)/Authorities on account of questions affecting lapsed payments under F.R.113.

Column I Departments & Statutory (My) Institutions	Column II Subjects & Functions
	Treasury Intervention for settlement of outstanding Audit Queries Bills, Accounts, etc./Rewards to the Public (Excluding Govt. Servants)
	Compensation for damage to private property (excluding those of Govt. Servants)
	Trading Accounts, Profit and Loss Accts. and Balance Sheets of all Commercial and Industrial Activities of the Govt.
	Gifts and Donations of Cash, Buildings, Lands, etc. from the public/Covering sanction to pass payments in Audit in the absence of paid documents/ Compensation payable to owners of requisitional properties
	Departmental and other Funds
	Accounting Systems in Govt. Deprts.
	Irregularities and Frauds, etc. in Govt. Depts.
	Pricing of Govt. publications/Sales of Govt. property
	Statutory Fees and Charges/Govt. Insurance Fund.
	Security of Public Officers/Contracts and extra contractual payments
	Delegation of Financial Responsibility
	Extra Legal Relief/Refunds of Customs duty
	Extra Legal waivers/Customs concessions/Harbour dues and rent/Treasury Minutes on Report of the Public Accounts Committee.
	Tender Board Procedure/Deviation from Tender Board Procedure/Defaulting Contractors/Supply of furniture to Govt. Depts.
	Air Freight/Insurance on Govt. contracts
	Accounts
	Financial business with Agents and Embassies Abroad.
	Refunds from Revenue.
	Establishing letters of Credit/Registration of Powers of Attorney/Imprests, Advances and Deposits/Bringing to account transactions of Depts./Receipts and payments on behalf of other Govts./Preparation & publication of the
	Accounts of Govt./Publication of consolidated appropriation account/Official Bank Accounts.
	Remittances to and from Kachcheri/Custody of Duplicate Keys, of Govt. Safes/Cash & Bank balances/Classification of receipts, Investments/Appointment of Boards of Survey for Cash, Stamps, Savings Certificates and
	Securities/Loans to Corporations, Bank Guarantees to Govt. Depts, State Corporations and Boards/Payment of salaries/Payments of Vouchers/Payments outside the Island/Savings Certificates Fund/Accounting of Foreign Aid/Authorised deductions on Pay Abstracts/Payments of U.K. Army Pensions in Ceylon/Granting of Advances for loss of Govt. Cash/Account adjustments/Provident Guarantee, Benevolent Benefit and other funds relating to Govt. Officers Public Debt.

Column I Departments & Statutory Institutions (My)	Column II Subjects & Functions
	<p>State Corporations Financial Relations between Govt. and Statutory Boards and Corporations/ Examination and Review of Annual Budgets, Annual Accounts, Balance Sheets and pricing policies of State Corporations and Statutory Boards in consultation with Ministries concerned.</p> <p>Capital investment and capital structure of State Corporations and Boards.</p> <p>Appropriation of profits of State Corpns. and Boards/Appropriation of profits of State corpns. and Boards/Repayment of Loans, etc. returns to the Consolidated Fund/Financial administration accounting and reporting systems in State Corpns. and Statutory Boards/Collection of financial and statistical data relating to State Corporations and Boards.</p>
	<p>Loan Board Investments, Management and Administration of suitors moneys in accordance with the provisions of the Loan Board Ordinance/Matters connected with Credit Councils.</p>
	<p>Dept. of Excise Excise/Tobacco Tax/Local Option.</p>
	<p>Valuation Dept. Valuations on behalf of Govt., Local Government bodies and State Corporations.</p>
	<p>National Savings Formulation and Appraisal of economic policies and economic and strategy/The preparation of national plans/Perspective Planning for all sectors of the national economy/The economic programming of the public and private sectors/Framing of economic policies to co-ordinate the programmes of different agencies—both Govt. and non Govt. in order to achieve national objectives/Co-ordination of policies and programme of Ministries and Govt. Depts. in regard to planning.</p> <p>Appraisal of projects in the public sector taking into account national priorities/Identification, development and assembly of project portfolios for external financing/Co-ordination of economic policy in relation to international economic agencies/Publicity of planning objectives/The evaluation of the performance of institutions and enterprises engaged in economic activities/The presentation of relevant data in the achievement of planned targets/Evaluation of the effect of foreign aid and technical co-operation in development programmes.</p>

3.21 MINISTER OF LANDS & LAND DEVELOPMENT

Column I Departments & Statutory Institutions	(My)	Column II Subjects & Functions
Lands		
Dept. of the Land Commissioner		Administration of State, Lands Alienation and development of Colonization
Land Settlement Dept.		
Survey Dept.		Land Settlement/Land Acquisition/Surveying
Forest Dept.		
State Timber Corpn.		State Forests
Irrigation Dept.		Proclamation of Reserves
Government Factory		Exploitation of Forest/Silvicultural
Water Resources Board		Research/Control of Forest Produce
Land Development Dept.		
Dept. of Machinery & Equipment		Irrigation
State Development & Construction Corpn.	(My) (A)	Irrigation Works/Flood Protection/planning of Water Resources
Colombo District (Low-Lying Areas) Reclamation & Development Board		
Land Development		
Physical Development and provision of facilities in Colonisation Schemes.		

3.22 MINISTER OF MAHAWELI DEVELOPMENT

Mahaweli Development Board	Development of the Mahaweli River Basin tributaries and their transbasin development.
River Valleys Development Board	
Central Engineering Consultancy Bureau	
Mahaweli Authority of Sri Lanka	

3.23 MINISTER OF PARLIAMENTARY AFFAIRS & SPORTS

Ministry of Parliamentary Affairs & Sports	(My) (A) The Encouragement and Development of Sports/Recreational Facilities
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3.24 MINISTER OF TRADE & SHIPPING

Commerce and Trade	
Dept. of Commerce	Export Promotion
Dept. of Registrar of Companies	Promotion of Tea, Rubber, Coconut and Minor Export Crops, Commerce generally Overseas and Inland trade/Trade Exhibitions/Representation of Sri Lanka
Dept. of Commodity Purchase	
Dept. of Control of Imports & Exports	Trade abroad/Organisation for Internal Trade and Foreign Trade. Agency Houses (Trading Aspects) functions under Section 114 of the Mortgage Act No. 6 of 1949.
Dept. for Development of Marketing	
Co-operative Wholesale Establishment	Control of Insurance/General Agreement on Tariff and Trade
Sri Lanka State Trading (Gen) Corporation	Trade
Sri Lanka State Trading (Textiles) Corpn. Salu Sala	UNCTAD/EEC/Institute of Chartered Accountants
Sri Lanka State Trading (Tractor) Corpn.	

Column I Departments & Statutory Institutions (My)	Column II Subjects & Functions
<p>Sri Lanka State Trading (Consolidated Exports) Corpn. Insurance Corpn. of Ceylon Dept. of Price Control National Metric Conversion Authority Export Promotion Secretariat Dept. of Merchant Shipping Dept. of Coast Lights Port (Cargo) Corpn. Port Commission Ceylon Shipping Corpn. Port Tally & Protective Services Corpn. Central Freight Bureau of Sri Lanka National Prices Commission</p>	<p>Registrar of Companies Administration of the following Ordinances & Acts : The Companies Ordinance/Business Names Ordinance/Trade Marks Ordinance/Patent Ordinance/Designs Ordinance/Societies Ordinance/Cheetus Ordinance/Registration of Accountants and Auditors. Copyright and the functions relating to the administration of the International conditions or industrial Property and Copyright of the World Intellectual Property Office (WIPO)</p> <p>Govt. Supplies Preparation of annual estimates of Stores and Supplies required by State Depts. and the maintenance of stocks to meet the general requirements of Civil Depts. as well as the Army, Navy and the Air Force. Indenting of Stores and Supplies from the Crown Agents and other Overseas procuring Agents. Preparation of Tender Documents and Purchase of Stores and Supplies on Tenders and Contracts. Procurement of goods in the local market on behalf of all State Depts. Participation in Tender Board Meetings of the various Ministries as representative of the Central Purchasing Organization. Clearance and delivery of all State cargo imported into Sri Lanka (other than food stuffs, coal, wooden Sleepers) and shipment of any State Cargo to be sent abroad. Issue of certificates for goods to be passed free of Customs Duty under Section 47 of the Customs Ordinance and for all goods imported by or for the use of State Depts. except the Railway. Rendering of accounts to all State Depts. in respect of Stores and Supplies purchased abroad and paid for by the Overseas procuring Agents and in respect of Stores and Supplies issued by this Dept. Maintenance of State bungalows at Nuwara Eliya, Kandy, Diyatalawa, Galle, Jaffna, Anuradhapura and Bandarawela, including the residences of the President, the Prime Minister and the Chief Justice. Maintenance of the State Explosives Magazine at Welisara, Sale and distribution of Explosives, Cartridges and Firearms, purchasing and selling of Motor Vehicles and other articles belonging to Embassies, Foreign Delegations in Sri Lanka, the Diplomatic Corps, Foreign Contractors and Tourists. Miscellaneous duties including the supply of furniture, etc. to Sri Lanka Missions abroad, equipment of bungalows allocated to officers specially recruited for State Service in Sri Lanka, supply of furniture and equipment for state Functions as and when required and advising of state Depts. on general Stores problems.</p>

Column I Departments & Statutory (My) Institutions	Column II Subjects & Functions
	Commodity Purchase
	Purchase of Sheet Rubber and shipment on FOB terms and export under various trade agreements. Control and export of other kinds of rubber. Purchase of rubber from a network of rubber purchasing depots, packing and shipment. Export of some grades of sheet rubber to hard currency areas/Distributions of formic Acid to small holders of rubber land.
	Control of Imports & Exports
	Control of Imports & Exports/Issue of Licences for imports & Exports.
	Marketing
	Development of Marketing/Exports of fruits and fruit products. Food Research.
	Price Control
	Control of Prices of Food/Control of prices of other miscellaneous articles/Enforcement of Weights and Measures Ordinance/Enforcement of the Licencing of Traders Act. Formulation and Implementation of National Price Policy.
	Co-operative Wholesale Establishment Act
	Distribution of subsidiary foodstuffs, etc Administration and operation of the Co-operative Wholesale Establishment Act.
	State Trading
	Administration and operation of the Sri Lanka State Trading Corp. Act other than the incorporation and administration of any Corporation for purpose of the import and distribution, etc. of building materials drugs, pharmaceuticals, weaving materials, purchase at tea auctions, distributions, export & etc.
	Insurance
	Administration and operation of insurance Corp. Act./Insurance of life and general business.
	Export Promotion
	Formulation of export promotion policy. The co-ordination of the different sector programme related to export, into a National Export Plan. The review of the implementation of the Export Plan/Formulation of export development strategies, and implementation of specific projects. ITC/SIDA Project. Trade Information Service/Export Training research programmes.

3.25 MINISTER OF JUSTICE

Column I Departments & Statutory Institutions (My)	Column II Subjects & Functions
Dept. of the Attorney-General Dept. of the Legal Draftsman Dept. of the Public Trustee Dept. of Prisons Dept. of Bribery Commissioner Dept. of Debt Conciliation Dept. of the Law Commission	Matters relating to the administration of the Courts of Justice, which have not been assigned to any other person in terms of the Constitution/Matters relating to the administration of Labour Tribunals/Criminal prosecutions and civil proceedings on behalf of the state/Legal advice to the Govt. and to all Govt. Depts./Drafting of legislation. Advice in respect of the granting of pardons, commutations, remissions, respites, suspensions of sentences passed on any offender.
Institute of Corporation Lawyers Legal Aid Commission	Letters of Venia aetatis/Debt conciliation/Law re-statement and codification. Law reform/preparation and issue of Legal glossaries/Incorporation of an incorporated legal bodies and institutions.
	Enemy property/Functions of the Public Trustee/Buddhist Temporalities/Functions of the Govt. Analyst/Prison administration/Training school for Youthful Offenders/The functions referred to in the following articles of the Constitution of Sri Lanka and other Statutes
	Articles 23 (2) of the Constitution Articles 24 (1) and 24 (4) of the Constitution Article 34 of the Constitution Article 114 (6) of the Constitution Section 90B of the Evidence Ordinance Section 2 of the Informers Rewards Ordinance Prevention of Frauds Ordinance The Enforcement of Foreign Judgements Ordinance The Reciprocal Enforcement of Judgements Ordinance The Bribery Act.
	Declaration of Assets and Liabilities Law No. 1 of 1975/The Language of the Court Prevention of Crimes Ordinance, Sections 10, 11, 15 and 16/Youthful Offenders (Training School) Ordinance/Council of Legal Education Ordinance The Crown (Liability in delict) Act Prevention of Social Disabilities Act/The Public Trustee Ordinance/Section 20 and 114 of the Trusts Ordinance/Temple Lands Compensation Ordinance, Section 3 (1) and/Legal Aid Law, No. 27 of 1978/Institute of Corporation Lawyers Law No. 33 of 1978/Law Commission Act No. 3 of 1969/Judicature Act No. 2 of 1978/UNESCO National Commission activities in Ceylon. Maintaining liaison between the UNESCO Organisation, the Govt. and non-Governmental Institutions.

3.26 MINISTER OF FISHERIES

Column I Departments & Statutory Institutions	(My)	Column II Subjects & Functions
Ceylon Fisheries Corpn.		Administration of the Fisheries Ordinance and related Ordinances/Fishing rights/Fisheries Survey and Research/Development and regulation of the marine, brackish water and fresh water fisheries/Training of fishermen and
Ceylon Fishery Harbours Corpn.		(A) extension work among fishermen/provision and promotion of credit facilities for fishermen/Provision of welfare facilities to fishermen/Management and/or operation and state-owned fishing craft. Distribution and marketing of fish and fish products/Importation and distribution of fishing gear/Establishment and operation of ice plants, cold rooms, harbours, anchorages and other infrastructure facilities required for the fishing industry.
		Establishment and operation of fishing harbour and anchorages/Coast conservation.

3.27 MINISTER OF RURAL INDUSTRIAL DEVELOPMENT

National Milk Board		Milk Production & Distribution, Development of Livestock Industry/Veterinary Services and Research/Animal
Dept. of Small Industries		Breeding/Animal diseases and quarantine of
Ceylon Oils & Fats Corpn.	(My)	animals/Cattle Vouchers/Buffalo protection
Dept. of Animal Production & Health	(A)	Development and control of Small Industries
National Livestock Development Board	(A)	Promotion, financing and sponsoring of Small Industries/Marketing and Export Promotion of Handicrafts
The Dept. for Marketing & Export Promotion of Handicrafts		

3.28 MINISTER OF YOUTH AFFAIRS & EMPLOYMENT

National Youths Service Council		Formulation of Voluntary National Service scheme for Youth/Employment Planning/Youth Development Activities
National Apprenticeship Board		(A) Technical Employment/Special Employment Programme
		Co-ordination of Vocational and Technical Training Programmes

3.29 MINISTER OF EDUCATION

Regional Depts. of Education		Incorporation of Incorporated Educational Bodies and Institutions
Dept. of Educational Publications		Educational Bodies & Institutions
Dept. of Examinations		Educational Publications Advisory Board
Ceylon National Library		Education in Primary/Junior Secondary & Senior Secondary Schools/Pirivena Education/Cultural Education/Adult Education/Technical & Science Education at School Level/Audio-Visual Education.
Services Board		

Column I Departments & Statutory (My) Institutions	Column II Subjects & Functions
	<p>School Gardens and School Agriculture Vocational and Educational Guidance Schools National Service Training Colleges & Training of Teachers/Physical Education/Feeding of School Children/Erection and Maintenance of educational buildings/Scholarships/Approval of books suitable for schools/Vocational Education in Agriculture including Specialist Institutions and Comprehensive Schools Technical Education and training in fields of Arts, Crafts and other vocations/Trades Schools/Engineering Trades (other than at tertiary level) Commercial and Vocational Education and Training/Conduct of examinations including those for Public Service/Recommendation of books suitable for schools and manuscripts for publication/Purchase of copyrights, translation, publication, distribution and sale of standard text books for use in elementary, secondary and higher education.</p>
	<p>Production, publication, distribution & sale of text books, dictionaries, reference books and other publications required for educational purposes/Production, distribution and sale of teaching aids, audio visual material, furniture and other equipment and inputs/Provision of Science Laboratories and Science equipment/Encouraging production of other reading material/National Book Development Council/Advice for publication of school books and periodicals/UNESCO sponsored research in educational building problems in countries in Asian Region including Sri Lanka and Publication of research information/promotion of Arts and Crafts/Promotion of Music/Promotion of Dancing and ballet/Development of Buddhist Culture/Organisation and development of Library Services. Compilation of the Ceylon National Bibliography Planetarium</p>
	<p>To be decided in consultation with Committee "B"</p>

3.30 MINISTER OF STATE

	Information
Dept. of Information	Distribution of official news to the press including the
Dept. of Govt. Printer	arranging of Press Conferences
State Printing Corpn.	Preparation and issue of publicity literature
Dept. of Wild Life Conservation	Advice on Publicity to other Govt. Depts.
Zoological Gardens	Dissemination of information about Sri Lanka generally and
Ceylon Tourist Board	to Individual Inquirers
Ceylon Hotels Corpn.	Information and publicity material for Sri Lanka Missions
Sri Lanka Press Council	abroad
	International Agreement relating to publications
	Sale, Storage and despatch of Govt. publications other than
	Dept. publications
	Preparation of films
	Arrangements for Film shows

Column I Departments & Statutory Institutions (My)	Column II Subjects & Functions
	Control of Newspapers and their vesting in Statutory Public Corporations Sri Lanka Press Council
	Government Printer Executing printing and binding for Government Departments and Quasi-Government Departments. Calling for tenders when necessary for Government Printing and entering into contracts with private printers in terms of F.R. 960. Distributing Government advertisements in terms of F.R. 973(i) certifying bills and making payments for same from an Advance Account operated by the Dept.
	Tourism Rest-houses under the Ceylon Tourist Board Rest-houses under the Ceylon Hotels Corporation Operation of Tourist Guide Service Registration of Tourist Agencies Development of the Tourist Industry Wild Life Fauna and Flora Protection Game Sanctuaries Elephant and Buffalo Kraals Dried Meat Wild Animals in Captivity Zoological Gardens
(My) (A)	Hotels Construction and Manangement of Lanka Oberoi Hotel
3.31 MINISTER OF REGIONAL DEVELOPMENT	
Department of Hindu Religious Affairs Palmyrah Board	Development of Jaffna, Mannar, Vavuniya, Mullaitivu, Amparai, Batticaloa and Trincomalee Districts Implementation of Tamil Language provisions Promotion of Tamil Culture, Arts and Lliterature Fostering and Promotion of Hindu Religious and Cultural Affairs (A) Matters relating to the Palmyrah Industry
3.32 MINISTER OF COCONUT INDUSTRIES	
Coconut Development Authority Coconut Cultivation Board Coconut Research Board Government Owned Business Undertaking of British Ceylon Corporation	Matters relating to the overall development of coconut plantation, agriculture and associated processing, marketing research and industrial activity
3.33 MINISTER OF EDUCATION SERVICES	
Department of Educational Publications Ceylon National Library Services Board	Feeding of School Children (A) Erection and Maintenance of educational buildings Purchase of copyrights, translation, publication, distribution and sale of standard text books for use in elementary, secondary and higher education. Production, publication, distribution and sale of text books, dictionaries, reference books and other publications, required for Educational purposes Production, distribution and sale of

Column I Departments & Statutory Institutions	(My)	Column II Subjects & Functions
	(My)	(A) teaching aids audio-visual material, furniture and other equipment and inputs
	(My)	(A) Provision of science laboratories and science equipment Encouraging production of other reading material National Book Development Council UNESCO sponsored research in educational building problems in countries in Asian Region including Ceylon and publication of research information
	(My)	(A) Organisation and development of Library Services Compilation of Ceylon National Bibliography, Planetarium
3.34 MINISTER OF INDIGENOUS MEDICINE		
Department of Ayurveda		The Development of Ayurveda, Siddha and Unani
Ayurvedic Drugs Corporation		Ayurvedic Medicine Treatment according to Ayurvedic system of indoor and outdoor patients at the Ayurvedic Hospitals Manufacture of Ayurvedic Medicine Import, sale and distribution of raw and manufactured Ayurvedic, Siddha and Unani drugs
	(A)	Export of medical herbs and prepared drugs
	(A)	Establishment and Maintenance of Herbaria Establishment and Maintenance of Ayurvedic Research Institutes & Pharmacies Grants to Ayurvedic Dispensaries and Hospitals
	(A)	Establishment of Ayurvedic Dispensaries & Hospitals Ayurveda Act No. 31 of 1961 Ayurvedic Medical Council Ayurvedic College and Hospital Board Ayurvedic Research Committee Regulation of Ayurveda drug manufacture
3.35 MINISTER OF WOMEN'S AFFAIRS AND TEACHING HOSPITALS		
Women's Bureau of Sri Lanka		Formulating policy and implementing programmes for the advancement of the quality of life for women and their increased participation in national development Co-ordinating with non-governmental organisation activities Channelling foreign assistance from international organizations in this field
Colombo Group of Hospitals		Management and organisation of all departments and services in the scheduled Teaching Hospitals and liaison with associated institutes of higher medical education
Office of the Supdt. of the Colombo Group of Hospitals		
General Hospital, Colombo		
De Soysa Hospital for Women		
Castle Street Hospital for Women		
Lady Ridgeway Hospital		
Eye Hospital, Colombo		
Colombo North General Hospital	(E. 269/27 of 3069/83)	
Sri Jayewardenepura General Hospital		
Kandy General Hospital		
Peradeniya General Hospital		
Galle General Hospital		
Karapitiya General Hospital		
Jaffna General Hospital		

3.36 MINISTER FOR REHABILITATION

Column I Departments & Statutory Institutions (My)	Column II Subjects & Functions
Rehabilitation of Properties & Industries Authority (REPIA)	Rehabilitation of Properties and Industries damaged during riots and civil commotion

3.37 MINISTER FOR LOCAL GOVERNMENT, HOUSING AND CONSTRUCTION

Local Government

Department of Local Government Services	Municipalities
Department of Town & Country Planning	Urban Councils
Local Loans & Development Fund	Town Councils
Department of Janatha Committees	Village Councils
National Water Supply & Drainage Board	
Department of Local Government (My)	(A) Registration of vehicles other than motor vehicles.
Department of National Housing	
Department of Buildings (My)	(A) Administration of the Public Performance Ordinance (Chapter 176 excluding Section 6)
State Engineering Corporation of Sri Lanka	
Building Materials Corporation	(A) Destruction of stray dogs
Common Amenities Board (My)	(A) Sections 3 and 9 of the small Tenements Ordinance
Building Materials Manufacturing Corpn. Govt. Owned Business (My)	(A) Auctioneers and brokers
Undertaking of Colombo Commercial Co. (Engineers) Ltd. (My)	(A) Public utility service of Local Authorities including water service Schemes, drainage, electricity & housing schemes
The Govt. Owned Business Undertaking of Heavyquip Ltd.	
Urban Development Authority of Sri Lanka	(A) Street Collections Regulations (A) Entertainment Tax (A) Guides
Local Govt. Service Advisory Board	(A) Butchers
Local Government Service Disciplinary Board	
National Housing Development Authority	Section 61 – Electricity Act (Chap. 205) Light control Wells and pits Cemeteries and burials Dairies and Laundries Administration of the Housing & Town Improvement Ordinance. (Under the control of Local Authorities) Community Centres Housing Schemes and slum clearance schemes carried out by Local Authorities Riot Damages Ordinance-Sections 31 (2), 32 (2), (3), (4) and (5) and 33 (1)
(My)	Institute of Training & Research in Local Government

Column I Departments & Statutory Institutions (My)	Column II Subjects & Functions
	(A) Provision of Public Utility Services on schemes which are determined by Local Authorities
	(My) Investigation, design, construction of Sewerage & surface drainage on Schemes determined by Local Authorities :- (i) Towns and Villages. (ii) Hospitals, Universities, Factories, etc.
	Housing and Construction
	(My) Planning of Housing Schemes The construction of buildings for residential purposes.
(My) (A)	The construction of buildings for the administration, management or control of buildings and building schemes.
(My) (A)	Slum clearance and resettlement of slum dwellers.
(My) (A)	Provision of essential amenities and services for the inhabitants of any area in which any housing scheme has been carried out or is contemplated to be carried out, and the construction of buildings for such purposes.
(My) (A)	The manufacture, importation or supply of materials required for the construction of buildings or for any other purposes connected with, or incidental to. The provision of roads, water, electricity, gas, drainage and sewerage in respect of buildings or building schemes constructed or to be constructed. Administration, management, maintenance, control of and additions and improvement to buildings or building schemes. The grant of assistance for the purpose of enabling the carrying out of any of or by the undertaking of guarantee or by promoting, effecting, insuring, guaranteeing, under writing, participating in the managing and carrying out of any issue, public or private or Government or other loans or of shares, stock, debenture stock of any body corporate and by the lending of money for the purpose of any such issue. The acquisition or receiving by way of grant or otherwise any movable or immovable property, for the purpose of carrying out any housing object.
(My) (A)	The holding, managing, selling, surrendering, exchanging, leasing or other disposition of property acquired by way of gift or otherwise for the purpose of carrying out any housing object.
(My)	The borrowing of money for housing objects.
(My)	The levying of rents or fees for any buildings or for any service provided by the carrying out of any housing object.

Column I Departments & Statutory Institutions (My)	Column II Subjects & Functions
	Assistance in the formation and registration of building societies and assistance in the achievement of the objects set out in the Instrument of Association of such building societies.
	Securing for persons entitled to them, exemptions from income tax and wealth tax as provided for by the law in force in that behalf.
(My) (A)	Prosecution of building societies contravening or failing to comply with any provisions of the National Housing Act.
	The taking over and performance of all the functions and duties of the Housing Loans Board with effect from August 25, 1956.
(My) (A)	Co-ordination of housing and activities connected therewith.
(My)	Regulation and control of rents and rented premises.
(My)	Protection of tenants by law.
(My)	Condominium property and Common Amenities in housing schemes.
	Regulation of ownership and construction of houses.
	Maligawatte Development Scheme.
	Rendering of technical advice regarding the construction of buildings.
(My)	Designing, construction and maintenance of and addition and improvements to buildings for Government Departments provided in the Annual Estimates.
(My)	Designing and construction of buildings for the Education Department
	Maintenance of and additions and improvements to public buildings.
(My)	Building Research.
(My) (A)	Entering into contracts and other arrangements as may be necessary or expedient for the purpose of carrying out any of the objects listed above.
(My) (A)	Acquisition under any law for the time being in force of land and property and the development and redevelopment of land and property for the carrying out of any of the objects listed above.
(My)	Any object reasonably connected with or ancillary to any of the above objects.
(My)	Administration and control of the State Engineering Corporation of Sri Lanka (Ceylon) incorporated under the Industrial Corporations Act. No. 49 of 1957.
(My)	Administration and control of the Building Materials Corporation incorporated under the Sri Lanka State Trading Corporations Act. No. 33 of 1970.
(My)	Restoration of the Colombo-Puttalam and Colombo-Oruwala Canals.
(My)	Administration and control of the Building Materials Manufacturing Corporation incorporated under the Industrial Corporations Act No. 49 of 1957.

Column I Departments & Statutory Institutions (My)	Column II Subjects & Functions
	(My) Administration and control of the Government Owned Business Undertakings (Acquisition) Act. No. 35 of 1971.
	(My) Administration and the control of the Government Owned Business Undertaking of Heavyquip Ltd., vested in the Government under the Business Undertakings (Acquisition) Act. No. 35 of 1971.
	(My) To promote integrated planning and implementation of economic, social and physical development of Urban Development Areas under the Urban Development Law No. 41 of 1978.
	(My) To exercise, perform or discharge such powers, functions or duties as may be required of Local Government Service Advisory Board under Law No. 16 of 1974.
	(My) To exercise, perform or discharge such powers, functions or duties as may be required of Local Government Service Disciplinary Board under Law No. 16 of 1974.
	(My) (A) Acquisition of land for housing.
	(My) (A) Construction of houses for sale, lease, rental, etc.
	(My) (A) Management of lands and houses belonging to the Authority.
	(My) Provide loans to purchase housing property or construct houses.
	(My) (A) Undertake Slum and Shanty clearance and re-settlement of persons displaced by such activities.
	(My) (A) Develop new housing estates and neighbourhoods.
	(My) (A) Establish aided self-help housing.
Projects Department of Highways	(A) Government Roads
P. W. D. Research Institute	(My) Public Roads and Estate Roads Inland Waterways Tolls Boats and Boatmen Thoroughfares, reservations and encroachments Closing of roads owing to impassability
	(My) Proclamation of thoroughfares

3.38 MINISTER OF AGRICULTURAL DEVELOPMENT AND RESEARCH

Department of Agriculture	(My)	(A) Agricultural Development
(except Animal)		Agriculture (Research & Extension)
		(A) Agricultural Education
Production & Health Division	(My)	(A) Agricultural Propaganda
Department of Minor Export Crops		Botanical Gardens
Sri Lanka Sugar Corpn.	(My)	(A) Soil Conservation
Agrarian Research & Trading Institute		Plant Pests
Agrarian Research & Training Institute		Plant Quarantine

Column I Departments & Statutory Institutions (My)	Column II Subjects & Functions
Sri Lanka National Freedom from Hunger Campaign Board Paddy Marketing Board	(My) Work connected with the Food and Agriculture Organisation of the United Nations World Food Council and International Fund for Agricultural Development.
Sr Lanka Fruit Board	(My) Import & Export of planting material State Agricultural Farms
Agricultural Development Authority	Administering of the National Nursery
Department of Agrarian Services	(My) Freedom from Hunger Campaign.
Agricultural Insurance Board (My) National Agricultural Diversification and Settlement Authority Govt. owned Business undertaking of Consolidated Agencies Ltd.	(A) Minor Exports Crops (Cinnamon, Cardamoms, Cocoa, Coffee, Cinchona, Citronella, Cloves, Ginger, Groundnut, Pepper, Kenaf, Manioc, Kitul, Arecanuts, Ramic, Lemon, Grass, Nutmeg and Pyrethrum) Administration operation of the Sri Lanka Fruit Board.
	Agrarian Services
	(A) paddy Land Tenure Agrarian Services including minor irrigation functions
	(A) Agricultural Productivity
	Food Production
	(A) Measures for increased production of food
(My)	(A) Agricultural insurance
(My)	(A) Guaranteed Price Scheme for Local Agricultural Produce.

THE ALL PARTY CONFERENCE



REPORT OF COMMITTEE "B"

SET UP

**"TO CONSIDER MEASURES
THAT NEED BE IMPLEMENTED
WITH
REGARD TO EQUALISATION OF
OPPORTUNITIES
IN EDUCATION, EMPLOYMENT AND THE
EXERCISE
OF
LANGUAGE RIGHTS"**

Chairman

Hon. K. W. Devanayagam, M.P.

Minister of Home Affairs

The All Party Conference Secretariat,
B.M.I.C.H., Bauddhaloka Mawatha,
Colombo 7.

INTRODUCTION

The All Party Conference at its Plenary Sessions on 9th May, while reserving to each delegation its position on the unit of devolution resolved to set up Two Committees "A" and "B" representing the diversity of opinion within the Conference.

- (1) Committee "A" – to work out the structure, powers and functions of the unit of devolution ; and
- (2) Committee "B" – to consider measures that need be implemented with regard to equalisation of opportunities in education, employment and exercise of language rights.

In terms of this decision Committee "B" consisting of 12 parties and associations participating in the All Party Conference with Hon. K. W. Devanayagam as Chairman submits the following report.

The Tamil United Liberation Front, the Federal Party, the All Ceylon Tamil Congress and the Communist Party of Sri Lanka said that they did not wish to participate in the proceedings of this Committee although they added that they would continue to participate in the Plenary.

The names of the parties and associations composing Committee "B", the delegates nominated to it and the names of the officials and legal experts who assisted the Committee are attached.

The Committee met on seven occasions. These meetings were presided over by the Chairman, Hon. K. W. Devanayagam, except in the case of two meetings in August when Hon. M. H. Mohamed presided in the absence of Hon. K. W. Devanayagam who was out of the Island.

The Group of Officials and Legal Experts too had four meetings all of which were chaired by Hon. K. W. Devanayagam.

On June 1, 1984 Committee "B" submitted an Interim Report to the Plenary Sessions of the All Party Conference outlining the progress the Committee had made in its deliberations up to that date.

In the period subsequent to June 1, the Group of Officials and Legal Experts met and a Report of the Officials' Committee containing possible options for achieving equalisation of opportunities in education, employment and language rights was submitted to the Committee for its consideration. These options were debated in detail at meetings of this Committee. The Report presented now is the result of those discussions.

It was not possible to obtain complete agreement in the three main areas in which the Committee deliberated, viz : Education, Employment and Language Rights. Where consensus had been modified, the suggestions made by the various parties and organisations have also been included in this Report.

EDUCATION

Entry to Universities

There was general agreement that for entry to Universities, whilst merit was considered the best criterion and should be the ultimate aim, in view of the disparities prevailing regarding educational facilities, the Committee proposes that as a temporary measure –

- (a) schools be graded into categories according to the facilities available.
- (b) suitable weightage be given to the disadvantaged schools. The grading of schools should be decided by a Committee of Educational Experts on an appropriate set of criteria.
- (c) special concessions be given to disadvantaged groups like Tamils of recent Indian origin on the grounds of economic and social factors.

The L.S.S.P. was in favour of selection by merit but was in favour of replacing the prevailing system of selection with a scheme for classifying individual schools and giving weightage to schools which were disadvantaged as far as educational facilities and staff were concerned. Rather than educationally disadvantaged Districts, there were educationally disadvantaged schools even in the same District along with schools which were not disadvantaged.

The Hindu Organisations wanted selection by merit but added that if any concessions were given for disadvantaged areas or disadvantage schools, it should be only for a limited period and the quota allocated should be thirty per cent. This quota of thirty per cent should be progressively reduced each year. They were against ethnic or religious quotas as it vitiated the principle of equality of opportunity, lowered standards, encourage divisive tendencies and violated the United Nations Declaration on Human Rights and the International Covenant on Economic, Social and Cultural Rights to which Sri Lanka is a signatory.

The All Ceylon Muslim League urged that entry to Universities should be on ethnic proportions and some special concessions should be given to the Muslims.

This view was shared by the Council of Muslims who stressed that to counter-balance in some way the advantaged groups or advantaged schools, in selection the national proportions of ethnicity should be reflected ; but within that proportion, in each field of study, merit should prevail for selection from each ethnic group.

The Sinhala Associations and the Sri Lanka Buddhist Congress too supported the view that University admissions should be based on national ethnic proportions.

The C.W.C. and the D.W.C. whilst supporting merit, recommended a modification whereby special concessions would be given to disadvantaged schools and disadvantaged groups like the Tamils of recent Indian origin on the grounds of social and economic criteria and not on the grounds of race. The D.W.C. added that the final result in ethnic proportions is a measure of equal opportunities.

The Maha Sangha commented that if more Universities could be established in Districts, it might help to solve the great demand for entry to Universities. On this point, the Chairman, U.G.C., explained that establishing Universities not only required vast resources but excellent academic staff as they had to be recognised internationally. It was difficult at present to recruit competent and qualified staff even for the traditional Universities. The establishment of further Universities in Districts, therefore, had to be undertaken only after detailed feasibility studies.

He also made the point that students too were somewhat slow to opt for Universities in the Districts even though they came from such Districts. For instance, students selected for admission to Batticaloa University College from the Eastern Province had not opted for admission to that University. This could be another constraint in having Universities in Districts.

The Christian Organisations while supporting selection on the basis of merit felt that provision should also be made for disadvantaged schools and that there should be grading of schools based on educational facilities.

The Chairman of the University Grants Commission, Dr. Stanley Kalpage, explained to the Committee the present procedure. Entry to Universities was based on a 30 per cent. purely all-island merit basis, 55 per cent distributed among the 24 Districts on the basis of population and 15 per cent for educationally disadvantaged Districts. There were 13 such Districts.

On the present all island merit plus the District quota basis, the largest intake for Medicine and Engineering this year is from Colombo District and Jaffna District. If merit had been the sole criterion, Districts like Mullaitivu, Vavuniya, Mannar, Galle, Polonnaruwa and Badulla would have had no student intake for Medicine. A somewhat similar position would have arisen in the Engineering Faculty too. This certainly would not have been acceptable to the peoples of those Districts.

He also inquired whether ethnicity could be a criterion only for University admissions. What of other areas like employment, trade and business, etc. Was it to be a determining factor in all other fields? Would it be desirable and acceptable in the interests of an integrated Sri Lankan nation? In practice, on the present formula, he said, an ethnic balance had been achieved without so labelling it. He also stated that the intake of Muslim students had increased progressively under the present basis. From 1980 the entry to all Faculties had been 3.8, 3.9, 3.7 and 5.5. ; in Medicine it had gone up from 2.2, 4.2, 2.4, to 4.5, and in Engineering from 4.0, 4.1, 3.7 to 5.3. Prof. Kalpage also stated that entry to University by students of recent Indian Origin was very low.

In the matter of classification of schools both the U.G.C and the Ministry of Education had tried very hard to work out a satisfactory classification but had not yet been able to do so. The Ministry too supports a proposal to classify schools and will continue to work on it.

The LSSP suggested that rather than all schools attempting to have classes for the A-Level, schools should be grouped together in smaller areas and one approved school in each such area should be equipped fully with the best of facilities by way of teachers, science facilities, libraries, etc. to teach A-Level subjects. The other schools should be at O-Level.

The Hon. Minister of Education said that this was an idea which was attractive to the Ministry. It was similar to the 6th Form Schools in U.K. But this proposal had run into a lot of local resistance from the schools themselves in this country. However, the proposal was still being examined.

On the suggestion of standardization of marks and evaluation of another system of entry to universities, the following is the position :

- (i) The revised criteria for entry as recommended by the Committee appointed by U.G.C. has not yet been considered by the Government.
- (ii) On the matter of standardization, since the Government had earlier decided against standardization of marks, the Minister of Education explained that he could not commit himself on this question without consulting the Government.

The Hindu Organisations wanted Sinhala and Tamil to be provided as media of instruction in all Universities. The inter-mingling of students of various communities promotes national integration and the strengthening of the Sri Lankan identity. The LSSP, C.W.C., The Christian Organizations and the Maha Sangha supported this point of view.

The Place of English in the Education System

Unlike in University Admissions on this issue the case is not that of a cake of limited size that has to be shared equitably. Therefore, it should be easier to achieve consensus.

Improving, expanding and intensifying the teaching of English, by whatever modes, contributes towards the promotion of inter-communal harmony and understanding because at present it is the only link language between the two major ethnic groups. However, any undue concentration of the plums of education to those who do well in English can place the child from the non-English speaking home, and this is the vast majority, at an insurmountable handicap. This could be counter productive from the perspective of equalization of educational opportunities. As against this, there is the hard fact that English in our context, being almost a gateway not only to Science and Technology and Higher Education but also to expanded areas of Trade and Commerce, would continue to be a major determinant of what benefits education can bring to the individual and the country. Hence, widespread learning of English would be a move in the direction of equalising educational opportunities.

In this complex situation mindful of the need to steer clear of extremes the following proposals are being made :

- (i) Implement at a high level of adequacy the existing legal requirements that English be taught compulsorily as a Second Language to all children from the third year in school upwards.
- (ii) Strengthening the teaching of English to all students in the Universities.

- (iii) After (i) above has been stabilized, teach another subject in the secondary grades in the English medium. This may be optional.
- (iv) After (i) and (iii) have made headway teach English as a compulsory subject to all students in the GCE (AL) provided it is optional for examinations.
- (v) In the case of Technical and Professional courses at the post-secondary level, that need a high level of English, allow the use of English as Medium of Instruction.

Teaching of Sinhala and Tamil as Link Languages

Teaching Sinhala to Tamil children and Tamil to Sinhala children should certainly lead to a greater understanding between two communities, although its contribution towards equalisation of educational opportunities may be marginal. Some time back the Ministry of Education attempted this but it had to be abandoned for want of resources and enthusiasm. A programme of this nature would need heavy resources in the way of teachers, textbooks, etc. Furthermore, unlike for English for this third language it would not be easy to motivate the young children. In both languages particularly in the Sinhala language there are very large geographical areas where there is little contact with the other language. Despite these constraints, in view of the great impact it can have in promoting inter-communal harmony, it is recommended that steps be taken to teach Sinhala to Tamil children and Tamil to Sinhala children from the Primary level. This will also assist in the implementation of the provisions on language in our Constitution.

Upliftment of Schools in the Plantation Areas

These former Estate Schools have now been taken over as Government Schools. However, owing to very long years of gross neglect, their facilities, teaching staff and the programme of instruction are all extremely poor. The Ministry of Education has already commenced a few programmes to remedy the situation. After the July disturbances large numbers of teachers whose home stations were in the North have left these schools. 402 teachers were recruited mostly from within the areas to meet this shortage. As the community does not have young men and women qualified to be teachers a special programme is being organised to build up a pool of 1,000 prospective teachers for these schools from within the community. A plantation Sector School Development fund has been approved by the Cabinet and the fund will shortly be set up.

A suggestion has been made that these schools be integrated with the rest of the State Schools System in the respective areas. The manner in which this is to be done needs to be worked out in detail. Possibly a liberal scheme of Scholarships to enable promising Primary School children from these schools to be accommodated in hostels of well established Secondary Schools in their own areas may perhaps be the quickest way of producing a reasonably large generation of young men and women with secondary education within this community.

In regard to these schools the following recommendations are made :

- (1) The proposed Five-Year Development Plan should be taken in hand immediately for implementation.
- (2) There is an urgent need to establish secondary schools in the Plantation sector and where there are existing secondary schools to immediately up-grade the facilities e.g, equipment, buildings and provision of teachers.
- (3) Every effort should be made to integrate effectively those former plantation sector schools with the rest of the national educational system. In order to do this, the necessary inputs to raise them to the level of the rest of the school system should be provided.

Equalisation of Opportunities in Employment

General

In regard to equalisation of opportunities of Employment, if by employment is meant employment in the State sector including Government Corporations, expansion in employment in this area is being progressively reduced. Cut-backs in state employment due to policy decisions to reduce public expenditure meant that employment expansion has to be found in areas outside the public sector.

The LSSP agreed with this view and commented that until there was full employment the feeling of discrimination would continue.

Non-University Tertiary Education in Technical Institutes

There was acceptance that there was an urgent need to expand facilities for non-university tertiary education in technical institutions and the like after the O-Level and A-Level with a view to imparting skills in occupations which are in demand both in the domestic economy and abroad. Such a programme, while delaying the pressure of employment opportunities on the part of those who are compelled to look for employment after the O-Level and A-Level will also make them more employable. It was agreed that there was a large potential for such employment in the agro-industries and the servicing industries especially in the Mahaweli areas.

The Job Bank

There was general agreement that the Job Bank Scheme should be ended. The All Ceylon Muslim League suggested a stipulation that it be permitted to carry on until the residue in the scheme had all been found employment, if necessary, by transferring the registration to members of their families who are qualified. The Hindu Organisations, Christian Organisations, Sri Lanka Buddhist Congress, the Council of Muslims, the D.W.C. and the C.W.C. were opposed to the transfer of Job Cards. The Sinhala Associations were of the view that as far as possible the registrants should be provided employment before the Scheme was abolished.

The LSSP was strongly opposed to the entire conception of a Job Bank which inevitably is politically organised and influenced by the ruling party. The LSSP suggests that State sector organisations be permitted to advertise their vacancies, short-list the applications according to qualifications and make the final selection on the basis of an interview where merit should be the criterion.

In place of the Job Bank two suggestions were made to find employment :

- (1) the revival of the old Employment Exchanges, and
- (2) the creation of a Placement Bureau for University Graduates of all disciplines.

As far as the Placement Bureau was concerned, it was stated that already there was a Placement Bureau which was for finding employment for Graduates in Arts, Humanities, Social Sciences, Science and Commerce.

The Hindu Organisations felt that Employment Exchanges and Placement Bureaus may be helpful in getting suitable personnel to fill immediate and generally casual vacancies in particular categories of jobs, but they were not a substitute for a fair and equitable system of recruitment to the Government, Local Government or Corporation Services. They wanted the subject of appointments, promotions, transfer and disciplinary control of Government, Local Government and Corporation employees removed from political control and placed in the hands of an independent Public Service Commission or Commissions, which should formulate Schemes of Recruitment for various categories of jobs.

Merit or Ethnic Proportions in Employment ?

In the field of employment the major discussion was on the question of whether recruitment should be purely on merit or on merit within ethnic proportions.

The All Ceylon Muslim League, the Council of Muslims, the Sinhala Associations, the Sri Lanka Buddhist Congress and the D.W.C. were in favour of ethnic proportions, whilst the LSSP, the Christian Organisations and the Hindu Organisations were emphatically against recruitment on any form of ethnic basis. The Council of Muslims though agreeing that merit should be the criterion also advocated the recognition of the principle that employment should have an ethnic basis. They felt however that ethnicity should not be a permanent feature but should continue only so long as communal feelings in the country were above the normal level.

The C.W.C. stated that the criterion should be merit. It was however important to ensure through other mechanisms that the proportion of ethnic groups in the State sector does not fall far below the proportion in the country, especially since recent intake figures point to an alarming decrease in relation to minority communities. The C.W.C. also stressed the point that delays in passing legislation to make the so-called stateless Citizens of Sri Lanka continues to keep them out of the mainstream of economic life and the possibility of employment in the State sector.

The D.W.C. took the line that though merit should be a criterion it was necessary through some measures or some type of mechanism to maintain ethnic proportions. Employment must reflect the full character of a multi-ethnic Society.

The Hindu Organisations were against ethnic, religious, or caste quotas and wanted merit to be the basis of recruitment. Employment on merit will promote efficiency, utilise the best human resources, create in the long term a Sri Lankan identity and fulfil the election pledge of the governing United National Party. Ethnic, religious or caste quotas on the other hand perpetuate thinking on communal and divisive lines, deprives the government and the country of their best talent and thereby lowers standards, violates Article 12 (2) of our Constitution and the United Nations Universal Declaration of Human Rights and the International Covenant on Economic, Social and Cultural Rights to which Sri Lanka is a signatory.

It is necessary to point out that legal experts however had advised that rigid and fixed ethnic proportions in employment are evidently inconsistent with Article 12, sub-section (2) of the Constitution. The delegate of the Council of Muslims however pointed out that notwithstanding the inconsistency with Article 12 (2), legislation could nevertheless be enacted with a two-thirds majority of Parliament to provide for ethnic proportions. The Sinhala Organisations and the Sri Lanka Buddhist Congress supported this statement.

Establishment and Expansion of District Services

There was agreement too that the establishment and expansion of a District Service would go a long way to satisfy sections who have feelings of discriminations in employment. It could also help in solving minority problems when people of an area could find employment in that area.

Employment in the Un-organised Sector

The suggestion was made that there was considerable scope for employment in the un-organised sector. It was felt that an examination should be made of the feasibility of setting up a National Social Security Scheme to give such employment in the un-organised sector the prestige and security that it lacks at present.

THE EXERCISE OF LANGUAGE RIGHTS

It will be helpful to briefly trace the events that led to the Government taking steps to provide legal provisions with regard to the exercise of Language Rights of the communities who are citizens of this country. After the signing of the Kandyan Convention in 1815, Ceylon became a Colony of Great Britain. Thereafter, through a process of constitutional provisions, were created institutions, the Legislative Council and the Executive Council which consisted of official and unofficial members. Through a process of change the Donoughmore Commission did away with communal representation and made the franchise much broader. The State Council came into being. Right throughout the British rule English has been the language of administration throughout the country. In 1944 the State Council adopted a resolution stating that Sinhala and Tamil be the official languages of Ceylon.

Four years after the Soulbury Constitution came into being, five months after the General Elections under Mr. D. S. Senanayake's Government, Ceylon became independent in 1948. In the 1956 elections Mr. Bandaranaike came into power. The new Government enacted the Official Language Act. No. 33 of 1956. Section 2 of this Act stated that the Sinhala Language shall be the one Official Language of Ceylon. Thus the vexed problem of language rights of the various communities inhabiting this country became a serious issue. The fact that the justice of the question that Tamil should also be given its rightful place made two Governments enter into agreements called Bandaranaike-Chelvanayagam Pact and Dudley-Chelvanayagam Pact with regard to the use of the language of the minorities, clearly shows that there was a genuine case for the consideration of the language rights of the minorities. In pursuance of the recognition of this fact, the Government in 1958 passed the Tamil Language (Special Provisions) Act where the medium of instruction in schools and the universities was to be the Tamil Language. The entry to Public Service also was to be through the medium of the Tamil Language. This Act also admitted that in the Northern and Eastern Provinces Tamil Language could be used for administrative purposes. In 1972 a new Constitution was enacted by the then Government. Chapter III – Article 7 to 11 – deals with language rights in that Constitution. This almost incorporates the rights under the earlier two Acts into this Constitution. In this Constitution, the Language of the Courts is also defined and special provisions made with regard to the use of Tamil in the Courts in the Northern and Eastern Provinces. After all these gradual changes in the use of the Tamil Language, it was felt that there were serious restrictions with regard to the use of the Tamil Language. In the 1977 Election Manifesto of the United National Party, a special reference was made that the language rights of the minorities will be given further relief. Accordingly, the 1978 Constitution was drafted and Chapter IV therein, contains the provisions which are intended to allow the use of Tamil, so as to take away the rigours of the Official Language and allow in a very large and material part of transactions and administration, a place for the minorities. According to this Constitution, the Tamil Language has the force of parity with the Sinhala Language in the Northern and Eastern Provinces in the Courts and also has the right of being used in the rest of the Island in the Courts. This has been determined by the Supreme Court in District Court, Colombo, Case No. 3007. The use of the Tamil Language in the Courts is a very fine illustration, where the policy of the Official Language is maintained in the Eastern and Northern Provinces, so that the Sinhalese have a right to be heard in their language where the circumstances and facts necessitate it, in the interest of justice and vice versa. In the area outside the Northern and Eastern Provinces Tamil also can be used where the circumstances and facts necessitate it, in the interest of justice.

A Summary of Constitutional Provisions relating to the language of the Courts

1. Sinhala is the Language of the Courts throughout Sri Lanka and accordingly records and proceedings shall be in Sinhala – vide Article 24(1).

2. In the Northern and Eastern Provinces, the Languages of the Courts are Sinhala and Tamil. The records and proceedings are required to be in Tamil. In the District Courts and Magistrates' Courts of Amparai, Trincomalee and Vavuniya, the records and proceedings shall be in Tamil as well as in Sinhala (vide Direction made under Article 24(1)(a) on September 7, 1978, published in Gazette Extraordinary No. 1/6.)

3. Any party, applicant or lawyer is entitled to initiate proceedings and submit pleadings and other documents and participate in the proceedings in Court in either Sinhala or Tamil -vide Article 24(2).

4. The State is required to provide facilities for interpretation and translation where a Judge, Juror, party or applicant or lawyer is not conversant with the National Language used in the Courts - vide Article 24(3).

5. The Minister may, with the concurrence of the Cabinet, permit the use of English in any Court for all purposes or for specified purposes (vide directions made by the Minister dated 7th September 1978, and amended on 7th May 1979).

6. The Supreme Court has recently declared that the proviso in the direction made on 7th May 1979 is ultra vires the direction making power of the Minister, contained in Article 24(4) of the Constitution.

It has been the contention of this Government that this Constitution provides for the use of the Tamil Language in the administration of the Government and as well as in Local Government administration, with due regard to the transacting of business as well as employment. But its implementation has not been done in the spirit of the Constitution. Accordingly the Cabinet appointed a Committee of Ministers to report on the best way of implementing these provisions.

On the general question of Language, the LSSP stated that it stood for the fullest equality of Sinhala and Tamil as the Official Languages of Sri Lanka. This meant the right of any citizen of this country to conduct his or her business with the Government in any part of the country in his or her own language.

This view was supported by the Hindu Organisations, the Christian Organisations, Council of Muslims, the D.W.C., and the C.W.C. The Sinhala Associations, the Sri Lanka Buddhist Congress, All Ceylon Muslim League did not support this view. Their view was that there was only one Official Language in the country and the Constitutional provisions should be implemented.

Report of the Sub-Committee of Ministers on Tamil Language

The Committee studied the Report of the Sub-Committee of Ministers appointed to recommend ways and means of enforcing in practice the provisions of the Constitution relating to the use of Tamil Language. The conclusions of this Sub-Committee of Ministers was that a circular laying the guidelines implementing at the working level the provisions of the Constitution regarding the use of the Tamil Language should be issued.

The Committee recommends for implementation that circulars be issued to all Ministries, Government Departments and Public Corporations, Statutory Boards and Local Government Authorities on the Report of the Sub-Committee of Ministers in regard to –

1. use of Tamil by Government Departments, Ministries, Public Corporations, Statutory Boards and Local Authorities,
2. the position of new entrants vis-a-vis the official language policy of the Government,
3. language requirements for minor employees, technical grades, law officers,
4. Confirmation,
5. Consequential action, and
6. official sub-committee.

The Committee unanimously recommends that in keeping with Section 22 (1) of the Constitution, the Tamil Language should be used along with Sinhala as the language of administration of the Ampara District in the Eastern Province.

Separate Department for implementing Tamil Language Work in Departments

The suggestion that a separate department like the former Official Language Department, charged with the implementation of the provisions in the Constitution regarding the use of Tamil Language and the setting up of a unit in each Ministry, with a Tamil speaking senior officer (Senior Assistant Secretary level) to facilitate the implementation of the language provisions and to help forge a sense of belonging to the nation by the minority groups, is recommended.

The Hindu Organisations proposed that –

- 1 target dates be fixed by each Ministry, Department, Corporations and Statutory Boards for full implementation of the Tamil Language provisions of the Constitution, and
- 2 Public Servants dealing with the public should have a working knowledge of both Sinhala and Tamil.

The Christian Organisations expressed agreement with the views of the LSSP and the Hindu Organisations, and stressed the great importance and urgency of paying far more attention to the administrative implementation of the present legal provisions in every department and every area, wherever it is found necessary. The Churches had since 1956 pleaded for taking the citizenship of the Tamil people in Sri Lanka seriously enough for them to be able to use their own language with freedom and dignity in their dealings with Government.

There was agreement to the issue of an operating manual of the provisions of the Constitution in regard to the Tamil Language in order to ensure effective implementation of those provisions.

Language of Courts

In regard to language of the Courts the shortcomings were two-fold : Non-availability of staff such as translators and interpreters and (2) equipment such as Tamil typewriters. The Committee feels that these should be corrected swiftly.

There was consensus too, about the need to equip the new generation of lawyers with an adequate knowledge of English, particularly as all case-law would continue to be in English, and without English the contributions that our lawyers have made in the international sphere, in the development of new fields of law would not be possible.

In conclusion, the Chairman wishes to place on record his appreciation and thanks to the Delegates for their valuable contributions and unstinted co-operation in helping to formulate this Report. He wishes also to make special mention of the great assistance rendered by his Cabinet colleague, Hon. M. H. Mohamed, who chaired the meetings of the Committee while he was away from the Island.

He also wished to thank the Officials and Legal Experts who gave so much of their time and expertise to help the Committee in its deliberations. The Secretary of the Committee, the Secretary of the All Party Conference and the All Party Secretariat worked willingly and untiringly throughout, and helped to produce this Report in a short period of time. The Committee and the Chairman were very appreciative of these services rendered so well by them all.

K. W. Devanayagam,
CHAIRMAN, COMMITTEE 'B'
ALL PARTY CONFERENCE.

All Party Conference Secretariat,
B.M.I.C.H., Baudhdhaloka Mawatha,
Colombo 7.
16th August 1984.

List of Delegates, Officials and Legal Experts Present at Meetings of Committee 'B'

Chairman : Hon. K W. Devanayagam, M.P., Minister of Home Affairs

Secretary : Mr. G. Cumararatunga

Delegates : *Supreme Council of the Maha Sangha*

Ven. Medagama Vajiragnana Thero

Ven. Henpitagedera Gnanawasa Thero

Sri Lanka Buddhist Congress

Ven. Mapalagama Vipulasara Thero

Mr. Gunadasa Mabarana

United National Party

Hon. M. H. Mohamed, M. P.

Council of Muslims of Sri Lanka

Mr. M. M. Zuhair

Democratic Workers' Congress

Mr. Ashruff Aziz

Mr. P. Sathasivam

Mr. V. P. Ganesan

Sinhala Associations

Mr. J. Moodadeniya

Ceylon Workers' Congress

Mr. J. Peri Sundaram

Hindu Organisations

Mr. Yogendra Duraiswamy

Mr. C. Sivanesan

Christian Organisations

Rev. Celestine Fernando

Lanka Sama Samaja Party

Dr. Osmund Jayaratne

Mr. Chandra Gunasekera

Government Delegate

Mrs. R. Pathmanathan, M. P.

All Ceylon Muslim League

Mr. M. H. Amit

Mr. S. L. M. Shafie Marikkar

Hon. Lalith Athulathmudali, M. P.

Officials : Dr. F. S. C. P. Kalpage, Chairman, University Grants Commission, Mr. D. B. I. P. S. Siriwardhana, Secretary, Ministry of Public Administration, Dr. A. R. B. Amerasinghe, Secretary, Ministry of Justice, Mr. E. L. Wijemanne, Secretary, Ministry of Education, Mr. M. Ramalingam, Secretary, Ministry of Regional Development, Mr. Charitha Ratwatte, Secretary, Ministry of Youth Affairs & Employment, Mr. D. M. P. B. Dasanayake, Secretary, Ministry of Labour, Mr. P. B. Herat, Addl. Secretary Ministry of Justice, Mr. A. L. B. K. Perera, Addl. Secretary, Ministry of Labour, Dr. B. S. Wijeweera, Secretary, University Grants Commission, Mr. A. Gunawardena, Senior Asst. Secretary, Ministry of Plan Implementation, Mrs. Dhara Wijayatilleke, Senior Asst. Secretary, Ministry of Justice, Prof. Tilak Ratnakara, Adviser, Ministry of Plan Implementation Mr. Godfrey Gunatilleke, Director, Marga Institute, Mr. W. Jayamaha, Director of Establishments, Mr. R. B. M. Korale, Director, Manpower Planning and Dr. A. Kandiah, Educational Services Committee.

Legal Experts :

Mr. H. W. Jayewardene, Q.C., Mr. J. W. Subasinghe, P.C.,
Mr. G. F. Sethukavalar, P.C., Mr. Nimal Senanayake, P.C.,
Prof. G. L. Peiris, Mr. Mark Fernando, Attorney-at-law,
Mr. Faisz Mustapha, Attorney-at-law.

Secretary, All Party Conference

Mr. E. F. Dias Abeyesinghe.

THE ALL PARTY CONFERENCE



REPORT TO THE PLENARY SESSIONS

OF THE

ALL PARTY CONFERENCE

BY

HIS EXCELLENCY THE PRESIDENT

CHAIRMAN OF THE COMMITTEE

OF LEADERS OF

DELEGATIONS TO THE

ALL PARTY CONFERENCE

The All Party Conference Secretariat,
B.M.I.C.H., Bauddhaloka Mawatha,
Colombo 7.
21st September, 1984.

INTRODUCTION

Before the All Party Conference commenced its Session in January 1984, the Sri Lanka Government affirmed that with the help of the People, it would defend the Integrity, Independence and Unity of Sri Lanka. The Government of India also said it supported this decision.

2. In that context the Sri Lanka Government also affirmed that :
- (a) it would fully implement the laws relating to District Development Councils so that every District would enjoy a measure of autonomy so that the People could be able to participate meaningfully in the administration of the District ;
 - (b) the use of Tamil as provided for in the Constitution would be implemented ;
 - (c) it was prepared to initiate a dialogue offering amnesty to those guilty of violence provided violence was given up ;
 - (d) it would discontinue the active part the Army plays in Jaffna provided terrorist violence was ended ;
 - (e) it would remove the provisions of the Prevention of Terrorism Act on the undertaking that terrorist violence would be given up ;
 - (f) the demand for separatism would be given up.

These were some of the matters suggested for the formulation of an agenda for the All Party Conference.

3. It was further announced that proposals regarding amendments to the District Development Council laws would be placed before an All Party Conference.

The proposals would include :

- (a) the giving up of the idea of a separate State ;
- (b) the merger of District Development Councils within a province after acceptance by the Council Members and a Referendum in the District ;

This proposal is applicable to the whole Island.

- (c) The President and the Parliament would continue to have overall responsibility for all subjects not transferred and generally for all other matters relating to the maintenance of the Sovereignty, Integrity, Unity, Security, Progress and development of the Republic as a whole ;
- (d) The Constitution and other laws dealing with the Official Language, Sinhala, and the National Language, Tamil, would be accepted and implemented as well as similar laws dealing with the National Flag and Anthem ;
- (e) The President made it clear on several occasions that he would resume any discussion with the TULF to consider the possible lines of a solution if they give up their call for a separate State, and that according to available information the TULF was prepared to give up its call for a separate State if a solution to the Tamil problem that was acceptable to them is worked out.

THE WORK OF THE ALL PARTY CONFERENCE

4. Consequently on Wednesday 21st December 1983, His Excellency the President summoned a meeting of 8 political parties, namely, the All Ceylon Tamil Congress, the Ceylon Workers' Congress, the Communist Party of Sri Lanka, the Democratic Workers' Congress, the Lanka Sama Samaja Party, the Mahajana Eksath Peramuna, the Sri Lanka Freedom Party and the United National Party, together with a delegation of Government Ministers to go into the question of summoning an All Party Conference for the purpose of discussing the daily growing problems of the country in regard to ethnic affairs and terrorism.

5. At this meeting the participants decided unanimously that the President should invite the Tamil United Liberation Front, the Janatha Vimukthi Peramuna and the Nava Sama Samaja Party to join in the proposed Conference. The President agreed to invite the T.U.L.F. in accordance with their wishes, but in regard to the J.V.P. and N.S.S.P., since they were proscribed parties, he said that he would have to consider the advice given to him by the security authorities before he could decide. It was decided that the Conference should be held at the B.M.I.C.H. commencing on Tuesday 10th January 1984 and that it should continue till 20th January 1984. In order to assist the Conference to proceed with its work expeditiously, it was agreed that H.E. should send the invitees the relevant documentation for their study. Annexure A, B & C were therefore sent.

6. The Conference met on 10th January 1984 as scheduled (without the J.V.P. and N.S.S.P.) and continued to meet for six more days till 20th January 1984. At the earlier meetings of the Conference it was decided to enlarge the participation in the Conference by inviting representative bodies or associations other than political parties. In terms of this decision the Supreme Council of the Maha Sangha, the Christian Organisations, the Sri Lanka Buddhist Congress, the Sinhala Associations, the Hindu Organisations, the All Ceylon Muslim League and the Council of Muslims of Sri Lanka were invited to participate in the deliberations. The S.L.F.P. and the M.E.P. who joined originally withdrew from the Conference after some Sessions.

The main discussions at the early meetings were procedural. These discussions were followed with expressions of opinion by the various delegations as to what they thought were the main grievances of the various peoples who make up Sri Lanka and the solutions they had in mind to offer.

7. More Plenary Sessions followed and after a consideration of the views of the Conference, it was decided at the meeting of the 6th February that two committees should be set up. These two committees were enjoined—

- (a) to examine the grievances presented on behalf of all communities and to consider and recommend appropriate solutions therefor including provision for the participation of the people at all levels in the system of government,
- (b) to examine the causes of ethnic violence and all forms of terrorism in all parts of the country and the means to eradicate them.

8. Discussions on how the Committees should work went on at subsequent meetings. The final view being that it would be preferable for the Committees to meet together rather than separately. The members of the delegations were asked to prepare working papers expressing their point of view which could be submitted to the Committee.

As guidelines for the work, it was felt that the working papers could contain suggestions for –

- (a) the maintenance of the unity and integrity of the country and accordingly to evolve a system of government to ensure that members of all communities should live in harmony and continue their vocations peacefully in all areas,
- (b) providing fair opportunities in education,
- (c) providing fair opportunities for employment,
- (d) providing systems of land settlement,
- (e) providing systems of security for the inhabitants of all areas,
- (f) providing opportunities for economic growth, and
- (g) any other matters.

The joint Committees continued to meet and consider the views of the various Delegations.

9. On 20th March, H. E. summoned a Plenary and at that meeting he stated that consensus had been reached in the following areas :

“System of Government.—(1) There has been general consensus on the need for devolution of Central Powers to enable the people’s participation in Government at all levels. However, no final understanding had been reached as to the forms of government to which devolution of powers can be applied.

(2) (a) The Maha Sangha, the Christian Organisations, U.N.P., C.W.C., All Ceylon Muslim League, L.S.S.P., C.P., Hindu Organisations (Visha Hindu Parishad), Sinhala Association (All Ceylon Sinhala Buddhist Organisation) and the Sri Lanka Buddhist Congress have all supported a revival of an elected local government system at grass root level with more powers (including more delegated powers and functions from the Centre) and finance.

The U.N.P. proposal is that the Gramodaya Mandalayas (4,500) which are voluntary organisations at the Grama Sevaka level be assigned duties at village level by the elected authority (Pradesheeya Mandalaya) which should be at the A.G.A. Level (250 of them). They will have more powers (including more delegated powers and functions from the Centre) and more finances.

(2) (b) The method of election has not been discussed in detail by all parties.

(3) **The Stateless.**—The Maha Sangha has stated as follows in regard to the resolution of the problem of statelessness :

“We should not have a category of persons who call themselves Indian. This can easily be achieved by sending back those who have to be sent to India as stated in the Sirima-Shastri Pact and giving citizenship to the rest. Even though the numbers may be a little more, the Supreme Sangha Council declares that the Council is not opposed to their being given citizenship in order to arrive at a solution to this problem.”

This principle enunciated by the Maha Sangha had the support of the Christian Organisation, Hindu Organization (Visva Hindu Parishad), C.W.C., D.W.C., and L.S.S.P. The Communist Party of Sri Lanka was of the view that all stateless persons of Indian origin who wished voluntarily to return to India should be assisted to do so and the remainder should be made citizens of Sri Lanka on the basis of equality with other citizens.

There have been no contrary views expressed.

(4) **Ethnic Violence and Terrorism.**—There has been acceptance by all participants at the conference that causes of ethnic violence and all forms of terrorism in all parts of the country must be eradicated.

10. The Conference resumed in Plenary on Wednesday 9th May. His Excellency informed the delegates then that he proposed setting up two committees now –

- (1) to work out the structure, powers and functions of the unit of devolution under the Chairmanship of Hon. R. Premadasa, Prime Minister – Committee “A”, and
- (2) to consider measures that need be implemented with regard to the equalisation of opportunities in Education, Employment and Exercise of Language Rights under the Chairmanship of Hon. K. W. Devanayagam, Minister of Home Affairs – Committee “B”.

Both these Committees were to be assisted by groups of senior Public Servants and Legal Experts. The T.U.L.F., the All Ceylon Tamil Congress and the Communist Party of Sri Lanka stated that they would not participate in the work of these two Committees but would rejoin the Conference when it resumed in Plenary and were prepared to consider the Reports put up by the Committees.

Before the Sessions closed the President said :

“These two Committees have important functions to perform. Many youngsters in the North are looking more to the Committee dealing with Employment and Education. Devolution of power means political powers to a few in the political parties.

Broad-basing employment and educational opportunities means helping a large section of the future generation. We await anxiously the Reports of these Committees.”

11. His Excellency the President was away from the Island on two Presidential Visits from the 19th May to 31st May to the People’s Republic of China, Japan and South Korea, and from 14th June to 2nd July again on the invitation from the Heads of these States – the USA, Great Britain and India – but the Committees – A & B – however continued to work under their respective Chairmen in the meantime.

12. On the President’s return, the Conference resumed in Plenary. In the Plenary on 23rd July, the President said that discussions were getting deadlocked because of two irreconcilable positions. On the one hand there were those who advocated “District Councils and no more” and on the other there were others who asked for “Regional Councils and no less”. It was therefore important to consider proposals to bridge these two positions without harming the fundamental premise

of each side. A Memorandum setting out proposals for a Second Chamber was then presented by the President. It was decided that in the sessions to follow, the Second Chamber proposal and the Reports of the two Committees – A & B – would be discussed.

13. There were four Sessions including and after that of 21st August. These were meeting of Leaders of Delegations. At these meetings views were expressed on the Reports and the Second Chamber Proposal. At the last meeting of 2nd September the President stated that he would put forward proposals, after considering the views expressed so far.

14. The participating delegations represent all shades of opinion in the country. Political parties (not only in Parliament but in the country generally) include the leading political parties of the Tamil Community like the TULF, the Federal Party and the All Ceylon Tamil Congress, the political parties comprising essentially peoples of Indian Tamil origin like the C.W.C and the D.W.C., racial groups like the All Ceylon Muslim League, the Council of Muslims, Sinhala Associations, religious groups like the Supreme Council of the Maha Sangha, Sri Lanka Buddhist Congress, Hindu Organisations, the Christian Organisations and a delegation of Government Ministers too.

15. It has indeed been a considerable achievement to have been able to get so many political bodies, religious and racial groups round a table to discuss such sensitive, emotional and inflammable questions like ethnic issues, changes in the system of government, terrorism, etc. dispassionately. These groups have to listen sometimes to very radical view points expressed by others, completely opposed to their points of view, and they have to necessarily think on them and accept, modify or reject them in the light of their own thinking.

16. The Conference has been able so far to achieve consensus on the need to give increased power to grassroots level democratic organisation whilst reserving admittedly defined central powers for the Government. The Conference has also been able to obtain consensus on the need to settle those 90,000 odd so-called stateless people originally of Indian origin as citizens of Sri Lanka if they are not accepted by India, and wish to remain in the country. The Conference has also been able to obtain consensus that terrorism in all its forms should be eradicated.

The Chairman also expressed the view that there was consensus regarding the setting up of a Second Chamber as a means of solving the ethnic problem which the All Party Conference has been charged with considering and deciding. The two means are –

- (1) to afford a forum from the minority members living in the Districts to function in the Supreme Legislature, and
- (2) to create a reservoir of members in the Second Chamber who may be chosen as Ministers to function in the Provinces by His Excellency the President.

17. There have been 33 Meetings so far 15 of which were Plenary Sessions, 14 were Meetings of Committees and 4 were Leaders' Meetings.

18. The following proposals which have a large measure of support emerged from the Conference :

19. **Systems of Government.**—(1) The basic unit of Government to be the Pradesheeya Mandalaya covering an Assistant Government Agent's area. The actual composition of its members will have to be decided.

(2) The next unit to be Urban Councils and Municipal Councils as at present constituted.

(3) The third unit should be District Councils and their composition and method of election and powers and functions will have to be re-defined. Their area of operation to be the present Districts.

(4) The District Councils would be directly elected by the people of the Districts. The Chairman and the Vice-Chairman would be the first and second names in the list of the party receiving the highest vote, if the election were held on the basis of proportional representation.

20. **Inter-District Co-ordinating and Collaboration.**—Inter-District Co-ordination to be permitted in defined spheres of activity. District Councils must vote for this Co-ordination. If they wish to have a referendum in the District a referendum should be held.

If Units are constituted for this purpose they should include the Chairman and the Vice-Chairman of each District Council and a limited number of additional representatives elected by each District Council. The relationship between such institutions and the District Councils from which they are constituted has to be worked out.

21. **Second Chamber.**—There are several precedents where the instrument of a Second Chamber has been successfully employed to ensure a more equitable exercise of political power by all members or sectors of a multi-ethnic society.

To that extent if any proposal to establish Inter-District collaboration or co-operation is required well defined spheres of activities may very well be examined, since this proposal offers the possibility of various combinations of two more districts for different purposes as well as the establishment of co-ordinating bodies for inter-district functional operations.

The Chairman and the Vice-Chairman of each District Council would be ex-officio members of the Second Chamber. Since these members of the Second Chamber are those who enjoy the confidence of the majority of the members of the District Council or the Units of Co-ordination between Districts, the Second Chamber would be a reservoir for the purpose of appointing Ministers to function for Inter-District Co-ordinating Units.

Ministers who enjoy the support of the majority in either the Inter-District Co-ordination Units or in a District Council could be appointed by the President and removed also by him. Their functions, duties and obligations have to be discussed. The question of these Ministers being answerable to the Co-ordinating Units in the exercise of their executive functions will have to be studied and a procedure for implementing any decisions taken will have to be worked out.

22. **Composition of Second Chamber.**—

(1) With regard to the composition, the powers and functions of the Second Chamber, consideration should be paid to the President's Memorandum presented to the All Party Conference on the Second Chamber Proposal on the 23rd July, 1984.

(2) The Second Chamber may be constituted as a Chamber with adequate representation for all major and minor ethnic communities.

(3) Provision may be made for representation of minority communities from districts where there are substantial or significant concentrations of such minority communities. The District Councils in the respective Districts could also elect or nominate such members. Thus the four ethnic groups in the Island, the Sinhala, Sri Lankan Tamils and Tamils of recent Indian Origin and Muslims should be represented in such a way as to ensure representation which will create a source of fair participation.

(4) The two members from each District to be directly elected at the same time as at a general election. The Second Chamber's term of office therefore coincides with that of the First Chamber. When there is a dissolution of Parliament, it would mean the dissolution of both Chambers. The District will be the constituency.

23. **Some Powers of Second Chamber.**—

(1) There must be a sharing of powers between the two Chambers in regard to the exercise of legislative power in respect of all proposed legislation affecting fundamental rights and language rights guaranteed under the Constitution. In this regard no proposed legislation should become law unless approved by the President.

(2) The Second Chamber may be vested with the implementation of the provisions of Chapter IV, Section 22 of the Constitution dealing with the National Language Tamil.

(3) The Second Chamber could also constitute Select Committees to inquire into and report on all aspects of ethnic disputes such as those relating to university admissions, educational facilities, employment of communities. Land Settlement, exercise of language and cultural rights and development of backward regions would also be considered. The recommendations of Committee "B" will be considered in this context.

24. **The Stateless.**—There was support too for the proposal referred to earlier in this Report that the Stateless (some 90,000 of them) be given citizenship — vide paragraph 9 (3) of the Report.

25. **Ethnic Violence and Terrorism.**—There was acceptance too that the causes of ethnic violence and all forms of terrorism in all parts of the country must be eradicated — vide paragraph 9 (4) of the Report.

26. **Devolution of Executive and Legislative Functions.**—

The Report of the Officials of Committee "A", "to work out the structure, powers and functions of the unit of devolution" will be considered when decisions are taken on the powers and functions of District Councils and the relationship between the units constituted for inter-district co-ordination and collaboration.

*All Party Conference Secretariat,
Buddhaloka Mawatha,
Colombo 7.
21st September, 1984.*

THE ALL PARTY CONFERENCE



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மேன்மைதங்கிய சனநாயகமும் அனைத்துக் கட்சி
மாநாட்டுத் தலைவருமானவரின் அறிக்கை

STATEMENT OF HIS EXCELLENCY THE
PRESIDENT AND CHAIRMAN OF THE ALL
PARTY CONFERENCE

The All Party Conference Secretariat,
B. M. I. C. H.,
Buddhaloka Mawatha,
Colombo 7.

14th December, 1984.

ශ්‍රී ලංකා රජයේ මුද්‍රණ දෙපාර්තමේන්තුවේ මුද්‍රණය කරන ලදී

1984 දෙසැම්බර් 14 වන දින සඵපාක්ෂික සම්මේලනයේ පූර්ණ සැසි වාරයේ දී එහි සභාපති වන ගරු ජනාධිපතිතුමා විසින් කරන ලද ප්‍රකාශය

1984 ජනවාරි මාසයේ 10 වන දින සඵපාක්ෂික සම්මේලනය එහි ප්‍රථම රැස්වීම බණ්ඩාරණායක අනුස්මරණ ජාත්‍යන්තර සම්මන්ත්‍රණ ශාලාවේදී පැවැත්වීය. එය මා විසින් 1983 දෙසැම්බර් මස 23 වන දින කැඳවන ලද දේශපාලන පක්ෂ 8ක රැස්වීමක ප්‍රතිඵලයකි. මෙහිදී සඵපාක්ෂික සම්මේලනයක් කැඳවා ජාතිභේදය හා ත්‍රස්තවාදය සම්බන්ධ දිනපතා වැඩිවෙගෙන එන ප්‍රශ්ණ සාකච්ඡාකර ඒවාට විසඳුම් සෙවීම ඒකච්ඡන්දයෙන් තීරණය විය.

1984 සැප්තැම්බර් මස 21 වන දින මා විසින් පූර්ණ සැසිවාරයට ඉදිරිපත් කළ වාර්තාවේ එදිනතෙක් සම්මේලනය විසින් කළ වැඩ දක්වා ඇත. එබැවින් නැවත වරක් එම වැඩ කෙටියෙන් දක්වීමට අදහස් නොකරමි. (පහසුවෙන් බලාගැනීම සඳහා එම වාර්තාවේ පිටපතක් මීට අමුණාමි.) කෙසේ වෙතත් මෙතෙක් ගන්නා ලද ප්‍රධාන තීරණ මෙම ප්‍රකාශයේ පහළ කොටසේ දක්වේ.

සඵපාක්ෂික සම්මේලනයේ මීට පෙර පූර්ණ සැසිවාරය සැප්තැම්බර් මස 30 වන ඉරුදින පවත්වන ලදී. එය 35 වන රැස්වීම විය. එම සැසිවාරයේ මම සමුළුවට ප්‍රකාශකර හිටියේ මෙතෙක් ප්‍රකාශ වී ඇති අදහස් සලකා බලා මිලභ පූර්ණ සැසිවාරයට නීති කෙටුම්පත් කර ඉදිරිපත් කරණ බවය. මිලභ සැසිවාරය නොවැම්බර් 15 හා 16 වන දිනට යොදා තවත් පුද්ගලික සාකච්ඡාවලට හා කෙටුම්පත් කිරීමට කාලය දෙන ලදී. මෙම රැස්වීම කල් දමීමට සිදුවූයේ මේ සාකච්ඡාවලට සහභාගිවන බොහෝ අයට ඉන්දියාවේ අගමැතිනියවූ අනාවප්‍රාප්ත ශ්‍රීමතී ඉන්දිරා ගාන්ධිගේ අවමංගලෝත්සවයට සහභාගිවීම පිණිස ඉන්දියාවට යෑමට සිදුවීමය. බොහෝ නියෝජිත පිරිස්වල පහසුව සලකා දැන් එය 1984 දෙසැම්බර් 14 හා 15 වන දින පැවැත්වේ.

කෙටුම්පත් පිළියෙලකිරීම සඳහා අදහස් විමසීම හා සාකච්ඡා පවත්වන්නට සිදුවූ නිසා සැප්තැම්බර් මස හා දෙසැම්බර් 14 වන තෙක් කාලය කායා බහුලවූ එකක් විය. නියෝජිත මණ්ඩලවල නායකයින් සමඟ මම සාකච්ඡා කීපයක් කළෙමි. පිළිගත් දේශපාලන පක්ෂවල නායකයින්ට සාකච්ඡා සඳහා ආරාධනා යැවුවෙමි. මගේ ආරාධනාව පිළිගත් සැමෝම හමුදුනෙමි. සැප්තැම්බර් මාසය සිට මෙතෙක් හමුවීම් 32ක් පමණ දේශපාලන පක්ෂ හා සමිති සමඟ පැවැත්වූවෙමි. නීති කෙටුම්පත් කළ නීතිඥයින් හා නිලධාරීන් සමඟ රැස්වීම් 11ක් පැවැත්වූවෙමි. එසේම මගේ ඇමතිවරුන් සමඟ නිලනොවන සාකච්ඡා කීපයක්ද කළෙමි. දැන් ඔබ ඉදිරියේ ඇති යෝජනා මෙම සාකච්ඡාවල හා සඵපාක්ෂික සමුළු රැස්වීම්වලින් ලබාගත් ප්‍රතිඵලය.

ඉදිරිපත්කර ඇති කෙටුම්පත් නීති, 1984 දෙසැම්බර් 14 වන කිවිදින රැස්ව සිටින නියෝජිත මණ්ඩල වැඩිහරියකගේ අදහස් නියෝජනය කරන්නේය. ප්‍රධාන නිර්දේශ මම මෙහි සඳහන් කරමි. කෙටුම්පත් නීතිවල ඒවා සවිස්තරව දක්වා ඇත. වැඩිපුර පැහැදිලි කරදීම් මීට අමුණා ඇති යෝජිත නීති සම්පාදනයේ අරමුණු හා හේතු දක්වන ප්‍රකාශනයේ දක්වා ඇත.

රාජ්‍ය පාලන ක්‍රම

මෙම යෝජනාවලින් ගම් මට්ටමේ සිට අග්‍ර නීති සම්පාදක රාජ්‍ය සභාව වූ ඒකාබද්ධ ශ්‍රී ලංකාවේ පාර්ලිමේන්තුව දක්වා මහජනයා සහභාගිකරවා ගන්නා ප්‍රජාතන්ත්‍රික පාලන ක්‍රමයන් ඇති කරන්නේය.

ග්‍රාමෝදය මණ්ඩල

ගම්වල තිබෙන ස්වේච්ඡා සමිති අතරින් තෝරාගන්නා ලද ග්‍රාමෝදය මණ්ඩල 4,500 පමණ ඇතිවන්නේය.

ප්‍රාදේශීය සභා

මේවා දැනට පවත්නා උපදිසාපති මට්ටමින් සකස්වී සාමාන්‍යයෙන් 2,500ක් පමණ වනවා ඇත. මේවා ඡන්දයෙන් තෝරා පත්වේ. මේවා වල ප්‍රධාන කාර්ය වන්නේ පළාත් පාලනය කිරීමය.

දිසා සභාව

තුන්වන පංතියට අයත් වන්නේ දිසා සභාය. මේවා දැනට පවතින සංවර්ධන සභාවලට සමානය. දිසා සභාවක බලතල රඳා පවතින්නේ ඊට අදාළ පරිපාලනමය දිස්ත්‍රික්කය තුළය. එබැවින් මේවා 25ක් ඇතිවන්නේය. අනාගතයේද මෙම සභා ඡන්දයෙන් තෝරාපත් කරණු ලැබේ. මේවා වල සභාපති හා උපසභාපතිද සභාවට නියෝජිතයින් තෝරාපත් කරන ඡන්දදයකයින් විසින් ඡන්දයෙන් පත්කරනවා ඇත. ඒවා වල බලතල හා කාර්ය දැනට පවතින සංවර්ධන සභාවලට වඩා විශාලය, පුළුල්ය.

පළාත් සභා (අන්තර් දිස්ත්‍රික්ක බලධාරීන්)

දිසා සභා සම්මතවී එම සම්මතය අදාළ දිස්ත්‍රික්කවල මහජනයාගේ වැඩි කැමැත්තෙන් අනුමතවූ කල්හි පළාතක පිහිටි දිස්ත්‍රික්ක දෙකකට හෝ වැඩිගණනකට ඒකාබද්ධ පළාත් සභාවක් පිහිටුවා ගත හැක. දිසා සභා වලින් ඔවුන්ට පවරා දෙන බලතල අනුව පළාත් සභාවට බලතල ලැබෙනවා ඇත. ඊට සම්බන්ධවීමට කැමැත්ත දක්වූ දිසා සභාවල සියළු සභිකයින්ගෙන් පළාත් සභා සමන්විත වනු ඇත.

පළාත්බද හා දිසා ඇමතිවරු

පාර්ලිමේන්තු මන්ත්‍රීවරු හෝ රාජ්‍ය සභා මන්ත්‍රීවරුන් පළාත් සභා මන්ත්‍රීවරුන් හෝ දිසා ඇමතිවරුන් වශයෙන් පත්කිරීමේ බලතල ජනාධිපතිතුමා සතුය. පළාත් සභාවේ විශ්වාසය දිනාගැනීමට සමත් පුද්ගලයෝ පළාතේ ප්‍රධාන ඇමතිවරයා වශයෙන් එතුමාට පත්කළ හැකිය.

රාජ්‍ය සභාව

සභිකයින් 75 දෙනෙකුගෙන් සමන්විත රාජ්‍ය සභාවක් පිහිටුවන්නේය. මෙයින් සෑම දිසා සභාවක සභාපති හා උපසභාපතිවරුන්ගෙන් සමන්විත සංඛ්‍යාව 50 දෙනෙක් වන්නේය. සෑම පළාතකින්ම 2 දෙනා බැගින් සභිකයින් 18 දෙනෙක් ඇතිවේ. පළාත තුළ පිහිටුවා ඇති දිසා සභාවල නියෝජනය කිරීම නොලබන හෝ ප්‍රමාණවත් ලෙස නියෝජනය නොවන ජනකොටස් අතරින් එක පළාතක් වෙනුවෙන් නියෝජිතවරු දෙදෙනෙක් බැගින් සභිකයින් 18 දෙනෙක් ඇතිවන්නේය. එසේම ජනාධිපතිතුමා විසින් පත්කරන සභිකයින් 7 දෙනෙක්ද සිටිනවා ඇත.

මෙම සභාවේ කාර්ය ප්‍රධාන වශයෙන් උපදේශාත්මක වන්නේය. පාර්ලිමේන්තුව විසින් සම්මත කළ නීති ප්‍රමාද කිරීමේ බලතල මීට අයත් නොවේ. එහෙත් නීති සම්පාදනය ආරම්භ කිරීම, මූලික අයිතිවාසිකම්, භාෂා අයිතිවාසිකම්, ප්‍රාදේශීය ඕනෑම පා කම්, ජාතික සමගිය හා එකමුතුව ආදිය ගැන තම අදහස් ඉදිරිපත් කිරීමට මෙම සභාවට හැකිය. අන්තර් දිසා හා පළාත් අතර කායඪී, ජාතික සමගිය පිළිබද ප්‍රශ්න හෝ සාමාජීය හා ආර්ථික කටයුතු සම්බන්ධ කරුණු පරීක්ෂා කිරීමට කමිටු පිහිටුවීමටද ඊට හැකිය.

ඇමතිවරු තෝරා ගැනීමට සංවිනයක් වශයෙන්ද එය ප්‍රයෝජනවත් වෙනවා ඇත.

මෙම සභාවල බලතල හා කාර්ය

මෙම සභාවල බලතල හා කාර්ය සම්බන්ධයෙන් ක්‍රියාකාරී නිලධාරී කණ්ඩායමේ වාර්තාව හා A කමිටුවේ විශේෂඥයින්ගේ වාර්තාවද අධ්‍යාපනය, රැකියා සහ සේවා හා සෞඛ්‍ය අයිතිය පිළිබඳ B කමිටුවේ වාර්තාව ද ක්‍රියාත්මක කරණු ලැබේ.

සර්වසාක්ෂික සමුළුවට ප්‍රථම පැවැත් සාකච්ඡා "අ", "ආ" සහ "ඇ" ඇමුණුම

කෙටුම්පත් ව්‍යවස්ථාව හා "අ" හා "ආ" ඇමුණුම සංසන්දනය කිරීමේදී, පළාත් ඇතුළත පළාත් සභා පිහිටුවීමේ යෝජනා සහ පළාත් සභා වලින් අමාත්‍යවරුන් පත් කිරීම පිළිබඳ කැරුණු එකී යෝජනා වලට අත්තර්ගත වී ඇති බැව් පෙනී යනු ඇත. ඇමුණුමට සඳහන් කර ඇති බලතල හා කාර්යයන් පිළිබඳ වෙනත් බොහෝ විස්තර පනත් කෙටුම්පතෙහිද සඳහන් වේ.

අනිකුත් කරුණු

මීට කලින් එකඟත්වයට පැමිණි වෙනත් කරුණු තිබුණි. මහජනයාට රජයේ කාර්යයන් වලදී සියලුම මට්ටම් වලින් සහභාගිවීමට හැකිවන පරිදි මධ්‍යම ආණ්ඩුවේ බලතල නියෝජනය කිරීමේ අයිතිය පැවරීමේ අවශ්‍යතාව පමණක් නොව රටක් නොමැති අයවලුන් සම්බන්ධයෙන් සහ ජාතිවාදී ප්‍රවණති ක්‍රියා සහ හැම මාදිලියකම ත්‍රස්තවාදී ක්‍රියා මුලෝත්පාටනය කිරීම සම්බන්ධයෙන් ද එකඟත්වයක් ඇතිවූ බැව් මාර්තු මාසයේ පැවති සැසි වාරවලදී මවිසින් දැනුම් දෙන ලදී.

ද්විතීය මන්ත්‍රණ සභාව—

- (1) දිස්ත්‍රික්කවල වසන සුළු ජාතික සාමාජිකයින්ට උත්තරීතර නීති සම්පාදක මණ්ඩලයේ ක්‍රියා කිරීමට හැකිවන පරිදි අදහස් ප්‍රකාශ කිරීමේ ස්ථානයක් ඇතිකිරීමට ; සහ
- (2) පළාත්වල කටයුතු කිරීම සඳහා අතිගරු ජනාධිපති කුමා විසින් අමාත්‍යවරුන් වශයෙන් තෝරීම පිණිස, ද්විතීය මන්ත්‍රණ සභාවේ සාමාජික සංඛ්‍යාවක් ඇති කිරීමට,

හැකි ආයතනයක් බවට පත් කිරීමෙන්, ජාතිවාදී ප්‍රශ්න විසඳීමේ මාර්ගයක් වශයෙන් ද්විතීය මන්ත්‍රණ සභාවක් පිහිටුවිය යුතු යයි ද පිළිගන්නා ලදී.

ආණ්ඩුක්‍රම හා ද්විතීය මන්ත්‍රණ සභාව පිළිබඳ නීති දැන් ඔබ වෙත ඉදිරිපත් කර ඇත.

රටක් නොමැති අය පිළිබඳ ප්‍රශ්නය විසඳීම සඳහා රජය විසින් දැනට ක්‍රියා කරගෙන යනු ලැබේ. ජාතිවාදී ප්‍රවණති ක්‍රියා පිළිබඳ ප්‍රශ්නයට විසඳුම් බහු ආකාරයෙන් වන අතර, මෙකී ප්‍රශ්නය අප සියලුදෙනාගේම හඳවත් කුල ප්‍රමුඛත්වය ගෙන තිබේ.

ස්තූතිය

අවසාන වශයෙන්, මට නොමසුරු සහයෝගය දුන් සියලුම දේශපාලන පක්ෂවලට හා සමාගම්වලටත්, ඉකුත් වර්ෂයේදී, අප දැනට මුහුණ පා ඇති ප්‍රශ්න වලට විසඳුම් සෙවීම සඳහා සිය දැනුමත්, කාලයත් නිර්ලෝභීව පරිත්‍යාග කළාවූ පුද්ගලයින්ටත් මගේ පෞද්ගලික හා රජයේ ප්‍රශංසාවද මේ අවස්ථාවේදී පුද කරමි.

සමුළුවේ මනෝනික අංශය පිළිබඳ කාර්යයන්ට සිය වටිනා කාලය වැය කරමින්, නීතිඥයින් කණ්ඩායමක් විසින් ස්වේච්ඡාවෙන්ම හා ඉතා උද්යෝගයෙන් ආධාර කරනලදී, ඔවුන්ගේ කාර්ය සම්භාරය අප සියලුදෙනා විසින්ම අගයනු ලැබේ. නිලධාරීන්ටද, සමුළුවට මෙන්ම කමිටුවලටද සහාය වන ලෙස කළ ඉල්ලීම් අනුව ඔවුන් විසින්ද සිය විශේෂඥ කාර්ය ශ්‍රමය ඒ වෙනුවෙන් නිර්ලෝභීව කැපකරන ලදී. නීති කෙටුම්පත්

සම්පාදනය කිරීමේ කාර්යයෙහිදී, එය කාර්යක්ෂම කිරීම සඳහා නීති කෙටුම්පත් සම්පාදක වරයාද, ඔහුගේ ජ්‍යෙෂ්ඨ නිලධාරීන් සහ සිය කායාම් මණ්ඩලයද ඉතා දක්ෂ හා විවක්ෂණ අන්දමින් කටයුතු කළහ. පොලිසිය සහ ආරක්ෂක නිලධාරී බලඇණියද සිය රාජකාරී නිහඬව හා ඉතා දක්ෂ අන්දමින් ඉටුකර ඇත. බණ්ඩාරනායක අනුස්මරණ ජාත්‍යන්තර සම්මන්ත්‍රණ ශාලාවේ පාලක මණ්ඩලය ද, එහි මහ ලේකම්වරයා, සහ සිය කායාම් මණ්ඩලය ද, එම ආයතනයේ සියලු පහසුකම් ඉතා කැමැත්තෙන්, හා ඉමහත් සහයෝගිතාවයෙන් අපට ලබාදෙන ලදී. මෙකී සැසි වාර ගණනාව මුළුල්ලේ ම අපට රස මුසු ආහාර සැපයීම ගැන ඔබරෝයි හෝටලයේ පාලක මණ්ඩලයටද අපේ ස්තූතිය හිමිවිය යුතුය.

අවසාන වශයෙන් මගේ පුද්ගලික වූ හා සම්මේලනයේ හා රජයේ ස්තූතිය සර්වපාක්ෂික සම්මේලනයේ ලේකම් වූ ඊ. එස්. ඩයස් අබේසිංහ මහතාට ද ඔහුගේ සහකාර ලේකම් වරයන් වූ සී. ඩබ්ලිව්. ද සිල්වා සහ කේ. බී. විජේසිංහ යන මහතන්ට ද, කාර්යක්ෂම ලෙස මහත්සි තොරලා වැඩකළ ලඝුලේඛකවරු හා ලිපිකරුවන්ගෙන් සමන්විත කුඩා කායාම් මණ්ඩලයට ද පිරිනැමීමට කැමැත්තෙමි.

නීති කෙටුම්පත් සංග්‍රහය දැන් ඔබ ඉදිරියේ ඇත. එය ඉතා සුපරීක්ෂාකාරී අන්දමින් හා විවක්ෂණ බුද්ධියෙන් සලකා බැලීම සඳහා ඔබට භාර කරමි.

ලේඛන ගත කිරීම

සමුළුවේ වැඩකටයුතුවලට අදාළ පහත සඳහන් ලිපිලේඛන ඔබේ ප්‍රයෝජනය සඳහා මීට අමුණා ඇත.

ප්‍රධාන ලිපි ලේඛන

- (1) ආණ්ඩුක්‍රම ව්‍යවස්ථාවට කරන ලද දඟවන සංශෝධනයේ කෙටුම්පත.
- (2) දිසා හා පළාත් සභා පනත් කෙටුම්පත.
- (3) ප්‍රාදේශීය සභා පනත් කෙටුම්පත.
- (4) යෝජිත කෙටුම්පත් ව්‍යවස්ථාවේ පරමාර්ථ හා හේතු පිළිබඳ ප්‍රකාශය.

අදාළ ලිපි ලේඛන

- (5) 'අ' 'ඇ' සහ 'ඈ' ඇමුණුම්.
- (6) සර්වපාක්ෂික සමුළුවේ සභාපති, අතිගරු ජනාධිපති තුමාගේ 1984 ජූලි මස 23 වන දින දරන සංදේශය.
- (7) අතිගරු ජනාධිපති හා සර්වපාක්ෂික සමුළුවේ නියෝජිත මණ්ඩල නායකයින්ගේ සභාපතිගේ 1984 සැප්තැම්බර් මස 21 වන දින දරන වාර්තාව.
- (8) සර්වපාක්ෂික සමුළුවේ "අ" කමිටුවේ ක්‍රියාකාරී නිලධාරී මණ්ඩලයේ හා විශේෂඥ කණ්ඩායමේ වාර්තාව—1984.08.13.
- (9) අධ්‍යාපන, රැකියා හා භාෂා අධිකාරියෙහි පිළිබඳව ක්‍රියාත්මක කළ යුතු යෝජනා සම්බන්ධයෙන් වූ සර්වපාක්ෂික සමුළුවේ 'ආ' කමිටුවේ වාර්තාව.
- (10) 1980 අංක 35 දරන සංවර්ධන සභා පනත.
- (11) ශ්‍රී ලංකා ප්‍රජාතාන්ත්‍රික සමාජවාදී ජනරජයේ ආණ්ඩුක්‍රම ව්‍යවස්ථාව.

ජේ. ආර්. ජයවර්ධන,
 ශ්‍රී ලංකා ප්‍රජාතාන්ත්‍රික සමාජවාදී
 ජනරජයේ ජනාධිපති සහ සර්ව
 පාක්ෂික සමුළුවේ සභාපති.

සර්වපාක්ෂික සම්මේලන ලේකම් කායාම්ලය,
 බ. අ. ජා. ස. ශා.
 බෞද්ධාලෝක මාවත,
 කොළඹ 7.
 1984 දෙසැම්බර් 14.

மேன்மைதங்கிய சனநாயக அமைப்பும் அனைத்துக் கட்சி மாநாட்டின் தலைவருமானவர் 1984 திசம்பர் 14 ஆந் தேதி நடைபெற்ற முழுநிறைவான கூட்டத்தொடரில் விடுத்த அறிக்கை

அனைத்துக் கட்சி மாநாடு 1984 சனவரி 10 ஆந் தேதியன்று பண்டாரநாயக்க ரூபகார்த்த சர்வதேச மாநாட்டு மண்டபத்தில் தனது முதலாவது கூட்டத்தை நடாத்தியது. 1983 திசம்பர் 23 ஆந் தேதி என்னால் கூட்டுவிக்கப்பட்ட எட்டு அரசியற் கட்சிகளின் பூர்வாங்கக் கூட்டத்தின் பின்விளைவே இதுவாகும். இப்பூர்வாங்கக் கூட்டத்திலே இனஞ்சார்ந்த விடயங்களும் பயங்கரவாதமும் தொடர்பாக நாட்டில் நாள்தோறும் பெருகிவரும் பிரச்சினைகள் பற்றிக் கலந்துரையாடுவதற்கும் அவற்றுக்குப் பரிசீலனைகள் தேடுவதற்குமாக அனைத்துக் கட்சி மாநாடு ஒன்றைக் கூட்டுவதற்கு ஏகமனதாகத் தீர்மானிக்கப்பட்டது.

1984 செப்தம்பர் வரையில் மாநாடு ஆற்றிய கருமங்கள் 1984 செப்தம்பர் 21 ஆந் தேதி நடைபெற்ற அனைத்துக் கட்சி மாநாட்டின் முழுநிறைவான கூட்டத்தொடரில் நான் கொடுத்த அறிக்கையில் காணப்படுகின்றன. எனவே, அக்கருமங்களை இப்பொழுது மீண்டும் நான் குறிப்பிடப்போவதில்லை. (இலகுவாகத் தொடர்பு கொள்வதற்காக அந்த அறிக்கையின் பிரதியொன்று இதனுடன் இணைக்கப்பட்டுள்ளது). எனினும், இதுவரையில் மேற்கொள்ளப்பட்ட பிரதான முடிபுகள் இந்த அறிக்கையிலே பின்னர் குறிக்கப்பட்டுள்ளன.

அனைத்துக் கட்சி மாநாட்டின் கடந்த முழுநிறைவான கூட்டம் செப்தம்பர் 30 ஆந் தேதி ஞாயிற்றுக்கிழமை நடைபெற்றது. அது 35 ஆவது கூட்டமாகும். இதுவரை வெளியிடப்பட்ட கருத்துநோக்குகளைக் கவனத்திற்கொண்டு அடுத்த முழுநிறைவான கூட்டத்திற்கு வரைவுச் சட்டவாக்கத்தைத் தயாரித்தளிப்பது எனது நோக்கமாகும் என்று அந்தக் கூட்டத்திலே அறிவித்தேன். மேற்கொண்டு தனிப்பட்டுக் கலந்தாலோசனைகளைச் செய்யவும், சட்டவரைவை மேற்கொள்ளவும் போதுமான காலம் இருக்க வேண்டுமென்பதற்காக அடுத்த கூட்டம் நவம்பர் 15 ஆம், 16 ஆம் தேதிகளுக்கு நிறுத்திக்கப்பட்டது. எனினும் அந்தக் கூட்டத் தேதியை மாற்றியமைக்க வேண்டியிருந்தது. அதற்குக் காரணம் கலந்தாலோசனைகளிலும் சட்டவாக்கத்தை வரைவதிலும் ஈடுபட்டிருந்தோருட் பலர் இந்திய பிரதம அமைச்சரான ஸ்ரீமதி இந்திரா காந்தியின் மரணச் சடங்கிற்காக அந்நாட்டுக்குச் செல்ல வேண்டியிருந்தமையேயாகும். பல பேராளர் குழுக்களின் வசதியை முன்னிட்டு, இப்பொழுது அக்கூட்டம் 1984 டிசம்பர் 14 ஆம், 15 ஆம் தேதிகளில் நடைபெறுகின்றது.

சட்டவரைவு பற்றிய கலந்தாலோசனைகளும் கலந்துரையாடல்களும் செப்தம்பர் மாதத்திற்கும் டிசம்பர் 14 ஆந் தேதிக்குமிடையில் நடைபெற்றுவந்தமையால், இந்தக் காலம், மிகச் சிறுசிறுப்பான காலமாக அமைந்தது. பேராளர் குழுக்களின் எல்லாத் தலைவர்களுடனும் நான் பல கலந்துரையாடல்களை நடத்தினேன். மேலும், அங்கீகரிக்கப்பட்ட அரசியற் கட்சிகளின் தலைவர்களை

நான் கலந்துரையாடலுக்கு அழைத்தேன். எனது அழைப்பை ஏற்றுக் கொண்ட அனைத்துக் கட்சித் தலைவர்களையும் நான் சந்தித்துப் பேசினேன். மொத்தத்தில் செய்தம்பருக்கும் இன்றைக்கும் இடைப்பட்ட காலத்தில் அரசியற் கட்சிகளுடனும் சங்கங்களுடனும் 32 கூட்டங்களை நடத்தியுள்ளேன். சட்டவாக்கத்தை வரைவதில் உதவிய சட்ட அறிஞர்களுடனும் அலுவலர்களுடனும் 11 கூட்டங்களை நடத்தினேன்; ஏன் அமைச்சர்களுடனும் முறைமைசாரா பற்பல கூட்டங்களை நடத்தினேன். இப்பொழுது உங்கள் முன்னுள்ள பிரேரணைகள், இக் கலந்துரையாடல்களினதும், அனைத்துக் கட்சி மாநாட்டுக் கூட்டங்களில் இடம் பெற்ற கலந்துரையாடல்களினதும் விளைவாக வெளிவந்தவையாகும்.

இங்கு முன்வைக்கப்பட்டுள்ள சட்டவாக்க வரைவு, 1984 டிசம்பர் 14 ஆந்தேதி வெள்ளிக்கிழமையாகிய இன்று இடம்பெறும் கூட்டத்திலே அனைத்துக் கட்சி மாநாட்டில் அமைந்த பேராளர் குழுக்களுட் பெரும்பாலான கருத்துக்களைப் பிரதிநிதித்துவப்படுத்துவதாகும். முக்கியமான விதப்புகைளை நான் சுருக்கமாகக் கீழே தருகிறேன். சட்டவாக்க வரைவில் அவை விரிவாக்கக் கொடுக்கப்பட்டுள்ளதுடன், பிரேரிக்கப்படும் சட்டவாக்கத்திற்கான நோக்கங்களும் காரணங்களும் பற்றிய அறிக்கையில் (இணைக்கப்பட்டுள்ளது) மேலும் விளக்கப்படும் இருக்கின்றன.

அரசாங்க முறைமை

இப் பிரேரணைகள் மக்கள் பங்குபற்றும் சனநாயகமுறை அமைப்பொன்றை உருவாக்குகின்றன. கிராமத்திலிருந்து தொடங்கி ஐக்கிய இலங்கையின் அபிவிருத்தி சட்டமன்றமாகிய பாராளுமன்றம் ஈடுபட உள்ள அரசாங்க முறைமைகளில் மக்கள் ஈடுபடுத்தப்படுவர்.

கிராமோதய மண்டலங்கள்

கிராமங்களிலுள்ள மக்களின் தன்னிச்சையான சங்கங்களிலிருந்து தெரிவு செய்யப்பட்ட ஏறத்தாழ 4500 கிராமோதய மண்டலங்கள் இருக்கும்.

பிரதேச சபைகள்

இவை இப்பொழுது அமைந்துள்ளது போன்று உதவ் அரசாங்க முகவர்களின் மட்டத்தில் அமைந்திருக்கும். இவற்றின் எண்ணிக்கை சுமார் 250 ஆகும். இவை தெரிவுசெய்யப்படும் சடைகளாம். இவற்றின் தொழிற்பாடுகள் பெரும்பாலும் உள்ளூராட்சிக்குரியனவாகும்.

மாவட்ட சபைகள்

அரசாங்க முறைமையின் மூன்றாம் கட்டம் மாவட்ட சபைகளாகும். இவை இப்பொழுது அமைந்துள்ள அபிவிருத்தி சபைகளையொத்தவை. ஒரு மாவட்ட சபையின் அதிகார எல்லை ஒரு நிருவாக மாவட்டமாகும். எனவே இவற்றின் எண்ணிக்கை 25 ஆகும். எதிர்காலத்திலுமே அவை தெரியப்படும் சபைகளாகும். தலைவரும் துணைத் தலைவரும் சபைகளின் உறுப்பினர்களுக்கான தேர்தலில் வாக்காளர்களாலே தெரிவு செய்யப்படுவர். இச்சபைகளின் அதிகாரங்களும் தொழிற்பாடுகளும் இப்பொழுது ஓர் அபிவிருத்திச் சபை செலுத்துகின்றவற்றைக் காட்டிலும் விரிவானவையாயும் பரந்தனவாயும் இருக்கும்.

மாகாண சபைகள் (மாவட்டங்களுக்கிடையிலான அதிகார சபைகள்)

மாகாண சபைகள் ஒரு மாகாணத்திலுள்ள இரண்டு அல்லது இரண்டுக்கு மேற்பட்ட நிருவாக மாவட்டங்களைக் கொண்டமையும். அங்குள்ள மாவட்ட சபைகள் ஒன்றாகச் சேர்வதற்குத் தீர்மானிக்க வேண்டும் என்பதும் அவற்றின் தீர்மானம் இந்த நிருவாக மாவட்டங்கள் ஒவ்வொன்றிலுமுள்ள பதிவு செய்த வாக்காளருட் பெரும்பான்மையோரால் அங்கீகரிக்கப்பட வேண்டும் என்பதும் மாகாண சபை அமைப்புக்கு அவசியமாகும். மாவட்ட சபைகள் கைடளிக்கக் கூடிய அதிகாரங்களை மாகாண சபைகள் கொண்டிருக்கும். ஒன்றாகச் சேர்வதற்குத் தீர்மானிக்கும் மாவட்ட சபைகளின் எல்லா உறுப்பினர்களும் மாகாண சபைகளில் அடங்குவர்.

மாகாண மாவட்ட அமைச்சர்கள்

சனாதிபதி பாராளுமன்ற உறுப்பினர்களையோ அல்லது அரசின் சபை உறுப்பினர்களையோ மாகாண அமைச்சர்களாகவோ மாவட்ட அமைச்சர்களாகவோ நியமிப்பதற்கான அதிகாரம் பெற்றிருப்பார். ஒரு மாகாண சபையின் உறுப்பினர்களது நம்பிக்கைக்குப் பாத்திரமானவரெனக் கருதப்படும் ஒருவரை அவர் மாகாணத் தலைமை அமைச்சராக நியமிக்கலாம்.

அரசின் சபை

அரசின் சபை 75 உறுப்பினர்களைக் கொண்டமைந்ததாய் நிறுவப்படும். இவர்களுள் ஒவ்வொரு மாவட்ட சபையின் தலைவரும் துணைத் தலைவருமாக 50 பேர் இருப்பர். மேலும், ஒரு மாகாணத்தினுள் நிறுவப்பட்டுள்ள மாவட்ட சபைகளிலே பிரதிநிதித்துவம் பெறாத இனத்தவர்களிடையேயிருந்து ஒவ்வொரு மாகாணத்திற்கும் இரண்டு உறுப்பினர்கள் நியமிக்கப்படும்வகையில் 18 உறுப்பினர்கள் இருப்பர். அன்றியும், சனாதிபதியினால் 7 உறுப்பினர்கள் நியமிக்கப்படுவர்.

இந்தச் சபையின் தொழிற்பாடுகள் முக்கியமாக ஆய்வுரை சார்ந்தனவாக இருக்கும். இச்சபை சட்டவாக்கத்தைத் தொடக்கிவைப்பதற்கும், அடிப்படை உரிமைகள், மொழி உரிமைகள், பிராந்திய நலவுரிமைகள், தேசிய ஐக்கியமும் தன்னாதிபத்தியமும், பிறவும் ஆகியவற்றைப் பாதிக்கின்ற மசோதாக்கள் பற்றித் தனது அபிப்பிராயத்தைத் தெரிவிப்பதற்கும் அதிகாரம் பெற்றிருக்கும். எனினும், பாராளுமன்றம் பிறப்பிக்கும் எந்தவொரு சட்டவாக்கத்தையும் தாமதப்படுத்துவதற்கான அதிகாரத்தைக் கொண்டிருக்காது. மேலும், மாவட்டங்களுக்கிடையிலான, மாகாணங்களுக்கிடையிலான விடயங்கள், தேசிய ஐக்கியம் பற்றிய பிரச்சினைகள், சமுதாய பொருளாதார விவகாரங்கள் ஆகியவை பற்றி விசாரணை செய்வதற்கான குழுக்களை இச்சபை நிறுவ முடியும்.

இன்னும், அமைச்சர்களைத் தெரிவு செய்தற்கான ஒரு கட்டுசியமாகவும் இச்சபை உதவும்.

இச் சபைகளின் அதிகாரங்களும் தொழிற்பாடுகளும்

இச்சபைகளின் அதிகாரங்களும் தொழிற்பாடுகளும் தொடர்பாக, அனைத்துக் கட்சி மாநாட்டின் "ஏ" குழுவைச் சேர்ந்த உத்தியோகத்தர்களும் நிபுணர்களும்

அடங்கிய தொழிற்படு குழுவின் அறிக்கையும் கல்வி, வேலைவாய்ப்பு, மொழி உரிமைகள் என்பவற்றில் வாய்ப்புக்களைச் சமநிலைப்படுத்தல்பற்றிய “பி” குழுவின் அறிக்கையும் அமுலாக்கப்படும். இவ்விரண்டு அறிக்கைகளின் பிரதிகளும் ஏலவே வழங்கப்பட்டுள்ளன—மேலும் பிரதிகள் இணைக்கப்பட்டுள்ளன.

அனைத்துக் கட்சி மாநாட்டுக்கு முந்திய கலந்துரையாடல்கள்

“அ”, “ஆ”, “இ” பின்னிணைப்புகள்

ஒரு மாகாணத்தினுள்ளே மாகாண சபைகளை நிறுவுதற்கான பிரேரணைகளும், மாகாண சபைகளிலிருந்து அமைச்சர்களை நியமிப்பதும் இப்போதுள்ள பிரேரணைகளுள் அடங்கியுள்ளன என்பது வரைவுச் சட்டத்தையும் “அ”, “ஆ”, “இ” ஆகிய பின்னிணைப்புகளையும் ஒப்புநோக்கும்போது தெரியவரும். பின்னிணைப்புகளிலே குறிப்பிடப்பட்டுள்ள அதிகாரங்களும் தொழிற்பாடுகளும் தொடர்பான ஏனைய பல விவரங்களும் வரைவுச் சட்டவாக்கத்திற் சேர்க்கப்பட்டுள்ளன.

ஏனைய விடயங்கள்

ஏனைய விடயங்களிலும் ஏற்கனவே கருத்து இணக்கம் காணப்பட்டது. அரசாங்கத்தின் எல்லா மட்டங்களிலும் மக்கள் பங்குபற்றுவதற்கு வசதியாக மத்திய அரசாங்க அதிகாரங்களைக் கையளிப்பதற்கான அவசியம் பற்றி கருத்து இணக்கம் காணப்பட்டுள்ளது மட்டுமன்றி, நாடற்றவர் பற்றியும் இனஞ்சார்ந்த வன்செயலையும் பயங்கரவாதத்தையும் அதன் எல்லா உருவங்களிலுமாக அழித்தொழிப்பது பற்றியும் கருத்து இணக்கம் காணப்பட்டுள்ளது என்று மார்க்சு மாதம் நடைபெற்ற மாநாட்டுக் கூட்டத் தொடரில் நான் அறிவித்தேன். இனஞ்சார்ந்த பிரச்சினைக்குத் தீர்வுகாணும் ஒரு வழிவகையாக இரண்டாவது மன்றம் ஒன்று நிறுவப்படுவது பற்றியும் மாநாடு ஏற்றுக்கொண்டது. பின்வரும் நோக்கங்களுக்காக இரண்டாவது மன்றம் நிறுவப்பட வேண்டுமெனக் கருதப்பட்டது :—

- (1) மாவட்டங்களில் வாழ்கின்ற சிறுபான்மை உறுப்பினர்கள் அதியுயர்ந்த சட்டசபையில் தொழிற்படுவதற்கான ஒரு மன்றமாக அம்மன்றம் அமைதல்.
- (2) மேன்மைதங்கிய சனாதிபதியால் மாகாணங்களிலே அமைச்சர்களாகத் தொழிற்படுவதற்காகத் தெரிவுசெய்யப்படக்கூடிய உறுப்பினர்களுக்கான ஒரு களஞ்சியமாக அம்மன்றத்தை உருவாக்குதல்.

அரசாங்க முறைமைகளும் இரண்டாவது மன்றமும் தொடர்பான சட்ட வரக்கம் இப்பொழுது உங்கள் முன்னிலையில் வைக்கப்பட்டுள்ளது.

நாடற்றவர்களின் பிரச்சினைக்கான தீர்வுகள் அரசாங்கத்தினால் மேற்கொள்ளப்பட்டு வருகின்றன. இனஞ்சார்ந்த வன்செயல் பற்றிய பிரச்சினைக்கான தீர்வுகள் பல கோணங்களிலிருந்து காணப்பட வேண்டியதொன்று; இப்பொழுது நம் அனைவரது கவனத்தையும் அதிகமாகக் கவர்ந்து வருகின்ற விடயம் அதவே யாகும்.

நன்றியறிதல்

முடிவுரையாக, அலைத் தர அரசியற் கட்சிகளும் சங்கங்களும் மனமுவந்து ஒத்துழைப்பைத் தந்தமைக்கும், நாம் இப்போது எதிர்நோக்குகின்ற பிரச்சினைகளுக்குப் பரிசீலனைகளைக் காண்பதில் தங்களுடைய அறிவையும், நியாயத் தீர்ப்பையும், காலத்தையும் கடந்த காலத்தில் இடையறாது கொடுத்துவியமைக்கும் அவற்றுக்கு எனது சொந்தப் பாராட்டுதலையும் நன்றியறிதலையும் தெரிவிப்பதுடன், அரசாங்கத்தின் நன்றியறிதலையும் தெரிவித்துக் கொள்கின்றேன்.

மாநாடு மேற்கொண்டிருந்த விடயங்களின் சட்ட அம்சங்கள் தொடர்பாக உதவுவதற்காகச் சட்ட அறிஞர்கள் குழு தன்னிச்சையாகவும் தயாராகவும் தனது அரிய நேரத்தைச் செலவிடுதற்கு முன்வந்து உதவியது. நமது பாராட்டுகள் அக்குழுவுக்கு உரித்தாகுக. உத்தியோகத்தர்களுமே மாநாட்டிலும் அதன் குழுக்களிலும் உதவிபுரிவதற்கு முன்வந்து, மனமுவந்து தங்களை அனுபவ அறிவை வழங்கினர். எங்களுக்குத் தேவையான சட்டவாக்கத்தை உருவாக்குவதற்குச் சட்டவரைஞரும், அவர் தம் சிரேட்ட உதவியாளர்களும் பதவியரும் மிகத் திறமையாகவும் கடினமாகவும் விரைவாகவும் கருமமாற்றினர். பொலிஸ் படையினரும் பாதுகாப்புச் சேவையினரும் தங்களுடைய கடமைகளைச் சிறப்பாக ஆற்றினர். ப. ஞா. ச. மா. மண்டபத்தின் முகாமைச் சபையினரும், அந் நிறுவனத்தின் செயலாளர் நாயகமும், அவர் தம் பணியாளர்களும் ப. ஞா. ச. மா. மண்டபத்திலே எல்லா வசதிகளையும் எங்களுக்கு மனவிருப்பத்துடனும் முகமலர்ச்சியுடனும் செய்து கொடுத்தனர். ஒபரேய் விடுதியக முகாமையாளர்கள் எங்களுடைய புல கூட்டத் தொடர்களின் போதும் எங்களுக்குச் சுவையான சிற்றுண்டி பரிமாறி ஆதரவளித்தனர். அவர்களுக்கும் எமது நன்றி உரியதாகும்.

இறுதியாக, மாநாட்டின் பற்பல கோரிக்கைகளுக்கு உதவுமுகமாக மிகத் திறமையாகவும் மனந்தளராமலும் கடமையாற்றிய அனைத்துக் கட்சி மாநாட்டுச் செயலாளர் திரு. ஈ. எப். டயல் அபேசிங்க, அவர் தம் இரண்டு உதவிச் செயலாளர்கள் திரு. சி. டபிள்யூ. டி சில்வா, திரு. கே. பி. விஜேசிங்ஹ ஆகியோருக்கும், அவர் தம் பணிமனையிற் செயற்பட்ட சருக்கெழுத்தாளர்கள், எழுதுவினைஞர்கள் ஆகியோருக்கும் எனது சொந்த நன்றியுணர்வையும், மாநாட்டினதும் அரசாங்கத்தினதும் நன்றியறிதலையும் நான் செலுத்திக்கொள்கின்றேன்.

வரைவுச் சட்டவாக்கம் இப்பொழுது உங்கள் முன்னிலையில் வைக்கப்பட்டுள்ளது. அதனை உங்களது ஆழ்ந்த கவனமுள்ள சிந்தனைக்கு எடுத்துக்கொள்ளுமாறு கேட்டுக்கொள்கின்றேன்.

ஆவணப்படுத்தல்

மாநாட்டின் கருமங்களுடன் தொடர்புடைய பின்வரும் ஆவணங்களை உங்களின் உபமோகத்திற்காக இங்கு இணைத்துள்ளேன்.

பிரதான ஆவணங்கள்

- (1) அரசியல்யாப்பின் பத்தாவது திருத்தத்தின் வரைவு.
- (2) மாவட்ட மாகாண சபைகள் மசோதா வரைவு.
- (3) பிரதேச சபை மசோதா வரைவு.
- (4) பிரேரிக் கப்படும் சட்டவாக்கத்தின் நோக்கங்களும் காரணங்களும்பற்றிய ஓர் அறிக்கை.

துணையான ஆவணங்கள்

- (5) “அ”, “ஆ”, “இ” பின்னிணைப்புகள்.
- (6) அனைத்துக் கட்சி மாநாட்டின் தலைவரான மேன்மை தங்கிய சனாதிபதி கையளித்த 1984 யூலை 23 ஆந் தேதியிட்ட விஞ்ஞாபனம்.
- (7) மேன்மைதங்கிய சனாதிபதியும் அனைத்துக் கட்சி மாநாட்டுப் பேராளர் குழுக்களுடைய தலைவர்களின் தவிசாளருமானவருடைய 1984 செப்டம்பர் 21 ஆந் தேதியிட்ட அறிக்கை.
- (8) அனைத்துக் கட்சி மாநாட்டின் “ஏ” குழுவுக்கு உத்தியோகத்தர்களும் நிபுணர்களும் அடங்கிய தொழிற்படு குழுவினர் செய்த அறிக்கை— 1984.08.13.
- (9) கல்வி, வேலைவாய்ப்பு, மொழிஉரிமைகள் ஆகியவற்றில் வாய்ப்புக்களைச் சமநிலப்படுத்தல் தொடர்பாக அமுலாக்கப்பட வேண்டிய ஏற்பாடுகள் பற்றி அனைத்துக் கட்சி மாநாட்டின் “பி” குழு செய்த அறிக்கை— 1984.08.16.
- (10) 1980 இன் 35 ஆம் இலக்க அபிவிருத்திச் சபைகள் சட்டம்.
- (11) இலங்கைச் சனநாயக சோசலிசக் குடியரசின் அரசியல்வாதி.

ஜே. ஆர். ஜயவர்தன,

இலங்கைச் சனநாயக சோசலிசக் குடியரசின்

சனாதிபதியும்

அனைத்துக் கட்சி மாநாட்டின் தலைவரும்.

அனைத்துக் கட்சி மாநாட்டுச் செயலகம்,

ப.ஞா.ச.யா.ய.,

பௌத்தாலோக்க மாவத்தை,

கொழும்பு 7,

1984 டிசம்பர் மாதம் 14 ஆந் திகதி.

SYSTEMS OF GOVERNMENT

These proposals create a form of participatory democracy involving the people in systems of government from the Village to the Supreme Legislature the Parliament of a United States.

— 1710 —

**STATEMENT OF HIS EXCELLENCY THE PRESIDENT AND
CHAIRMAN OF THE ALL PARTY CONFERENCE AT THE
PLENARY SESSIONS OF 14th DECEMBER, 1984**

THE All Party Conference held its first meeting at the Bandaranaike Memorial International Conference Hall on 10th January, 1984. It was the sequel to a preliminary meeting of 8 political parties summoned by me on 23rd December, 1983, at which it was unanimously decided to summon an All Party Conference to discuss the daily growing problems of the country in regard to ethnic affairs and terrorism and seek solutions.

The work done by the Conference till September 1984, appears in my Report to the Plenary Sessions of the All Party Conference of 21st September, 1984. I do not therefore propose outlining that work again now. (A copy of the Report is attached to this Statement for easy reference). The main decisions taken so far however appear further down in this Statement.

The last Plenary Session of the All Party Conference was on Sunday 30th September. It was the 35th meeting. At that Session I informed the Conference that my intention was to consider the views expressed so far and prepare draft legislation to be placed before the next Plenary. The next Session was fixed for 15th and 16th November to give time enough for any further private consultations and for drafting. The meeting had however to be re-scheduled since many of those engaged in the consultations and drafting had to be away in India for the funeral of the late Shrimathi Indira Gandhi, Prime Minister of India. To suit the convenience of many delegations, it now takes place on December 14th and 15th, 1984.

Consultations and discussions on drafting made this period between September and 14th December a very busy one. I have had several discussions with all the leaders of delegations. I also invited the leaders of recognised political parties for discussion and met all of them who accepted my invitation. In all I have had some 32 meetings between September and today with political parties and associations, 11 meetings with the lawyers and officials who have been helping in the drafting and several informal meetings with my Ministers. The proposals now before you are the outcome of these discussions as well as of the discussions at the meetings of the All Party Conference.

The draft legislation presented represents the views of the majority of the delegations that form the All Party Conference at its Sessions today Friday December 14th, 1984. I briefly outline the main recommendations below. They are set out in detail in the draft legislation and are explained further in the Statement of Objects and Reasons of the proposed legislation (attached).

SYSTEMS OF GOVERNMENT

These proposals create a form of participatory democracy, involving the people in systems of government from the Village to the Supreme Legislature, the Parliament of a United Sri Lanka.

Gramodaya Mandalayas

There will be around 4,500 Gramodaya Mandalayas chosen from the people's voluntary societies in the Villages.

Pradesheeya Sabhas

These will be at the level of an Assistant Government Agent's Division as presently constituted and numbering around 250. They will be elected. Their functions will be mainly local Governmental.

District Councils

The third tier will consist of District Councils like the presently constituted Development Councils. The area of authority of a District Council will be an Administrative District. There will therefore be 25 of them. In future too they will be elected and the Chairman and Vice Chairman will be elected by the electors at the election of Members of the Councils. Their powers and functions will be larger and wider than those presently exercised by a Development Council.

Provincial Councils (Inter-District Authorities)

Provincial Councils will be constituted for two or more administrative districts in a Province, where the District Councils resolve to join and their decision is approved by the majority of the registered voters in each of these administrative districts. Provincial Councils will have such powers as are delegated to them by the District Councils. Provincial Councils will consist of all the members of the District Councils resolving to join.

Provincial and District Ministers

The President will have the power to appoint Members of Parliament or Members of the Council of State as Provincial Ministers or District Ministers. He may appoint a Provincial Chief Minister who is likely to command the confidence of a Provincial Council.

Council of State

There will be established a Council of State consisting of 75 members. Of these the Chairman and Vice Chairman of each District Council will number 50. There will also be 18 members, two members appointed from each province from amongst members of those communities which are not represented or inadequately represented in the District Councils established within that province. There will also be 7 members appointed by the President.

The functions of the Council will be mainly advisory. It will not have the power to delay any legislation passed by Parliament though it will have the power to initiate legislation and to communicate its opinion on bills affecting fundamental rights, language rights, regional interests, national unity and integrity, etc. It can also set up Committees to inquire into inter-district and inter-provincial matters, questions of national unity or social and economic affairs.

It will also serve as a reservoir for the selection of Ministers.

Powers and Functions of these bodies

In regard to the powers and functions of these bodies, the Report of the Working Group of Officials and Experts of Committee "A" of the All Party Conference and the Report of Committee "B" on the Equalisation of Opportunities in Education, Employment and Language Rights will be implemented. Copies of both these reports have already been circulated—further copies are attached.

DISCUSSIONS PRIOR TO THE ALL PARTY CONFERENCE ANNEXURES "A", "B" AND "C"

It will be seen from a comparison of the draft legislation and Annexures "A", "B" and "C" that the proposals to establish Provincial Councils within a province and the appointment of Ministers from Provincial Councils are contained in these proposals. Many other details regarding powers and functions mentioned in the Annexures are also adopted in the draft legislation.

OTHER MATTERS

There were other matters too in which consensus was reached earlier. In the Sessions in March I informed the Conference that there was consensus not only on the need for delegation of Central Powers to enable the People's participation in Government at all levels, but also regarding the Stateless and the eradication of ethnic violence and terrorism in all its forms. There was acceptance too regarding the setting up of a Second Chamber as a means of solving the ethnic problem by making the Second Chamber an institution—

- (1) to afford a forum for the minority members living in the Districts to function in the Supreme Legislature ; and
- (2) to create a reservoir of members in the Second Chamber who may be chosen as Ministers to function in the Provinces by His Excellency the President.

The legislation regarding the Systems of Government and Second Chamber are now before you.

Solutions for the problem of the Stateless are being worked out by the Government. Solutions to the problem of ethnic violence has to be many faceted and is very much in the forefront of the minds of us all now.

ACKNOWLEDGEMENTS

In conclusion I must place on record my personal appreciation and thanks as well as that of the Government to all the Political Parties and Associations who have given me unstinted co-operation and during the past year have given so unreservedly of their knowledge, judgement and time to work out solutions for the problems we are facing now.

A team of lawyers also voluntarily and readily gave of their very valuable time to assist the Conference in the legal aspects of its task. Their work is appreciated by us all. The Officials too were called upon to assist both the Conference and its Committees and gave of their expertise unreservedly. The Legal Draftsman, his Senior Assistants and his staff worked very efficiently,

hard and swiftly to produce the legislation for us. The Police and the Security Forces too carried out their duties with unobtrusive skill. The Board of Management of the B. M. I. C. H., the Secretary-General of the B. M. I. C. H. and his staff placed all the facilities of the B. M. I. C. H. at our disposal most willingly and in a most facile manner. The Management of the Hotel Oberoi too deserves our thanks for sustaining us so well during these many Sessions.

Finally I must place on record my personal thanks as well as that of the Conference and Government to the Secretary of the All Party Conference Mr. E. F. Dias Abeyesinghe, his two Assistant Secretaries Mr. C. W. de Silva and Mr. K. B. Wijesinghe, and his small staff of Stenographers and Clerical Officers who worked so efficiently and indefatigably to service the many demands of the Conference.

The draft legislation is before you now. I commend it to you for your deep, careful and thoughtful consideration.

DOCUMENTATION

I attach the following documents which are relevant to the work of the Conference for your use :—

Main Documents

- (1) Draft of Tenth Amendment to the Constitution ;
- (2) Draft District and Provincial Councils Bill ;
- (3) Draft Pradesheeya Sabha Bill ;
- (4) A Statement of the Objects and Reasons of the Proposed Legislation ;

Supporting Documents

- (5) Annexures " A ", " B " and " C " ;
- (6) Memorandum of 23rd July, 1984, by H. E. the President, Chairman of the All Party Conference ;
- (7) Report of 21st September, 1984, by H. E. the President, and Chairman of the Leaders of Delegations to the All Party Conference ;
- (8) Report of the Working Group of Officials and Experts to Committee " A " of the All Party Conference—13.08.1984 ;
- (9) Report of Committee " B " of the All Party Conference on measures that need be implemented with regard to the equalisation of opportunities in Education, Employment and Language Rights—16.08.1984 ;
- (10) Development Councils Act, No. 35 of 1980 ;
- (11) The Constitution of the Democratic Socialist Republic of Sri Lanka.

J. R. JAYWARDENE,
President of the Democratic Socialist Republic of
Sri Lanka and Chairman of the All Party
Conference.

The All Party Conference Secretariat,
BMICH,
Buddhaloka Mawatha,
Colombo 7.
14th December, 1984.

THE ALL PARTY CONFERENCE



**යෝජිත නීති සම්පාදනයේ පරමාර්ථ හා
අදාළ හේතු දක්වන ප්‍රකාශය**

**பிரேரிக்கப்படும் சட்டவாக்கத்தின் நோக்கங்களும்
காரணங்களும்**

**OBJECTS AND REASONS OF THE PROPOSED
LEGISLATION**

**The All Party Conference Secretariat,
B. M. I. C. H.,
Buddhaloka Mawatha,
Colombo 7.**

14th December 1984.

ශ්‍රී ලංකා රජයේ මුද්‍රණ දෙපාර්තමේන්තුවේ මුද්‍රණය කරන ලදී

යෝජිත නීති සම්පාදනයේ පරමාර්ථ හා අදාළ හේතු දක්වන ප්‍රකාශය

දිවයිනේ සියළුම පරිපාලනමය දිස්ත්‍රික්කයක් සඳහාම දිසා සභාවක් පිහිටුවීම ව්‍යවස්ථාවේ යෝජිත XVII ඒ දරණ අළුත් පරිච්ඡේදයෙන් ඉඩ සලසා ඇත. දිසා සභාවක් පවතින කාලය පාර්ලිමේන්තුව ක්‍රියාකරන කාලයට සමාන වන්නේය. පාර්ලිමේන්තුව විසුරුවා හැරීමත් සමඟ දිසා සභාව විසුරුවා හැරේ. දිස්ත්‍රික්ක ඒකාබද්ධ කිරීමෙන් හෝ කුඩා කොටස්වලට බෙදීමෙන් පරිපාලනමය දිස්ත්‍රික්කයේ සීමා වෙනස්වන කල දිසා සභාවක් විසුරුවා හැරීමේ බලය ජනාධිපතිතුමා සතුව තිබේ. එවැනි අවස්ථාවල අළුත් පරිපාලනමය පළාත් වෙනුවෙන් තවත් දිසා සභාවක් පත්කරනු ලැබේ. දිසා සභා පිහිටුවීම ව්‍යවස්ථාවට ඇතුළත් කර ඒවාට තත්වය සුරක්ෂිත කිරීමෙන් ඒවා ජාතික රාජ්‍ය පාලන ක්‍රමයට අන්තර්ගත කර, පාර්ලිමේන්තුවේ සාමාන්‍ය වැඩි ඡන්ද ප්‍රමාණයකින් මෙම ආයතනවල ප්‍රධාන සැකසුම වෙනස් නොකළ හැකි බව සහතික වන්නේය.

අළුත් දිසා හා පළාත් සභා පනත් කෙටුම්පත් වල දිසා සභාවල සාමාජිකයින් පත්කිරීමට ඉඩකඩ සලසා ඇත. පරිපාලනමය දිස්ත්‍රික්කයේ පාර්ලිමේන්තු මන්ත්‍රීවරු ද එක්තරා සංඛ්‍යාවක ඡන්දයෙන් තෝරාගත් සභිකයින්ගෙන් ද සෑම දිසා සභාවක් සමන්විත වනු ඇත. පරිපාලනමය දිස්ත්‍රික්කයට අයත්වන ඡන්දයෙන් තේරෙන සභික සංඛ්‍යාව ජනාධිපතිතුමා තීරණය කරන්නේ ජනගහණය, භූමි ශාස්ත්‍රීය කරුණු, හා වෙනත් කරුණු මතය. දිසා සභාවක ඡන්දයෙන් පත්කරන සභිකයින් තෝරා ගන්නේ අනුපාත නියෝජන ක්‍රමයටය. දිසා සභා මැතිවරණයේදී වැඩිම ඡන්ද ගණනාවක් ලබාගන්නා පක්ෂය විසින් ඉදිරිපත් කරන නාම ලැයිස්තුවේ 1 වෙනි හා 2 වෙනි අය දිස්ත්‍රික් සභාවේ සභාපති හා උප සභාපති වශයෙන් පත්කරනවා ඇත. මෙය කිරීම හැකිවනු සඳහා පළාත් පාලන ඡන්ද ව්‍යවස්ථාවට සුදුසු සංශෝධන ඇති කෙරේ.

දැනට පවත්නා සංවර්ධන සභාවල මෙන් සෑම දිසා සභාවකම කෘත්‍යාධිකාරී කමිටුවක් පත්කරනවා ඇත. එහි සභාපති වන්නේ දිසා ඇමැතිතුමාය. දිසා සභා විසින් අනුමත කළයුතු සැලැස්ම කෘත්‍යාධිකාරී කමිටුව විසින් සම්පාදනය කරනවා ඇත. දිසා සභා පනතට සම්බන්ධ 1 වෙනි උපලේඛනයේ සඳහන් විෂයයන් සම්බන්ධ යෙන් බලතල දිසා සභා විසින් ක්‍රියාත්මක කරනවා ඇත. දැනට සංවර්ධන සභාවලට සංවර්ධන හා පළාත් පාලන කෘත්‍ය පැවරී ඇත. දිසා සභා සංවර්ධන කටයුතුවලට සිය කායභාරය සීමා කරගන්නා අතර තම බලතල වඩා පුළුල් විෂය ක්ෂේත්‍රයක ක්‍රියාකරනවා ඇත.

දිසා හා පළාත් සභා පනතේ 1 වෙනි උපලේඛනයෙහි සඳහන් විෂයයන් සම්බන්ධ නීති පැනවීමට සෑම දිසා සභාවකට බලතල ලැබෙනවා ඇත. මෙම නීති සම්පාදනය නෛතික හා දේශපාලනමය පාලනයට යටත්වේ. නෛතික පාලනය වශයෙන් ඉදිරිපත් කළහැක්කේ සභාව තමාට අයත් බලතල ඉක්මවා ඇති බව ප්‍රකාශ කිරීමයි. නීතිය පැනවීමට අවසරය නොදීමේ බලතල ඇති ජනාධිපතිතුමා විසින් දේශපාලනමය පාලනය ක්‍රියාත්මක කරනවා ඇත. මෙම බලය ක්‍රියාත්මක කරන්නේ ජාතික ප්‍රතිපත්ති යට පටහැනිය යන පදනම මතය 8 වෙනි උපලේඛනයේ සඳහන් ඕනෑම විෂයයක් පිළිබඳ නීති පැනවීමට දිසා සභාවලට බලතල පැවරීමෙන් පාර්ලිමේන්තුව වලක්වා තිබේ.

ඒ 070788—(84/12)

පළාතක පරිපාලන පළාත් 2ක් හෝ ඊට වැඩි ගණනක් සම්බන්ධ කර පළාත් සභා බලධාරීන් ඇතිකිරීමට ව්‍යවස්ථාවේ XVIIඒ පරිච්ඡේදයෙන් ඉඩකඩ සලසා ඇත. පරිපාලන පළාතක දිසා සභාවක සම්මතය පරිදි පළාත් සභාවක් පිහිටුවිය හැකිය. එසේම ලියාපදිංචි වන්දඳයකයින්ගෙන් වැඩි දෙනෙක් එම සම්බන්ධය අනුමත කළ යුතුය. මීට සම්බන්ධවන සෑම දිසා සභාවක්ම තම බලතල වලින් සමහරක් පළාත් සභාවට පැවරීමට කැමැත්ත සහා සම්මත කළ යුතුය. පවරාදෙන බලතල මොනවාදැයි සහා අතර එකඟත්වයක් නැත්නම් පළාත් සභාවක් පිහිටුවිය නොහැක.

පළාත් සභාවේ සභිකත්වය සමන්විත වන්නේ ඊට අදාළ දිසා සභාවල සභිකයින්ගෙන්ය. මෙම සභාවේ මූලසූත ගන්නේ ප්‍රධාන ඇමැතිතුමා විසිනි. පළාත් සභා දිසා සභාවල ආකාරයෙන්ම ක්‍රියාත්මක වේ. දිසා සභාවල කෘත්‍යාධිකාරී කමිටුවට අයත් කටයුතු ප්‍රධාන මන්ත්‍රීතුමා විසින් ක්‍රියාත්මක කරනවා ඇත. පළාත් සභාවට විධායක බලය පැවරෙන මාර්ගය ලෙස ඔහු ක්‍රියා කරනවා ඇත. පළාත් සභාවක ප්‍රධාන මන්ත්‍රීවරයෙක් පත්කිරීමට ඉඩකඩ ව්‍යවස්ථාවේ 45 ඒ දරණ වගන්තියේ දක්වා ඇත. ඔහු ජනාධිපතිතුමාගේ මතය අනුව සභාවේ මැතිවරුන්ගේ විශ්වාසය ලබාගැනීමට හැකි කෙනෙක් විය යුතුය. ප්‍රධාන මන්ත්‍රීතුමා දෙවෙනි මන්ත්‍රණ සභාවේ සභිකයෙක් වන්නේය.

දිසා සභාවක් පළාත් සභාවකින් ඉවත්වීමේදී වත්කම් හා බැරකම් වෙන්කරදීම සඳහා දිසා හා පළාත් සභා පනතේ විධිවිධාන සලසා තිබේ. පළාත් සභාවකට දිසා සභාවක් පිළියෙල කරන අන්දමටම එම සීමාවන්ටම යටත්ව ආදාපනත් පිළියෙල කළ හැකිවන්නේය.

රාජ්‍ය සභාව නමින් වූ දෙවැනි මන්ත්‍රණ සභාවක් පිහිටුවීම සඳහා ආණ්ඩුක්‍රම ව්‍යවස්ථාවේ XIIඅ නව පරිච්ඡේදයේ විධිවිධාන සලසා තිබේ. මෙම සභාවට සාමාජිකයින් 75 දෙනෙක් ඇතුළත් වන අතර, එය පහත සඳහන් පරිදි සකස් වී ඇත:—

මෙම සභාවේ පහත සඳහන් ආකාරයෙන් සකස් වූ සභිකයින් 75 දෙනෙක් සිටිනවා ඇත :

- (1) සෑම දිසා සභාවකම සභාපති හා උප සභාපතිවරුන්ගෙන් සමන්විත සභිකයින් 50 දෙනෙකු පත්වීම.
- (2) පළාත තුළ පිහිටුවා ඇති දිසා සභාවල නියෝජනය කිරීම නොලබන හෝ ප්‍රමාණ වත් ලෙස නියෝජනය නොවෙන ජනකොටස් අතරින් එක පළාතක් වෙනුවෙන් නියෝජිතවරු දෙදෙනෙක් බැගින් සභිකයින් 18 දෙනෙක් ඇතිවන්නේය. එසේම ජනාධිපතිතුමා විසින් පත්කරන සභිකයින් 7 දෙනෙක්ද සිටිනවා ඇත.

රාජ්‍ය සභාවේ නිලකාල පරිච්ඡේදය පාර්ලිමේන්තුවේ නිලකාල පරිච්ඡේදයම වන අතර, පාර්ලිමේන්තුව විසුරුවා හැරීම රාජ්‍ය සභාව විසුරුවා හැරීමක් මෙන් ක්‍රියාත්මක වනු ඇත. රාජ්‍ය සභාවේ සාමාජිකයින්, පාර්ලිමේන්තුවේ සාමාජිකයින් නොවූවත්, ඔවුන් විසින් පාර්ලිමේන්තු මන්ත්‍රීවරුන් භුක්තිවිඳින එම අයිතිවාසිකම්, වරප්‍රසාද හා නීතිමය ආරක්ෂා භුක්ති විඳිනු ඇත. රාජ්‍ය සභාවට අයත් අනිකුත් කායභයන්ට අතිරේකව, අමාත්‍යවරුන් තේරීම සඳහා එය සංවිතයක් වශයෙන් ක්‍රියා කරනු ඇත.

කවර විෂයයක් පිළිබඳව හෝ නීති සම්මත කිරීම පිළිබඳව පාර්ලිමේන්තුවට නිර්දේශ කිරීමට රාජ්‍ය සභාවට බලය ලැබෙන අතර, මෙකී කායභ සඳහා පාර්ලිමේන්තුවට පනත් කෙටුම්පතක් ඉදිරිපත් කළ යුතුව ඇත.

රාජ්‍ය භාෂාව විසින් පහත සඳහන් වර්ගයේ පනත් කෙටුම්පත් පිළිබඳව ද, සිය අදහස් ඉදිරිපත් කළ හැකිය :—

(අ) ආණ්ඩුක්‍රම ව්‍යවස්ථාවේ සහතික කරන ලද මූලික අයිතිවාසිකම්වලට බලපාන අයුරු ශ්‍රේණියාධිකරණය විසින් නිශ්චය කරන ලද පනතක් ; සහ

(ආ) එහි අදහස අනුව, අනිකුත් ජන කොටසකට පනවා නොමැති හිමිකම් නැති කිරීම කවර හෝ ජන කොටසකට පැනවීම අනිකුත් ජන කොටස්වලට ලබාදී නොමැති වරප්‍රසාද කවර හෝ ජන කොටසකට ප්‍රදානය කිරීමේ පනත් කෙටුම්පතක්.

රාජ්‍ය සභාවේ අදහස් අනුව ක්‍රියා කිරීමට පාර්ලිමේන්තුව බැඳී නොමැති නමුත්, පනත් කෙටුම්පත අනුමත කිරීමට ප්‍රථම රාජ්‍ය සභාවේ අදහස පිළිබඳව පාර්ලිමේන්තුව විසින් සලකා බලනු ඇත. පාර්ලිමේන්තුවේදී මන්ත්‍රීවරුන් විසින් පෞද්ගලක වශයෙන් ඉදිරිපත් කරනු ලබන පනත් කෙටුම්පත් සම්බන්ධයෙන් ද රාජ්‍ය සභාවට බලතල සතු වේ. එබඳු පනත් කෙටුම්පතක් සම්බන්ධයෙන් රාජ්‍ය සභාවේදී ගනු ලබන සාක්ෂි අනුව පාර්ලිමේන්තුව විසින් ක්‍රියාකළ හැකිය.

ආණ්ඩුක්‍රම ව්‍යවස්ථාවෙහි සහතික කර ඇති කවර හෝ මූලික අයිතිවාසිකම් හෝ භාෂාමය අයිතිවාසිකම්වලට හානියක් වන හෝ ප්‍රාදේශීය වශයෙන් හිත පිණිස හෝ ජාතික එක්සත් බව හා ඒකීය භාවය පිණිස නොවන හා ආණ්ඩුක්‍රම ව්‍යවස්ථාවෙන් අපේක්ෂිත පරිදි, හදිසි පනත් කෙටුම්පතක් නොවන පනත් කෙටුම්පතක් ඉල්ලා අස්කර ගැනීම නිර්දේශ කිරීමට ද, රාජ්‍ය සභාවට බලය තිබේ. රාජ්‍ය සභාවට එබඳු පනත් කෙටුම්පතක් සඳහා සංශෝධන ද යෝජනා කළ හැකිය.

ඉල්ලා අස්කර ගැනීමේ හෝ කවර හෝ යෝජිත සංශෝධන සඳහා වන නිර්දේශය පාර්ලිමේන්තුව විසින් පිළිගනු ලබන්නේ නම් පනත් කෙටුම්පත යෝජනා කරන අමාත්‍යවරයා විසින් පනත් කෙටුම්පත ඉල්ලා අස්කර ගනු ලැබීම හෝ පනත් කෙටුම්පත පිළිබඳ කාරක සභා අවස්ථාවේදී යෝජිත සංශෝධන ඉදිරිපත් කරනු ලැබේ. රාජ්‍ය සභාව විසින් යෝජනා කරන ලද සංශෝධන පාර්ලිමේන්තුව විසින් පිළිගනු නොලබන්නේ නම්, කථානායකතුමා විසින් සංශෝධනය පාර්ලිමේන්තු කමිටුවකට හෝ ඒකාබද්ධ පාර්ලිමේන්තු කමිටුවකට හා රාජ්‍ය සභාවකට යොමු කරනු ඇත. කමිටුව විසින් පාර්ලිමේන්තුවට වාර්තා කරන තෙක් පනත් කෙටුම්පත අනුමත කිරීම කල් තබනු ඇත.

රාජ්‍ය සභාව විසින් ස්ථිර කමිටු තුනක් පිහිටුවනු ඇත :—

- අන්තර්-දිස්ත්‍රික්ක හෝ අන්තර්-පළාත් පිළිබඳව පරීක්ෂා කර බැලීමේ කමිටුව ;
- ජාතික එක්සත් භාවය පිළිබඳ කමිටුව ;
- සමාජයීය ආර්ථික කටයුතු පිළිබඳ කමිටුව.

අන්තර්-දිස්ත්‍රික්ක හෝ අන්තර්-පළාත් කටයුතු පිළිබඳ කමිටුව ජනාධිපතිතුමාගේ සහායකත්වයෙන් වන අතර පරීක්ෂණ කටයුතු සිදුකිරීම සහ එබඳු කාර්යයන් පිළිබඳ උපදෙස් දීම එතුමා විසින් ඉටුකරනු ඇත. ජාතිය, ආගම, භාෂාව, කුලය හෝ ස්ත්‍රී පුරුෂ භාවය මත කවර හෝ පුරවැසියකුට විධායකයා මගින් වෙනස් අන්දමින් සලකා ඇතැයි යනුවෙන් ඉදිරිපත් කර ඇති පෙත්සම් පිළිබඳව ජාතික එක්සත් භාවය පිළිබඳ කමිටුව විසින් පරීක්ෂා කර බලා වාර්තා කරනු ලැබේ.

සමාජය හා ආර්ථික කටයුතු පිළිබඳ කමිටුව විසින් පරිපාලන දිස්ත්‍රික්ක එකකට හෝ වැඩි ගණනකට අදාළවන සමාජය හා ආර්ථික ප්‍රශ්න පිළිබඳව පරීක්ෂාකර බලනු ලබන අතර එකී ප්‍රශ්නවලට අදාළ වන ප්‍රතිපත්ති හා ක්‍රියාදාමයන් ඒකාබද්ධ කිරීමේ අදහසින් එම ප්‍රශ්න පරීක්ෂාකර බලනු ඇත. 84 යු වගන්තියේ දක්වා ඇති කාර්යයන් සම්බන්ධයෙන් කමිටු පිහිටුවීම සඳහා ද රාජ්‍ය සභාවට බලතල ලැබෙනු ඇත.

රාජ්‍ය සභාව විසින් බලතල පාවිච්චි කිරීමේදී, පාර්ලිමේන්තුවේ න්‍යාය පත්‍රයේ සඳහන් පනත් කෙටුම්පතක ව්‍යාකූලතාවයන් පිළිබඳව හෝ ඇමතිවරයෙකුගේ විෂය පථයට ගැණෙන කවර කරුණක් පිළිබඳව හෝ එකී ඇමතිවරයාට නියම කර ඇති කාර්ය පිළිබඳව හෝ පැහැදිලිකර ගැනීම සඳහා රාජ්‍ය සභාවට අමාත්‍යවරයකුට හෝ නියෝජ්‍ය අමාත්‍යවරයකුට ආරාධනා කිරීමේ බලය ලැබේ.

ජනාධිපතිතුමා, අග්‍රාමාත්‍යතුමා, අමාත්‍ය මණ්ඩලයේ අමාත්‍යවරයකු හෝ කවර හෝ නියෝජ්‍ය අමාත්‍යවරයකුට සිය නිලබලය අනුව, රාජ්‍ය සභාවට පැමිණීමට හා රාජ්‍ය සභාව අමතා කථා කිරීමට බලය තිබේ. මෙම බලතල පාවිච්චි කිරීමේදී ඡන්දය ප්‍රකාශ කිරීමේ බලය හැර අනිකුත් සියලුම වරප්‍රසාද, නීතිමය ආරක්ෂා සහ බලතලවලට ඔවුන්ට හිමිකම් ලැබෙනු ඇත.

සර්වසාක්ෂිත සම්මේලන කාර්යාලය,
 බ. අ. ජා. ස. ශාලාව,
 කොළඹ 7.
 1984.12.14.

பிரேரிக்கப்படும் சட்டவாக்கத்தின் நோக்கங்களும்

காரணங்களும்பற்றிய ஓர் அறிக்கை

அரசியல்யாப்பிலே பிரேரிக்கப்படும் புதிய XVII அ ஆம் அத்தியாயம் நாட்டின் ஒவ்வொரு நிருவாக மாவட்டத்திற்கும் ஒரு மாவட்ட சபை நிறுவப்படுதற்கு வசதியளிக்கின்றது. ஒரு மாவட்ட சபையின் உறுப்பினர்களது பதவிக்காலம், பாராளுமன்றத்தின் ஆயுட்காலத்துடன் சமகால அளவிலை.தாக இருக்கும் ; அவ்வாறே பாராளுமன்றம் கலைக்கப்படுவதுடன் மாவட்ட சபை கலைக்கப்படுவது நிகழும். குறிப்பிட்ட எல்லைகளுக்காக நிறுவப்பட்டுள்ள நிருவாக மாவட்டத்தின் எல்லைகள் உட்பிரிவுகளாக்கப்படுவதன்மூலம் அல்லது இணைக்கப்படுவதன்மூலம் மாற்றியமைக்கப்படுங்கால், ஒரு மாவட்ட சபையைக் கலைப்பதற்கு சனாதிபதிக்கு அதிகாரம் உண்டு. அவ்வாறான சந்தர்ப்பத்தில் புதிய நிருவாக மாவட்டத்திற்கு காசு மற்றும்மொரு மாவட்ட சபை நிறுவப்படும். அரசியல்யாப்பில் மாவட்ட சபைகள் நிறுவப்படுவதை உறுதிப்படுத்துவதன் மூலம் தேசிய அரசாங்க முறை மையிலுள்ள அவற்றை ஒருங்கிணைப்பதற்கும், தாபனமுறைக்குரிய பிரதான சட்ட வமைப்பானது பாராளுமன்றத்தின் சாதாரண பெரும்பான்மைமையினால் மாற்றப் படாதிருப்பதை உறுதிப்படுத்துவதற்கும் ஆலோசிக்கப்பட்டுள்ளது.

புதிய மாவட்ட மாகாண சபைகள் மசோதா மாவட்ட சபைகளின் உறுப்பினர்களுக்கு இடமளிக்கின்றது. ஒவ்வொரு மாவட்ட சபையும் நிருவாக மாவட்டத்தின் பாராளுமன்ற உறுப்பினர்களையும் ஒரு தொகை தெரிவுசெய்யப்பட்ட உறுப்பினர்களையும் கொண்டிருக்கும். ஒவ்வொரு நிருவாக மாவட்டத்திற்குமாகத் தெரிவு செய்யப்படும் உறுப்பினர்களின் எண்ணிக்கையானது அதன் குடித்தொகை, புவியியல், வீசைய காரணிகள் ஆகியவற்றைக் கவனத்திற்கொண்டு சனாதிபதியால் நிருணயிக்கப்படும். ஒரு மாவட்ட சபையின் தெரிவு செய்யப்படும் உறுப்பினர்கள் விசீதசமப் பிரதிநிதித்துவ அடிப்படையில் தெரிவுசெய்யப்படுவர். மாவட்ட சபைத் தேர்தல்களில் மிகக் கூடுதலான வாக்குகளைப் பெறும் கட்சி சமர்ப்பித்த பட்டியலில் முதலாவது இரண்டாவது இடங்களைப் பெறுவோர் முறையே மாவட்ட சபையின் தலைவராகவும் துணைத் தலைவராகவும் தெரிவு செய்யப்படுவர். இதனைச் செய்வதற்கு வசதியாக உள்ளூராட்சி அதிகாரங்கள் தேர்தல் கட்டளைச் சட்டத்திலே பொருத்தமான திருத்தங்கள் செய்யப்படும்.

நடைமுறையிலுள்ள அபிவிருத்திச் சபைகள் விடயமாக இருப்பதுபோன்று, ஒவ்வொரு மாவட்ட சபையும் மாவட்ட அமைச்சரைத் தலைவராகக் கொண்டு ஒரு நிறைவேற்றுக் குழுவைக் கொண்டிருக்கும். நிறைவேற்றுக் குழுவானது மாவட்ட சபையின் அங்கீகாரத்திற்கான திட்டங்களை உருவாக்கும். மாவட்ட சபைகள் சட்டத்தின் முதலாம் அட்டவணியிற் குறித்தொதுக்கிய விடயங்கள் தொடர்பாக மாவட்ட சபைகள் தங்களுடைய அதிகாரங்களைச் செயற்படுத்தும். இப்பொழுது அபிவிருத்தி சபைகளோ அபிவிருத்தித் தொழிற்பாடுகள், உள்ளூராட்சித் தொழிற்பாடுகள் ஆகிய இரண்டையும் கொண்டுள்ளன. மாவட்ட சபைகள் அபிவிருத்தித் தொழிற்பாடுகளுடனேயே அமையும். எனினும், மிகவும் பரந்த அளவிலான விடயங்கள் தொடர்பாகத் தங்களுடைய அதிகாரங்களை அவை செயற்படுத்தும். அபிவிருத்திச் சபைகள் இப்பொழுது ஆற்றுகின்ற உள்ளூராட்சித் தொழிற்பாடுகள் எதிர்காலத்திலே பிரதேச சபைகளால் மேற்கொள்ளப்படும்.

மாவட்ட மாகாண சபைகள் சட்டத்தின் முதலாம் அட்டவணியிற் கூறப்பட்டுள்ள விடயங்கள் தொடர்பாகக் கட்டளைச் சட்டங்களைச் செய்வதற்கு ஒவ்வொரு மாவட்ட சபையும் அதிகாரம் பெற்றிருக்கும். இக் கட்டளைச் சட்டங்கள் நீதித்துறையினதும் அரசியற்றுறையினதும் கட்டுப்பாட்டுக்கு உட்பட்டிருக்கும். உரிமை வரம்பு கடந்தது எனும் அடிப்படையிலே சபைகளினால் நீதிக்கட்டுப்பாடு செலுத்தப்படும். அரசியற் கட்டுப்பாடு சனாதிபதியினால் செலுத்தப்படும். அவர் கட்டளைச்சட்டங்களை விலக்குதற்கான அதிகாரம் கொண்டுள்ளார். தேசிய பூட்கைக்கு இசைவான தன்று எனும் அடிப்படையில் இந்த அதிகாரம் செலுத்தப்படும் என்று எதிர் பார்க்கப்படுகின்றது. எட்டாவது அட்டவணியிற் குறித்தொதுக்கப்பட்ட எந்தவொரு விடயம் தொடர்பாகவும் கட்டளைச் சட்டங்களைச் செய்வதற்கு மாவட்ட சபைகளுக்கு அதிகாரம் வழங்குவதிலிருந்து பாராளுமன்றம் தடுக்கப்பட்டுள்ளது.

ஒரு மாகாணத்திலுள்ள இரண்டு அல்லது இரண்டுக்கு மேற்பட்ட நிருவாக மாவட்டங்களுக்கான மாகாண சபைகள் என வழங்கப்படவுள்ள மாவட்டங்களுக்கிடையிலான அதிகாரசபைகளை நிறுவுவதற்கும் அரசியல்யாப்பின் XVII அஆம் அத்தியாயம் வசதியளிக்கின்றது. இந்த நிருவாக மாவட்டங்களுக்கான நிறுவப்பட்ட மாவட்ட சபையானது ஒரு மாகாண சபையை நிறுவுவதற்குத் தீர்மானித்தும், இந்த நிருவாக மாவட்டங்கள் ஒவ்வொன்றிலுமுள்ள பதிவு செய்யப்பட்ட வாக்காளர்களுட் பெரும்பான்மையினர் அந்த முடிவை அங்கீகரித்தும் இருப்பார்களாயின், அவ்வாறான ஒரு மாகாண சபை நிறுவப்படும். மாகாண சபையில் அடங்கியுள்ள மாவட்ட சபைகள் ஒவ்வொன்றும் அம்மாகாண சபைக்கு அதே அதிகாரங்களைக் கையளிப்பதற்குத் தீர்மானிக்க வேண்டும். கையளிக்கப்பட வேண்டிய அதிகாரங்கள் பற்றி சபைகளுக்கிடையே உடனடாடு ஏற்படாவிட்டால், மாகாணசபை நிறுவப்பட மாட்டாது.

மாகாண சபையானது அதிலடங்கிய மாவட்ட சபைகளின் உறுப்பினர்களைக் கொண்டிருக்கும். சபைக்குத் தலைமை அமைச்சர் தலைமைவகிப்பார். மாகாண சபைகள், மாவட்ட சபைகள் தொழிற்படுவதுபோன்ற விதத்திலேயே தொழிற்படும்; ஒரு மாவட்ட சபை தொடர்பாக நிறைவேற்றுக்குழு வகிக்கும் அதே பங்கினைத் தலைமை அமைச்சர் மாகாண சபை தொடர்பாக வகிப்பார். மாகாண சபைக்கு நிறைவேற்று அதிகாரம் கையளிக்கப்படுவதற்கான ஒரு வாய்க்காலாக அவர் செயற்படுவார். அரசியல்யாப்பின் புதிய 45 அஆம் உறுப்புரை ஒரு மாகாண சபைக்கு ஒரு தலைமை அமைச்சரை நியமிப்பதற்கு வசதியளிக்கின்றது. சனாதிபதியின் அபிப்பிராயப்படி, சபையிலுள்ள உறுப்பினர்களின் நம்பிக்கைக்குப் பாத்திரமாகத்தக்க ஒருவராக அவர் இருப்பார். தலைமை அமைச்சரானவர் அரசின் சபை என்று வழங்கப்படவுள்ள இரண்டாவது மன்றத்தின் ஓர் உறுப்பினராக இருப்பார். ஒரு மாகாண சபையில் அடங்கியுள்ள மாவட்ட சபைகளால் அதற்குக் கையளிக்கப்படுகின்ற அதிகாரங்களை மட்டுமே அச்சபை கொண்டு விளங்கும். இவ்வதிகாரங்கள் ஒருமுறை கையளிக்கப்பட்டால் மீள் அழிக்கப்பட முடியாது. மாவட்ட சபைகள் செயற்படுத்துகின்ற அதிகாரங்களுக்கு மேலதிகமாக ஒரு மாகாண சபை எவ்வதிகாரங்களையும் செயற்படுத்த முடியாது. எனினும், அவ்வதிகாரங்கள் பரந்த எல்லைப்பரப்பிலே அதாவது மாகாண சபையில் அமைந்துள்ள நிருவாக மாவட்டங்கள் மீது செலுத்தப்படக் கூடியனவாக இருக்கும்.

ஒரு மாவட்ட சபை ஒரு மாகாண சபையிலிருந்து விலகிக்கொள்வதற்கான அதிகாரம் கொண்டுள்ளது. அவ்வாறு விலகுவதற்காக மாவட்ட சபை ஒரு தீர்மானத்தின் மூலம் செய்யும் முடிவானது, அந்தச் சபை நிறுவப்பட்டுள்ள நிருவாக மாவட்டத்திலுள்ள பதிவுசெய்த வாக்காளருட் பெரும்பாலார் அதனை அங்கீகரிக்கும் பொழுது செயற்படுத்தத்தக்கதாகின்றது. ஒரு மாகாண சபையிலிருந்து ஒரு மாவட்ட சபை விலகலாகால், சொத்துக்களும் பொறுப்புக்களும் பங்கிட்டு செய்யப்படுவதற்கு மாவட்ட மாகாண சபைகள் சட்டம் வகைசெய்கின்றது. ஒரு மாகாண சபை ஒரு மாவட்ட சபையைப் போன்றே அதே விதத்திலும். அதே வரையறைகளுக்கு உட்பட்டும் கட்டளைச் சட்டங்களைப் பிறப்பிக்க முடியும்.

அரசியலியாப்பின் புதிய XIIஅ ஆம் அத்தியாயம் அரசின் சபை என வழங்கப்படும் இரண்டாவது மன்றம் ஒன்றை நிறுவுவதற்கு வசதியளிக்கின்றது. இச்சபை பின்வருமாறு 75 உறுப்பினர்களைக் கொண்டிருக்கும் :—

(i) ஒவ்வொரு மாவட்ட சபையினுடையவும் தலைவரும் துணைத் தலைவரும்—
50 உறுப்பினர்கள்.

(ii) மேலும், ஒரு மாகாணத்தினுள் நிறுவப்பட்டள்ள மாவட்ட சபைகளிலே பிரதிநிதித்துவம் பெறாத இனத்தவர்களிடையேயிருந்து ஒவ்வொரு மாகாணத்திற்கும் இரண்டு உறுப்பினர்கள் நியமிக்கப்படும்வகையில் 18 உறுப்பினர்கள் இருப்பர். அன்றியும், சனாதிபதியினால் 7 உறுப்பினர்கள் நியமிக்கப்படுவர்.

அரசின் சபையினது பதவிக்காலம் பாராளுமன்றத்தின் ஆயுட்காலத்துடன் சமகாலத்தில் முடிவடையும் ; பாராளுமன்றத்தைக் கலைத்தல் சபையின் ஒரு கலைத்தலாக அமையும். அரசின் சபையினுடைய உறுப்பினர்கள் பாராளுமன்றத்தின் உறுப்பினர்களாக இருக்கமாட்டார்கள் ; ஆயின், பாராளுமன்ற உறுப்பினர்களுக்குள்ள அதே உரிமைகளையும், சிறப்புரிமைகளையும், பாதிப்பின்மைகளையும் அவர்கள் அனுபவிப்பர். அதன் என்னை தொழிற்பாடுகளுடன், அரசின் சபையானது அமைச்சர்களைத் தெரிவு செய்வதற்கான ஒரு கலாச்சியமாக உதவவேண்டுமெனக் கருதப்படுகின்றது.

அரசின் சபையானது எந்த ஒரு விடயம் பற்றியும் ஒரு சட்டத்தை நிறைவேற்றும் பொருட்டு பாராளுமன்றத்திற்கு விதந்துரைப்பதற்கான அதிகாரங்களைக் கொண்டிருக்கும். மேலும், இந்நோக்கத்திற்காக பாராளுமன்றத்திற்கு ஒரு சட்ட வரைவை அது சமர்ப்பிக்கலாம். அரசின் சபை பின்வரும் வகுதிகளான மசோதாக்கள் பற்றிய தனது அபிப்பிராயத்தைப் பாராளுமன்றத்திற்குத் தெரிவிக்கவும் முடியும் :—

(அ) அரசியலியாப்பு உறுதிப்படுத்தியுள்ள அடிப்படை உரிமைகள் எவற்றையும் பாதிப்பதாக உயர் நீதிமன்றத்தால் நிறுவியிக்கப்பட்டுள்ள ஒரு மசோதா.

(ஆ) எந்த ஒரு சமுதாயத்தின் மீதும் வீணை எந்த சமுதாயங்கள் மீதும் சமத்தப்படாத தகவின்மைகளைச் சமத்துவதாகவோ அல்லது எந்த ஒரு சமுதாயத்திற்கும் வீணை சமுதாயங்களுக்கு அளிக்கப்படாத சிறப்புரிமைகளை அளிப்பதாகவோ அதனுடைய அபிப்பிராயப்படி அமைந்துள்ள ஒரு மசோதா.

அரசின் சபையின் அபிப்பிராயம் பாராளுமன்றத்தைக் கட்டுப்படுத்தாது. ஆயின், பாராளுமன்றம் ஒரு மசோதாவைப் பிறப்பிப்பதற்கு முன்னர் அரசின் சபையின் அபிப்பிராயத்தைக் கவலைத்திற்கொள்ளும் என்று எதிர்பார்க்கப்படுகின்றது. மேலும், அரசின் சபை பாராளுமன்றத்தில் கொண்டுவரப்படும் தனியார் மசோதாக்கள் தொடர்பாக அதிகாரங்களைக் கொண்டிருக்கும். அரசின் சபை அவ்வாறான ஒரு மசோதா பற்றி எடுத்துக்காட்டும் சான்றுகள் தொடர்பாகப் பாராளுமன்றம் நடவடிக்கைகளை மேற்கொள்ள முடியும்.

மேலும், அரசின் சபை தனது அபிப்பிராயப்படி, அரசியல்யாப்பினால் உறுதிப்படுத்தப்பட்டுள்ள அடிப்படை உரிமைகளை அல்லது மொழி உரிமைகளைப் பாதிக்கின்ற ஒரு மசோதாவையோ அல்லது பிரதேச நலன்களையோ அல்லது தேசிய ஐக்கியத்தையும் தன்னாதிபத்தியத்தையுமோ கருதிய ஒரு மசோதாவையோ, அல்லது அரசியல்யாப்பின் தாற்பரியத்திற்கிணங்க அவசரமற்றதாகக் காணப்படும் ஒரு மசோதாவையோ விலக்குவதற்காகப் பாராளுமன்றத்திற்கு விதந்துரைப்பதற்கான அதிகாரத்தையும் கொண்டுள்ளது. அவ்வாறான ஒரு மசோதாவுக்குத் திருத்தங்களைச் செய்வதற்கான ஆலோசனையையும் அரசின் சபை கூறலாம்.

மசோதாவை விலக்குவதற்கான விதப்புரையை அல்லது திருத்தங்களைச் செய்வதற்கான ஆலோசனையைப் பாராளுமன்றம் ஏற்றுக்கொள்ளுமாயின், அம் மசோதாவைப் பிரேரிக்கும் அமைச்சர் அதனை மீளப் பெறுவார் அல்லது ஆலோசனை கூறப்பட்ட திருத்தங்களை மசோதாவின் குழுநிலையில் பிரேரிப்பார். சபை ஆலோசனை கூறிய திருத்தங்களைப் பாராளுமன்றம் ஏற்றுக்கொள்ளாவிடின், சபாநாயகர் அந்தத் திருத்தத்தை பாராளுமன்றக் குழுவொன்றிடம் அல்லது பாராளுமன்றமும் அரசின் சபையும் இணைந்த கூட்டுக்குழுவொன்றிடம் விடுவார். பாராளுமன்றத்திற்கு குழு அறிக்கையிடும்வரை மசோதாவைச் சட்டமாக்குதல் பிற்போடப்படும்.

அரசின் சபை மூன்று நிலையான குழுக்களை நிறுவும் :

மாவட்டங்களுக்கிடையிலான அல்லது மாகாணங்களுக்கிடையிலான விடயங்களை விசாரணை செய்வதற்கான ஒரு குழு.

தேசிய ஐக்கியத்திற்கான ஒரு குழு.

சமுதாய, பொருளாதார விவகாரங்களுக்கான ஒரு குழு.

மாவட்டங்களுக்கிடையிலான அல்லது மாகாணங்களுக்கிடையிலான விடயங்களை விசாரணை செய்வதற்கான குழுவுக்கு சனாதிபதி தலைமை வகிப்பார். இக்குழு இவ்வாறான விடயங்களை விசாரணை செய்து மதியுரை வழங்கும். தேசிய ஐக்கியத்திற்கான குழுவானது இனம், சமயம், மொழி, சாதி அல்லது பால் என்பனவற்றின் அடிப்படையில் ஒரு பிரசைக்கு எதிராக நிருவாகத்தினர்

வேறுபாடு கூட்டி நடாத்துகின்றனர் என்று குற்றஞ்சாட்டிச் செய்யப்படும் மனுக்களை விசாரணைசெய்து அறிக்கையிடும். சமுதாய, பொருளாதார விவகாரங்கள் குழுவானது ஒன்றுக்கு அல்லது அதற்கு மேற்பட்ட நிருவாக மாவட்டங்களைப் பாதிக்கும் சமுதாய, பொருளாதாரப் பிரச்சினைகளைப் பரிசீலனை செய்யும். அப் பிரச்சினைகள் தொடர்பாகப் பூக்கையையும் செயற்பாட்டையும் இயைபுபடுத்தும் பொருட்டு விதப்புரைகளைச் செய்வதற்கு இக்குழுவுக்கு அதிகாரம் உண்டு. மேலும், அரசின் சபையானது 84ஆ ஆம் உறுப்புரையிற் குறிக்கப்பட்டுள்ள நோக்கங்களுக்காக குழுக்களை நிறுவுவதற்கும் அதிகாரம் பெற்றிருக்கும்.

அரசின் சபை தனது அதிகாரத்தைப் பிரயோகிக்குமுகமாக, பாராளுமன்றத்தின் கட்டளைப் பத்திரத்தில் இடம்பெற்றுள்ள ஒரு மசோதாவின் விளைவுகளைப் பற்றியோ, அல்லது ஓர் அமைச்சருக்குக் குறித்தொதுக்கப்பட்டுள்ள ஒரு விடயத்தின் அல்லது தொழிற்பாட்டின் கவனிப்புக்கு உட்பட்ட எந்த ஒரு விவகாரம் தொடர்பாகவும் அரசாங்கத்தின் நிலைமையைப் பற்றியோ தனக்கு விளக்கந்தருமாறு ஓர் அமைச்சரையோ அன்றி பிரதி அமைச்சரையோ கேட்பதற்கான உரிமையைக் கொண்டிருக்கும்.

சனாதிபதி, பிரதம அமைச்சர், அமைச்சரவையின் ஓர் அமைச்சர் அல்லது பிரதி அமைச்சர் தாம் வசிக்க்கும் பதவி காரணமாக, அரசின் சபையினுடைய கூட்டங்களுக்குச் சமூகமனக்கவும் அங்கு உரையாற்றவும் உரிமையுடையவராவர். இந்த உரிமையைப் பிரயோகிக்குமுகமாக சபையில் வாக்களிப்பதற்கான உரிமை தவிர்ந்த ஏனைய எல்லாச் சிறப்புரிமைகளையும் பாதிப்பின்மைகளையும் அதிகாரங்களையும் பெற்றிருப்பதற்கு அவர்கள் உரித்தையவராக இருப்பர்.

அனைத்துக்கட்சி மாநாட்டுச் செயலகம்,

ப. ஞா. ச. மா. ம.,

பௌத்தாலோக்க மாவத்தை,

கொழும்பு 7,

1984 திசம்பர் மாதம் 14 ஆந் திகதி.

A STATEMENT OF THE OBJECTS AND REASONS OF THE PROPOSED LEGISLATION

THE proposed new Chapter XVIIIA of the Constitution provides for the establishment of a District Council for every administrative district in the Island. The period of office of members of a District Council will be co-terminous with the life of Parliament and a dissolution of Parliament will operate as a dissolution of the District Council. The President has the power to dissolve a District Council when the limits of the administrative district for which it is established are altered by sub-division or amalgamation, in which case another District Council will be established for the new administrative district. By entrenching the establishment of the District Councils in the Constitution, it is proposed to integrate them into the national system of government and also to ensure that the main institutional framework is not changed by a simple majority in Parliament.

The new District and Provincial Councils Bill provides for the membership of the District Councils. Every District Council will consist of the Members of Parliament of the administrative district and a certain number of elected members. The number of elected members for each administrative district being determined by the President having regard to population, geography and other factors. The elected members of a District Council will be elected on the basis of proportional representation. The first and second names on the list submitted by the party securing the highest number of votes at the District Council elections will be elected Chairman and Vice Chairman respectively of the District Council. Appropriate amendments will be made to the Local Authorities Elections Ordinance to enable this.

As in the case of the existing Development Councils, every District Council will have an Executive Committee presided over by the District Minister. The Executive Committee will formulate plans for approval by the District Council. The District Councils will exercise its powers in relation to the subjects specified in the 1st Schedule to the District Councils Act. At present Development Councils have both development and local government functions. The District Councils will confine themselves to development functions but will exercise their powers covering a much wider range of subjects. The local government functions now exercised by Development Councils will in future be exercised by the Pradeshiya Sabhas.

Every District Council will have power to make ordinances in respect of matters set out in the 1st Schedule to the District and Provincial Councils Act. These ordinances will be subject to judicial and political control. Judicial control will be exercised by the Councils namely on the ground of *ultra vires*. Political control will be exercised by the President who has a power of disallowance over ordinance. It is envisaged that this power will be exercised on the ground of inconsistency with national policy. Parliament is precluded from conferring power on District Councils to make ordinances with respect to any subject specified in the Eighth Schedule.

Chapter XVIII A of the Constitution also provides for the constitution of Inter-District authorities to be called Provincial Councils for two or more administrative districts in a province. A Provincial Council will be constituted if the District Council established for these administrative districts resolve to do so and their decision is approved by a majority of the registered voters in each of these administrative districts. Each of the constituent District Councils must resolve to delegate the same powers to the Provincial Council. Unless there is agreement among the Councils as to the powers to be delegated, the Provincial Council will not come into being. The membership of the Provincial Council will consist of the members of the constituent District Councils. The Council will be presided over by the Chief Minister. Provincial Councils will function in the same manner as District Councils, with the Chief Minister playing the role that the Executive Committee plays in relation to a District Council. He will act as the channel through which executive power will be delegated to the Provincial Council. The new Article 45A of the Constitution provides for the appointment of a Chief Minister of a Provincial Council. He will be the person who in the opinion of the President, is likely to command the confidence of the members of the Council. The Chief Minister will be a member of the Second Chamber which is to be called a Council of State. A Provincial Council will enjoy only those powers that are delegated to it by the constituent District Councils. These powers once delegated cannot be revoked. A Provincial Council will not exercise any powers additional to those exercised by District Councils. The exercise of those powers will however be over a larger area, that is, over the administrative districts for which the Provincial Council is constituted.

The District and Provincial Councils Act provides for the apportionment of the assets and liabilities on the withdrawal of a District Council from a Provincial Council. A Provincial Council can make ordinances in the same way as a District Council, and subject to the same limitations.

The new Chapter XIII A of the Constitution provides for the establishment of a second chamber called the Council of State.

The Council will comprise of 75 members composed as follows :—

- (i) The Chairman and Vice Chairman of every District Council—50 members ;
- (ii) There will also be 18 members, two members appointed from each province from amongst members of those communities which are not represented or inadequately represented in the District Councils established within that province. There will also be 7 members appointed by the President.

The term of Office of the Council of State will be co-terminous with the life of Parliament and a dissolution of Parliament will operate as a dissolution of the Council. The members of the Council of State will not be members of Parliament, but will enjoy the same rights, privileges and immunities as a Member of Parliament. In addition to its other functions, the Council of State is intended to serve as a reservoir for the selection of Ministers.

The Council of State will have the powers to recommend to Parliament, the passing of a law on any subject, and may, for this purpose, present a draft Bill to Parliament. The Council of State can also communicate its opinion to Parliament on the following categories of Bills :

- (a) A Bill which has been determined by the Supreme Court to affect any fundamental rights guaranteed by the Constitution ; and
- (b) A Bill which in its opinion, imposes disabilities on any community not imposed on any other communities or confers privileges on any community not conferred on other communities.

Parliament will not be bound by the opinion of the Council of State but it is envisaged that Parliament will give consideration to the opinion of the Council of State before passing the Bill. The Council of State will also have powers in relation to private bills moved in Parliament. Evidence taken in the Council of State for such a Bill can be acted upon by Parliament.

The Council of State also has the power to recommend to Parliament the withdrawal of a Bill which in its opinion, affects any fundamental right or language right guaranteed by the Constitution, or in the regional interests or national unity and integrity and which is not an urgent Bill within the meaning of the Constitution. The Council of State may also suggest amendments to any such Bill.

If Parliament accepts the recommendation for withdrawal or any suggested amendments, the Minister proposing the Bill will withdraw the Bill or move the suggested amendments at the Committee Stage of the Bill. If Parliament does not accept the amendments suggested by the Council, the Speaker will refer

the amendment to a Committee of Parliament or to a Joint Committee of Parliament and the Council of State. The passing of the Bill will be postponed until the Committee has reported to Parliament.

The Council of State will set up three permanent Committees—

A Committee to inquire into inter-district or inter-provincial matters :

A Committee of National Unity ;

A Committee of Social and Economic Affairs.

A Committee to inquire into Inter-District or Inter-Provincial matters will be presided over by the President and will inquire into, and advise on such matters. A Committee of National Unity will inquire into, and report on, petitions alleging discriminatory treatment by the Executive against any citizen on the ground of race, religion, language, caste or sex. The Social and Economic Affairs Committee will examine social and economic problems affecting one or more administrative districts and has the power to make recommendations with a view to co-ordinating policy and action with respect to those problems. The Council of State will also have power to set up committees for the purposes referred to in Article 84U.

In the exercise of power the Council of State will have the right to invite a Minister or Deputy Minister to explain to it, the implications of a Bill placed on the Order Paper or Parliament or the position of the Government on any matter falling within the purview of a subject or function assigned to that Minister.

The President, Prime Minister, a Minister of the Cabinet of Ministers or any Deputy Minister shall by virtue of his Office have the right to attend and address the Council. In the exercise of this right they will be entitled to all the privileges, immunities and powers other than the right to vote.

All Party Conference Secretariat,
BMICH, Bauddhaloka Mawatha,
Colombo 7.
14th December, 1984.

DECEMBER 1984



**TENTH AMENDMENT TO THE
CONSTITUTION**

All Party Conference Secretariat,
B.M.C.H., Bandulahole Mawatha,
Colombo 7.
14th December 1984

DECEMBER 1984

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Tenth Amendment to the Constitution

45A. (1) The President shall appoint the member of the Provincial Council who in his opinion is likely to command the confidence of members of that Council and who is a member of the Council of State as Provincial Chief Minister in respect of that Council and shall determine the assignment of subjects and functions to such Chief Minister. The Provincial Chief Minister shall not be a member of the Cabinet of Ministers.

(2) The President shall in consultation with each Provincial Chief Minister appoint from among the members of the Council, who shall also be members of the Council of State, Ministers, and may, for the purpose of ensuring the execution of subjects in respect of which such Council is empowered to make Ordinances, by law, assign subjects and functions to such Ministers. The Chief Minister and Ministers so appointed shall constitute the Committee of Ministers for such Provincial Council. The Committee of Ministers for each Provincial Council shall be individually and collectively answerable to the President and to that Provincial Council.

(3) The provisions of paragraphs (2) and (4) of Article 45, shall, *mutatis mutandis*, apply and in relation to, a Minister appointed under this Article.

(4) Every Minister appointed under this Article shall be answerable to the President the Council of State and Provincial or District Council of which he is a member.

CHAPTER XIII

84A. (1) There shall be a Council of State (hereinafter in this Chapter of the Constitution referred to as "the Council") consisting of—

- (a) the Chairman and Vice-Chairman of every District Council established in respect of an administrative district, in pursuance of Article 154A ;
- (b) (i) two members appointed from each Province from among members of those communities that are not represented or inadequately represented in the District Councils established within that Province.
- (ii) seven other members appointed by the President.

(2) The Council shall continue only during the continuance of Parliament and a dissolution of Parliament shall operate as a dissolution of the Council.

84B. No person shall be qualified to be appointed as a member of the Council if he is a Member of Parliament or is subject to any of the disqualifications specified in Article 91.

84C. No member of the Council shall sit or vote as a member of the Council until he has taken and subscribed or made and subscribed the oath or affirmation in the form set out in the Seventh Schedule. before the Secretary of the Council.

Tenth Amendment to the Constitution

84D. The term of office of—

- (a) the members referred to in paragraph (a) of Article 84A shall be the period during which they hold the office by virtue of holding which, they are members of the Council ;
- (b) the members referred to in paragraph (b) shall, unless Parliament is sooner dissolved, be six years.

84E. (1) The seat of a member of the Council shall become vacant—

- (a) upon his death ;
- (b) if not being a member referred to in paragraph (a) of Article 84A, by a writing addressed to the Secretary of the Council, he resigns from the Council ;
- (c) if being a member referred to in paragraph (a) of Article 84A, he ceases to hold the office by virtue of holding which he becomes a member of the Council ;
- (d) if he becomes subject to any of the disqualifications specified in Article 91 or is elected as a Member of Parliament ;
- (e) if, without leave of the Council first obtained, he absents himself from the sittings of the Council during a continuous period of three months ; or
- (f) upon the termination of his term of office.

(2) Where a member of the Council vacates his seat in the Council by reason of his absents himself from sittings of the Council for a continuous period of three months without leave of the Council first obtained that member shall, if he is a member of a District Council, also vacate his seat in the District Council upon his vacating his seat in the Council.

(3) As soon as may be after the seat of an appointed member of the Council falls vacant, the Secretary of the Council shall inform the President of such vacancy.

(4) Where the seat of a member of the Council appointed under paragraph (b) of Article '84A falls vacant, such vacancy shall be filled by appointment.

(5) The term of office of a member appointed under paragraph (4) to fill a vacancy caused otherwise than by termination of the term of office of the member vacating office, shall be the remainder of his predecessor's term of office.

84F. (1) The Council shall, at its first meeting, after the coming into operation of this Chapter of the Constitution, and thereafter, at

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its first meeting after the commencement of each term of the Council, elect two members to be respectively, Chairman and Deputy Chairman of the Council.

(2) A member of the Council holding office as Chairman or Deputy Chairman of the Council shall, unless he earlier vacates office, vacate his office if he ceases to be a member of the Council.

(3) Whenever the office of the Chairman or the Deputy Chairman of the Council falls vacant, the Council shall, at its first meeting after the occurrence of the vacancy, elect another member of the Council to be the Chairman or the Deputy Chairman, as the case may be.

(4) The Chairman or the Deputy Chairman, or in their absence, a member elected by the Council for the sitting, shall preside at sittings of the Council.

84G. Whenever a person is appointed a member of the Council by the President, the President shall cause to be sent to the Secretary of Council, a certificate signed by the President setting out the name of the person appointed and the date of appointment. Such certificate shall be conclusive for all purposes and shall not be questioned in any court of law.

84H. Members of the Council shall be paid the same remuneration and allowances as members of Parliament, by law or by resolution, and the receipt thereof shall not disqualify the recipient from sitting or voting in the Council.

84J. (1) There shall be a Secretary of the Council who shall be appointed by the President and shall hold office during good behaviour.

(2) The salary of the Secretary of the Council shall be determined by Parliament, shall be charged on the Consolidated Fund and shall not be diminished during his term of office.

(3) The members of the staff of the Secretary of the Council shall be appointed by him with the approval of the Chairman of the Council.

(4) The salaries of members of the staff of the Secretary of the Council shall be charged on the Consolidated Fund.

(5) The office of the Secretary of the Council shall become vacant—

- (a) upon his death ;
- (b) on his resignation in writing addressed to the President ;
- (c) on his attaining the age of sixty years, unless Parliament otherwise provides by law ;

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- (d) on his removal by the President on account of ill-health or physical or mental infirmity ;
- (e) on his removal by the President upon an address of the Council.
- (6) Whenever the Secretary of the Council is unable to discharge the functions of his office, the President may appoint a person to act in the place of the Secretary of the Council.

84K. The Council and its members shall hold, enjoy and exercise such privileges, immunities and powers as are for the time being held, enjoyed and exercised by Parliament and its members, other than the powers of Parliament to try, and impose punishment for, any breach of any such privilege.

84L. (1) The President may, from time to time, by Proclamation, summon or prorogue the Council :

Provided, however, that the Council shall be prorogued whenever Parliament is prorogued.

(2) The Council shall be summoned to meet once at least every three months.

(3) A Proclamation proroguing the Council shall fix a date for the next meeting of the Council :

Provided that at any time while the Council stands prorogued, the President may by Proclamation summon a meeting of the Council for an earlier date, being a date not earlier than three days from the date of such Proclamation.

(4) The Council may adjourn from time to time as it may determine by resolution or Standing Order.

(5) During the adjournment of the Council for a period exceeding one month the Chairman of the Council shall, if requested by the President, convene, in such manner as may be prescribed by Standing Orders of the Council, a meeting of the Council for the transaction of urgent business of public importance.

84M. Any question proposed for decision by the Council shall be determined by a majority of the members of the Council, present and voting. The Chairman of the Council or member presiding at the meeting at which the vote is taken shall not vote in the first instance but shall have and exercise a casting vote in the event of an equality of votes.

84N. If any time during a meeting of the Council the attention of the person presiding is drawn to the fact that there are fewer

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than ten members present, the person presiding shall subject to any Standing Order of the Council, adjourn the meeting without question put.

84P. (1) Subject to the provisions of the Constitution, the Council may, by resolution or Standing Order, provide for—

- (i) The election and retirement of the Chairman and Deputy Chairman ; and
- (ii) the regulation of its business, the preservation of order at its sittings or any other matter for which provision as required or authorized to be made by the Constitution.

(2) Until the Council otherwise provides, by resolution or Standing Order, the Standing Orders of Parliament, operative immediately prior to the coming into operation of this Chapter of the Constitution, shall, *mutatis mutandis*, be the Standing Orders of the Council.

84Q. The Council shall have power to act notwithstanding any vacancy in its membership, and its proceedings shall be valid notwithstanding that it is discovered subsequently that some person who was not entitled so to do, sat or voted or otherwise took part in the proceedings.

84R. The Council shall have the power subject to the Constitution to—

- (a) communicate to Parliament, its opinion on—
 - (i) any Bill or any provision thereof, which has been determined by the Supreme Court to affect any fundamental right guaranteed by the Constitution ; or
 - (ii) on any Bill or any provision thereof, which in its view, makes persons of any community or religion liable to disabilities or restrictions which persons of other communities or religions are not liable or confers on persons of any community or religion, any privilege or advantage, not conferred on persons of other communities or religions ; and
- (b) recommend to Parliament the passing of any law relating to any matter, and for that purpose, may present at the bar of Parliament, a draft bill for acceptance by Parliament.

84S. (1) When a Bill, which in the view of the Council, is a Bill which affects any fundamental right or language right, guaranteed by the Constitution, or any regional interests or national unity and integrity, is published in the *Gazette* in accordance with paragraph (1) of Article 78, the Council may recommend that such Bill be

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withdrawn or may suggest any amendments to such Bill. A copy of such recommendation or the suggested amendments shall be delivered to the Speaker before the Second Reading of the Bill.

(2) If Parliament accepts any recommendation made in regard to Bill under paragraph (1) by the Council or any amendments suggested to a Bill by the Council, under that paragraph, the Minister introducing the Bill shall, as the case may be, withdraw such Bill or propose those amendments to the Bill at the Committee Stage thereof.

(3) If Parliament does not accept any or all of the amendments suggested to a Bill by the Council under paragraph (1), the Speaker shall refer the amendments in question to a Committee of Parliament or to a joint Committee of Parliament and the Council for report. No further proceedings shall be had in relation to such Bill until after such Committee has reported to Parliament.

(4) Nothing in this Article shall apply to a Bill which bears an endorsement to the effect that such Bill is, in the view of the Cabinet of Ministers, urgent in the national interest.

84T. In regard to any matter which requires to be dealt with by means of a private Act of Parliament, the Council may, subject to such procedure as may be laid down by Parliament, take evidence, by means of a standing Committee or otherwise, for or against the passing of that law, and upon a receipt of a report from such Council, together with the evidence upon which it is founded, Parliament may pass such Act without taking further evidence in support thereof.

84U. In order to effectually discharge its functions, the Council may set up committees—

- (a) to examine and report on the provisions and implications of any Bill placed on the Order Paper of Parliament or proposed to be placed on the Order Paper of Parliament ;
- (b) to propose the making of laws in respect of any matter which in its view, requires to be regulated ;
- (c) to examine and report on any aspect of national policy ;
- (d) to examine and propose measures for the better enforcement of any law.

84V. (1) The Council shall, in addition to the Committees set up under Article 84U, set up—

- (a) a Committee to inquire into inter-district or inter-provincial matters ;

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- (b) a Committee of National Unity to consider petitions presented to it, alleging discrimination by the executive against any citizen, on the ground of race, religion, language, caste or sex ; and
- (c) a Social and Economic Affairs Committee.
- (2) The Committee set up under sub-paragraph (a) of paragraph (1) shall be presided over by the President and shall inquire into, and advise on, inter-district and inter-provincial matters.
- (3) The Committee of National Unity shall consider every petition presented to it and shall make a report to the appropriate Minister, if it finds that the allegations set out in such petition have been substantiated.
- (4) The Council shall by Standing Order, provide for the procedure for, the presentation of petitions to, and the consideration of petitions by, the Committee of National Unity.
- (5) The Social and Economic Affairs Committee shall have the power to—
- (a) examine and consider any problem of an economic or social nature, affecting some or all of the administrative districts and referred to it by the Council ;
- (b) make recommendations on such problem and in particular, recommendations for the better co-ordination of policy and action with respect to that problem.
- (6) A copy of every recommendation made by the Committee of National Unity or the Social Economic Affairs Committee shall be laid before Parliament.
- 84W.** The Council may invite any Minister of the Cabinet of Ministers or Deputy Minister to explain to the Council—
- (a) the provisions or implications of any Bill placed on the Order Paper of Parliament ; or
- (b) any matter falling within a subject or function assigned to such Minister.
- 84X.** The President, the Prime Minister, a Minister of the Cabinet Ministers or any Deputy Minister shall, by virtue of his office, have the right at any time to attend and address the Council. In the exercise of such right, the President, the Prime Minister, every such Minister and Deputy Minister shall be entitled to all the privileges, immunities and powers, other than the right to vote, of a member of the Council and shall not be liable for any breach of the privileges of the Council or its members.

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CHAPTER XVIII

154A. Subject to the provisions of the Constitution, there shall be established for each administrative district, a District Council for the purpose of regulating and administering such matters as Parliament may determine by law, within such administrative district.

154B. (1) Subject to the provisions of the Constitution an inter-district authority to be called a Provincial Council shall be constituted for two or more administrative districts in a province if—

- (a) the District Council established for each of those districts decides, by resolution, to constitute such Provincial Council ; and
- (b) the decision to constitute such Provincial Council is approved by a majority of the registered voters in each of those administrative districts.

(2) The resolution recording the decision of a District Council constituting a Provincial Council shall specify the subjects and functions which that Council is delegating to the Provincial Council. No Provincial Council shall be constituted unless all the District Councils resolving to constitute that Provincial Council delegate the same powers and duties to the Provincial Council.

(3) Where a District Council has delegated any powers and functions to a Provincial Council, that District Council shall not, as long as it is included in that Provincial Council, exercise or discharge those powers and functions or revoke that delegation.

(4) A District Council included in a Provincial Council constituted under Article 154B may decide, by resolution, to withdraw from such Provincial Council. Every such resolution shall be published in the *Gazette*.

(5) Where a District Council decides to withdraw from a Provincial Council, and that District Council shall be deemed to have withdrawn from the Provincial Council with effect from the date of publication in the *Gazette*, of the resolution recording the decision to withdraw without prejudice to anything done or omitted to be done by that Provincial Council, prior to the withdrawal of that District Council.

154C. Every Provincial Council shall consist of the members of all the District Councils established for the administrative districts for which such Provincial Council is constituted.

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154D. Subject to the provisions of the Constitution, every member of a District Council established in pursuance of Article 154A shall hold office only during the continuance of Parliament and accordingly, the term of office of every such member shall, unless Parliament is sooner dissolved, be six years. A dissolution of Parliament shall operate as a dissolution of every such Council.

154E. (1) Every District Council established in respect of an administrative district in pursuance of Article 154A and every Provincial Council, constituted under Article 154B may, subject to the provisions of the Constitution, make Ordinances on matters in respect of which such Council is empowered to make Ordinances by law and applicable to the locality for which it is established or constituted, as the case may be.

(2) No District or Provincial Council shall be empowered to make Ordinances in respect of any subject set out in the Eighth Schedule. If any question arises as to whether any power conferred on a District Council or Provincial Council is in respect of a subject set out in the Eighth Schedule, such question shall be referred by the President, to the Supreme Court, under Article 129, for its opinion, and shall be decided by the President on the receipt by him of the opinion of the Supreme Court. The decision of the President on such question shall be final and conclusive and shall not be questioned in any Court.

154F. (1) Every Ordinance made by a District or Provincial Council shall be presented to the President forthwith on the making thereof. Every such Ordinance shall come into force on the expiration of three months from the date on which it is presented to the President.

(2) The President may require a District or Provincial Council to amend and re-present any Ordinance presented to him by such Council under paragraph (1) on the ground that it is in constant with Chapter VI. Where a District or Provincial Council amends and re-presents an Ordinance to the President in compliance with a requirement imposed on it by the President, that Ordinance shall, for the purpose of paragraph (1), be deemed to have been presented to the President on the date of such re-presentation.

(3) The President may, within three months of an Ordinance being presented to him under paragraph (1), disallow that Ordinance. Every Ordinance so disallowed shall be deemed to be rescinded from the date of such disallowance and notification of such disallowance shall be published in the *Gazette*.

154G. (1) The President may, by Proclamation, dissolve Provincial Council if he is satisfied that there has been—

- (a) incompetence and mismanagement by the Council or the Provincial Chief Minister, appointed in respect of it ;

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- (b) persistent refusal by the Council to hold meetings or to transact business at any meetings which have been held ;
- (c) wilful neglect by the Provincial Chief Minister or by the Council, of any duties imposed on the Provincial Chief Minister or, the Council by law.

(2) The President shall, by Proclamation, dissolve a District Council if the administrative district in respect of which such Council is established, is sub-divided or amalgamated with another district, or may dissolve such Council on any of the grounds set out in sub-paragraph (a) or (b) or (c) of paragraph (1).

154H. Parliament shall by law provide for—

- (a) the functions and powers of District and Provincial Councils;
- (b) the election of Chairman and Vice-Chairman of District Councils ;
- (c) the matters in respect of which Ordinance may be made by District or Provincial Councils ; and
- (d) the procedure for transaction of business by every such Council.

154J. There shall be a Financial Commission consisting of three members appointed by the President. The Commission shall decide on the apportionment of such funds as are granted annually by the Government for the use of District Councils.

Article 170 of the Constitution is hereby amended by the substitution, in the definition of “written law”, for the words “and includes Orders” of the words “and includes Ordinances made by a District or Provincial Council Orders”.



**DRAFT DISTRICT AND
PROVINCIAL
COUNCILS BILL**

PART I
DISTRICT COUNCILS
Chapter I

DECEMBER 1984

PRINTED AT THE DEPARTMENT OF GOVERNMENT PRINTING, SRI LANKA

District and Provincial Councils

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF DISTRICT COUNCILS AND THE CONSTITUTION OF INTER DISTRICT AUTHORITIES TO BE CALLED PROVINCIAL COUNCILS WITH A VIEW TO STRENGTHENING AND BROADENING THE DEMOCRATIC STRUCTURE OF GOVERNMENT AND THE DEMOCRATIC RIGHTS OF THE PEOPLE, AND STRENGTHENING NATIONAL UNITY BY AFFORDING OPPORTUNITIES TO THE PEOPLE TO PARTICIPATE AT EVERY LEVEL IN NATION LIFE AND IN GOVERNMENT ; TO SPECIFY THE POWERS, DUTIES AND FUNCTIONS OF SUCH COUNCILS AND AUTHORITIES ; TO PROVIDE FOR THE CONSTITUTION AND COMPOSITION OF EXECUTIVE COMMITTEES OF DISTRICT COUNCILS ; TO SPECIFY POWERS, DUTIES AND FUNCTIONS OF THE DISTRICT MINISTERS IN RELATION TO SUCH COUNCILS AND COMMITTEES ; AND PROVIDE FOR ALL MATTERS CONNECTED THEREWITH OR INCIDENTAL THERETO.

BE it enacted by the Parliament of the Democratic Socialist Republic of Sri Lanka as follows :—

1. This Act may be cited as the District and Provincial Councils Act, No. of 1984. Short Title.

PART I

DISTRICT COUNCILS

Chapter I

ESTABLISHMENT AND COMPOSITION OF DISTRICT COUNCILS

2. (1) The President shall, by Order published in the *Gazette*— Establishment of District Council.
- (a) establish a District Council for each administrative district ;
- (b) assign a name to the District Council so established ;
- (c) specify the number of elected members that the District Council so established shall consist of taking into consideration the population and the area comprising of the administrative district for which such District Council is established, so however that the number so specified shall be less than the number of Members of Parliament elected for the administrative district for which such Council is established.

Provided that where the number of Members of Parliament elected for the administrative district is less than three, the President shall specify such number of members,

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which together with the number of Members of Parliament elected for such administrative district shall be not less than five and for such purpose he may specify such number of members which may exceed the number of Members of Parliament elected for such administrative district.

(2) (a) Every District Council established under subsection (1) shall be a body corporate with perpetual succession and a common seal and shall have power, subject to this Act, to acquire, hold and sell property, and may sue and be sued by such name as is assigned to it by the Order establishing such Council.

(b) The common seal of the District Council shall remain in the custody of the District Secretary, and shall not be affixed to any contract or other instrument on behalf of the District Council, except in the presence of the District Minister, the Chairman of the Council and the District Secretary, who shall sign their names to such contract or other instrument in token of their presence.

(3) No act or proceeding of a District Council constituted under subsection (1) shall be deemed to be invalid by reason only of the existence of a vacancy among its members or any defect in the election of a member thereof.

3. (1) A District Council shall consist of:—

(a) the members of Parliament for each administrative district for which such District Council is established ; and

Composition of District Council.

(b) such number of elected members as are specified in the Order under section 2 determined by the President taking into consideration the population and the area comprising of the administrative district for which such District Council is established.

(2) Where any Member of Parliament is a member of the Cabinet of Ministers, the President shall appoint any person qualified to be elected as a Member of Parliament to function as a member of the Council in his place.

(3) Any person appointed under subsection (3) shall hold office at the pleasure of the President.

Chapter II

TERM OF OFFICE OF MEMBERS OF DISTRICT COUNCILS

4. (1) Every member of a District Council established under section 2 of this Act shall hold office only during the continuance of Parliament and accordingly the term of office of every such member shall unless Parliament is sooner dissolved be six years.

Term of office of members of a District Council.

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(2) Where a member is elected in place of an elected member of a District Council who dies, resigns or otherwise vacates office, he shall, subject to the provisions of this Act, hold office for the unexpired period of the term of office of his predecessor.

5. Upon dissolution of Parliament the ex officio members of a District Council shall cease to function, and where the Executive Committee of a District Council is dissolved the District Minister shall exercise, perform and discharge the powers, duties and functions of such Executive Council until the conclusion of a General Election of the Members of Parliament, and accordingly no other member of such Council shall exercise, perform and discharge such powers, duties and functions during such period.

Executive Committee or District Minister to exercise powers, &c., when Parliament is dissolved.

Chapter III

MEETINGS AND CONDUCT OF BUSINESS OF A DISTRICT COUNCIL

6. (1) As soon as convenient after the commencement of the term of office of the elected members of a District Council or after the General Election of Members of Parliament, the District Secretary shall, by written notice, summon all the members of such Council to a general meeting of the Council, notwithstanding anything to the contrary contained in section 7.

General Meeting of the District Council.

(2) Where for any reason such general meeting of the District Council is not held on the date appointed under subsection (1) for the purpose, the District Secretary may, by further written notice or notices, appoint as often as may be necessary any other date for that meeting.

7. (1) District Council shall have at least twelve general meetings in every year.

Meetings of District Councils.

(2) The Chairman of the District Council may, whenever he thinks fit, and shall, upon written requisition signed by any three members, call a special meeting of such Council to be held at the District Office.

(3) The Chairman shall cause notice in writing of every general or special meeting or adjourned meeting of the District Council, and of the business to be transacted thereat to be served on each member at least four days before the meeting.

(4) Without the permission of a Council, no business shall be brought before or transacted at any general or special meeting, other than the business specified in the notice of the meeting.

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8. (1) No business shall be transacted at any meeting of the District Council unless one-third of the number of members in office on the day of that meeting is present. Where one-third of the numbers is an integer and fraction, the integer immediately higher to that integer and fraction shall be deemed to be the one-third of the number of members for the purpose of this subsection.

Quorum and how matters to be decided.

(2) All matters or questions authorized by this Act or by any other written law to be decided by a District Council shall be decided by a majority of the members present and voting at any general or special meeting.

9. The Chairman and in his absence the Vice Chairman, shall preside at all meetings of the District Council. In the absence of the Chairman and the Vice Chairman the members present shall elect another member to preside at the meeting.

Presidency at meetings of the District Council.

10. If, at any general or special meeting of a District Council, there is not a sufficient number of members present to form a quorum, the meeting shall stand adjourned to such date, not more than fifteen days after the date of the meeting so adjourned, as the Chairman determines, or in the absence of the Chairman, as the member who presides at the meeting, determines. No business other than business which would have been brought before the meeting so adjourned if there had been quorum present, shall be brought before, and disposed of, at such adjourned meeting.

Adjournment in use of absence quorum.

11. The Chairman, Vice Chairman or other member presiding at any general or special meeting at which a quorum of the District Council is present may, with the consent of the meeting, adjourn the meeting from time to time ; but no business shall be transacted without the permission of the District Council at any adjourned meeting other than the business left unfinished at the meeting from which such adjournment took place.

Adjournment of Meetings of the District Council.

12. Minutes of the proceedings of all meetings of a District Council shall be drawn up and fairly entered in a book to be kept for that purpose, and shall be signed by the Chairman, Vice Chairman or other presiding member after each meeting and such minutes shall at all reasonable times be open at the District Office to the inspection, free of charge, of any member, and to the inspection of any other person on payment of a fee of one rupee.

Minutes of Proceedings.

13. Where the votes of the members present and voting any meeting of the District Council, are equally divided in regard to any question, the Chairman, Vice Chairman or other member presiding at such meeting shall, in addition to his own vote as a member, have a casting vote.

Casting Vote.

District and Provincial Councils

14. All notices of meetings of the District Council may be forward by post addressed to the usual or last known place of abode of the member to be served ; and where a notice is so forwarded by post it shall be deemed to have been served at the time when the letter containing the same would be delivered in the ordinary course of post.

Notices may be served by post.

15. A District Council may, from time to time, appoint from among the members of the District Council, special committees consisting of such number of members as it thinks fit for the purpose of inquiring into and reporting upon any matter relating to the affairs of such Council.

Special Committees of the District Council.

16. Any elected member of a District Council who without leave of the District Council first obtained, fails to attend meetings of the District Council for a period of three months shall ipso facto vacate his office.

Vacation of office by Members.

Chapter IV

POWERS, DUTIES AND FUNCTIONS OF DISTRICT COUNCILS

17. (1) The powers, duties and functions of a District Council shall be the following :—

Powers, duties and functions of District Councils.

- (a) the approval of the annual development plan submitted to it by the Executive Committee ;
- (b) the implementation of such plan through the Executive Committee ;
- (c) the making of Ordinances in respect of all or any of the subjects specified in the First Schedule hereto ;
- (d) the investment of the revenue of the Council for development purpose ;
- (e) the delegation to Pradeshiya Sabhas of the implementation of any projects included in any annual development plan :

Provided that no delegation shall be made in respect of items 16 to 36 contained in the First Schedule hereto.

- (f) the approval of the budget prepared by the Executive Committee ;
- (g) the exercise and discharge of the powers and functions vested in the Council with a view to achieving maximum benefits to the District and the people ;
- (h) delegate to the Provincial Council constituted under Article 154A of the Constitution, all or any of its powers, duties and functions ;

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- (i) implementation of any scheme or project delegated to it by any Provincial Council constituted in relation to such Council ;
- (j) the consideration of any divisional development plan submitted by any Pradeshiya Sabha and where it approves any plan, the transfer of the implementation of such plan to the Pradeshiya Sabha ;
- (k) the formulation of a development scheme in respect of any subject not included in the First Schedule to this Act and the submission of such schemes to the appropriate Minister for approval with the concurrence of the Minister.

(2) The appropriate Minister may, with the concurrence of the Minister, by Order published in the Gazette, transfer to a District Council the implementation of any such development scheme or work as shall be specified in such Order, being a scheme or work relating to any subject not included in the First Schedule to this Act, subject to such terms and conditions as may be specified in such Order.

(3) An Order under subsection (2) shall contain all such provisions as may be necessary to give force and effect to the transfer to which the Order relates.

18. Where there is an inconsistency between an Ordinance made by a District Council and any by-law made by a Municipal Council, Urban Council or Pradeshiya Sabha's established within the administrative district for which such District Council is established the provision of that Ordinance shall prevail over the provisions of such by-law, to the extent of that inconsistency.

Ordinances to prevail over by-laws to the extent of any inconsistency.

Chapter V

THE DEVELOPMENT FUND OF THE DISTRICT COUNCILS

The Development Fund and its constituents.

19. (1) Every District Council shall, for its general financial purposes, establish a Development Fund (hereinafter referred to as the "Fund").

(2) There shall be payable into the Fund—

- (a) all rates, taxes, duties, fees and other charges levied by the District Council by virtue of this Act or of any other written law ;
- (b) all fines levied and penalties recovered under the authority of this Act, or any enactment the administration of which may be vested in the District Council ;
- (c) all sums realized by sale, leases or other transactions of the District Council ;
- (d) all revenue derived by the District Council from any property vested in the District Council or by the administration of any public service ;

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- (e) all sums and all sources of revenue from time to time appropriated or made over to the District Council by Parliament, whether by resolution or otherwise ;
- (f) all grants and appropriations allocated to the District Council by the appropriate Minister in consultation with the Minister ;
- (g) the proceeds of all loans raised by the District Council with the prior approval of the Minister in charge of the subject of Finance in consultation with the Minister ;
- (h) any donations or other assistance made generally or for any specified project with the approval of the Minister ;
- (i) all sums otherwise accruing to the District Council in the course of the exercise of its powers and duties.

20. All moneys received by a District Council and payable into the Fund shall be lodged with an approved bank, and shall be credited to an account entitled "the Development Fund".

Moneys received by the District Council to be lodged with the bank.

In this section "approved bank" means a bank specified by the Minister with the concurrence of the Minister in charge of the subject of Finance by Order published in the Gazette as a bank in which the moneys of a District Council may be lodged.

21. Any part of the Fund may be invested by the Executive Committee on behalf of the District Council, in any one or more of the following investments :—

Power to invest any part of the Fund.

- (a) stock or other securities of the Government ;
- (b) any other securities guaranteed by the Government ;
- (c) any other investment approved by the Minister with the concurrence of the Minister in charge of the subject of Finance.

22. (1) There shall be paid out of the Fund by each Executive Committee—

Application of the Fund.

- (a) all sums incurred by the District Council in the implementation of the annual development plan or any other development scheme, project or work transferred or delegated to the District Council under section 17 ;
- (b) all sums payable by the District Council in respect of any liability incurred under the Workmen's Compensation Ordinance ;
- (c) all sums payable by the District Council as premium for the insurance of any property belonging to, or vested in, the District Council, or for insurance against any liability that may be incurred by the District Council under the Workmen's Compensation Ordinance ;

District and Provincial Councils

- (d) all sums which the District Council is authorized or required to refund by or under this Act, or any other written law ;
 - (e) all expenses incurred by the District Council in the acquisition of land necessary for any public purpose ;
 - (f) all such contributions made towards the Fund of the Provincial Council constituted in relation to a Council ;
 - (g) all contributions voted by the District Council for the purpose of recreation or entertainment in the district, or for the relief of the poor or the support of any charitable or benevolent society or institution, or for any fund or scheme constituted or established for the purposes of granting relief or assistance to officers or servants of the District Council in cases of sickness, indebtedness or distress ;
 - (h) such contributions not exceeding in the aggregate two thousand rupees in any year as may be voted by the District Council towards the cost of any public ceremonies, and any other contributions voted by the District Council with the prior sanction in writing of the Minister, towards the cost of any such ceremonies ;
 - (i) all expenses incurred by the District Council in the establishment and maintenance of any form of public service which the District Council is authorized to establish, maintain or provided by or under this Act or any other written law ;
 - (j) such salaries, allowances or honoraria payable to members of the District Council and to officers and employees of the district service as may be determined by the Minister ; and
 - (k) all sums which are required or authorized to be paid out of the Fund by or under this Act or any other written law.
- (2) No payment shall be made out of the Fund except on the authority of a resolution of the District Council.

23. All orders or cheques for the payment of moneys out of the Fund shall be signed by the District Secretary or an officer authorized by him to sign on his behalf and one other officer from among the officers specially authorized by the District Council for that purpose, and the Bank in which the Fund is established may pay all orders or cheques against the said Fund which are so signed.

Orders, cheques, &c., on account of the Fund.

24. At each general meeting of District Council the Chairman shall submit to the District Council a statement of receipts and disbursements on account of the Fund from the close of the previous year up to the close of the month preceding that in which the meeting takes place. Such statement, together with the minutes of the proceedings of the meeting, shall be forwarded forthwith to the Auditor-General for his information.

Statement of receipts, disbursements, &c., on account of the Fund.

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Chapter VI

TAXATION AND ASSIGNMENT OF REVENUE

25. A District Council shall, in relation to any annual development plan, have the power to levy by Ordinance subject to the provisions of article 154E and Article 154F of the Constitution such taxes, rates or other charges as may be determined by the District Council and approved by the Minister with the concurrence of the Minister in charge of the subject of Finance.
26. The Cabinet of Ministers may allocate to District Councils, certain revenue paid to, or recovered by, the Government for the purposes of the exercise, discharge and performance of their powers, functions and duties, such sums shall be paid upon a resolution of Parliament.

Power of the District Council to levy taxes, &c.

Cabinet of Ministers to allocate funds to the District Councils.

Chapter VII

LOANS

27. A District Council may, with the sanction of the Minister and the concurrence of the Minister in charge of the subject of Finance, borrow from the Government or any Bank or other institution such sums as may be required for any of the purposes of the District Council.
28. Where a District Council is authorized by or under this Act to borrow money, the District Council may, subject to the provisions of this Act, raise the money by mortgage.
29. (1) All moneys borrowed by a District Council under this Act shall be charged indifferently on all the taxes, property and revenue of the District Council.
- (2) Subject to the provisions of this section, all mortgages created by a District Council under this Act shall rank equally without any priority.
30. The Minister with the concurrence of the Minister in charge of the subject of Finance may make regulations for the purpose of carrying out or giving effect to the principles and provisions of this Part.

Borrowing powers of District Councils.

District Council may raise money by mortgage.

Money borrowed charged on revenue of District Council.

Regulations to be made by the Minister.

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Chapter VIII

EXECUTIVE COMMITTEE

31. (1) There shall be an Executive Committee of a District Council consisting of the District Minister, the Chairman and the Vice Chairman of the District Council and not more than two other members of such Council appointed by the District Minister in consultation with the Chairman :

Executive Committee of a District Council.

Provided that where the Executive Committee is dissolved under section 63 (2), the new Executive Committee appointed in place of the dissolved Committee shall consist of the District Minister and two other members of the District Council who will command the confidence of such Council to be appointed by the District Minister.

(2) The District Minister shall be the Head of the Executive Committee and shall in consultation with the Chairman and with the concurrence of the Minister, determine the nature of the functions to be assigned to each member of the Executive Committee.

(3) Each member of the Executive Committee shall be responsible for the discharge within the district, of each function assigned to him under subsection (2).

(4) The members of the Executive Committee shall be both individually and collectively responsible to the District Council.

32. The District Minister shall preside at the Meetings of the Executive Committee of a District Council.

Presidency at meetings of the Executive Committee.

33. The quorum for any meeting of the Executive Committee of a District Council shall consist of three members of such Committee :

Quorum.

Provided that in the case of a Committee appointed under section 61 (3), the quorum shall be two members.

34. The Executive Committee shall meet at least once in every month and the District Secretary or in his absence an officer authorized by him in writing, shall be present at the meetings of the Executive Committee and shall keep minutes of the proceedings of such meeting.

Meetings of the Executive Committee.

35. The Executive Committee of a District Council shall—

- (a) in respect of all or any of the subjects specified in the First Schedule to this Act, consider the draft development proposals prepared by the appropriate Minister, formulate other proposals in consultation with the appropriate Minister, prepare an annual development plan

Duties and Functions of an Executive Committee.

District and Provincial Councils

incorporating all or any such proposals and submit such plan through the Minister to the District Council for its approval ;

- (b) prepare a budget containing an estimate of the available income and the details of the proposed expenditure for the ensuing financial year ;
- (c) conduct the administration of the District Council ;
- (d) implement the annual development plan ;
- (e) exercise, discharge and perform such powers, functions and duties as are delegated to it by the District Minister with the concurrence of the President.

36. (1) Subject to the provision of subsection (2) and the other provisions of this Act and the regulations made thereunder, an Executive Committee shall, on behalf of the District Council, exercise the following powers :—

Powers of an Executive Committee.

- (a) create all such posts or offices as it may deem necessary ;
- (b) make appointments to posts or offices referred to in paragraph (a), and assign to such posts or offices such salary, allowance or remuneration as the Committee in consultation with the Minister thinks fit ;
- (c) in the case of any land or building referred to in section 88 sell with the sanction of the Minister, by public auction or other-wise than by public auction, or lease, either in blocks or in parcels any land or building belonging, to, or vested in, the District Council ;
- (d) purchase or take on lease any land or building ;
- (e) subject to the express provisions of this Act, enter into any contract with any person for any work to be done, or service to be rendered, or goods or materials to be supplied ;
- (f) make by any officers authorized in that behalf and the workmen accompanying them all such entries into lands and buildings and inspections thereon as may be necessary for the detention prevention and abatement of all contraventions of this Act or of any ordinances or regulations made thereunder, or for the performance of acts required to be done by or under this Act in respect of which the owner or occupier of such premises is, or may be deemed to be, in default ;
- (g) institute or defend any legal proceedings which the District Council may deem necessary to institute or defend for the

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purpose of enforcing or protecting the rights of the District Council or of protecting any officers or members in the execution or intended execution of their duties ;

- (h) with the approval of the Minister and with the concurrence of the Minister in charge of the subject of Finance, raise loans for the implementation of the annual development plan, or for the exercise and discharge of any of the powers and functions of such District Council ;
- (i) purchase any land or other immovable property which may be sold in execution of any judicial decree or order obtained by the District Council against any person whomsoever, and resell the same ;
- (j) exercise, perform and discharge all powers, duties and functions as are by this Act vested in or assigned to the District Council, and are incidental to and consequential upon the exercise, performance and discharge of its powers, duties and functions under this Act.

(2) The provisions of the Local Government Service Law, No. 16 of 1974, shall apply to District Council in respect of all officers and servants other than officers and servants to whom the provisions of the Local Authorities (Special Provisions) Act, No. 3 of 1979, apply, whose posts are of a temporary or casual nature or the maximum salary per annum assigned to such posts does not exceed an amount prescribed by the Minister.

37. (1) The Executive Committee of a District Council may, subject to the approval of the Council, by resolution delegate to any officer of such Council any of the powers, functions or duties conferred or imposed on, or assigned to, such Executive Committee by or under this Act or any other written law.

Executive Committee may delegate its Powers, &c.

(2) The exercise, discharge or performance by any officer of a District Council of any power, function or duty delegated to such officer by resolution of the Executive Committee of a District Council shall be subject to such conditions and restrictions, and limited to such purpose or purposes, as may be specified in the resolution, and any such delegation may at any time be varied or revoked by a resolution of the Executive Committee.

(3) Notwithstanding the delegation by the Executive Committee of a District Council of any power, function or duty to any officer of such District Council, the Executive Committee shall be entitled to exercise, discharge or perform any such power, function or duty.

38. Where the votes of the members present and voting at any meeting of the Executive Committee are equally divided in regard to any question, the District Minister shall, in addition to his own vote as a member, have a casting vote.

Casting vote.

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39. All notices of meetings of an Executive Committee may be forwarded by post addressed to the usual or last known place of abode of the member to be served ; and where a notice is so forwarded by post it shall be deemed to have been served at the time when the letter containing the same would be served in the ordinary course of post.

Notices may be served by post.

Chapter IX

ANNUAL DEVELOPMENT PLAN AND BUDGET

40. (1) The annual development plan considered by the Executive Committee of a District Council under section 35 (a) shall be submitted by such Committee through the Minister to the District Council for its approval.

Annual Development Plan and Budget.

(2) The Executive Committee shall prepare a budget containing an estimate of the available income and details of the proposed expenditure of the Council for the ensuing financial year.

41. Every annual development plan and budget of a District Council shall—

Procedure in regard to Annual Development Plan and Budget.

(a) be circulated among the members at least seven days prior to the date of the meeting of the District Council before which they are laid ; and

(b) be open to public inspection at the District Office or at such other place as the Chairman may determine, for seven days prior to the said date and notice thereof shall be given by the Chairman in the Gazette and in two or more of the newspapers circulating within the administrative district for which such District Council is constituted.

42. Every District Council shall finally approve the annual development plan and the budget at a special meeting to be called prior to the end of the financial year.

District Council to consider Annual Development Plan and Budget.

43. (1) The Executive Committee may at any time prepare a supplementary budget and lay it before the District Council.

Supplementary Budget.

(2) Every supplementary budget shall—

(a) be circulated among the members at least seven days prior to the meeting of the District Council before which it is laid ;

(b) be open to public inspection at the District Office or at such other place as the Chairman may determine, for seven days

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prior to that meeting and notice thereof shall be given by the Chairman in the Gazette and in two or more of the newspapers circulating within the administrative district for which such District Council is constituted.

44. It shall be in the discretion of a District Council to approve with amendments or modifications all or any of the items in any budget or supplementary budget or annual development plan or to add any item thereto.

Powers of District Council with regard to budget, supplementary budget and the annual development plan.

45. The District Council shall, after it has approved the annual development plan under section 44, submit such plan to the Minister for his approval and upon such approval, such plan shall constitute the annual development plan of that District Council for that year.

Annual development plan to be approved by the Minister.

46. The authority for expenditure conveyed by any budget or supplementary budget passed by a District Council shall expire at the end of the financial year to which such budget or supplementary budget relates.

Lapse of Authority for expenditure sanctioned by budget.

47. A District Council may, in case of necessity, during any year, reduce or increase the expenditure under any head of the budget or of any supplementary budget, or may transfer the moneys assigned under one head of expenditure to another head :

Reduction or increase of expenditure.

Provided that the total amount of expenditure sanctioned by the budget or by any supplementary budget passed by the District Council shall not be exceeded.

Chapter X

STAFF

48. (1) There shall be a district service consisting of—

The District service.

(a) officers and servants of the District Councils ;

(b) such other officers and servants as may be appointed to the Council under section 51.

(2) Every officer or servant of the district service shall be subject to the disciplinary and supervisory control of the Executive Committee of the Council in which he is for the time being employed.

(3) Notwithstanding anything in the Industrial Disputes Act, that Act shall not apply to or in relation to any officer or servant of the district service and the provisions of the Local Authorities (Special

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Provisions) Act, No. 3 of 1979, shall apply to and in relation to any officer or servant of such service, who is not a member of the Local Government Service.

(4) Where a Provincial Council is constituted for the administrative district for which that District Council is constituted the officers and servants of that District Council and referred to in such subsection (1) shall be subject to the disciplinary control of that authority.

49. (1) There shall be established in respect of each District Council a District Secretariat which shall consist of the members of the district service.

Appointment of District Secretariat.

(2) The Government Agent shall be the administrative head of the District Secretariat and shall hereinafter be referred to as the "District Secretary."

(3) The District Secretary shall be the Chief Accounting Officer of the Council.

50. (1) The District Secretary of a District Council may, subject to the approval of the said Council and the Executive Committee thereof, by general or special order in writing delegate to any officer of the district service any of the powers, functions or duties, conferred or imposed on, or assigned to him by or under this Act or any other written law.

The District Secretary may delegate his powers, &c.

(2) The exercise, discharge or performance by any officer of the district service or any power, function or duty delegated to him by the District Secretary by an order under subsection (1) shall be subject to such conditions and restrictions, and limited to such purpose, as may be specified in any such order, and such delegation may at any time be varied or revoked by order of the District Secretary.

(3) Notwithstanding the delegation by the District Secretary of any power, function or duty to any officer of the district service, the District Secretary shall be entitled to exercise, discharge or perform any such power, function or duty.

51. (1) At the request of the Executive Committee any officer of the public service may, with the consent of the officer and of the Secretary to the Ministry of the Minister in charge of the subject of Public Administration, be temporarily appointed to the district service or be permanently appointed to such service.

Appointment of Staff to the district service.

(2) Where any officer of the public service is temporarily appointed to the district service, the provisions of section 13 (2) of the Transport Board Law, No. 19 of 1978, shall, *mutatis mutandis*, apply to, and in relation to, him.

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(3) Where any officer of the public service is permanently appointed to the district service, the provisions of section 13(3) of the Transport Board Law, No. 19 of 1978, shall, *mutatis mutandis* apply to, and relation to, him.

(4) At the request of the Executive Committee any member of the Local Government Service or any officer or servant of a local authority may, with the consent of such member, officer or servant and the Local Government Service Advisory Board, or the authority, as the case may be, and the Secretary to the Ministry of the Minister in charge of the subject of Local Government, be temporarily appointed to the district service or be permanently appointed to such service on such terms and conditions, including these relating to pension and other rights as may be agreed upon by the District Council constituted for the administrative district and the Board or authority, as the case may be.

(5) Where any member of the Local Government Service, or any officer or servant of any local authority is temporarily appointed to the district service, he shall be subject to the same disciplinary control as any other member of the service.

Chapter XI

ACCOUNTS AND CONTRACTS

52. The Chairman of a District Council shall as soon as possible after the close financial year, prepare a detailed report of the administration of the District Council during the previous year, with a statement showing the nature and amount of receipts and disbursements on account of the Fund during that year. Such report and statement shall be submitted to the District Council, and with any resolution that may be passed thereon by the said District Council, shall be submitted to the Minister within six weeks of the date when the same were first submitted to the Council.

Annual
administration
report.

53. The provisions of Article 154 of the Constitution relating to the auditing of accounts shall apply in relation to the audit of accounts of each District Council.

Audit of
Accounts.

54. The auditor shall submit a monthly report of his audit to the District Council, and shall submit an annual report of such audit to the District Council and a duplicate of such annual report to the Minister as soon as possible after the close of the financial year.

Auditor's
report.

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55. (1) The Minister may by written order direct the auditor or auditors appointed under Article 154 of the Constitution to call the attention of the Council to any material defect or impropriety in the expenditure of moneys by, or in the recovery of moneys due to, the District Council or in the accounts of the said Council.

Irregularities
in accounts.

(2) The District Council shall report to the auditor as soon as possible the action which it has taken, or which it proposes to take, in respect of any such defect, impropriety or irregularity.

(3) The auditor may make such orders as he thinks fit upon such report, and such orders shall be final and shall be complied with by the District Council and all other persons.

56. A District Council may from time to time require the auditor of its accounts to furnish information concerning the extent, method or progress of any audit or to make any special audit.

Powers of
District Council
in relation to
auditor.

57. Every District Council shall from time to time pay out of the Fund to the Deputy Secretary to the Treasury as remuneration to the auditor of its accounts, such sums as the Minister may certify as reasonable for his services.

Remuneration of
auditor.

58. (1) The auditor of the accounts of a Council acting in pursuance of the powers conferred upon him by this Act or any other enactment shall disallow every item of the accounts of the District Council which is contrary to law, and surcharge the same on the person making or authorizing the making of the illegal payment and shall charge against any person the amount of any deficiency or loss incurred by the negligence or misconduct of that person and any amount which ought to have been, but is not, brought into account by that person, and shall, in each case, certify the amount due from such person and communicate his decision in writing to such person through the District Secretary :

Surcharges and
appeals there
from.

Provided that no expenses incurred by the District Council shall be disallowed by any such auditor if such expenses have been sanctioned by the Minister.

(2) Before making any disallowance or surcharge against any person, the auditor shall afford an opportunity to such person to be heard or to make any representation with regard to the matter which he may think fit, and shall, in the event of his making such disallowance or surcharge, furnish such person in writing, on application being made to him for that purpose, with the reasons for his decision in respect of such disallowance or surcharge.

(3) Any person aggrieved by any such disallowance or surcharge may appeal therefrom to the Court of Appeal, and the Court of Appeal may either confirm such disallowance or surcharge, or if it

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determines that such disallowance or surcharge, is not in accordance with law, may modify or set aside such disallowance or surcharge accordingly. Every appeal under this subsection shall be presented, prosecuted and enforced within the time, and in the manner, and subject to the rules prescribed in relation to appeals from interlocutory orders of the District Court, and all proceedings in connection shall be subject to the same stamp duties as appeals from the District Court.

(4) In lieu of an appeal under subsection (3), any person aggrieved may, within thirty days of the date of the decision of the auditor duly communicated to him, appeal from such decision to the Minister :

Provided that no such appeal shall be entertained in any case in which the appellant has failed or neglected to make any representation with regard to the matter of such disallowance or surcharge after an opportunity to do so has been afforded to him by the auditor in accordance with the provisions of subsection (2).

(5) Upon an appeal to the Minister under subsection (4) the Minister shall decide the same according to the merits of the case, and may by order direct the recovery from the appellant of the whole or any portion of the amount disallowed or surcharged, if he thinks fit to do so ; and if he finds that any disallowance or surcharge has been lawfully made, but that the subject matter thereof was incurred in such circumstances as to make it fair and equitable that the disallowance or surcharge should be remitted, the Minister may by order direct that the same shall be remitted, but that the amount of the costs and expenses which may have been incurred by the auditor in the enforcing of such disallowance or surcharge or any portion thereof, shall be recovered from such person.

(6) Any amount directed to be recovered from any such person by any order made by the Minister under this section may forthwith be recovered by the District Secretary in the same manner as any sum certified to be due by an auditor is recoverable under the provisions of this section.

(7) Every sum certified to be due from any person by any auditor as aforesaid shall be paid by such person to the District Secretary within fourteen days after the decision of the auditor has been communicated to such person, unless there is an appeal against the decision, and if such sum is not paid and there is no such appeal, it shall be the duty of the District Secretary to recover the same from such person, and any sum so certified, together with all costs and expenses incurred in connection with the enforcement thereof, any, on application to a Magistrate having jurisdiction be recovered in the same manner as if it were a fine imposed by such Magistrate.

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59. The District Secretary may, on behalf of the Council, enter into any contract for the execution or performance of any work or service, or for the supply of any articles or materials, involving an estimated expenditure of not more than fifty thousand rupees, if the contract will not or is not expected to endure for more than one year, and the necessary funds have been provided for the same in a sanctioned budget or by supplementary budget.

Contracts involving expenditure not exceeding fifty thousand rupees.

60. Any contract for the execution or performance of any work or service or for the supply of any articles or materials for a District Council which involves an estimated expenditure, of more than fifty thousand rupees, or which will or is expected to endure for more than one year, shall, if entered into in Sri Lanka, be reduced to writing and signed by the Chairman and the District Secretary on behalf of the District Council, and sealed with the common seal of the District Council, and in addition to such other matters as may be deemed necessary for inclusion in any such contract, shall specify—

Contracts involving expenditure exceeding fifty thousand rupees

- (a) the work or services to be executed or performed or the articles or materials to be supplied ;
- (b) the price or rate to be paid for the work, service, articles or materials ;
- (c) the time or times within which the work or service is to be completed, or the articles or materials are to be supplied ; and
- (d) any penalty or penalites to be imposed in case of breach.

61. Any officer or servant of a District Council who has directly or indirectly any concern or interest in any contract or work made with or executed for the District Council shall be liable to dismissal from his office or employment ; and if his concern or interest is otherwise than as a shareholder in a joint stock company he shall be guilty of an offence and shall, upon conviction after summary trial before a Magistrate, be liable to a fine not exceeding five hundred rupees.

Officers and servants not to be interested in contracts of the District Council.

62. Before any such contract as is referred to in section 60 is entered into—

- (a) the District Secretary shall, if the District Council so direct, take sufficient security for the due performance of the contract ;
- (b) the District Secretary shall, unless authorized by a resolution of the District Council in any particular case, call for tenders by advertisement ;
- (c) the invitations to tender and the tenders, if any, or copies thereof, shall be laid before the District Council which shall either accept one of such tenders, or reject all of them ; and

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- (d) the contract shall be sanctioned by the District Council, after satisfying itself that the necessary funds have been provided for the same in a sanctioned budget or supplementary budget.

Chapter XII

GENERAL CONTROL

63. (1) Where any difference arises between the District Minister and the Executive Committee of the District Council constituted for an administrative district regarding the application of the general policy of the Government to the district, it shall be the duty of such District Minister to bring such differences to the notice of the President.

Duty of District Minister to notify any difference of opinion between him and the Committee to the President.

(2) Where such differences between a District Minister and the Executive Committee of the Council constituted for such administrative district appear to the President to be irreconcilable, he may dissolve such Executive Committee.

(3) Where in pursuance of the powers conferred on him by subsection (2), the President dissolves the Executive Committee of a District Council constituted for an administrative district the District Minister shall, with the concurrence of the President, appoint a new Executive Committee in accordance with the proviso to subsection (1) of section 31.

63A. The President may by proclamation dissolve a District Council on any of the grounds specified in paragraph (2) of Article 154G of the Constitution.

Dissolution of District Councils.

64. (1) If at any time the Minister is satisfied that there is sufficient proof of—

Removal of Chairman, Vice-Chairman and other members of a District Council.

- (a) incompetence and mismanagement ; or
- (b) persistent default in the performance of the duties imposed by this Act ; or
- (c) persistent refusal or neglect to comply with any provisions of law ; or
- (d) abuse of the powers conferred by this Act ; or
- (e) persistent refusal to hold or attend meetings or to vote or to transact business at any meeting to be held ;

on the part of the Chairman, Vice Chairman or if any of the member thereof the Minister may as the circumstances of each case may require by Order published in the Gazette—

- (i) remove the Chairman or Vice Chairman from office ; or
 - (ii) remove all or any of the elected members of the Council ;
- and such Order shall as soon as may be convenient be laid before Parliament.

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(2) The Minister shall, before making an Order under subsection (1), appoint for the purpose of satisfying himself in regard to any of the matters referred to in subsection (1), a retired judicial officer to inquire into and report upon such matter within a period of three months, and the person so appointed shall in relation to such inquiry have the powers of a Commission of Inquiry appointed under the Commission of Inquiry Act.

(3) (a) When the Minister appoints a retired judicial officer under subsection (2) to inquire into any matter the Minister may, as the circumstances of such case may require, by Order published in the Gazette—

- (i) suspend the Chairman from office and direct the District Secretary to exercise the powers and perform the duties of the Chairman ; or
- (ii) suspend all or any of the elected members from office and where he suspends all the elected members from office direct the District Secretary to exercise the powers and perform the duties of the District Council and its Chairman and thereupon the other members shall cease to function.

(b) Upon the receipt of the report of the person appointed under subsection (2), the Minister may make an Order under subsection (1), or revoke the Order made under paragraph (a) of this subsection.

(4) Where the Minister removes the Chairman of a District Council from office by Order under subsection (1), the Chairman shall also cease to be a member of such Council.

(5) Where all the elected members of a Council area removed under subsection (1) the other members shall cease to function, and—

- (a) the District Minister shall exercise, perform and discharge the powers, duties and functions conferred or imposed on, or assigned to, the District Council by this Act or other written law ;
- (b) the Minister may at any time, by Order published in the Gazette, direct that an election be held to elect the new members of the District Council and such members shall, notwithstanding the provisions of section 4, hold office for the unexpired period of the term of office of the elected members in whose place they are elected.

65. The Minister may by written order require any District Council to furnish him with any extract from any proceedings of the District Council, or of any special committee of the District Council and the said Council shall comply with the requirements of such Order without unreasonable delay.

Powers of
Minister to call
for extracts from
proceedings.

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66. The Minister may at all times call for such returns, information and statistics connected with the working, income and expenditure of any District Council as he deems fit ; and the District Council shall comply with the requirements of such notice without unreasonable delay.

Power of Minister to call for returns, &c.

67. If at any time it appears to the Minister that any District Council is omitting to fulfil any duty or to carry out any work imposed upon it by this Act or any other written law he may give notice to the District Council that unless, within fifteen days, the District Council shows cause to the contrary, he will appoint a special officer to inquire into and report to him the facts of the case, and to recommend what steps such officer thinks necessary for the purpose of fulfilling such duty or carrying out such work. Such inquiry shall be conducted as far as may be practicable, in an open manner.

Power of Minister to make inquiry.

68. On the receipt of the report of the officer appointed under section 67, the Minister may determine what duty or work shall be done or executed and make an order requiring the District Council, within a time to be specified in such order, to fulfil such duty or carry out such work.

Power of Minister to make order requiring District Council to do the necessary work.

69. Where any District Council fails to comply with any order made under section 68, within the time specified therein, the Minister may direct the District Minister or appoint any other person to fulfil such duty or carry out such work, and may fix the remuneration to be paid to such person, and may direct that such remuneration and the cost of such work shall be defrayed out of the Fund.

Power to enforce order.

Chapter XIII

ORDINANCES

70 (1) Every District Council may subject to the provisions of Article 154 E and 154 F of the Constitution from time to time make such Ordinances as may appear necessary for the purposes of carrying out the powers and duties vested in the District Council under this Act and the implementation of the annual development plan.

Power of District Councils to make Ordinances.

(2) Every contravention of a Ordinance made by a District Council shall be an offence under this Act and shall be published—

- (a) in the case of a first offence, with a fine not exceeding one hundred rupees ;

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- (b) in the case of a second or subsequent offence, with a fine not exceeding two hundred rupees ; and
- (c) in the case of a continuing offence, with an additional fine not exceeding twenty-five rupees for every day during which the offence is continued after a conviction or after service of a written notice from the Chairman directing attention to such contravention.

71. (1) The Minister may make regulations—

Regulations.

- (a) in respect of all matters which are stated or required by this Act to be prescribed or for which regulations are required or authorized by this Act to be made, and in particular—
 - (i) the procedure for the conduct of business of District Councils ; and
 - (ii) the accounting and financial procedure of District Councils ;

(2) No regulation made under this Act shall have effect until it has been approved by Parliament and notification of such approval is published in the Gazette.

(3) Every regulation made under this Act shall, upon the notification of such approval, be as valid and effectual as though it were herein enacted.

72. Copies of all Ordinances made by a District Council and of all regulations made in respect thereof shall be kept in the District Office, and shall be available for inspection or sale to the public.

Copies of Ordinances and regulations to be made available.

Chapter XIV

GENERAL

73. (1) A District Council may enter into any contract necessary for the discharge of any of its functions.

District Council may enter into contracts.

(2) A person entering into a contract with a District Council shall not be bound to inquire whether any written law applicable in that behalf has been complied with, and all contracts entered into by the District Council, if otherwise valid, shall have full force and effect, notwithstanding that such written law has not been complied with.

74. None of the provisions of the Prevention of Frauds Ordinance shall apply to any sale, lease, mortgage, release or other agreement or contract affecting immovable property to which a District Council is a party.

Prevention of Frauds Ordinance not to apply.

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75. (1) If the amount of any tax imposed under this Act is not paid into the District Secretariat within such time as the District Council may direct, a warrant signed by the District Secretary shall be issued to some collector or other officer of the Council named therein directing him to levy such tax and the cost of recovery by the seizure and sale of the property on account of which such tax may be due, and of all movable or immovable property of the defaulter.

Recovery of taxes.

(2) Every warrant issued under subsection (1) shall be in such form as may be prescribed.

(3) A District Council may by resolution waive the whole or any part of any tax and any costs incurred for the purpose of recovering that tax if it appears to the District Council that the amount to be waived is inconsiderable or irrecoverable or that it should be written off on the ground of the poverty of the person liable therefor ; and if any case where any such resolution is passed, no warrant under subsection (1) shall be issued and any such warrant that may have been issued shall be recalled.

76. A Development Council may by resolution waive the whole or any part of any sum of money (not being a sum for the waiver of which, provision is made by section 75) due to the District Council from any person if it appears to the District Council that the amount to be waived is inconsiderable or irrecoverable or that it should be written off on the ground of the poverty of the person liable therefor.

Waiver of sums, other than taxes.

77. (1) Every notice, order or other document required or authorized by this Act or any ordinance, or regulation made thereunder to be served on any person may be served—

Service of notices, orders and other documents.

(a) by the delivery thereof to such person, or by the delivery thereof at the last known place of abode of such person to some adult member or servant of his family ;

(b) by the delivery thereof at the usual or last known place of abode or business of such person in a cover addressed to such person ; or

(c) by the despatch thereof by registered post in a letter addressed to such person at his usual or last known place of abode or business :

Provided always that where a District Council has made provision for the registration of owners of property and any owner of property has registered his name and address in accordance therewith every such document shall be served upon him by the despatch thereof in a letter sent by registered post to that address.

District and Provincial Councils

(2) Every notice, order or other document despatched by registered post shall be deemed to have been served at the time when the letter containing the document would be delivered in the ordinary course of post ; and in proving such service it shall be sufficient to prove that the letter containing the document was properly addressed and put in the post.

(3) A notice, order or other document required or authorized by this Act or any Ordinance or regulation made thereunder to be served on the owner or occupier of any premises shall be deemed to be properly addressed by the description of the "owner" or "occupier" of such premises without the addition of his name or any further description.

(4) A notice, order or other document required or authorized by this Act or by any Ordinance or regulation made thereunder to be served on the owner or occupier of any premises may be served by the delivery of a true copy thereof to some adult person on the premises or, if there is no such person on the premises to whom the document can with reasonable diligence be delivered by affixing it on some conspicuous part of the premises.

(5) Any notice, application or other document required or authorized by this Act or any Ordinance or regulation made thereunder to be given, or delivered to a District Council, shall be deemed to have been given, made or delivered to the Council if such notice, application, or other document is given, made or delivered to the District Secretary.

78. A District Council may, by resolution, authorize any member or any officer, either generally or in respect of any particular matter, to institute or defend on behalf of the District Council, proceedings before any court of summary jurisdiction or to appear on behalf of the District Council before such court in any proceedings instituted by, or on behalf of, or against the District Council, and any member or officer so authorized shall be entitled to institute or defend such proceedings.

District Council to authorize any member or officer to institute or defend action.

79. (1) No action shall be instituted against any District Council, the Chairman, the Vice Chairman or any member, or any person acting under the direction of the District Council, Chairman or Vice Chairman for anything done or omitted to be done under the provisions of this Act or any other written law or of any Ordinance or regulation made thereunder, until the expiration of one month next after notice in writing shall have been given to the Council or to the defendant, stating with reasonable certainty the cause of such action, and the name and the place of abode of the intended plaintiff and of his Attorney-at-Law or agent, if any, in the action.

Limitation of action against the District Council.

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(2) Every action referred to in subsection (1) shall be commenced within two years next after the accrual of the cause of action and not afterwards.

(3) Where any person to whom notice of any action is given under subsection (1) tenders, before action is brought, sufficient amends to the plaintiff, such plaintiff shall not recover in any such action when brought, and the defendant shall be entitled to be paid his costs by the plaintiff.

80. No person shall be liable to any fine or penalty under this Act or any Ordinance or regulation made thereunder for any offence triable in any court unless the complaint respecting such offence is made within six months next after the commission of such offence.

Limitation of prosecutions.

81. No matter or thing done or omitted to be done, and no contract entered into by any District Council, and no matter or thing done or omitted to be done under the direction of the District Council, by any member or by any other person whomsoever shall, if the matter or thing so entered into was done or omitted to be done or entered into bona fide for the purpose of carrying out the provisions of this Act or any other written law relating to the powers and duties of the District Council, the Chairman, Vice Chairman or the District Secretary or of any Ordinance or regulation made thereunder, subject any member or other person personally to any action, liability, claim or demand whatsoever and any expenses incurred by the District Council, Chairman, Vice Chairman or by any member or other person acting as aforesaid shall be borne and repaid out of the Fund :

Protection of members of the District Council.

Provided that nothing in this section shall exempt any member from liability to be surcharged with the amount of any payment which may be disallowed upon the audit of the accounts of the District Council and which such member authorized or joined in authorizing.

82. Subject and without prejudice to any other powers, a District Council, if the defendant in any action, prosecution or other proceeding is a member or an agent of the District Council, may, if it thinks fit, and except so far as the court before which the action, prosecution or other proceeding is heard and determined otherwise directs, pay out of the Fund all or any part of any sums payable by the defendant in or in consequence of the action, prosecution or proceeding, whether in respect of costs, charges, expenses, damages, fines or otherwise.

Defendant's costs, &c., may be paid from the Fund.

83. The members of a District Council shall be remunerated at such rates as may be determined by the Minister with the concurrence of the Minister in charge of the subject of Finance.

Remuneration of members of a District Council.

District and Provincial Councils

84. Every member, and every contractor or agent to whom the collection of any district tax, rent or toll, or any payment on account of, or in connection with, district land is entrusted by or on behalf of the District Council, and every person employed by such contractor or agent, shall be deemed to be a public servant within the meaning and for the purposes of the Penal Code.

Members of District Councils and others deemed to be public servants.

85. Every District Council shall be deemed to be a scheduled institution within the meaning of the Bribery Act, and the provisions of that Act shall be construed accordingly.

District Councils deemed to be scheduled institution within the meaning of the Bribery Act.

86. The Magistrate by whom any fine is imposed by virtue of this Act may award any portion, not being more than one-half of the amount recovered, to any informer, and shall order the remainder, or if he makes no award to the informer, the whole of such fine to be paid to the District Council.

Application of fines.

87. (1) The records and documents of every District Council shall be in the custody of the District Secretary, and they shall be kept in safe custody in accordance with Ordinances made in that behalf under this Act.

Records and documents to be in charge of District Secretary.

(2) The District Secretary shall have in his charge and custody, and shall be responsible for, all deeds, records, other books and documents belonging to the District Council.

88. (1) The President may, by Order published in the Gazette, vest in or transfer or dispose to a District Council—

Immovable and movable property to be transferred to a District Council.

(a) any movable or immovable property of the State for the purposes of the annual development plan ;

(b) any contracts and liabilities connected with such purpose.

(2) Upon the publication of an Order under subsection (1) in the Gazette—

(a) the properties specified in the Order shall vest in and be the properties of the Council ;

(b) the contracts specified in the Order shall be deemed to be the contracts of the Council and all subsisting rights and obligations shall be deemed to be the rights and obligations of the Council ; and

(c) the liabilities specified in the Order shall be deemed to be the liabilities of the Council.

89. Where any land or building is required for the purposes of a Council, the purpose for which such land or building is required shall be deemed to be a public purpose, and may accordingly be acquired under the Land Acquisition Act by the Government for the Council.

Land or building may be acquired by the Government for a Council.

District and Provincial Councils

90. For the purposes of this Act and the Administrative District Act, "Administrative District" means each of the administrative districts set in the First Schedule to the Constitution, and the limits of such administrative districts as Parliament may by resolution determined after the commencement of this Act.

Meaning of
"Administrative
District."

91. It shall be lawful for the President to make orders of an administrative nature providing for any unforeseen or special circumstances or for determining or adjusting any question or matter, that would arise in connection with the administration of the affairs of a District Council for which no provision or no effective provision is made by this Act.

Removal of
difficulties.

92. Every Development Council established under the provisions of the Development Councils Act, No. 35 of 1980, and which had been dissolved prior to the coming into operation of this Act, shall be deemed to have been re-constituted on the day immediately prior to the coming into operation of its Act and such persons who were members of such Development Councils on January 01, 1982, shall be deemed to have been members of such Development Councils :

Reconstitution
of certain
Development
Councils which
have been
dissolved
and nominations
of its members.

Provided however, that if on January 01, 1982, there was a vacancy in any such Council, or if any person who was a member of such Council on January 01, 1982, has died prior to the day immediately preceding the date of the coming into operation of this Act, the President shall nominate any person to be a member in place of such member, and such nomination shall be deemed for all purposes to have come into effect on the day immediately preceding the date of the coming into operation of this Act.

93. (1) The Development Councils Act, No. 35 of 1980, shall be hereby repealed.

Repeal of
Development
Councils Act,
No. 35 of 1984.

(2) Notwithstanding the repeal of the aforesaid Act—

(a) every Development Council constituted under the provisions of the Development Councils Act, No. 35 of 1980, shall be deemed to be District Councils established under the provisions of this Act ;

(b) all moneys lying to the credit of the Development Fund established under section 19 of the Development Councils Act, No. 35 of 1980, of every Development Council shall be transferred to the Development Fund of the corresponding District Councils ;

(c) all assets and liabilities of each Development Council shall be transferred to the corresponding District Council ;

District and Provincial Councils

- (d) all movable and immovable property of each Development Council shall be transferred to the corresponding District Councils ;
- (e) all proceedings which have been instituted by or against any Development Council shall be deemed to be instituted and continued by against the corresponding District Council by or against whom such proceedings were instituted ;
- (f) all by-laws and made by each Development Council and which are in force in any administrative district in which a Development Council was constituted immediately prior to the date of the coming into operation of this Act, shall continue to be in force in such district to which they relate and shall be deemed to be the Ordinances made by corresponding District Council.

For the purposes of this section " corresponding District Council", in relation to a Development Council means, the District Council established for the administrative district in respect of which that Development Council was constituted under the Development Councils Act, No. 35 of 1980.

94. Where on the day immediately prior to the coming into operation of this Act, no Development Council had been constituted for any administrative district, a District Council shall be deemed to have been established for such district and the President shall nominate all the members of such District Council deemed to be so established.

District Council deemed to have been constituted in a administrative district.

PART II
PROVINCIAL COUNCILS

CONSTITUTION OF AN INTER-DISTRICT AUTHORITY TO BE CALLED PROVINCIAL COUNCILS

95. (1) An inter-district authority to be called Provincial Councils shall be constituted for two or more administrative districts in a province, where the requirements specified in Article 154B are complied with, and that Council shall be deemed to have been constituted with effect from the date of notification of the approval referred to in Article 154 (1) (b).

Constitution of Provincial Council.

(2) Every Provincial Council shall be a body-corporate with perpetual succession and a common seal and may sue and be sued in such name as it may assign to itself by resolution.

(3) Every Provincial Council shall continue until it is dissolved by the President under Article 154G of the Constitution or the number of administrative district for which it is set up is reduced to one by reason of the withdrawal of one or more District Councils from the Provincial Council.

District and Provincial Councils

(4) Every Provincial Council shall consist of the members of the District Councils established for the administrative districts for which that Provincial Council is constituted. The Chief Provincial Minister appointed under Article 45A of the Constitution in respect of that authority shall be the Chairman of the authority and shall preside at its meetings.

(5) Where by reason of a dissolution of Parliament, the District Councils established for the administrative district for which a Provincial Council is constituted are also dissolved, the Chief Provincial Minister appointed in respect of that Provincial Council shall exercise and discharge, the powers and functions of the Provincial Council during the period intervening between the dissolution of Parliament and the conclusion of the General Election of Members of Parliament.

96. The term of office of the members of the Provincial Council shall be their period of membership of their respective District Councils.

Term of Office of Members.

96A. There shall be a Secretary of a Provincial Council appointed by the President, who shall be the Chief Accounting officer of the Provincial Council.

Appointment of a Provincial Secretary.

97. (1) Where any powers and functions have been delegated to a Provincial Council by its constituent District Councils, the authority may exercise and discharge those powers and functions in relation to all the administrative districts for which it is constituted.

Powers of Provincial Councils.

(2) For the purpose of exercising and discharging the powers and functions delegated to it, a Provincial Council may—

- (a) acquire in any manner whatsoever, and hold and take or give or lease or hire, mortgage, sell or otherwise dispose of, any movable or immovable property ;
- (b) enter into any contract with any person for any work to be done, services to be rendered or goods or materials to be supplied ;
- (c) to establish a secretariat, and to appoint, employ, remunerate, and have disciplinary control over its staff ;
- (d) the planning, co-ordination and implementation, through delegation where feasible, programmes and projects relating to such powers and functions ;
- (e) the preparation and approval of the budget of the authority ;
- (f) the making of Ordinances in respect of which powers and functions ; and
- (g) such other powers and functions as are necessary or incidental to the performance and discharge of the aforesaid powers and functions.

District and Provincial Councils

98. (1) Every Provincial Council may, subject to the provisions of Articles 154E and 154F of the Constitution, from time to time, make such Ordinance as may appear necessary for the exercise and discharge of any power or function delegated to it by its constituent District Councils.

Power to make Ordinance.

(2) Where an Ordinance made by a Provincial Council is inconsistent with any sub-ordinate legislation made by any District Council or a local authority established within any administrative district for which that authority is constituted the provisions of that Ordinance shall prevail over such sub-ordinate legislation to the extent of that inconsistency.

(3) Every contravention of a Ordinance made by a Provincial Council shall be an offence under this Act and shall be punishable—

- (a) in the case of a first offence, with a fine not exceeding one hundred rupees ;
- (b) in the case of a second or subsequent offence, with a fine not exceeding two hundred rupees ; and
- (c) in the case of a continuing offence, with an additional fine not exceeding twenty-five rupees for every day during which the offence is continued after a conviction or after service of a written notice from the Chairman directing attention to such contravention.

99. The provisions contained in Chapters III, VI, VII, X, XI, and XII of this Act, shall, *mutatis mutandis*, apply to, and in relating to, a Provincial Council.

Application of Chapters III, VI, VII, X, XI and XII of this Act.

100. There shall be established a Fund of the Provincial Council into which shall be paid—

Fund of the Provincial Council.

- (a) such funds as are remitted to it from its constituent District Councils ;
- (b) donations from local sources ;
- (c) all fines levied and penalties recovered under the Authority of the Act ;
- (d) all revenue derived from the Council ;
- (e) all sums as may from time to time be voted by resolution of Parliament for the use of the Council ;
- (f) all grants and appropriations allocated to the Council ;
- (g) the proceeds of loans received by the Provincial Council with the prior approval of the Minister in charge of the subject of Finance ; and
- (h) all sums otherwise accruing to the Council in the course of the exercise of its powers and duties.

District and Provincial Councils

101. Money received by a Provincial Council and payable into the Fund shall be lodged with an approved bank. In this section "Approved Bank" means a Bank specified by the Minister in charge of the subject of Finance by Order published in the Gazette.

Money received by Provincial Council to be lodged in bank.

102. There shall be paid out of the Fund—

- (a) all sums which the Provincial Council is authorised or required to disburse in the carrying out of its duties ;
- (b) all expenses incurred by the Provincial Council in the acquisition of land necessary for a public purpose ; and
- (c) all expenses incurred by the Provincial Council in the exercise of its powers or the discharge of its functions.

Application of the Fund.

102.A Every Provincial Council shall appoint a Standing Committee on Finance, whose duty it shall be to consider the annual budget and accounts of the Provincial Council, and make recommendation as to the allocations of resources between the administrative districts for which such Provincial Council is constituted.

103. No matter or thing done or omitted to be done, and no contract entered into by any Provincial Council and no matter or thing done or omitted to be done by or under the direction of the Provincial Council by any member or by any other person whomsoever shall, if the matter or thing so entered into, was done or omitted to be done, or entered into, bona fide, for the purpose of carrying out the provisions of this Act or any other written law relating to the powers and duties of such Council, the Chairman or the District Secretary or of any Ordinance or regulation made thereunder, subject any member or other person personally to any action, liability, claim or demand whatsoever and expenses incurred by the Provincial Council or by any member or other person acting as aforesaid shall be borne and repaid out of the Fund :

Protection of members of the Provincial Council.

Provided that nothing in this section shall exempt any member from liability to be surcharged with the amount of any payment which may be disallowed upon the audit of the accounts of the Provincial Council and which such member authorized or joined in authorising.

104. Every Provincial Council shall be deemed to be a scheduled institution within the meaning of the Bribery Act, and the provisions of that Act shall be construed accordingly.

Provincial Council deemed to be scheduled within the meaning of the Bribery Act.

105. (1) The President may, by Order published in the Gazette, vest in or transfer or dispose to a Provincial Council—

- (a) any movable or immovable property of the State for the purposes of the authority ;
- (b) any contracts and liabilities connected with such purpose.

Immovable and movable property to be transferred to a Provincial Council.

District and Provincial Councils

(2) Upon the publication of an Order under subsection (1) in the Gazette—

- (a) the properties specified in the Order shall vest in and be the properties of the Provincial Council ;
- (b) the contracts specified in the Order shall be deemed to be the contracts of the Provincial Council and all subsisting rights and obligations shall be deemed to be the rights and obligations of the Provincial Council ; and
- (c) the liabilities specified in the Order shall be deemed to be the liabilities of the Provincial Council.

106. Where any land or building is required for the purpose of a Provincial Council the purpose for which such land or building is required shall be deemed to be a public purpose, and may accordingly be acquired under the Land Acquisition Act by the Government for the Provincial Council.

Land or building may be acquired by the Government for a Provincial Council.

107. It shall be lawful for the President to make orders of an administrative nature providing for any unforeseen or special circumstances, or for determining or adjusting any question or matter, that would arise in connection with the administration of the affairs of a Provincial Council for which no provision or effective provision is made by this Act.

Removal of difficulties.

108. (1) Notwithstanding anything in any written law, the Development Councils referred to in section 92, and deemed by paragraph (a) of subsection (1) of section 93, to be District Councils established under this Act, shall, unless within one month of the coming into operation of this Act, the members of those District Councils, resolve to the contrary at a meeting, by a majority of the whole number of members (including those not present) of those Councils, be deemed to have constituted a Provincial Council for the administrative districts for which those District Councils are established, being administrative districts within one province.

Transitional Provision.

(2) Where a Provincial Council has been deemed, by subsection (1), to be constituted for two or more administrative districts in a province, any other District Council established for an administrative district within that province and not included in that Council may, within one month of the coming into operation of this Act, resolve, by a majority of the whole number of members (including those not present) of the Council, to join such Provincial Council, and such Council shall, with effect from the date of that resolution, be deemed to be included in that Provincial Council.

District and Provincial Councils

109. Where a constituent District Council withdraws from a Provincial Council or where a Provincial Council is dissolved by the President under Article 154G or where a Provincial Council is dissolved by reason of the number of its constituent District Councils being reduced to one, the President shall appoint a liquidator to apportion the assets and liabilities of the Provincial Council—

Appointment of liquidator.

- (a) in the case of a District Council withdrawing from a Provincial Council, between the District Council which withdraws and the Provincial Council ;
- (b) in the case of a dissolution of a Provincial Council, between the District Councils which were included in that Provincial Council.

110. In this Act, unless the context otherwise requires—

“appropriate Minister” in relation to any matter or thing, means the Minister to whom the subject or function of that matter, or thing has been assigned ;

“District Minister” with reference to any District Council means the Minister to whom the subject and function of the administrative district for which the District Council has been established has been assigned ;

“District Secretary” means the District Secretary appointed to an administrative district under section 48 ;

“electoral district” has the same meaning as in the Constitution ;

“Local Authority” means any Municipal Council or Urban Council or Pradeshiya Sabha ;

“prescribed” means prescribed by regulations made by the Minister.

*District and Provincial Councils***FIRST SCHEDULE (Sections 17 and 35)****SUBJECTS****1. Agrarian Services—**

Rehabilitation and maintenance of minor irrigation works.

Enforcement of the Irrigation Ordinance in relation to minor irrigation works.

Ensuring efficient cultivation of agricultural land (functions in terms of Sections 33 to 38 of the Agrarian Services Act, No. 58 of 1978).

Summoning of meetings of cultivators of land served by major and minor irrigation works.

Supervision of activities of Agrarian Services Committees.

Co-ordinating the following Agrarian Services activities—

- (i) Water management ;
- (ii) Enforcement of decisions at Kanna meetings ;
- (iii) Control of cattle trespass ;
- (iv) Soil conservation.

2. Agriculture—

Preparation and implementation of the grass roots Development Plan.

Supervision of activities of the Agricultural Development Authority.

3. Animal Husbandry—

Branding of animals under Part II of the Regulations framed under Section 35 of the Animals Act, No. 29 of 1968.

Control of trespass of animals under Part III of the Regulations framed under Section 35 of the Animals Act, No. 29 of 1968.

Running of stud centres.

Control and supervision of slaughter houses.

Establishment, inspection and control of dairies.

Distribution of feed material.

Distribution of breeding material.

Identification of pasture reserves.

Organizing night paddocks for cattle.

Organizing and supervising of vaccination, castration, etc., of livestock.

District and Provincial Councils

Establishment of Milk Collecting Centres in Consultation with the National Milk Board.

Assisting in and arranging for the organization and running of collecting points as well as chilling centres.

Assisting in the transport of milk from producers.

Organization of sales outlets for Milk Board products.

4. Co-operative Development—

Supervision of Co-operative Societies.

Formulating the Development Plan of Co-operative Societies.

Monitoring progress of Co-operative Development Plans.

5. Cultural Affairs—

Organization of religious ceremonies.

Organization of religious festivals.

Fostering and promotion of drama, art and music.

Operation of Divisional Sasana Rakshana Mandalayas.

Maintenance of Dhamma School.

Promotion of Literary and Cultural Activities, including the organization of Festivals.

Encouragement of Publication of Books of Literary and Cultural Value.

Award of Prizes to Authors and Artistes and Craftsmen.

Documentation of information regarding Cultural, Religious Activities.

Provision of Financial or other assistance for the administration of Land and Property of religious bodies.

Collection of information in regard to Artistes, Writers, Dancers and Musicians.

Establishment of Cultural Centres.

6. Education—

Preparation of Educational Development Programme for the Provision of facilities for educational development such as—

(i) Provision of buildings ;

(ii) Provision of furniture ;

(iii) Construction of playgrounds ;

(iv) Construction of hostels and teachers' quarters ;

(v) Provision of sports material ;

(vi) Provision of Library facilities.

Implementation of the Educational Development Programme.

District and Provincial Councils

Making recommendations as regards the educational needs of the grass roots organisation area such as—

- (i) Opening of New Schools ;
- (ii) Closure of Schools ;
- (iii) Re-organisation/amalgamation of schools ;
- (iv) Naming of schools ;
- (v) Upgrading of schools ;
- (vi) Opening of new class.

7. Employment—

Organising Special Employment Programmes within the district.

8. Fisheries—

Preparation of Divisional Development Plan.

Implementation of the Plan.

Recommending applications for issue of boats under the Self-employment Bank Credit Scheme.

Approving applications for purchase under subsidy of outboard motor engines.

Monitoring progress of the issue of boats under the Bank Scheme.

Ensuring repayment of loans issued for purchase of boats, engines, fishing gear and sail cloth.

Planning and implementation of welfare facilities.

- e. g.*—provision of houses
wells
lavatories
beacon lamps

Provision of houses for migrant and non-resident fishermen.

Identification and removal of obstruction to coastal fishing.

Co-ordination of rescue operations of fishermen.

Erection of auction sheds.

Implement—

- (i) Registration of boats ;
- (ii) Data Collection ;
- (iii) Use of fishing gear ;
- (iv) Selection of sites for cold storages, ice plants, ice rooms and fishing gear sales centres ;
- (v) Enforcing action against use of explosives and poisons.

Supervision of training centres.

- (i) Payment of subsidy for inland fish production ponds,
- (ii) Supervision of construction of ponds.

Proposing, supervising and monitoring construction of coast protection structures.

District and Provincial Councils

Supervision and control of Fisheries Co-operatives.

Mechanization programmes, manufacture and sale of fishing gear.

Services for coastal fishery.

Erection of Cold Storage and Ice Plants.

Housing for fishermen.

Electrification of fishery villages.

Fishery roads and transport services.

Water supply schemes for fishing villages.

Formation of Welfare Societies, provision of recreation facilities.

Insurance scheme for fishermen.

Accident compensation.

Opening up of Fisheries Banks.

Loan Recoveries.

9. Food—

Supervision of the activities of food storage and distribution within the grass roots area including powers to inspect stores, unloading points such as railway stations, power to inspect any document in the Food Control Branch.

Supervision of the operation of the Food Stamp Scheme.

Making arrangements for meeting shortages of essential items of food.

10. Health Services—

Preparation of health components of the Annual grass roots area Development Plan.

Supervision, monitoring and evaluation of the implementation of the Annual Plan.

Mobilization of extra-budgetary funds for health development.

Environmental Health, e. g., provision of safe water supply, safe disposal of waste, control of industrial waste, programmes for the supply of water and latrine construction.

Food and Food Sanitation, e. g. maintenance of the standard of hygiene in eating houses and hotels, and in processing, preparation and sale of food.

Functions under the Rabies Ordinance, e. g. Destruction of stray dogs and immunization.

Functions under the Nuisances Ordinance.

Health promotion and development, involving community participation, e. g., Health education, nutrition, family health and maternity and child care.

District and Provincial Councils

11. Housing—

Under Protection of Tenants Act : Action regarding protection of tenants.

Post-construction activities, e. g. Community Development and Income Generating Programmes.

Proposing, co-ordinating, supervising and monitoring of housing projects of the National Housing Development Authority.

Development of Divisional Housing Plans and formulation and implementation of specific housing projects.

Housing Loans.

Supervision of authorised dealers in building materials, monitoring the activities of sales outlets.

Planning, construction and maintenance of Divisional Housing Schemes.

Demonstration of low-cost construction methods.

Supplying of building materials for housing.

12. Irrigation Works—

Election of Advisory Committee for irrigable areas.

Summoning of meetings of Proprietors of Manawari Lands.

Identification and preparation of priority lists for irrigation works of a local nature and their implementation.

Maintenance of minor irrigation works within the area.

13. Rural Development—

Registration of Rural Development and Kantha Samities.

Operation of Sharmadana works with World Food Programme and other aid.

Recommending grants to Rural Development Societies.

Rural Women's Development Activities.

Integrated development of selected villages.

Special agro-based development projects at village level.

14. Small and Medium Scale Industries—

Promote the growth of medium scale industries, establish and authorise quality of industrial products.

District and Provincial Councils

Promote export of manufactured and semi-manufactured goods within the area.

Promote scientific and industrial research within the area.

Develop an area Industrial Plan in respect of medium scale industries.

To co-ordinate, monitor and implement an area Industrial Plan.

Industrial aspects of Co-operatives.

15. Land Use and Land Settlement—

Powers under the Land Development Ordinance :

- (i) Holding of Land Kachcheries for residents in the area ;
- (ii) Taking possession of land on failure of succession ;
- (iii) Cancellation of permits for breach of conditions ;
- (iv) Ejectment from land ;
- (v) Seizure of crops on default by permit holders ; and
- (vi) Power to enter land alienated on a permit.

Under Crown Lands Ordinance :

- (i) Lease of reservations adjoining public thoroughfares ;
- (ii) Issue of permits not exceeding 1 year for the foreshore ;
- (iii) Prohibition of removal of sand from the seashore ; and
- (iv) Cancellation of disposition for non-payment of money.

Land Grants (Special Provisions) Act, No. 43 of 1979 :

- (i) Imposition of soil conservation measures ; and
- (ii) Registration of instrument of disposition.

State Lands (Recovery of Possession) Act, No. 7 of 1979 :

- (i) Serving notice on unauthorised occupiers of land ; and
- (ii) Making application to the Magistrate for recovery of possession.

Forest Ordinance :

- (i) Protection of reserved trees.

Development of Lands alienated.

Establishment of pastures, village forests.

Water Management, conservation of forestry resources and soil conservation.

Village Expansion Schemes.

Flood protection work.

District and Provincial Councils

- 16. Social Services—**
- Public Assistance Monthly Allowances including Statutory Poor Relief.
 - Rehabilitation of Destitute Persons and Families.
 - Financial Assistance to Tuberculosis and Leprous patients and their rehabilitation.
 - Casual Relief for loss of dwelling houses, Implements of trade and fishing boats by fire, rain, storm or other exceptional causes.
 - Rehabilitation and Welfare of the Socially handicapped persons.
 - Family Counselling services.
 - Care Welfare and Rehabilitation of physically and mentally handicapped persons including supply of aids and appliances.
 - Vocational Training Placement Employment counselling and Rehabilitation of the Deaf, Blind and the Orthopaedically handicapped.
- 17. Plan Implementation—**
- (a) The implementation of (national) regional and electoral economic plans.
 - (b) Progress Control.
 - (c) Monitoring progress of public and private sector investment programmes.
 - (d) The evaluation of the performance of institutions and enterprises engaged in economic activities.
 - (e) The presentation of relevant data in the achievement of plan targets.
 - (f) Dissemination of information concerning achievement of plan targets.
 - (g) Publicity of implementation programmes.
 - (h) Manpower planning—Employment Data Bank.
- 18. Social Services—**
- (a) Relief of Distress due to floods, droughts, epidemics or other exceptional causes and rehabilitation and re-settlement of those affected.
 - (b) Probation and Child Care Services.
- 19. Rural Development—**
- (a) Organisation of Rural Development Activities.
 - (b) Training Programmes.
 - (c) Training of R. D. S. /K. S. Office-bearers, Village Leaders and Officials involved in Rural Development.

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20. *Labour—*
- (a) Skills Development and Vocational Training.
 - (b) Labour Co-operatives.
21. *Health—*
- (a) Private Nursing Homes.
 - (b) Medical Charitable Institutions.
 - (c) Grants-in-aid to Private Medical Institutions providing Services to Public Legislation—Medical Wants Ordinance, Mental Diseases Ordinance, Medical Records.
 - (d) Control of Epidemic and Endemic Diseases.
 - (e) Maternity, infant and Pre-School Hygiene School Health Work.
 - (f) General Sanitation.
 - (g) Food Sanitation.
 - (h) Railway Sanitation.
 - (i) Advice to Local Authorities on Housing & Town Improvements.
 - (j) Estate Health Work.
 - (k) Health Legislation.
 - (l) Public Health Personnel.
 - (m) Free Milk Distribution Schemes School Dental Services.
 - (n) Burial Grounds and Cemeteries/Food and Drugs Control/ Public Health Veterinary Services.
 - (o) Health Education, Nutrition, Family Health, Planned Parenthood.
22. *Prevention of Crime—*
- (a) Maintenance of the peace and the investigation and prevention of prescribed crimes.
23. *Administration of Justice—*
- (a) Construction extension and maintenance of prescribed Courts and Tribunals and residences for judicial officers.
 - (b) Appointed to the staff of such Court and Tribunals other than appointments to any posts specified in the Constitution.
24. *Textile Industries—*
- (a) Development, control and regulation of all textile industries including spinning of yarn, weaving, knitting and finishing of textiles, manufacture of made-up textile goods, wearing apparel except footwear, carpet and rugs, cordage, rope and twine industries and textile printing except Batik Printing.

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- (b) Regulation, supervision and co-ordination of all textile industries in the Private and Co-operative Sectors. Promotion and regulation of the export of all Textile Products including made-up garments.
25. *Powers and Energy*—
- (a) Development and uses of Electricity.
- (b) All other power generation not feeding the national grid such as thermal sets matters such as solar energy, bio gas, etc.
26. *Home Affairs*—
- (a) Registration of births, marriages and deaths.
27. *Food and Co-operatives*—
- (a) Distribution and Rationing of Food, Co-operative undertaking.
- (b) Supervision and Audit of Co-operative Societies.
- (c) Co-operative Development including Co-operative Education & Propaganda.
- (d) Co-operative Employees Commission.
- (e) Matters connected with Employment, Promotion, Retirement and other connected matters of Employees of Co-operative Societies.
28. *Industries and Scientific Affairs*—
- (a) Manufacture, collection, purchase and Sale of Salt (including by-products).
- (b) Production of the Revenue derived from Salt and by-products Manufacture, Sale and Distribution of by-products of sea water Research of Sale and by-products of sea water.
29. *Finance and Planning*—
- (a) Works proposals and estimates.
- (b) Industrial Schemes, Loan Schemes.
- (c) Rents and Leases of government buildings and lands (not including rents of Government Quarters).
30. *Lands*—
- (a) Irrigation works, Flood Protection, Planning of Water Resources.
31. *Parliamentary Affairs and Sports*—
- (a) The encouragement and development of Sports, recreational facilities.

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32. *Fisheries—*

- (a) Training of fishermen and extension work among fishermen, provisions and promotion of credit facilities for fishermen.
- (b) Provision of welfare facilities to fishermen.
- (c) Management and Operation of state-owned fishing crafts.
- (d) Distribution and marketing of fish and fish products.
- (e) Importation and distribution of fishing gear.
- (f) Establishment and Operation of Ice plants, cold rooms harbour, and aharages and other infrastructure facilities required for the fishing industry.

33. *Rural Industrial Development—*

- (a) Breeding, Animal disease and quarantine of animals, Cattle Voucheri, Buffalo production.
- (b) Development and control of small industries.

34. *Youth Affairs and Employment—*

- (a) Technical Employment.

35. *State—*

- (a) Development of the Tourist Industry.

36. *Regional Development—*

- (a) Matters relating to the Palmyrah Industry.

37. *Education Services—*

- (a) Erection and maintenance of educational buildings.
- (b) Production, distribution and sale of teaching aids, audio-visual material, furniture and other equipment and inputs.
- (c) Provision of science laboratories and science equipment.
- (d) Organisation and development of Library Services.

38. *Indigenous Medicine—*

- (a) Export of medical herbs and prepared drugs.
- (b) Establishment and Maintenance of Herbaria.
- (c) Establishment of Ayurvedic Dispensaries and Hospitals.

39. *Local Government, Housing and Construction—*

- (a) Registration of vehicles other than motor vehicles.
- (b) Administration of the Public Performance Ordinance (Chapter 176 excluding Section 6).

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- (c) Destruction of stray dogs.
- (d) Sections 3 and 9 of the small Tenements Ordinance.
- (e) Auctioneers and brokers.
- (f) Public utility service of Local Authorities including water service schemes, drainage, electricity and housing schemes.
- (g) Street Collections Regulations.
- (h) Entertainment Tax.
- (i) Guides.
- (j) Butchers.
- (k) Investigation, design, construction and maintenance of water supplies and provision of technical services on scheme which are determined by Local Authorities :—
 - (1) Municipalities, Urban Councils, Town Councils and Village Councils.
 - (2) Major institutions such as Hospitals, Universities and Factories.
- (l) Provision of Public Utility Services on schemes which are determined by Local Authorities.
- (m) The construction of buildings for the administration, management or control of buildings and building schemes.
- (n) Slum clearance and resettlement of slum dwellers.
- (o) Provision of essential amenities and services for the inhabitants of any area in which any housing scheme has been carried out or is contemplated to be carried out, and the construction of buildings for such purposes.
- (p) The manufacture, importation or supply of materials required for the construction of buildings or for any other purposes connected with, or incidental to it.
- (q) The holding, managing, selling, surrendering, exchanging, leasing or other desposition of property acquired by way of gift or otherwise for the purpose of carrying out any housing object.
- (r) Co-ordination of housing activities connected therewith.
- (s) Entering into contracts and other arrangements as may be necessary or expedient for the purpose of carrying out any of the objects listed above.
- (t) Acquisition under any law for the time being in force of land and property and the development and redevelopment of land and property for the carrying out of any of the objects listed above.
- (u) Acquisition of land for housing.
- (v) Construction of houses for sale, lease, rental, etc.

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- (w) Management of lands and houses belonging to the Authority.
 - (x) Undertake Slum and Shanty clearance and re-settlement of persons displaced by such activities.
 - (y) Develop new housing estates and neighbourhoods.
 - (z) Establish aided self-help housing.
 - (aa) Government Roads.
 - (ab) Collection of data and information on the environment and National Resources at grass root level.
 - (ac) Monitoring of action programmes of Central Environmental Authority, as directed by the Authority.
 - (ad) Advising the Central Environmental Authority promptly if events of significant environmental interest taking place at the local level and specially those which may have significant adverse environmental impact on natural resources.
 - (ae) Undertaking inquiries and examinations of environmental issues or subjects referred to by the Central Environmental Authority.
 - (af) Implementation of an environmental awareness programme at the grass root level under the guidance of the Central Environmental Authority.
 - (ag) Assisting the Central Environmental Authority in studies, surveys and research projects on environment at the grass root level.
40. *Agricultural Development and Research—*
- (a) Minor Exports Crops (Cinnamon, Cardamoms, Cocoa, Coffee, Cinchona, Citronella, Cloves, Ginger, Ground-nut, Pepper, Kenaf, Manioc, Kitul, Arecanuts, Ramie, Lemon, Grass, Nutmeg and Pyrethrum); Administration operation of the Sri Lanka Fruit Board.
 - (b) Paddy land tenure.
 - (c) Agrarian services including minor irrigation functions.
 - (d) Agricultural insurance.
 - (e) Guaranteed Price Scheme for Local Agricultural produce.
 - (f) Measures for increased production of food.
 - (g) Agricultural Development.
 - (h) Agricultural Education.
 - (i) Agricultural Propaganda.
 - (j) Soil Conservation.

ALL PARTY CONFERENCE



DRAFT BILL OF PRADESHIYA SABHA

PRINTED AT THE DEPARTMENT OF GOVERNMENT PRINTING, SRI LANKA

Local Authorities

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF PRADESHIYA SABHAS AND GRAMODAYA MANDALAYAS WITH A VIEW TO STRENGTHENING AND BROADENING THE DEMOCRATIC STRUCTURE OF GOVERNMENT AND THE DEMOCRATIC RIGHTS OF THE PEOPLE AND FOR THE PURPOSE OF ACCELERATING DEVELOPMENT; AND TO SPECIFY THE POWERS, DUTIES AND FUNCTIONS OF SUCH SABHAS AND MANDALAYAS : AND TO PROVIDE FOR ALL MATTERS CONNECTED THEREWITH OR INCIDENTAL THERETO.

BE it enacted by the Parliament of the Democratic Socialist Republic of Sri Lanka as follows :—

1. This Act may be cited as the Local Authorities Act, ^{Short title} _{and date of} No. of 1984 and shall come into operation in respect of operation, all or any of its provisions on such date or dates as the Minister may appoint by Order published in the Gazette.

Part I

CONSTITUTION OF PRADESHIYA SABHA

2. (1) There shall be constituted for every Assistant ^{Constitution} _{of Pradeshiya} Government Agents Division a Pradeshiya Mandalaya. _{Sabha.}

(2) Every Pradeshiya Sabha constituted under sub section (1) shall be a body corporate with a perpetual succession and a common seal and shall have power, subject to the provisions of this Act, to acquire, hold and sell property and may sue and be sued by such name.

(3) The common seal of the Pradeshiya Sabha shall remain in the custody of the Secretary of such Sabha, and shall not be affixed to any contract or other instrument on behalf the Pradeshiya Sabha, except in the presence of the Chairman and the Secretary of such Sabha, who shall sign their names to such contract or other instrument in token of their presence.

(4) No act or proceeding of a Pradeshiya Sabha constituted under sub-section (1) shall be deemed to be invalid by reason only of the existence of a vacancy among its members or any defect in the election of a member thereof.

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3. The Pradeshiya Sabha constituted for each Additional Government Agents division shall be the local authority within the area of such division and be charged with the regulation, control and administration of all matters relating to public health, public utility services and public thoroughfares and generally with the protection and promotion of the comfort, convenience and welfare of the people and all amenities within such Assistant Government Agent division.
- 10 4. A Pradeshiya Sabha constituted under sub-section (1) of section 3, shall consist of a Chairman, Vice Chairman and such number of elected members as may be determined by the Minister by Order published in the Gazette.
- 15 5. (1) The Chairman, Vice Chairman and every member of a Pradeshiya Sabha constituted under sub-section (1) of section 3, shall hold office only during the continuance of Parliament and accordingly the term of office of every such member shall unless parliament is sooner dissolved be six years.
- 20 (2) Where a member is elected in place of an elected member of a Pradeshiya Sabha who dies, resigns or otherwise vacates office, he shall subject to the provisions of this Act, hold office for the unexpired period of the term of office of his predecessor.
- 25 6. The term of office of each Pradeshiya Sabha to be constituted under this Act shall commence on such date as the Minister may appoint by Order published in the Gazette. Such date shall be deemed to be the date of the constitution of such Pradeshiya Sabhas for all purposes of this Act, and such Pradeshiya Sabha shall be deemed to be constituted on that date.
- 30 7. Any member of a Pradeshiya Sabha who without leave of the Pradeshiya Sabha first had and obtained to attend meetings of the Pradeshiya Sabha for a period of three months shall ipso facto vacate his office.
- 40 8. (1) The Chairman of a Pradeshiya Mandalaya shall be the chief executive officer of the Pradeshiya Sabha, and all executive acts and responsibilities which are by this Act or any other written law directed or empowered to be done or discharged by the Pradeshiya Sabha may, unless the contrary intention appears from the context, be done or discharged by the Chairman.

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(2) The Chairman may by Order in writing delegate to the Vice Chairman or Secretary or any other officer of the Pradeshiya Sabha any of the powers, duties or functions conferred or imposed upon or vested in the Chairman by this Act or any other written law.

(3) The exercise, discharge or performance by the Vice Chairman or the Secretary or any other officer of the Pradeshiya Sabha of any power, duty or function delegated to him by Order of the Chairman shall be subject to such conditions and restrictions and limited to such purpose or purposes as may be specified in the Order ; and any such delegation may at any time be varied or cancelled by order of the Chairman.

(4) During the period of absence of the Chairman on account of illness or other unavoidable cause, the Vice Chairman may exercise the same powers and perform the same duties as the Chairman.

9. (1) There shall be appointed a fit and proper person to be or to act as the Secretary of the Pradeshiya Sabha. **Appoint-ment, powers and duties of Secretary.**

(2) The Secretary of a Pradeshiya Sabha shall be the Chief Administrative Officer of the Pradeshiya Sabha and shall exercise, perform and discharge such powers, duties and functions as are conferred or imposed upon him by this Act or any rules made under this Act or by any other written law for the time being in force.

MEETINGS

10. The Chairman or in his absence the Vice Chairman shall preside at all meetings of the Pradeshiya Sabha and if both the Chairman and Vice Chairman are absent, the members present shall elect one of their own number to preside at the meeting. **Chairman or Vice Chairman to preside at meeting of the Pradeshiya Sabha.**

11. (1) Ordinary meetings of a Pradeshiya Sabha shall be held for the despatch of business on such dates or at such intervals as may be fixed by-laws made or deemed by any written law to have been made under this Act. **Meetings.**

(2) A special meeting of a Pradeshiya Mandalaya may be convened by the Chairman whenever he considers it desirable and shall be convened whenever a written requisition is presented to him signed by members of that

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Pradeshiya Mandalaya not less in number than the quorum prescribed for ordinary meetings of the Pradeshiya Mandalaya.

(3) The special meeting in compliance with any requisition shall be convened within seven days of the receipt of the requisition by the Chairman.

(4) If the Chairman of any Pradeshiya Mandalaya refuses or wilfully neglects to convene a special meeting within seven days of the receipt of any requisition presented to him, it shall be lawful for the Assistant Commissioner to convene a special meeting at any time thereafter and to preside or to depute an officer of Government to preside over that meeting.

(5) Not less than two days notice of the date appointed for each special meeting under this section and of the business to be transacted thereat shall be given to, or left at the residence of, each member of that Pradeshiya Mandalaya.

12. The quorum for any meeting of a Pradeshiya Mandalaya shall be one-third of the number of members in office on the date of that meeting.

Part II

STATUS, POWERS AND DUTIES OF PRADESHIYA SABHAS

13. (1) All matters or questions authorized by this Act or by any other written law to be decided by a Pradeshiya Sabhas shall be decided upon by the majority of members present at any meeting of the Pradeshiya Mandalaya held in accordance with the provisions of this Act.

Powers of Pradeshiya Sabhas to be vested in the nahi-ruty.

(2) Where the votes of the members present at any meeting are equally divided in regard to any question, the Chairman Vice Chairman or other member presiding at the meeting shall, in addition to his vote as a member, have a casting vote.

14. All proceedings, decisions, orders and acts of a Pradeshiya Sabha shall be entered in a book of minutes, and upon their confirmation with such amendments as may be necessary at the next succeeding meeting of the Pradeshiya Shabhas, shall be signed by the Chairman; and a copy, certified by the Chairman, of any record so entered and signed, shall be admissible in evidence in any court or tribunal in Sri Lanka.

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15. There shall be vested in each Pradeshiya Sabha all Lands vested such immovable property of the following classes, namely :— Pradeshiya Sabha.

- (a) Waste lands and open spaces ;
- (b) Stone, gravel and cabook quarries ;
- 5 (c) Lakes, ponds, reservoirs, tanks ; aquadacts and other waterworks ;
- (d) State lands whether with or without buildings as may be situate within the limits of the Assistant Government Agents divisions and may be or have been made over and or deemed to have been made over under any writtten law for the time being in force or may be made over under this Act.

16. (1) A vesting order, certificate or other record, signed by the persons authorised to make over any property referred to in Section 24 and by an officer of the Pradeshiya Sabha authorized to receive or accept such property on behalf of Pradeshiya Sabha shall be sufficient, and shall be deemed at all times to have been sufficient to vest such property and all rights, title and interest in such property in such Pradeshiya Sabha.

(2) Nothing in Section 16 or in the preceding provisions of this section shall be deemed—

- 25 (i) to effect or prejudice any right or title of the State to any such property, or the right of the State at any time to resume or dispose of property referred to in section 16 for public purposes ; or
- 30 (ii) to effect or prejudice any right, title or interest which any military or other authority, in which lands are vested on behalf of the State, has or may have in any property referred to in section 16 or ni any part thereof ; or
- 35 (iii) to empower the Pradeshiya Sabha to sell or otherwise dispose of any property referred to in section 16 otherwise than in accordance with such terms and conditions as may be set out in the aforesaid vesting order, certificate or other record relating to such property.

(3) All property vested in Pradeshiya Sabhas shall be administered, and the revenue thereof shall be employed and made use of, for the purposes of this Act.

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17. There shall be further vested in each Pradeshiya Sabhas for the purposes of this Act the following classes of property :—

Other
property
vested in
Pradeshiya
Sabhas.

- 5 (a) All public parks, gardens and open spaces acquired by or otherwise transferred to the Pradeshiya Sabhas, and all erections and other structures therein and the equipment thereof, subject always to the terms of any trust or the conditions in any instruments by which any such property may have
- 10 been transferred to the Pradeshiya Sabha ;
- 15 (b) all public roads, streets, canals and bridges (except such roads, streets, canals and bridges vested in any other authority under any other enactment, or may be specially exempted from the provisions of this section by the Minister by Order published in the Gazette) together with the lands used for the purposes thereof, and all the payments, stones and other materials thereof, and also all sections, materials, implements and other things provided
- 20 therefor ;
- 25 (c) all public markets and all works, erections or structures for the benefit or convenience of the public which may be constructed, erected or provided under this Act, or which may have been constructed, provided or erected under any repealed enactment, or may be otherwise transferred, or have been transferred to the Pradeshiya Sabhas or to any local authority of which that Pradeshiya Sabha is the successor, and all sites, appurtenances, materials, furniture and equipment thereof, subject always to any such trust or condition as
- 30 aforesaid ;
- 35 (d) all other public buildings constructed or provided in whole or in part out of the funds of the Pradeshiya Sabha or of any other authority of which the Pradeshiya Sabha is the successor, or which may be otherwise transferred to the Pradeshiya Sabha, and all the sites, appurtenances, materials, furniture, and equipment thereof, subject always to any such trust or condition as aforesaid ;
- 40 (e) the property of land in all the lamps, lamp-irons, lamp posts, sluices dams, pipes, posts, chains, piles, rails and other similar erections and things in, about, or belonging to the roads, streets, and public places

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5 vested in the Pradeshiya Sabha and of and in all the materials, furniture and things belonging thereto, except in so far as the same shall be otherwise regulated by contract with the Sabha or shall be otherwise shown to be private property or subject to private rights.

18. (1) For the purpose of the performance of its duties under this Act, a Pradeshiya Sabha (without prejudice to any other powers specially conferred upon it) shall, subject Powers of the Pradeshiya Sabhas.
10 to the other provisions of this Act and to any rules made thereunder, have the following powers:—

- 15 (i) to create all such posts or offices as it may deem necessary and to assign to any such post or office, such salary, allowance or remuneration as the Pradeshiya Sabha may deem fit, subject however, to the prior approval in writing of the Commissioner regarding such creation and assignment of salary;
- (ii) to make appointments to any post or office in the service of the Pradeshiya Sabhas;
- 20 (iii) to remove any officer or servant of the Pradeshiya Sabha other than a member of the Local Government Service;
- (iv) to abolish any post or office in the service of the Pradeshiya Sabha;
- 25 (v) to grant pensions to officers and servants of the Pradeshiya Sabha on their retirement from service;
- (vi) to enter into any agreement with any other Pradeshiya Sabha or other local authority for the joint execution of any work or for the employment and remuneration of any officer or servant, of each Pradeshiya Sabha;
- 30 (vii) to spend any part of the Pradeshiya Sabhas fund on maternity and child-welfare services, the training of midwives for the purpose of any maternity service established by the Pradeshiya Sabha, housing schemes, such charities or such measures for the relief of distress caused by rain, floods, fire, earthquake, famine or epidemics, or such other purpose as may be approved by the Minister;
- 35 (viii) to purchase or take on lease any land or building;
- 40

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- 5 (ix) to receive and hold property in trust for the inhabitants of the Assistant Government Agent's division area for which such, Pradeshiya Sabha is constituted or any section of such inhabitants, or for the purposes of any public service constituted administered by the Pradeshiya Sabhas, and to otherwise act as trustee for any public purpose ;
- 10 (x) to sell or exchange with the prior approval in writing of the Minister, any land or building belonging to the Pradeshiya Sabhas or vested in it otherwise than by virtue of section 16 and subject to the terms and conditions of the instrument by which such land or building was transferred to the Pradeshiya Sabha ;
- 15 (xi) to let or lease with the prior approval in writing of the Minister, any land or building vested in the Pradeshiya Sabha by virtue of section 16 or section 18 and not required for a public purpose and subject to the terms and conditions of the instrument
- 20 by which such land or building was transferred to or vested in the Pradeshiya Sabha ;
- 25 (xii) to let or lease any land or building belonging to the Pradeshiya Sabha or vested in, such Pradeshiya Sabha otherwise than by virtue of section 16 or section 18 and subject to the terms and conditions of the instrument by which such land or building was transferred to or vested in the Pradeshiya Sabhas .
- 30 Provided that no lease of any such land or building for a period exceeding three years shall be executed, without the prior approval in writing of the Minister ;
- (xiii) to enter into any contract with any person for any work to be done, service to be rendered, goods or materials to be supplied ;
- 35 (xiv) to spend any part of the Pradeshiya Sabha Fund for the construction or alteration, improvement or maintenance of village works, and for the purpose of administering any property vested in or acquired by or otherwise transferred to the Pradeshiya Sabha, or of carrying out the provisions of this Act
- 40 or any by-law made or deemed by virtue of any written law to have been made thereunder ;

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- 5 (xv) to establish ferries, to impose and to levy or to lease the right to collect tolls at any ferry established or maintained by the Pradeshiya Sabha, and for the protection of such ferry, to prohibit or restrict private ferries by by-laws made in that behalf ;
- 10 (xvi) in the case of a ferry established or maintained between any place within the limits of any Pradeshiya Sabha and any place within the limits of any other Pradeshiya Sabha or within the administrative limits or any other local authority, to distribute to the tolls that may be imposed or levied in respect of any such ferry, in such manner or proportion as may be fixed by agreement entered into with the other Pradeshiya Sabha or with such local authority as the case may be, and to spend any part of the Pradeshiya Sabhas Fund for any work of construction or maintenance to be carried out beyond the limits of the village area in connection with any such ferry ;
- 15 20 (xvii) to spend any part of the Pradeshiya Sabha Fund in the conduct of experiments in agriculture and the breeding of domestic animals, and in the maintenance of experimental forms and studies for that purpose ;
- 25 (xviii) to make by its officers authorized in that behalf and the servants or workmen accompanying them all such entries into lands and buildings and inspections thereon as may be necessary for the detention and as abatement of nuisance, the detention, prevention and abatement of all contraventions of this Act or of by-laws or rules made thereunder, or for the performance of acts required to be done under this Act in respect of which the owner or occupier is, or may be deemed to be, in default ;
- 30 35 (xix) by its Chairman or other officers authorized by him, to hold all inquiries which the Chairman may deem necessary for any of the purposes of this Act, and for the purpose of all such inquiries, to administer oaths and summon witnesses ;
- 40 (xx) to set apart such contributions from the Pradeshiya Sabha Fund as the Minister may approve towards the cost of any association of local authorities for the consideration of matters relating to local administration ;

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- (xxi) to spend any part of the Pradeshiya Sabha Fund in the payment of allowances to the Chairman, Vice Chairman and other members at such rates as may be prescribed by rules made under section 18 ;
- 5 (xxii) to spend any part of the Pradeshiya Sabha Fund in the payment of travelling allowances to members of the Pradeshiya Sabha, for attendance at meetings of the Pradeshiya Sabha, or to members or officers of the Pradeshiya Sabha attending, with the approval of the Pradeshiya Sabha any meeting or conference of members or officers of Pradeshiya Sabhas for the consideration of matters relating to local administration ;
- 10
- (xxiii) to institute or defend any legal proceedings with the Pradeshiya Sabha may deem necessary to institute or defend for the purpose of enforcing or protecting the rights of the Pradeshiya Sabha or of the public or of protecting its members or officers in the execution or intended execution of their duties ;
- 15
- (xxiv) to enforce by-laws made or deemed by virtue of any written law to have been made by it under this Act and to enter prosecutions in the Magistrate Court for breaches of such by-laws ;
- 20
- 25 (xxv) generally to do all things necessary for the effective exercise of the powers and duties of the Pradeshiya Sabha.

(2) If the Pradeshiya Sabha rejects any or all the tenders laid before that Pradeshiya Sabha or fails to sanction the contract referred to in subsection (1), the Chairman may, with the approval of the Assistant Commissioner, enter into such contract.

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19. (1) Whenever it appears to the Chairman of any Pradeshiya Sabhas that an examination or a survey of any private land, building, or premises is necessary for any public purpose in the Assistant Government Agent's division for which the Pradeshiya Sabha is constituted, it shall be lawful for the Chairman to direct any officer or servant of the Pradeshiya Sabha to make such examinations or survey, and it shall thereupon be lawful for such officer or servant and his workmen to enter such land, building or premises, and to do thereon any of the following acts :—

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Power to authorize surveys.

- (a) to make a survey and to take levels ;
- (b) to dig or bore into the sub-soil ;

Local Authorities

- (c) to do other acts to ascertain whether the land, building, or premises is or are adaptable to such public purpose ;
- 5 (d) to set out the boundaries of any land which is to be acquired, or street lines, or the lines of any work proposed to be carried out ;
- 10 (e) to make such levels, boundaries, or lines, by placing permanent marks on existing buildings, trees, posts, walls, fences, or other fixed objects, or by fixing new marks, or by cutting trenches as the case may be require :
- 15 (f) and where otherwise a survey cannot be completed or levels taken, or the boundaries and the lines marked, to cut down, and clear away any obstructions interfering with the execution of such work.
- (2) Where any damage is caused to any land or to anything thereon by the performance of any of the acts referred to in subsection (1), full compensation shall be paid by the Pradeshiya Sabha to the owner or other person 20 entitled thereto.
- (3) No person shall enter any building or any enclosure attached to a dwelling house for the purposes of subsection (1) except with the written consent of the occupant thereof, or if such consent is withheld, with the written sanction 25 of the Chairman of the Pradeshiya Sabha.
- (4) Every mark fixed on any land under this section shall be deemed to be the property of the Pradeshiya Sabha.
20. (1) Where within the limits of any Pradeshiya Sabha any tree or any branch, fruit or other part of a tree is 30 causing or is likely to cause damage to any building, or is in a condition dangerous to the occupants of any building or to the safety of passers-by along any public thoroughfare, the Chairman of the Pradeshiya Sabha of such area may, by a notice in writing served on the owner or occupier 35 of the land on which such tree stands, require such owner or occupier to tie-up and make secure, or to cut down and remove, such tree or the branch, fruit or other part of such tree within such time as may be specified in the notice.
- 40 (2) Every person on whom a notice from the Chairman of a Pradeshiya Sabha is served under subsection (1) shall comply with the requirements of such notice within the

Powers of
Chairman of
a Pradeshiya
Sabha in
regard to
trees or
branches or
fruits or
trees and
angering
the safety
of person
or property.

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time specified therein and in the event of the refusal or neglect of such person to comply with such requirements within such time, such Chairman, or any officer or workman authorized in writing by such Chairman, may enter upon the land referred to in such notice and do what such person was required to do by such notice, and the expenses thereby incurred may be recovered from such person as a debt due to such Pradeshiya Sabha.

PART III

10 POWERS AND DUTIES AS TO THOROUGHFARES

THOROUGHFARES

21. (1) Subject to the powers and responsibilities by law committed to any other authority, the Pradeshiya Sabha shall be the general administrative authority for the purpose of all thoroughfares and communications, other than principal thoroughfares, within its administrative limits, with all such powers as are vested in it under this Act, the Housing and Town Improvement Ordinance, and any other enactment from time to time enacted in that behalf.

(2) Subject to such directions as may be given by the Minister, from time to time by Order published in the Gazette, the Pradeshiya Sabha shall be the administrative authority for the purposes of the protection of any principal thoroughfare that may be situate within its area and shall be entitled for such purposes to exercise or perform in relation to any such principal thoroughfare any of the powers or duties conferred or imposed by sections 56 to 77 (both inclusive) relating to buildings along thoroughfares, obstructions to thoroughfares, encroachments on thoroughfares, injuries to thoroughfares and nuisances on thoroughfares.

22. Subject to the powers and responsibilities by law belonging to any other authority, it shall be the duty of the Pradeshiya Sabha and every such Pradeshiya Sabha is hereby empowered, to take all necessary measures for securing and maintaining all public rights, interests, and amenities arising out of, or in connection with, all thoroughfares or upon spaces within its area and for utilizing, regulating, adapting, and developing such thoroughfares or open spaces for public purposes.

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23. All thoroughfares within any area, other than principal thoroughfares, except in so far as such thoroughfares are already as vested by virtue of any other enactment, shall be deemed to be vested in the Pradeshiya Sabha of that area.

Thoroughfares vested in Pradeshiya Sabha.

24. (1) It shall be the duty of every Pradeshiya Sabha within three years of the coming into force of these provisions or within such further period as may in the special circumstances of any case be allowed by the Minister—

Pradeshiya Sabha to demarcate and publish a list of roads and paths.

- 10 (a) to demarcate by permanent marks the limits of the roads and paths maintained by the Pradeshiya Sabha and cause to be prepared plans of all such roads and paths ; and
- 15 (b) to cause notices to be published in the manner prescribed by regulations, setting out a list of such roads and paths.

(2) Upon the publication of such notices any party claiming to be the owner of land from which such road or path has been demarcated shall within the time prescribed by such notice institute action in the appropriate court for establishing his title to such land.

(3) After the expiration of a period of three months and before the expiration of a period of six months from the date on which the notice under subsection (1) is published in the Gazette, the Pradeshiya Sabha shall cause to be published a notice in the manner prescribed by regulations setting out a list of all such roads and paths as set out in the notice published under subsection (1)—

- 30 (a) excluding those roads and paths or portions of roads and paths in respect of which no final determination had been made in any action instituted as required by subsection (2) ; and
- 35 (b) with the necessary alterations made in the demarcation of the limits of such roads and paths and in such plans in respect of which a final determination had been made in any action instituted as required by subsection (2).

(4) Where a final determination has been made on any action instituted as required by subsection (2) after the publication of the notice under subsection (3), the Pradeshiya Sabha shall cause a notice, to be published in the manner prescribed by regulations setting out a

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supplementary list of such roads and paths or portions of roads and paths. Before the publication of this notice the necessary alterations shall be made in the demarcation of the limits of the roads and paths and in the plans on the basis of the final determination made in respect of any action instituted as required by subsection (2).

(5) Upon the publication of such notice under subsection (3) or (4), all such roads and paths or portions of such roads and paths as defined in such notices and depicted by such plans shall be deemed to be vested in the Pradeshiya Sabha.

(6) Whenever any road or path or any portion of any road or path vested in a Pradeshiya Sabha ceases to be used as a road or path the Pradeshiya Sabha shall publish an amendment to the notice under subsection (3) or (4).

25. Neither the provisions of the Prescription Ordinance, nor those of any other law relating to the acquisition of rights by virtue of possession or user, shall apply in the case of the roads within the limits of any Pradeshiya Sabha ; and no person shall be entitled to any exclusive rights of ownership, possession or use over or in respect of any such road or any portion thereof by reason of his having, either before or after the coming into operation of this Act, had possession, or use of any description whatsoever of such road or portion thereof.

26. Every notice required to be given under this chapter may be served either personally upon such person, or by leaving it with some member of his household, or by affixing it to some conspicuous part of his residence.

27. The Pradeshiya Sabha of each Pradeshiya Sabha area may within that area—

(a) lay out and construct new roads, streets, bridges, tunnels or other thoroughfares ;

(b) widen, open, enlarge or otherwise improve or turn, divert, discontinue, or stop up, whether in whole or in part, any public street or thoroughfare, not being a principal thoroughfare, and with the sanction of the Minister charged with the subject of highways, any principal thoroughfare, making due compensation to the owner or occupier of any property required for such purposes, or any person whose legal rights are thereby infringed.

Power of Pradeshiya Sabha to construct new and improve existing thoroughfares.

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28. (1) If in connection with the turning, diversion, widening, opening, enlargement, or improvement of any thoroughfare, it becomes necessary for any Pradeshiya Sabha to take possession, for public use, of the land of any person, it shall be lawful for such Pradeshiya Sabha to make an agreement with the owner for the compensation to be paid for such land, and for any building, boundary wall, gateway, fence or tree standing thereon, either by allowing him to possess the ground, or part of the ground, of the former thoroughfare, or by the grant of other land in exchange or by payment of money or by any two or more of such methods.

Acquisition of lands required for diversions or enlargements.

(2) Any land of which possession is taken by a Pradeshiya Sabha in pursuance of any agreement under subsection (1) shall vest in the Pradeshiya Sabha without any formal transfer thereof, and the certificate of the Chairman that any person has been allowed by the Pradeshiya Sabha to possess any part of the ground of any former road or any land given in exchange under subsection (1), together with a survey thereof, shall be sufficient proof of the right of such person to such ground or land.

(3) Where a Pradeshiya Sabha cannot agree with the owner of any land use to the compensation to be paid under subsection (1), or where such owner cannot be found, or where the Pradeshiya Sabha does not deem it advisable to enter into any agreement with the owner of any land, then proceedings may be taken to obtain possession of such land, and for compensation the owner, in the manner prescribed by section 63.

(4) Every agreement under subsection (1) shall be in writing, and section 2 of the Prevention of Fraud Ordinance shall not apply to any such agreement or to any certificate issued under subsection (2).

29. If in connection with the turning, diversion, widening, opening, enlargement or improvement of any thoroughfare, it becomes necessary for any Pradeshiya Sabha to take possession of the land of any person for public use, and if the person claiming to be the owner of the land desires to make a gift of the land to the Pradeshiya Sabha for such purpose, a record in writing to that effect duly signed by such person in the presence of the Chairman or of a person authorized by the Chairman in writing in that behalf shall be sufficient to vest the land in the Pradeshiya Sabha. No such record shall be deemed to be invalid or of no effect

Gifts of land required for diversion or enlargement of thoroughfares.

Local Authorities

in law by reason only that the requirements of section 2 of the Prevention of Frauds Ordinance have not been complied with as to attestation by a notary public and by witnesses. Power to dispose of discontinued street.

30. Whenever any street or other thoroughfare or any part of any street or thoroughfare vested in a Pradeshiya Sabha ceases to be used as a street or thoroughfare, the Pradeshiya Sabha, with the prior approval of the Minister, may sell, lease, or exchange such street or other thoroughfare or part thereof. Power to take land adjoining new street for building purposes.

10 31. In laying out or constructing any new street or thoroughfare, or in turning, diverting, widening, opening, enlarging, or otherwise improving, any street or thoroughfare, a Pradeshiya Sabha may, in addition to the land required for the purposes of the carriageways and footways there-
15 of, also purchase the land necessary for houses and buildings to form the said street or thoroughfare, and may sell, lease or otherwise dispose of the same, subject to the provisions of paragraph (xi) of section 18 and subject to such stipulations and conditions as to the class and description of houses
20 or building to be erected thereon as the Pradeshiya Sabha may think fit.

32. It shall be lawful for a Pradeshiya Sabha without prejudice to any other powers vested in it, to do any of the following acts— Other powers of a Pradeshiya Sabha.

25 (a) to waste the streets ;

(b) to remove encroachments and obstructions in or upon any street or thoroughfare subject to the conditions that where the person responsible therefore is known to the Pradeshiya Sabha such action shall
30 be taken by the Pradeshiya Sabha only after notice has been given to him, and he fails to remove such encroachments or obstructions within such time as may be specified in the notice or with due diligence ;

(c) to paint up the names of streets and the numbers of
35 houses or tenements on any private property ;

(d) to shut up and secure deserted houses ;

(e) to recover in a manner hereinafter provided the expenses incurred by any action taken under paragraph (b) and (d) hereof from the person whose
40 act or neglect shall have rendered such action necessary.

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33. The Pradeshiya Sabha may, at the request of the owner or owners of any one or more estates or industrial enterprises situated within its limits in any case in which the Pradeshiya Sabha is of opinion that the public interest would not otherwise justify the construction or maintenance of a road in such a locality, contract with such owner or owners, for the construction or maintenance of a road for the service of the estate or estates, or the enterprise or enterprises in question, subject to the payment of such contribution towards the expenses of such construction or maintenance as may be approved by the Pradeshiya Sabha and subject to the condition that by an appropriate instrument such road is constituted a public road and is vested in the Pradeshiya Sabha, and all such agreed contributions shall be deemed to be special rates imposed upon the lands benefited, and shall be recoverable in the same manner as a rate imposed under this Act, and all the provisions of this Act relating to rates shall apply thereto.

Roads for benefit of individual property owners.

34. A Pradeshiya Sabha may, subject to such prohibition or restriction as may be imposed in respect thereof by any other law, and, in so far as any principal thoroughfare may be thereby affected, subject to the approval of the Minister charged with the subject of highways, organize and maintain, either by itself and its officers, or by agreement with any promoter or promoters any form of public vehicular communication for the service of the inhabitants of any area within the administrative limits of the Pradeshiya Sabha.

Public vehicular communications.

35. If any house, building, boundary wall or gateway adjoining any street or thoroughfare in any area or anything affixed thereon, be deemed by the Pradeshiya Sabha of that area to be in a ruinous state, whether dangerous or not, or to be likely to fall, the Pradeshiya Sabha shall immediately, if it appears to be necessary, cause a proper hoarding or fence to be put up for the protection of persons using such street or thoroughfare, and shall cause notice in writing to be served on the owner or occupier forthwith to take down, secure, or repair such house, building, boundary wall, gateway or thing affixed thereon, as the case may require.

Houses in a ruinous and dangerous state.

36. If any person, on whom a notice is served by or on behalf of a Pradeshiya Sabha under section 35, does not being to comply with such notice within three days of the service thereof or does not complete the work with the due diligence, the Pradeshiya Sabha shall cause all or so much

Failure to comply with notice.

Local Authorities

of the work as it may think necessary to be carried out, and all the expenses incurred by the Pradeshiya Sabha shall be paid by such person and shall be recoverable as hereinafter provided.

- 5 37. If any house, building or wall, or any part thereof be pulled down by any Pradeshiya Sabha under section 36, the Pradeshiya Sabha may sell the materials thereof, or so much of the materials as may have been taken down, and apply the proceeds of such sale in payment of the expenses
10 incurred, and shall, on demand, pay any surplus arising from such sale to the owner of such house, building ; or wall :
- Sale of materials of ruinous houses.

Provided always that, in case no demand for such surplus is made within twelve months by any person entitled to
15 make such demand, the Pradeshiya Sabha shall be at liberty to pay the amount of such surplus to the credit of the fund of the Pradeshiya Sabha, and shall be freed from any liability to pay or answer for on in respect of such unclaimed surplus ;

- 20 Provided, further, that the Pradeshiya Sabha, notwithstanding that it may have sold such materials for the purposes aforesaid, shall have the same remedies for compelling the payment of so much of the expenses as may remain due after the application of the proceeds of the
25 sale, as by this Act are given to it for compelling the payment of the entirety of the expenses.

MAINTENANCE AND REPAIR OF THOROUGHFARES

38. It shall be lawful for the proper officer of the Pradeshiya Sabha and for the servants, workmen, and labourers
30 employed by or under him, at all time, and with all necessary and proper carriages, carts, animals and other means, to enter upon any land adjacent or near to any existing or intended thoroughfare within that area, and there severally to do and perform all acts, matters, and things necessary
35 for the purpose of tracing, measuring, making, working, opening, altering, turning, repairing, clearing, improving, or fencing any such thoroughfare, or for building, excavating, repairing, clearing, or improving any bridge, fence, drain, dam, or ditch thereupon, or in any way connected
40 therewith, or for performing any act, matter, or thing under the provisions of this Act.
- Proper officers empowered to enter upon lands for repair &c. of thoroughfares.

Local Authorities

39. It shall be lawful for the proper officer of the Pradeshiya Sabha and for the servants, workmen, and labourers employed by or under him, at all reasonable times, and with all necessary and proper carriages, carts, animals, and other means, to search for, dig, cut, take, and carry away any water, timber, brushwood, stone, gravel, clay, or any other materials whatsoever, for the purpose of tracing, measuring, making, working, opening, altering, turning, repairing, clearing, improving, or fencing, or in any way assisting in the tracing, measuring, making, working, opening, altering, turning, repairing, clearing, improving or fencing any existing or intended thoroughfare in that Pradeshiya Sabha area ; or of building, excavating, repairing, altering, turning, repairing, clearing, improving or or ditch thereupon, or in any way connected therewith ; or for the construction or repair of any lines or any buildings whatsoever required on or near any such thoroughfare for the use of any officer as aforesaid, or any workmen, animals, carriages, carts, persons, or things employed in his service, in and from any land adjacent or near to any such thoroughfare, and to carry away the same through the land of any person, without being deemed to trespasser ;

Power
to take
materials.

Provided that no such materials shall be dug for, cut, or taken away, upon or from any yard, avenue, to a house, or lawn or any enclosed garden, plantation, field, or wood, without the consent of the owner thereof, unless sufficient materials cannot conveniently be obtained from the neighbouring waste lands or common or abandoned grounds, in which case the said officer may take any of such materials where he can conveniently procure them :

Provided also that reasonable compensation for all materials so taken and for the damage done in taking and carrying away the materials, shall be made to the owner thereof :

Provided, further, that such officer shall rail or fence off any quarry or pit from which any such materials may be taken, so that it may not be dangerous to any person or animal.

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40. It shall be lawful for the proper officer of the Pradeshiya Sabha of any area when tracing, measuring, making, working, opening, altering, turning, repairing, clearing, or improving any existing or intended thoroughfare within that area or building, excavating, repairing, clearing, or improving any bridge, fence, drain, dam, or ditch thereupon, or in any way connected therewith—

Power to erect buildings and keep cattle, etc.

(a) to make and erect temporary buildings and any land adjacent or near thereto for the accommodation of the servants, workmen, labourers, animals, carriages, or things employed by him during the progress of the work ; and

(b) to keep all such animals as may employed by him duly tethered and stabled upon any land near or adjacent thereto, and to continue so to keep the animals on such lands for such time as may be necessary.

Provided that no such building shall be erected, nor any such animal kept on any land which is under cultivation or is situated in any area where there are neighbouring waste lands or common or abandoned grounds available for the purposes :

Provided, further, that reasonable compensation for any damage done to the land shall in all cases be made to the owner thereof.

41. In the tracing, measuring, making, working, opening, altering, turning, repairing, clearing, or improving of any existing or intended thoroughfare within any Pradeshiya Sabha or building, excavating, repairing, clearing, or improving any bridge, fence, drain, dam, or ditch thereupon or in any way connected therewith, it shall be lawful for the proper officer of any Pradeshiya Sabha of the area to throw upon any lands adjacent or near to the thoroughfare such earth, rubbish, or materials as it may be necessary to remove from the place of any such work.

Power to throw rubbish adjacent lands.

Provided that all earth, rubbish or materials thrown upon any such land by the proper officer shall be removed by him from such land within a reasonable time.

42. It shall be lawful for the proper officer of the Pradeshiya Sabha to make a temporary road through the grounds adjacent or near to any existing or intended

Power to make temporary road.

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thoroughfare within the limits of the Pradeshiya Sabha, during the executing of any work thereupon or any work in any way connected therewith.

Provided that such road shall not be made over any
5 ground whereon any building stand or over and enclosed garden or yard.

43. It shall be lawful for the proper officer of the Pradeshiya Sabha to cut and remove, and place upon any adjacent or neighbouring land, all trees, bushes or
10 shrubs, and all leaves or branches or roots of trees that shall grow on or overhang any thoroughfare within the limits of the Pradeshiya Sabha or cause any obstruction therein, and for that purpose to enter upon any land or premises with such persons, animals and instruments as
15 may be necessary, and to proceed to do therein all such things as may be necessary for the cutting, lopping or removing of such trees, bushes, shrubs, leaves, branches or roots:

Provided that all trees, bushes, or shrubs, and all leaves
20 or branches or roots of trees placed upon any such land by the proper officer shall be removed by him from such land within a reasonable time.

44. It shall be lawful for the proper officer of the Pradeshiya Sabha to put up or make fences, hedges,
25 ditches, drains, or banks by the side of any thoroughfare within the limits of the Pradeshiya Sabha, whenever to him it shall appear necessary, and the owner or occupier of each land adjoining such fences, hedges, ditches, drains, or banks shall, and he is hereby required to keep them in
30 good and substantial repair and order.

45. The proper officer of the Pradeshiya Sabha shall have power to make, secure, cleanse, and keep open all
ditches, gutters, drains or watercourses along any thoroughfare within the limits of the Pradeshiya Sabha and also to
35 make and lay such drains, watercourses, trunks, tunnels, plats, or bridges, as he may deem necessary for the protection, preservation, improvement, repair, or construction of any thoroughfare or intended thoroughfare, in and through any lands or grounds adjoining or lying near to
40 such thoroughfare or intended thoroughfare.

46. The proper officer of the Pradeshiya Sabha shall have power to lay any heap of stone or gravel, or any log of
wood, or any other matter or thing whatsoever, upon any

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thoroughfare within the limits of the Pradeshiya Sabha, and to allow such matter to remain there during the time such road is under repair, and for such time before the repairs are commenced and after the repairs are completed, as may be necessary for facilitating the making of such repairs or for preventing damage to such recently repaired road, but he shall take due and reasonable precaution for preventing danger or injury to persons passing along such road.

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BUILDING ALONG THOROUGHFARES

43. (1) shall not be lawful for any person to commence any building, boundary wall, gateway or fence along any thoroughfare within the limits of any Pradeshiya Sabha or to erect any temporary fence or inclosure on any such thoroughfare for the purpose of commencing or repairing any such building, boundary wall, or gateway without giving one calendar month's previous notice in writing to the Pradeshiya Sabha, area.

Notice of intended building along a thoroughfare.

(2) Any person neglecting to give the notice prescribed by subsection (1), or to remove any building, boundary wall, gateway or fence erected without such notice when he is required in writing to do so by the Pradeshiya Sabha under this subsection, shall be guilty of an offence, punishable with a fine not exceeding fifty rupees, and with a further fine not exceeding twenty rupees for each day he suffers or allows such building, boundary wall, gateway or fence to remain after he is required to remove as aforesaid.

(3) It shall be lawful for the Pradeshiya Sabha to remove or cause to be removed any building, boundary wall, gateway, fence or enclosure, commenced or erected without the notice prescribed by subsection (1) and to recover the costs of such removal in the manner provided in section for the recovery of the costs therein mentioned.

(4) Nothing herein contained shall be deemed to deprive any Pradeshiya Sabha of the power, hereinafter conferred on such Pradeshiya Sabha, of removing any such building, boundary wall, gateway, fence, or enclosure, which may subsequently be discovered to be an encroachment on a thoroughfare, notwithstanding that no proceedings may have been taken by the Pradeshiya Sabha on the notice given in respect of such building, boundary wall, gateway, fence or enclosure under subsection (1).

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48. (1) Nothing contained in section 47 shall be construed to prevent any public officer, duly authorized in that behalf, from making temporary use of any part of any thoroughfare for the public service, or to prevent the Pradeshiya Sabha from granting a licence to the inhabitants of the Pradeshiya Sabha for the erection of temporary fences and enclosures on any thoroughfare, in connection with the building, pulling down, or repairing of their houses and other buildings, or for temporary decorations within that area on such terms and conditions as the Pradeshiya Sabha may deem proper, including conditions as to—

- (a) the length, breadth and height of such enclosure ;
- (b) the space to be allowed for carriages and carts, or boats, to pass along the thoroughfare ; and
- (c) the exhibition by the person obtaining such licence, daily between sunset and sunrise throughout the period during which the fence or enclosure is maintained or continued by him, of a light sufficient to indicate clearly the exact situation of the fence or enclosure or any obstruction caused thereby.

(2) Every holder of a licence granted under subsection (1) who commits a breach of any of the conditions of such licence and every person who removed or extinguished any light placed and kept in accordance with the requirements of the conditions of such licence, shall be guilty of an offence, punishable with a fine not exceeding ten rupees.

49. Notwithstanding anything contained in the Housing and Town Improvement Ordinance, it shall not be lawful for any person—

- (a) to erect any building, boundary wall or gateway within a limit (hereinafter referred to as the "building limit") of twenty-five feet from the centre of any road which is used or intended for vehicular traffic within limits of any Pradeshiya Sabha and in respect of which street lines providing for a roadway exceeding fifty feet in width have not been defined under this Act or the Housing and Town Improvement Ordinance :

Provided, however, that the Pradeshiya Sabha, shall have power to authorize the erection of a boundary wall or gateway on condition that the owners of the premises shall execute an

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undertaking that no compensation shall be payable in respect of such boundary wall or gateway in the event of the land on which such wall or gateway is situated being required for public purposes ; or

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- (b) except under the authority of a licence granted by the Pradeshiya Sabha to re-erect or to make any addition to any such building, boundary wall or gateway within such limit :

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Provided always that nothing in this subsection contained shall apply to any repairs effected in any building, boundary wall or gateway existing at the date of the constitution of the Pradeshiya Sabha or in the case of—

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- (i) any street which is intended for feet traffic only and is not less than twenty feet in width ; or

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- (ii) any back lane or other service passage which is intended only for the purposes of scavenging or conservancy or other special sanitary purpose and is not less than ten feet in width,

Where such street, lane or passage has been defined or approved by the Pradeshiya Sabha.

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For the purpose of the foregoing provisions of this subsection, "repairs" shall not be deemed to include any work of re-erection or re-construction or the addition of any new part.

30 50. (1) It shall be the duty of every Pradeshiya Sabha, Demarcation of building limits, within three years after the date of the constitution thereof or within such further period as may in the special circumstances of any case be allowed by the Minister or upon the directions of the Minister, and within such period of time if any, which he may allow—

35

- (a) to demarcate by permanent marks the building limit prescribed by section 49 on every road referred to in that section ;

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- (b) in the case of each road on which the building limit has been so demarcated, to ascertain and record the value of each building, boundary wall, or gateway or part thereof situate or extending within such limit ; and

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(c) in the case of any road on which the building limit has not been demarcated, to ascertain and record the value of each building boundary wall or gateway in respect of which a licence under section 49 is granted by the Pradeshiya Sabha for the purposes of any re-erection or addition.

(2) The value of any building, boundary wall or gateway shall, for the purposes of subsection (1)—

(a) be affixed by agreement between the Pradeshiya Sabha, and the owner or owners of the building, boundary wall or gateway ; or

(b) where it is not so fixed by agreement, be determined by the arbitration of two arbitrators, one nominated by the owner or owners of the building, boundary wall or gateway, and the other by the Pradeshiya Sabha, or if such arbitrators cannot agree upon the said value, by an umpire chosen jointly by the two arbitrators..

(3) In determining the value of any building, boundary wall or gateway or any part thereof for the purposes of subsection (2), the following principles shall be followed :—

(a) where any building, boundary wall or gateway, or any part thereof the removal of which would render the remaining part useless, is situated within the building limit of any road, and where, for that reason, at the time of the widening of the road the removal of the entire building, boundary wall or gateway will become necessary, the value of the entire building, boundary wall or gateway shall be determined ; and such value shall be the difference between the market value of the premises, that is to say, of the building, boundary wall or gateway together with the land attached thereto, at the time of the demarcation of the building limit, and the market value at that time of the land as distinct from the building, boundary wall or gateway ;

(b) where only a part of a building, boundary wall or gateway is situated within the building limit of any road, and after the severance and removal of such part the remaining part will be capable of adaptation either to the original purpose of the

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building, boundary wall or gateway or to any other purpose permitted by law, the value of the part within the building limit shall alone be determined; and such value shall be the aggregate of—

- 5 (i) the estimated cost of the severance and removal of that part of the building, boundary wall or gateway; and
- 10 (ii) the estimated cost, in the case of a building which will then remain to the purpose for which the building is used at the time of the demarcation of the building limit, and in the case of a boundary wall or gateway, of completing such additions or repairs as may be necessary;
- 15 (iii) where, at the time of the demarcation of the building limit on any road, the value of any building, boundary wall or gateway is found to have been increased by any alteration or improvement effected in the building, boundary wall or gateway after the date of the constitution of the Pradeshiya Sabha, then notwithstanding that the alteration or improvement may have been authorized by a licence under section 49, the amount of the increase shall not be taken into account unless the alteration or improvement was necessary for the maintenance of the building, boundary wall or gateway in a proper state of repair.
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- 25
- 30 (4) Every award or agreement made or entered into, as the case may be, under subsection (2) in respect of the value of any building, boundary wall or gateway or part thereof, shall specify the particular paragraph or paragraphs of subsection (3) in accordance with which the
- 35 value aforesaid was fixed or determined.
- (5) The value of each building, boundary wall or gateway or part thereof situate within a building limit, fixed or determined as provided in subsection (2) shall be recorded in the office of the Pradeshiya Sabha together with all
- 40 agreements or awards by which the value so recorded may be verified.

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(6) For the purpose of demarcating the building limit of any road it shall be lawful for any officer, servant or workman of the Pradeshiya Sabha, to enter upon any private land, adjoining the road and to erect permanent marks at 5 convenient places, taking all such precautions as may be necessary to ensure that as little damage as possible is caused to the land. Compensation shall be paid by the Pradeshiya Sabha for any damage so occasioned.

(7) Where the building limit of any road has been de- 10 marcated under this section, nothing in any of the other provisions of this Act shall be deemed to preclude the Pradeshiya Sabha, from letting or leasing any part of the road not included within such building limit for the purpose of affording building facilities along the road, or from using 15 or permitting the use of any such part for any public purpose.

(8) Nothing in this section shall, apply to, or in the case of, any road in respect of which street lines providing for a roadway exceeding fifty feet in width have been defined 20 under this Act or the Housing and Town Improvement Ordinance.

51. Upon application made in that behalf by the owner or occupier of any property affected by the building limit specified in section 49, it shall be lawful for the Minister, 25 by notification published in the Gazette, to modify the building limit in respect of road, or the part of a road upon which such property abuts; and for the purposes of the provisions of this Act relating to the building limit along roads, the building limit along such road or part of a road 30 shall be the building limit, so modified by the Minister.

52. (1) It shall be a condition of any licence granted by a Pradeshiya Sabha under section 49 for the re-erection of or for any addition to any building, boundary wall or gateway within the building limit of any road that in the 35 event of the land in which the building, boundary wall or gateway is situated being acquired at any time therefore for the purpose of the widening of the road, the compensation payable in respect of such building, boundary wall or gateway shall be determined in accordance with the pro- 40 vision of section 54.

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(2) (a) Full particulars of every licence containing a condition of the description set out in subsection (1), and of the land and the building, boundary wall or gateway to which the condition relates, shall be entered by the Pradeshiya Sabha in a register to be kept for that purpose at the office of the Pradeshiya Sabha and the Chairman shall cause a certified copy of the entry so made in respect of each land and building thereto, to be registered in the office of the Registrar of Lands. The Registrar of Lands shall register all such copies free of any charge or duty.

(b) Upon the registration of any entry under this subsection, the condition of the licence set out in such entry shall be binding upon the land or building or boundary wall or gateway effected thereby, in accordance with the tenor of such condition, into whomsoever ownership or possession the land or building or boundary wall or gateway may at any time pass.

(c) The register kept at the office of the Pradeshiya Sabha shall be made available for inspection to any person interested, at any time when the office is open for the transaction of business.

(d) The provisions of section 2 of the Prevention of Frauds Ordinance shall not apply to any entry or copy of an entry referred to in this subsection.

(3) Subject to the condition referred to in subsection (2), any person who is otherwise entitled to re-erect or make any addition to any building, boundary wall or gateway shall be entitled to a licence to re-erect or make such addition to such building, boundary wall or gateway within the building limit specified in section 49.

Provided that no part of the building, boundary wall or gateway so re-erected or added to shall, upon such re-erection or addition, extend nearer to the centre of the road than it so extended in its original condition.

(4) The expression "re-erect", with reference to a building, includes the restoration of any wall forming part of the building or of any support to the building which has been demolished or otherwise destroyed to or within a distance of five feet from the ground, but does not include any operation, which, in the opinion of the Pradeshiya Sabha may reasonably be considered to be a repair to the wall or support.

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53. If any person erects or re-erects any building, boundary wall or gateway, or makes any addition to any building, boundary wall or gateway, within the limits of and Pradeshiya Sabha in contravention of any of the provisions of section 49, the Pradeshiya Sabha shall be entitled to cause such building, boundary wall or gateway, or such addition, to be demolished or removed by any officer or servant, and for that purpose the Pradeshiya Sabha shall have the same rights of entry and survey, and shall have the same power of removal, abatement and recovery of costs as are vested by this chapter in a Pradeshiya Sabha for the purposes of the abatement or removal of any obstruction or encroachment or supposed obstruction or encroachment upon a thoroughfare, and all the provisions of this Part relating to such obstructions or encroachments, so far as they are applicable, shall apply accordingly with such modifications as may be necessary.

54. (1) Where any land which is situated within the building limit demarcated on a road, and which has been developed by the erection of any building wholly or partly within that building limit, is acquired for the purposes of the widening of that road, the determination of the compensation payable in such case under the Land Acquisition Act, shall be subject to the following special provisions, notwithstanding anything to the contrary contained in that Act—

- (a) no compensation shall be allowed in respect of any building, boundary wall or gateway which at any time after the date of the constitution of the Pradeshiya Sabha has been erected in contravention of section 49 or re-erected or added to without the licence required by that section ;
- (b) the value assigned to the land as distinct from the buildings thereon shall be the market value of the land at the time of the acquisition ;
- (c) where the land is only a portion of any premises belonging to any one person or group of persons—
 - (i) if the remaining portion of such premises is a building of the same character as the building which is to be acquired, the market value assigned to the land shall be one-half of the value at that time, of similar land in the vicinity possessing a road frontage ; and

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- (ii) if the remaining portion of such premises is not of sufficient depth for the purpose mentioned in paragraph (i), the market value assigned to the land shall be the value at that time of similar land in the vicinity possessing a road frontage ;
- 5
- (d) regard shall be had to any increase, in the value of any other land or building belonging to the same owner or owners, which is likely to accrue from any widening of the road carried out after the acquisition of the land or the demolition of any building, boundary wall or gateway situated thereon ;
- 10
- (e) no additional compensation shall be allowed in respect of the compulsory nature of the acquisition whether in the case of the building or in the case of the land.
- 15
- (2) In case referred to in paragraph (c) (ii) of subsection (1), the owner shall have the option of requiring the Pradeshiya Sabha to acquire the entirety of his premises at the rate at which the portion which the Pradeshiya Sabha originally proposed to acquire, was valued under that paragraph.
- 20
55. The Pradeshiya Sabha may, at the request of any person whose right to build upon any land abutting upon a road within its limits is restricted by the building limit demarcated upon that road, and who desires to erect a building upon the land, acquire for such owner at his expense any land, situate at the rear of such first-mentioned land and of sufficient extent to afford him building facilities of the same nature as he would have enjoyed but for such restriction. All lands required for any such purpose shall be deemed to be required for a public purpose ; and the provisions of section 54 shall apply to the valuation of such land.
- 25
- 30
- 35
- Power of Pradeshiya Sabha to acquire adjacent land for owner of land within building limit.

Local Authorities

OBSTRUCTIONS TO THOROUGHFARES

56. (1) Whenever it appears to any Pradeshiya Sabha that any building, enclosure, or obstruction has been raised or made in any thoroughfare under the control of the Pradeshiya Sabha, or one any waste or other land immediately adjoining such road and belonging to the State, it shall be lawful for the Pradeshiya Sabha by written notice served on the person claiming to be the owner of the premises on which such building, enclosure, or obstruction has been raised or made, to demand the production of every deed, document and instrument upon which such person found such claim.

(2) In any of the following cases, that is to any—

- (a) where the occupier of any premises, not being himself the alleged owner, refuses to give full information respecting the name and residence of the alleged owner upon being requested so to by the Pradeshiya Sabha ; or
- (b) where the alleged owner of any premises refuses to produce within ten days, after being requested so to do, every deed, document, and instrument upon which he founds his claim to the premises and which is in his possession ; or
- (c) where the alleged owner of any premises, not being in possession of any such deed, document, or instrument refuses to give full information to the Pradeshiya Sabha upon being requested so to do, of the name and residence of the person in whose possession they are ; or
- (d) where any person having in his possession any such deed, document, or instrument refuses to produce it within ten days after having been requested so to do in writing by the Pradeshiya Sabha ;

every such occupier, allaged owner, or person so refusing shall be guilty of an offence, and shall be liable on conviction to a fine not exceeding fifty rupees.

57. (1) Every deed, document or instrument the production of which is demanded by a Pradeshiya Sabha under section 56 shall be produced on the premises to which it relates, or at such other place as the Pradeshiya Sabha may require and the power given by that section to demand

Power to demand production of title deeds.

Demand of production of deed to include power of examination.

Local Authorities

the production thereof, shall be deemed to include the power to make such examination and copies of such deeds, documents, and instruments as may necessary.

(2) Every person refusing or failing to permit any person authorised by the Pradeshiya Sabha to examine any deed, document, or instrument, or to take copies thereof shall be guilty of an offence and shall be liable on conviction to a fine not exceeding fifty rupees.

58. In any case referred to in section 56 (1), it shall be lawful for any person authorised thereto by the Pradeshiya Sabha to make such survey of the premises on which the building, enclosure, or obstruction has been raised or made, as may be necessary to enable the Pradeshiya Sabha to ascertain whether an encroachment has been made thereby upon any thoroughfare or on any State land adjoining any thoroughfare and for the purpose of such survey to enter upon such premises and upon any other premises whatsoever which it may in his opinion be necessary to enter.

59. (1) Whenever it appears to any Pradeshiya Sabha that the line of any thoroughfare under the control of the Pradeshiya Sabha has been altered without proper authority, or has been stopped up, or obstructed, or encroached upon, the Pradeshiya Sabha shall give notice in writing to the occupier of the land from off which the thoroughfare is alleged or suspected to have been made, turned, or upon which such stoppage or obstruction or encroachment is alleged or suspected to have been made, that a survey of the premises has been made by the direction of the Pradeshiya Sabha, and is open to the inspection of such occupier at a place to be mentioned in the notice, and that unless within one month from the service of the notice, he, or the person under whom he holds, takes legal proceedings for establishing his title to such land, and for preventing the removal of any such obstruction or encroachment, the Pradeshiya Sabha will proceed with the removal thereof in manner provided by section 60.

(2) If no legal proceedings are taken within the time specified in subsection (1) or being taken are not duly prosecuted, it shall be the duty of the Pradeshiya Sabha to cause any such obstruction or encroachment to be forthwith removed as provided by section 60.

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(3) Where legal proceedings are taken, it shall be incumbent on the party claiming to be the owner of the land from off which the line of any thoroughfare is alleged to have been altered or turned, or upon which the stoppage or obstruction or encroachment is alleged to have been made, to prove his title to such land.

60. (1) It shall be lawful for any Pradeshiya Sabha through any person authorised by the Pradeshiya Sabha in that behalf, to give orders verbally or by notice in writing, to any person obstructing or encroaching upon any thoroughfare under the control of the Pradeshiya Sabha, forthwith to remove or abate the obstruction or encroachment; and if any person to whom such order is given refuses or neglects to comply therewith within a reasonable time, or, if there be any doubt as to who is the proper person to whom such order should be given, after such notice has been affixed for a reasonable time to such obstruction or encroachment, it shall be lawful for the Pradeshiya Sabha to cause any such obstruction or encroachment to be forthwith removed or abated.

(2) For the purpose of removing or abating any obstruction or encroachment under subsection (1) it shall be lawful for the Pradeshiya Sabha, or any person authorized in writing by the Pradeshiya Sabha to enter into any house, garden, enclosure, or other premises, together with such persons and with such implements and materials as may be necessary, and to proceed to do or take therein or cause to be done or taken all such acts or measures as may be necessary for such removal or abatement.

(3) The costs incurred by the Pradeshiya Sabha in the removal or abatement of any obstruction or encroachment shall be payable by the person whose failure to comply with an order under subsection (1) caused such costs to be incurred; and such costs, where they are not paid by such person on demand, shall be certified by the Chairman of the Pradeshiya Sabha to the Magistrate's Court having jurisdiction over the area where such person resides and shall be recovered by that court in like manner as a fine imposed by the Court. All moneys so recovered shall be paid by the Court into the Pradeshiya Fund.

(4) Where the removal or abatement of any obstruction or encroachment is affected after the due production of all deeds, documents, and instruments affecting the title to such premises and such premises are nevertheless adjudged to be the property of the party laying claim to the same.

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such party shall be entitled to compensation from the Pradeshiya Sabha for all loss and injury occasioned thereby ; but if the party claiming to be the owner of such premises shall refuse or neglect to produce all such deeds, documents and instruments, of if such deeds, documents and instruments shall not be produced within ten days after application in that behalf, and any such Pradeshiya Sabha shall nevertheless have caused the removal of such building, enclosure, or encroachment, then, in the event of such premises being adjudged to be the property of the party claiming to be the owner thereof, such party shall not be entitled to any compensation for any loss or injury occasioned thereby.

INJURIES TO THOROUGHFARES, &c.

15 61. Every person who—

- (i) wilfully or negligently destroys, pulls up, defaces, throws down, breaks, or injures any milestone, mile-post, demarcation stone, demarcation post, lamp-post or direction post, or any bridge, culvert, parapet, arch, wall, dam, drain, sluice, lock, bank, abutment mound, prop, post, lamp, railing, chain or fence belonging to any thoroughfare, or erected at or near any pit or quarry opened or used for getting road materials ; or
- 20
- (ii) wilfully and unnecessarily removed any fence, post, stone, log, or other thing laid or erected by the direction of any competent authority on or in any thoroughfare for the temporary prevention of the use thereof, or for preventing danger or injury to persons passing along the same whilst undergoing repair ;
- 25
- (iii) without the permission of a competent authority gathers or heaps-up, or takes away, any stones, gravel sand, or other material or any sulsh, dirt, drift, or soil from any thoroughfare ;
- 30
- (iv) leads or drives any elephant, ox, horse, pig, or other animal or any vehicle from or off or on or into any thoroughfare in such manner as to cause injury to the thoroughfare or shall suffer any such animal to damage the thoroughfare ;
- 35
- (v) being the owner or occupier of any land contiguous to any thoroughfares suffers the passage through or into his land of the water from such road, or from any ditch or drain leading therefrom, to be
- 40

Destroying
milestone,
bridge, &c.

Local Authorities

- obstructed, or suffers any water, filth, or other substance or thing to flow or run from such land or house into or upon any such thoroughfares, or suffers any accumulation of dirt or rubbish in any
- 5 drain opposite to his house or land to impede the flow of water ; or
- (vi) without the previous consent of the Pradeshiya Sabha, by any act on his land interferes with the
- 10 free passage of water along or from any drain or culvert of any thoroughfares ;
- (vii) hauls or draws upon any thoroughfare any timber, stone, or other thing, otherwise than upon a
- 15 wheeled carriage, or suffers any timber, stone, or other thing carried principally or in part upon a wheeled carriage to drag or trail upon such thoroughfare to the damage thereof ;
- (viii) makes or causes to be made any dam, ditch, drain, or watercourse upon or across, or otherwise breaks
- 20 up, or injures, the surface of any thoroughfare ;
- (ix) erects, sets up, lays down, or constructs, either permanently or temporarily in, along, under, or over any
- 25 thoroughfare, any post, pillar, lamp, wire, pipe rails or other plant, material or work without the permission of the Pradeshiya Sabha or otherwise than in accordance with the terms and conditions of such permission ; or
- (x) attaches additions to his house so as to project over
- 30 the outer edge of the side drain of any thoroughfare, or by means of temporary supports or otherwise exposes goods or wares of any description over any portion of a thoroughfare or its side drain, or by causing carts to be leaded or unleaded in front of his dwelling in any way injures the side
- 35 drain,
- shall be guilty of an offence and shall be liable on conviction to a fine not exceeding fifty rupees.
62. Upon the construction of a new thoroughfare or upon the execution of any repair to an existing thoroughfare, it shall be lawful for the Pradeshiya Sabha having
- 40 control of such thoroughfare, by notice exhibited upon or so as to be visible from the thoroughfare, to prohibit the riding or driving of any animal or vehicle on the thoroughfare for a specified period not exceeding one month after
- Prohibition of riding or driving any animal or vehicle.

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the completion of the work of construction or repair ; and every person doing any act in contravention of such notice shall be guilty of an offence and shall be liable on conviction to a fine not exceeding fifty rupees.

5 63. If the owner or occupier of any house or premises adjoining any thoroughfare, by the side of which a drain has been made or excavated, requires means of access to such house or premises from such thoroughfare, he shall be bound to place over the drain, to the satisfaction of the
10 Pradeshiya Sabha a bridge, platform, or arch, which shall in no case cover less than three feet of the length of such drain ; and it shall be lawful for the Pradeshiya Sabha on being satisfied that any house or premises so situated and that such bridge, platform or arch should be provided to
15 call upon the owner or occupant of the house or premises forthwith to construct such bridge, platform or arch, and if he fails to do so within a reasonable time, to cause the work to be done, and to recover the costs thereof in the manner provided by section 60 for the recovery of the costs therein
20 mentioned.

Owner or occupier bound to have bridge etc. cover drains leading to his house.

25 64. Any person who allows any tree, upon any premises of which he is the owner or of which he is in occupation, to grow in such a way as to cause injury to any thoroughfare after the service of a notice upon him by the Pradeshiya Sabha calling upon him to take the necessary
30 measures to abate such injury, and after the expiration of such reasonable time as may be specified in the notice for the purpose, shall be guilty of an offence, and shall be liable on conviction to a fine not exceeding fifty rupees, and in any such case the Magistrate before whom the
35 offender is convicted may, in default of the necessary measures being taken by the offender, direct that such measures shall be taken by the Pradeshiya Sabha and that the costs thereof shall be recovered in the manner provided in section 60 for the recovery of the costs therein mentioned.

Allowing trees to grow in such a way as to injure thoroughfares.

65. (1) It shall be the duty of every person who proposes to undertake any operations for clearing, draining, or opening up any land in the vicinity of any thoroughfare as are likely to cause injury to the thoroughfare, or to
40 impair the condition thereof by reason of any outflow or increased outflow of water or silt—

Damage to thoroughfares through clearing, draining, or opening up neighbouring land.

(a) to give notice in writing to the Pradeshiya Sabha of his proposed operations ; and

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(b) in addition to such measures as may be taken by the Pradeshiya Sabha, to take at his own expenses all such measures as may be reasonable to prevent such injury to or such impairment of, the condition of such thoroughfare.

(2) Any person who undertakes any of the operations referred to in subsection (1) without giving the notice required by that subsection, or who otherwise makes default in compliance with the requirements thereof, shall be responsible for any damage occasioned by such operations, and for any expenses incurred by the Pradeshiya Sabha for the purpose of preventing or remedying any damage that may be occasioned or apprehended in consequence of such operations, and the amount of any such damage or expense may be recovered in the manner provided in section 60 for the recovery of the costs therein mentioned.

NUISANCES ON THOROUGHFARES, &c.

66. (1) Every person who within the limits of a Pradeshiya Sabha turns loose or suffers to be turned loose any elephant, ox, buffalo, horse, sheep, goat, or other animal on to or into any thoroughfare, or so that it makes its way on to or into any thoroughfare ; or ties or tethers or suffers to be tied or tethered any animal of any description in any manner which permits it to make its way on to or into any thoroughfare, unless such animal is so tied or tethered during the time required for leading or unleading of any cart or beat to which it may belong, shall be guilty of an offence and shall be liable on conviction to a fine not exceeding fifty rupees :

Provided that where any such animal is found on or in any thoroughfare, or tied or tethered in such a way that it can make its way on to or into any thoroughfare, such animal shall be deemed to have been turned loose, or suffered to be turned loose, or to have been tied or tethered, or suffered to be tied or tethered, as the case may be, by the owner thereof, unless he satisfies the court to the contrary.

(2) The owner of any pig found tied, straying, burrowing or wallowing in any road or canal within the limits of a Pradeshiya Sabha shall be guilty of an offence and shall be liable on conviction to a fine not exceeding five rupees ; and it shall be lawful for any person to seize or shoot or otherwise destroy any pig that he may find tied, straying, burrowing, or wallowing in any such road or canal ; and

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such person may, if he chooses take such pig to any peace officer or police officer, and such officer shall forthwith sell the pig, and pay the proceeds of such sale to such person.

- 5 (3) Every person who within the limits of a Pradeshiya Sabha area—
- (a) hang up or otherwise exposes any mats, clothes, or any substances of any nature whatever on or at the side of any road in a manner calculated to obstruct the use of the thoroughfare ;
- 10
- (b) leaves or permits to be left, on any thoroughfare any cart or other carriage, without the oxen, horses or other animal being yoked or harnessed thereto, unless such cart or carriage has accidentally broken down there, and, in case of such accident, for a longer time than may be necessary for its removal ;
- 15
- (c) suffers any vehicle to remain in any thoroughfare between a quarter of an hour after sunset and a quarter of an hour before sunrise without having attached thereto the lights required by the Vehicles Ordinance, or the Motor Traffic Act ;
- 20
- (d) leaves any boat or raft in any canal in such a way as to obstruct the use of such canal ;
- (e) lays or throws any stones, bricks, raft, timber, sand, lime, dung, straw, rubbish or scourings of any ditch or drain, or other article or thing, on or in any thoroughfare, river, or canal, and allows such article or thing to remain there, except for such period as may be absolutely necessary for the removal thereof ;
- 25
- 30
- (f) lands or drives on any road any cart or other carriage with timber, boards, iron, or other goods so that either end of any such goods projects beyond the wheels or sides thereof ;
- (g) encroaches on any thoroughfare by making or causing to be made any building, platform, hedge ditch or fence, or other obstruction upon or in any thoroughfare ;
- 35
- (h) after having blocked or stopped any cart or other carriage in going up or down a hill or rising ground causes or suffers to be or to remain on any thorough-
- 40

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fare the stone, timber, or other thing with which such cart or other carriage may have been blocked or stopped ;

- 5 (i) in any manner wilfully prevents any other person, or any carriage, boat, raft, or other conveyance under his care, from passing along any thoroughfare,

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding fifty rupees.

- 10 (4) Every person who within the limits of a Pradeshiya Sabha places or continues any kraal or fence or any other obstruction in any canal or river so as to impede or in any way interfere with the convenient navigation thereof, shall be guilty of an offence and shall be liable to a fine not exceeding fifty rupees. It shall be lawful for the Pradeshiya
15 Sabha to cause any such kraal, fence, or obstruction so placed or continued, to be pulled up or otherwise destroyed, and to recover the cost thereof in the manner provided in section 58 for the recovery of the costs therein mentioned.

- 20 67. (1) It shall be lawful for any person, thereto authorized by the Chairman of the Pradeshiya Sabha, to seize any ox, buffalo, horse, sheep, goat or pig which he may find tied, tethered, or straying on or about any thoroughfare within the limits of the Pradeshiya Sabha unless such animal belongs to any cart or boat to which it is tied or
25 tethered whilst the cart or boat is being loaded or unloaded, and to place every animal so seized in the pound established by the Pradeshiya Sabha for the purpose. **Seizure of stray cattle.**

- 30 (2) No animal seized under subsection (1) shall be delivered to the owner thereof unless upon payment of the sum of one rupee, or such other sum as the Pradeshiya Sabha may by resolution fix from time to time, for the use of the person by whom the animal may have been seized, and of a further sum of thirty cents or such other sum as the Pradeshiya Sabha may by resolution fix from time to time, for
35 each day during which the animal may have been kept in the pound.

- 40 (3) If no person claims any animal placed in the pound or pays the dues required by subsection (2) within ten days after the seizure of the animal, it shall be lawful for the Pradeshiya Sabha to sell it by public auction, and after payment of two rupees, or such other sum as the Pradeshiya Sabha may by resolution fix from time to time, to the person whom the animal was seized, and of a sum calculated at the

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rate of fifteen cents a day, or such other rate as the Pradeshiya Sabha may by resolution fix from time to time for the custody and maintenance of the animal in the pound, to keep any balance of the proceeds of such sale in deposit, and if such balance is not claimed and payment thereof is not obtained by any person entitled thereto within a period of one year from the date of the sale, to pay such balance into the Pradeshiya Sabha Fund.

(4) The provisions of this section shall have effect in every Pradeshiya Sabha area to which this Act applies, notwithstanding anything contained in the animals Act.

68 Any person who removes any animal from the lawful custody of any person authorized to seize it under section 66, or under subsection (2) of section 65, or who is any way molested or obstructs such person in the exercise or discharge of his powers or duties, shall be guilty of an offence, and shall, on conviction be liable to a fine not exceeding fifty rupees.

Interference with cattle seizures or dog seizures.

SPECIAL USER OF THOROUGHFARES

69. Any Pradeshiya Sabha may from time to time, and either independently or in combination with any other Pradeshiya Sabha, subject to the terms of any special enactment in that behalf, enter into an agreement with any person or body of person or body of persons or any local authority constituted by law (hereinafter referred to as "the promoters"), to authorize such promoters for the purpose of the supply of gas, electrical energy, water, or other public service (not being a tramway service or any other public vehicular communication service), or any private enterprise or object, to make such user of thoroughfares under the control of the Pradeshiya Sabha other than principal thoroughfares, to make such user of principal thoroughfare with the prior approval of the Minister charged with the subject of thoroughfares, and to execute all such works and to set up or maintain all such erections or plants thereon or therein as may in the opinion of the Pradeshiya Sabha be necessary for the purpose of the effective establishment or maintenance or the modification or development of such public service or such enterprise or object.

Power of Pradeshiya Sabha to authorize the user of public thoroughfares for special purposes.

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70. For the purpose of any agreement referred to in By-laws. section 69, and for the purpose of securing the observance of the respective rights and obligations of the public, the Pradeshiya Sabha and the promoters in connection with any public service or any private enterprise or object to which the agreement relates, the Pradeshiya Sabha (except in so far as provision is made by any special enactment in that behalf) may make by-laws—

10 (a) authorising the promoters and their agents, servants, or workmen, or the agents, servants, or workmen of the Pradeshiya Sabha, subject to such conditions as may be prescribed in the by-laws—

15 (i) to break up the soil, metal, and pavement of any thoroughfare vested in the Pradeshiya Sabha ;

(ii) to open and break up any sewers, drains, or tunnels within or under such thoroughfare ;

20 (iii) to erect, set up, or lay down, either permanently or temporarily in, along, under, or over such thoroughfare, any post, pillar, lamp, wire, pipe, rails or other plant, material or works ;

25 (iv) to alter the position of any public line, wire or other apparatus or plant in or about such thoroughfare for the purpose of any other public service ;

30 (b) requiring the promoters to do as little damage as may be in the execution of the powers granted by the said by-laws, and to make compensation for any damage which may be done in the execution of such powers ;

35 (c) requiring the promoters to complete any work which they may be authorized to execute under such by-laws with all convenient speed, and to reconstruct, repair or restore any thoroughfare, sewer, drain, tunnel, or any plant or apparatus which they may be authorized to remove, alter or interfere with, in pursuance of such by-laws ;

40 (d) requiring the promoters to remove and carry away all rubbish occasioned by their operations, and to cause proper precautions to be taken for the safety of the public in connection therewith ;

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(e) prohibiting any interference with or obstruction to any operations authorized by any by-law under this section.

(2) No by-law under this section shall authorize or empower any entry to be made, any material or plant to be erected or deposited or any work to be executed upon any building or land which is not vested in the Pradeshiya Sabha, without the consent of the owners and occupiers thereof first had and obtained.

10 71. (1) Where it appears to any Pradeshiya Sabha that, Expenses
 having regard to the average expense of maintaining caused by
 thoroughfares in the neighbourhood, extraordinary expenses traffic.
 may have been incurred by the Pradeshiya Sabha in main-
 15 taining any thoroughfare of which it has control, by reason
 of the damage caused or likely to be caused by the carriage
 of any excessive weight or the passing of any extraordinary
 traffic thereon, the Pradeshiya Sabha shall be entitled to
 20 recover from any person by whose order, or in consequence
 of whose order, such weight or traffic was carried or caused,
 the amount of such expenses as may be proved to the satis-
 faction of a competent court to have been incurred by the
 Pradeshiya Sabha by reason of the damage arising or likely
 to arise from such excessive weight or extraordinary traffic,
 or, where more than one person is responsible for such ex-
 25 cessive weight or extraordinary traffic, may recover from
 each of such person such proportion of the amount of the
 expenses so incurred, as in the opinion of the court may
 fairly be assigned to him.

(2) Any person against whom expenses are or may be
 30 recoverable by a Pradeshiya Sabha under this section may
 enter into an agreement with the Pradeshiya Sabha for
 making payment to the Pradeshiya Sabha by way of com-
 pensation in respect of such weight or traffic, and, where
 payment is made in accordance with such agreement, no
 35 proceedings under this section shall be instituted or main-
 tained against such person.

(3) Proceedings for the recovery of any expenses under
 this section shall be commenced within twelve months of
 the time at which such expenses were incurred, or where
 40 any expenses incurred are the consequence of any particular
 contract or work extending over a long period, shall be
 commenced not later than six months after the completion
 of the contract or work.

Local Authorities

POWERS, DUTIES, AND RESPONSIBILITIES OF OFFICERS. &c.

72. In respect of all thoroughfares other than principal thoroughfares within the limits of a Pradeshiya Sabha, the Chairman of the Pradeshiya Sabha and all persons authorized in writing by him in that behalf, shall and may be themselves, their servants, workmen, and labourers, exercise the several powers and authorities conferred by this chapter on officers in charge of works to which this chapter is applicable. Powers conferred on officers in charge of public works by whom to be executed.
73. If any plan or survey, made by or by the direction of the Pradeshiya Sabha or any authority of which the Pradeshiya Sabha is the successor, is produced in evidence in any proceeding under this Part, such plan or survey shall be deemed and taken to be conclusive proof of the facts exhibited therein, in so far as the claim of the Pradeshiya Sabha is concerned, unless the contrary be established by the party contesting such claim. Survey by proper officers to be conclusive evidence.
74. Every person who sustains any loss or damage by reason of the exercise by or by the authority of the Chairman of any Pradeshiya Sabha, of any of the powers or authorities conferred by this Part upon officers in charge of works to which it is applicable, shall (except where the loss or damage is incurred through the act, default, or neglect of such person) be entitled to receive compensation for such loss or damage, if he makes application in that behalf to the Pradeshiya Sabha at any time before the expiration of three months after the claim for compensation has arisen. Where any such person fails to make such application within the aforesaid period, his claim to compensation for the alleged loss or damage shall be disallowed, and he shall be barred from recovering such compensation. Compensation for injury to property by authorized officers.
75. Where, for any reason, the amount of any compensation payable under section 74 is not agreed upon between the Pradeshiya Sabha and the claimant, such amount may be determined by two arbitrators, of whom one shall be nominated by the Pradeshiya Sabha and the other by the claimant. If the two arbitrators cannot agree, they shall appoint an umpire, and the award of the arbitrators or umpire, as the case may be, given in terms of the reference agreed to by the Pradeshiya Sabha and the claimant, shall be final. Arbitration.

Local Authorities

76. If any officer of a Pradeshiya Sabha in charge of any work on any thoroughfare, or any person engaged upon any thoroughfare in pursuance of any contract with any Pradeshiya Sabha, lays, or causes to be laid any heap of stones, gravel, rubbish, or other matter whatsoever upon the thoroughfare, and allows such heap to remain there at night, to the danger or personal damage of any person passing along the thoroughfare (all due and reasonable precautions not having been taken by him to prevent any such danger or damage), such officer or person shall be guilty of an offence punishable with a fine not exceeding fifty rupees.

77. Save as in sections 76 and 200 provided, nothing contained in this chapter shall render any officer of a Pradeshiya Sabha in charge of any work on any thoroughfare, or any contractor under the Pradeshiya Sabha, liable to any prosecution or fine under this chapter for any act done by such officer in the discharge of the duties of his office, or by such contractor in the necessary execution or performance of his contract.

78. It shall be the duty of all officers of the police force and of all Grama Sevaka Niladharis generally, to aid and assist in the prevention of all offences against this chapter within the areas or divisions for which they are respectively appointed.

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PART IV

POWERS AND DUTIES AS TO PUBLIC HEALTH

PUBLIC HEALTH

79. (1) Subject to the powers and responsibilities by law committed to any other authority, the Pradeshiya Sabha shall be the general administrative authority for the purpose of promoting and securing the public health within its limits and shall for that purpose be entitled to exercise all such powers as are vested in it by this Act, the Nuisances Ordinance, the Housing and Town Improvement Ordinance, and any other written law for the time being in force in that behalf.

Local Authorities

(2) The Pradeshiya Sabha shall, in the exercise, discharge and performance of the powers, duties and functions vested in, assigned to or imposed on the Pradeshiya Sabha by or under this Act in matters relating to public health, act in consultation with the Medical Officer of Health within its limits. It shall be the duty of the Medical Officer of Health to advise the Pradeshiya Sabha in all such matters and to supervise and direct the carrying out in that area of measures relating to public health.

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DRAINAGE

80. The Pradeshiya Sabha may from time to time cause to be made, altered or extended such public main or other drains, sewers and watercourses as may appear to be necessary for the effectual draining of that area, and, if necessary, the Pradeshiya Sabha may carry them through, across, or under any street or any place laid out as or intended for a street, or any cellar or vault which is under any of the streets, and (after reasonable notice in writing in that behalf) into, through, or under any enclosed or other lands whatsoever, doing as little damage as may be and making full compensation for any damage done.

81. (1) The Pradeshiya Sabha shall maintain and from time to time repair and as it sees fit, enlarge, alter, arch over or otherwise improve all or any of the public drains, culverts, gutters, and watercourses and may discontinue, close up, or destroy such of them as it may deem useless or unnecessary, but so that no nuisance is created by such act.

(2) Where, by reason of the discontinuance, closing up, destruction or alteration of any drain, culvert, gutter or watercourse, any person is deprived of the lawful use thereof, the Pradeshiya Sabha shall with due diligence provide an effective substitute thereof.

82. Whenever a Pradeshiya Sabha has by a resolution determined that any natural watercourse, channel, lake, swamp or any part thereof into which rain water or drainage has thereto discharged, shall remain open for the reception of such rain water or drainage, any person who, after receiving a written notice of the resolution from the Pradeshiya Sabha, fills up or permits to remain filled up any such watercourse, channel, lake or swamp in such a manner as to obstruct or interfere with the free flow of such rain water or drainage, shall be guilty of an offence and shall be liable on conviction to a fine not exceeding fifty rupees :

Local Authorities

Provided that—

5 (a) such natural watercourse, channel, lake or swamp may be filled up if the owner thereof first provides such other channel or drain, as may be in the opinion of the Chairman, be sufficient and suitable for the reception and conveyance of such water or drainage ; and

10 (b) the Pradeshiya Sabha may contribute in part or in whole to the cost of providing such other channel or drain.

83. (1) Every private drain within the limits any Pradeshiya Sabha shall be under the survey and control of the Pradeshiya Sabha of that area, and shall be constructed, altered, repaired, or kept in proper order as the Pradeshiya Sabha may require, at the cost and charges of the owners of the land or building to which such drain belongs or for the use of which it is constructed. General control of drains.

20 (2) If the owner of any land or building to which any such drain belongs neglects during eight days after the service of a written notice in that behalf by the Pradeshiya Sabha, to alter, repair, or put the drain in good order in such manner as may be specified in the notice, the Pradeshiya Sabha may cause such drain to be altered, repaired or put in good order in the manner required and the expenses incurred therein by the Pradeshiya Sabha shall be paid by the owner and shall be recoverable as hereinafter provided.

30 84. Whoever within the limits of any Pradeshiya Sabha without the written consent of the Pradeshiya Sabha first obtained, makes or causes to be made any drain leading into any of the public sewers or drains, shall be guilty of an offence punishable with a fine not exceeding fifty rupees and the Pradeshiya Sabha may cause the drain so made to be demolished, altered, remade, or otherwise dealt with as it may think fit ; and all the expenses incurred therein by the Pradeshiya Sabha shall be paid by the person convicted of the offence, and shall be recoverable as hereinafter provided. Penalty for making un-
authorised drains
into public drains.

40 85. No new building shall be erected over any public drain, sewer, culvert, gutter, or watercourse within the limits of any Pradeshiya Sabha area without the written consent of the Pradeshiya Sabha and where any building is so erected, the Pradeshiya Sabha may cause it to be pulled down or otherwise dealt with as it may think fit ; and the expenses Buildings over drains &c., not to be erected without consent of the Pradeshiya Sabha

Local Authorities

incurred therein by the Pradeshiya Sabha shall be paid by the person convicted of the offence, and shall be recoverable as hereinafter provided.

LATRINES

- 5 86. It shall be the duty of the Pradeshiya Sabha— Duty of Pradeshiya Sabha as to latrine accommodation.
- (a) to take effective measures to secure that adequate and proper latrine accommodation is provided for all houses, buildings and lands within such area ;
- 10 (b) to provide such public latrine accommodation as is necessary at all places of public resort within its limits ; and
- (c) to ensure that all latrine accommodation both public and private within its limits is maintained in proper order and condition.
- 15 87. (1) In any case where the Pradeshiya Sabha is of opinion that every latrine, water-closet or bathroom, or additional latrine, water-closet or bathroom should be attached to, or provided for, any house or building or land, the Pradeshiya Sabha, may, by notice in writing served on of Construction of additional latrine.
- 20 the owner of such house or building or land, requires such owner, within thirty days from the service of the notice, to cause such latrine, water-closet or bathroom to be constructed in accordance with the requisition contained in such notice.
- 25 (2) Every owner who fails or neglects to comply with the requirements of any notice served on him under subsection (1) within the said period of thirty days shall be guilty of an offence and shall be liable on conviction to a fine not exceeding two hundred and fifty rupees.
- 30 88. (1) The Pradeshiya Sabha may, by notice in writing served on any person employing a large body of workmen or labourers, require such person to— Duty of employers of labour to provide latrines.
- (a) provide within such time as may be specified in the notice, such number of latrines, water-closets and water
- 35 urinals as may seem to the Pradeshiya Sabha necessary ; and in any case where persons of both sexes are employed or intended to be employed or are in attendance, to provide proper separate accommodation for persons of each sex ; and

Local Authorities

(b) cause the same to be maintained in a sanitary condition and proper order.

(2) Where any person served with a notice under subsection (1) fails or neglects to provide and maintain such latrines, water-closets, and urinals or to maintain the same in a sanitary condition or in proper order, the Pradeshiya Sabha may cause such latrines, water-closets and urinals to be constructed or to be maintained in a sanitary condition or in proper order, and the expenses incurred by the Pradeshiya Sabha in respect thereof shall be paid by the person aforesaid, and, in case of default, shall be recoverable as hereinafter provided.

(3) Every person who fails or neglects to comply with the requirements of any notice served on him under subsection (1) within the time specified in the notice shall be guilty of an offence and shall be liable on conviction to a fine not exceeding two hundred and fifty rupees.

89. (1) The owner or occupier of any house or building or land on which a latrine is situated shall have such latrine shut out by a sufficient roof and a wall or fence from the view of persons residing in the neighbourhood or passing by, and it shall not be lawful for any such owner or occupier to keep any open latrine or a latrine with a door or trap door opening on to any street.

Neglectir
to enclos
private
latrine,

(2) The owner or occupier of any house or building or land who fails to comply with, or shall commit any breach of, any of the provisions of subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine of five rupees for each day during which such breach is continued :

Provided that the Pradeshiya Sabha may in its discretion permit the continuance for such time as it may think fit of any open latrine or any latrine with a door or a trap door opening on to any street in any case where such latrine already exists and does not create a nuisance.

90. (1) All latrines and cesspits within the limits of any Pradeshiya Sabha shall be under the survey and the control of the Pradeshiya Sabha and shall be altered, repaired, or kept in proper order or any latrine may be converted to a water sealed latrine as the Pradeshiya Sabha may require at the cost and charges of the respective owners of the houses, buildings or lands to which the latrines belong, or for the use of which they are constructed or maintained.

General
control of
latrines,

Local Authorities

(2) If the owner or occupier of any house, building, or land to which any latrine or cesspit belongs, neglects during one month after service of notice in writing for that purpose by the Pradeshiya Sabha, or within such other period as may be prescribed by the notice, to alter, repair, and put the latrine or cesspit in good order in the manner required by the Pradeshiya Sabha or to convert such latrine to a water sealed latrine, the Pradeshiya Sabha may cause such latrine or cesspit to be altered, repaired or put in good order in the manner required or to convert such latrine to a water sealed latrine ; and the expences incurred by the Pradeshiya Sabha in respect thereof shall be paid by the owner, and shall be recoverable as hereinafter provided.

- 15 91. (1) If any person within the limits of any Pradeshiya Sabha--
- Penalty for persons making or altering latrines, &c., contrary to the directions or by-laws of the Pradeshiya Sabha.
- (a) constructs any latrine or cesspit contrary to the directions of the Pradeshiya Sabha or contrary to the provisions of this Act, or any by-law made thereunder ; or
- 20 (b) continues the use of any latrine or cesspit which has been ordered by the Pradeshiya Sabha to be removed or closed ; or
- (c) neglects to provide or maintain any latrine provide,
- 25 or maintained under section 38,

such person shall be guilty of an offence punishable with a fine not exceeding fifty rupees.

92. (1) The Pradeshiya Sabha or any officer authorized by the Pradeshiya Sabha for that purpose may, subject to the other provisions of this Act, inspect any latrine or cesspit within its limits, and may for that purpose at any time enter upon any house, building or land, with such assistants and workmen as are necessary, and cause the ground to be opened, where such Pradeshiya Sabha or officer may think fit, doing as little damage as may be.
- Inspection of latrines, &c.
- 30
- 35

Local Authorities

(2) If upon any inspection under subsection (1) it appears that any latrine or cesspit is not in good order and condition, or that it has been constructed after the date of the constitution of the Pradeshiya Sabha in any manner contravening the provisions of this Act or the by-laws made thereunder or contrary to the direction of the Pradeshiya Sabha, the expenses of such inspection shall be paid by the person to whom such latrine or cesspit may belong, and shall be recoverable as hereinafter provided.

(3) If any latrine or cesspit is found to be in proper order and condition, and not to have been constructed in contravention of the provisions of this Act or the by-laws made thereunder or the directions of the Pradeshiya Sabha, the Pradeshiya Sabha or the authorized officer of the Pradeshiya Sabha shall cause the ground to be closed and made good as soon as may be and the expenses incurred thereby shall in that case be defrayed by the Pradeshiya Sabha.

93. (1) The Pradeshiya Sabha or any officer authorized by the Pradeshiya Sabha for that purpose may be written notice require the owner or occupier of any house or building or land within the limits of a Pradeshiya Sabha on which is situated a latrine or cesspit which, in the opinion of the Pradeshiya Sabha or the officer, is structurally defective or unsuitable for the purpose to which it is put. or is liable to give rise to a nuisance, to repair, alter, reconstruct or remove the latrine or cesspit, or to substitute an earth-closet therefor.

Power of Pradeshiya Sabha to direct removal of latrine or closure of cesspit.

(2) If any owner or occupier neglects for a period of one month after service of notice in that behalf under subsection (1), or within such other period as may be specified in the notice, to repair, alter, reconstruct or remove the latrine or cesspit to which the notice relates, or to substitute an earth-closet therefor, he shall be guilty of an offence punishable with a fine not exceeding fifty rupees.

Local Authorities

(3) The Pradeshiya Sabha or the authorized officer may cause the latrine or cesspit referred to in subsection (2) to be repaired, altered, re-constructed, or to be removed and an earth-closet to be substituted therefor, and the expenses incurred by the Pradeshiya Sabha or the officer in respect thereof shall be paid by the owner, and shall be recoverable as hereinafter provided.

CONSERVANCY AND SCAVENGING

94. It shall be the duty of the Pradeshiya Sabha, so far as is reasonably practicable to take all necessary measures within its limits—

Duty of Pradeshiya Sabhaas to conservancy and scavenging.

- (a) for properly sweeping and cleansing the streets, including the footways, and for collecting and removing all street refuse ;
- 15 (b) for securing the due removal at proper periods of all house refuse, and the due cleaning and emptying at proper periods of all latrines and cesspits ; and
- (c) for the proper disposal of all street refuse, house refuse and night soil.

20 95. All streets refuse, house refuse, night soil or other similar matter collected by any Pradeshiya Sabha under the provisions of this chapter shall be the property of the Pradeshiya Sabha, and the Pradeshiya Sabha shall have full power to sell or dispose of all such matter.

All refuse collected to be property of Pradeshiya Sabha.

25 96. Every Pradeshiya Sabha shall from time to time provide places convenient for the proper disposal of all street refuse, house refuse, night-soil, or similar matter removed in accordance with the provisions of this chapter, and for keeping all vehicles, animals, implements, and other things required for that purpose or for any of the other purposes of this Act and shall take all such measures and precautions as may be necessary to ensure that no such refuse, night-soil, or similar matter removed in accordance with the provisions of this chapter is disposed of in such a way as to cause a nuisance.

Places for disposal of refuse and keeping equipment.

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Local Authorities

INSANITARY BUILDINGS

5 97. It shall be the duty of the Pradeshiya Sabaha to cause to be made from time to time an inspection of every part within the limits of the Pradeshiya Sabaha with a view to securing that the houses or buildings within its limits are kept in such sanitary condition as is required by the provisions of this Act or any other enactment, and to undertake all necessary measures to enforce such provisions within that area.

Duty of Pradeshiya Sabaha as to insanitary buildings.

10 98. (1) Whenever the Pradeshiya Sabaha is satisfied that any building or block of buildings are by reason of the concurrence of an epidemic or of the manner in which such buildings are crowded together, or of the want of drainage or the impracticability of scavenging, attended with risk to the health of the inhabitants thereof or of the neighbourhood, the Pradeshiya Sabaha shall serve a notice on the owners or occupiers thereof, or, at its option on the owner of the land on which such buildings are constructed, to execute within such time as may be specified in the notice, such operations including the alteration of such building as the Pradeshiya Sabaha may deem necessary for the avoidance of such risk.

Duty of Pradeshiya Sabaha as to existing buildings.

20 (2) In any case where an owner or occupier served with a notice under subsection (1) refuses or neglects to execute such operations within the time specified in the notice, any officer authorized by the Pradeshiya Sabaha in that behalf may cause the buildings to be taken down, or such operations to be performed in respect thereof, as the Pradeshiya Sabaha may deem necessary to prevent such risk.

30 (3) Where any building are taken down under subsection (2), the Pradeshiya Sabaha or the authorized officer shall cause the materials of each building to be sold separately, if such sale can be effected, and the proceeds shall be paid to the owner of the building, or if the owner be unknown or the title disputed, shall be held in deposit by the Pradeshiya Sabaha until the person entitled thereto obtains the order of a competent court for the payment of such proceeds.

40 99. Whenever it appears to the Pradeshiya Sabaha that any house is so overcrowded as to be dangerous or prejudicial to the health of the occupiers thereof, or of the neighbourhood, and the occupiers consist of more than one family, the Pradeshiya Sabaha shall cause proceedings to be taken before a Magistrate to abate such overcrowding, and the Magistrate shall thereupon make such order as he may think fit; and each of the persons permitting such overcrowding shall be guilty of an offence and shall be liable on conviction to a fine not exceeding twenty five rupees for each day after the date of such order during which such overcrowding shall continue.

Overcrowding of houses.

Local Authorities

100. It shall be lawful for any person authorized in that behalf by the Pradeshiya Sabaha at any time between sunrise and sunset to enter into and inspect any house or building, and by an order in writing to direct all or any part thereof to be
5 forthwith internally and externally limewashed or otherwise cleaned ; and if the owner or occupier of such house of building neglects to comply with such direction within seven days from the time when the order shall have been served upon him, the Pradeshiya Sabaha may cause the work to do done, and the
10 expenses thereby incurred shall be paid by the owner, and, in case of default shall be recoverable as herein after provided.

Power of Pradeshiya Sabaha to inspect and limewash houses.

NUISANCES

101. It shall be the duty of the Pradeshiya Sabaha to cause to be made from time to time an inspection of its area with a
15 view to ascertaining what nuisances exist calling for abatement under the posers conferred by this Act or any other enactment, and to the enforcement of the provisions of this Act or such other enactment in order to abate such nuisances.

Inspection of nuisances.

111. (1) Where within the limits of any Pradeshiya Sabaha
20 any private tank or low marshy ground or any waste or stagnant water, situated on any private land, appears to the Pradeshiya Sabaha to be injurious to health or to be offensive to the neighbourhood, the Pradeshiya Sabaha shall, by notice in writing, require the owner of that land to cleanse or fill up such
25 tank or marshy ground, or to drain off or remove such waste or stagnant water.

Power to fill up unwholesome tanks on private premises.

(2) If any owner on whom a notice under subsection (1) is served refuses or neglects to comply with the notice within such
30 period as may be specified therein, the Chairman, or the officers and workmen of the Pradeshiya Sabaha may enter into the land and do all necessary acts for all or any of the purposes referred to in subsection (1), and the expenses incurred thereby shall be paid by the owner of the land, and, in case of default, shall be recoverable as hereinafter provided.

35 (3) Where the land referred to in subsection (2) is owned by more than one person, the expenses refered to in that subsection shall be apportioned among, and recoverable from, the several owners in such proportions as may be determined by the Pradeshiya Sabaha.

40 103. (1) No place within the limits of any Pradeshiya Sabaha other than a place provided by the Pradeshiya Sabaha shall be used as a slaughter house, unless a licence for the use thereof as a slaughter house has been obtained from the Chairman of the

Licensing of slaughter houses.

Local Authorities

Pradeshiya Sabaha, who is hereby empowered at his discretion from time to time to grant such licence, and such licence to suspend or revoke as to him may seem necessary.

- (2) Every person who uses as a slaughter house any place
 5 (other than a place provided by the Pradeshiya Sabaha) which is not licensed under subsection (1), or in respect of which any licence given has been suspended or revoked, shall be guilty of an offence punishable with a fine not exceeding two hundred rupees and with a further fine not exceeding fifty rupees for every
 10 day during which such offence is continued after notice has been served upon him by the Chairman requiring him to discontinue the use of such slaughter house.

PUBLIC UTILITY SERVICES

15 **104.** A Pradeshiya Sabaha may, within its limits either independently or in conjunction with any other local authority or any other person, establish and maintain for the benefit of the persons inhabiting or resorting to such area, the following public utility services :—

Power of Pradeshiya Sabaha to establish public utility services.

- (a) water supply ;
 20 (b) the lighting of streets, public places, and public bulidings ;
 (c) the supply of electric light or power ;
 (d) markets ;
 (e) rest houses ;
 (f) public baths and bathing-places ;
 25 (g) the manufacture and supply at cost price of squatting plates for latrines ;
 (h) the provision of housing accommodation for the poorer classes ;
 30 (i) any other form of public service which the Pradeshiya Sabaha is authorized to establish, maintain or provide under any other provision of this Act, or under any other writtten law ;
 35 (j) any other form of public service which the Pradeshiya Sabaha is authorized by any other written law to establish and maintain ;

105. For the purpose of the establishment and maintenance of any public utility service which a Pradeshiya Sabaha is authorized by or under section 104 to establish and maintain, the Pradeshiya Sabaha may —

Manner of defraying expenses of public utility services.

- 40 (a) provide for any expenses involved out of the revenue of the Preadeshiya Sabaha ; or

Local Authorities

- (b) levy a special rate upon the area benefited by such service, subject to such limits and exemptions as may be prescribed by by-laws ; or
- 5 (c) contract with the owners or occupiers of premises for the supply of the service, and charge and enforce such rates in respect of such service as may be prescribed by by-laws ; or
- (d) charge such fees as it may deem reasonable from persons deriving benefit from such service ; or
- 10 (e) where any such public service is established and maintained through any promotor or body of promotors, in pursuance of any agreement made with the Pradeshiya Sabaha or under any licence issued by the Pradeshiya Sabaha, authorize such promotor or promotors to
- 15 charge such fees as may be approved by the Pradeshiya Sabaha from persons deriving benefit from such service.
- 106.** A special rate levied by a Pradeshiya Sabaha upon the area benefited by a water service or conservancy service established and maintained by the Pradeshiya Sabaha shall not exceed nine per centum of the annual value of all buildings and lands situated within such area.
- 20 **107.** (1) Where any land or building, which is situated within the limits of any Pradeshiya Sabaha area and is the property of the State, is occupied or held by any person under any lease or permit granted by the State, such land or building shall be liable to be assessed in respect of any special rate imposed under section 105 and such person shall be liable to pay and shall pay the special rate leviable in respect of that land or
- 30 building.
- (2) No property of the State whether movable or immovable, shall be liable to be seized or sold for the recovery of any special rate which may be due from any person occupying or holding that property under any agreement, contract or permit, whether
- 35 expressed or implied, with or from the State.
- 108.** Every special rate under section 103 shall be assessed and levied and, in case of default shall be recovered summarily, in such manner as may be prescribed by rules made under section 163.
- 40 **109.** A Pradeshiya Sabaha may by resolution specially exempt any property from any special rate imposed under section 105 on the ground of the poverty of the owner.

Maximum of special rate for water or conservance service.

Liability for special rates in respect of state property.

Assessment and recovery of special rates.

Exemption from special rate by resolution.

Local Authorities

110. A Pradeshiya Sabaha may, with the approval of the Minister and subject to the consent of the local authority of any area adjacent to its limits contract with the owners or occupiers of any premises situated in any such adjacent area for the supply of any public utility service to such premises, and may charge and enforce rates in respect of such supply.
111. For the purposes of the establishment and maintenance of any public utility service which it is authorized to establish and maintain by or under this Act, any Pradeshiya Sabaha may enter into any contract and may, subject to the provisions of this Act, purchase, take upon lease, hire, construct, maintain all premises, machinery, and apparatus required for such purposes and do and execute all such works, matters and things as may be necessary in that behalf.
112. Where the Pradeshiya Sabaha establishes and maintains a public water supply for the benefit of the inhabitants living within its limits or any part thereof, the owner or occupier of any premises in such area or part, as the case may be, in respect of which the Pradeshiya Sabaha levies a special water-rate, shall be entitled to have free of further charge, a supply of water from the public stand-pipes for the domestic purposes of himself and his household or of his tenants or other persons occupying the premises.
113. A supply of water for domestic purposes shall not include a supply of water for horses or cattle or for washing vehicles, where such horses, cattle, or vehicles are kept for sale or hire, or a supply for any trade, manufacture, or business, or fountains or swimming baths, or for any ornamental or mechanical purpose, or for purposes of irrigation.
114. A Pradeshiya Sabaha may supply water for other than domestic purposes or allow a private service of water to any premises for domestic purposes in such quantities and upon such terms and conditions as may be agreed upon between the Pradeshiya Sabaha and the persons desirous of being so supplied, or as may be prescribed by by-laws in that behalf.
115. It shall be lawful for a Pradeshiya Sabaha to establish and maintain within its limits such village fairs as are required for the service of its inhabitants, and to provide for the proper regulation, supervision and control of such fairs.
116. The following provisions shall apply in the case of every Pradeshiya Sabaha where the establishment or maintenance of a private fair except under the authority of a licence is prohibited under any by-laws made in that behalf by the Pradeshiya Sabaha :—

Supply to premises in adjacent areas.

General power of Pradeshiya Sabahas.

Ratepayers entitled to free water supply from public stand-pipes for domestic purposes.

Meaning of "domestic purposes"

Contract for private service.

Power of Pradeshiya Sabaha as to village fairs.

Provisions applicable where a licence is required for a private fair.

Local Authorities

- (1) every licence for a private fair granted on or after such date as the Minister may appoint by Order published in the Gazette shall be upon the condition that should the Pradeshiya Sabaha at any time decide that it is in the public interest to establish a village fair in place of such private fair, the authority empowered in that behalf may refuse to renew the licence of such private fair, and that the owner of such private fair shall not be entitled to any compensation in respect of such refusal.
- (2) The authority empowered in that behalf may, on or after the date appointed under paragraph (1) of this section, refuse to issue or renew a licence for a private fair, if he is satisfied that the wants of the area are sufficiently provided for by the village and private fairs already in existence or in contemplation.

117. (1) Where a Pradeshiya Sabaha is satisfied that it is in the public interest that any private fair should be either—

Compensation for discontinuance of private fair.

- (a) discontinued, or
- (b) taken over by the Pradeshiya Sabaha and maintained as a village fair,

the Pradeshiya Sabaha may either direct the discontinuance of such fair, or may take it over and maintain it as a public fair subject in either case to the payment of compensation in accordance with the provisions of this section.

(2) Where any private fair is directed by a Pradeshiya Sabaha to be discontinued, the compensation payable, unless otherwise settled by agreement, shall be the difference between the value of the premises if used as a fair under this Act and the value of the same premises if used, not as a fair, but for any other purposes to which similar premises in the same locality are or might be put to the best advantage, together with an allowance in respect of the cost of adapting for any such purpose the buildings used for the fair.

(3) Where any private fair is taken over by a Pradeshiya Sabaha to be maintained as a public fair, the compensation payable shall be the value of the premises when used as a fair under this Act.

(4) In estimating the value of the premises used as a fair under this Act, regard shall be had to the depreciation likely to occur in the value of such premises in the event of a public fair or a new private fair being established in the same neighbourhood.

Local Authorities

118. (1) Every Pradeshiya Sabaha shall have power to make from time to time such by-laws, not inconsistent with the provisions of this Act, as may be authorized or required by this Act, or may appear to the Pradeshiya Sabaha to be necessary for the purposes of the exercise of its powers and the discharge of its duties under this Act, and to amend, vary or rescind any by-law so made.

Power to
make by-laws.

(2) A by-law made by any Pradeshiya Sabaha may provide the penalty of a fine for any contravention thereof, such fine not exceeding fifty rupees for any one act or omission constituting such contravention, and in the case of a continuing contravention, an additional fine not exceeding twenty-five rupees for every day during which the contravention is continued after a conviction thereof by a court of competent jurisdiction or after service of a written notice from the Chairman or other authorized officer directing attention to such contravention.

119. (1) No by-law, and no amendment, variation or recission of any by-law under this Act shall have effect until it has been approved by the Minister, and notification of such approval is published in the *Gazette*.

Approval
and publication
of by-laws.

(2) Every by-law made under this Act shall be published in the *Gazette* with the notification required by sub-section (1) and upon such publication, every such by-law purporting to so to be made shall, subject to the provisions of section 121, be as valid and effectual as if it had been enacted in this Act, and every contravention thereof shall be an offence under this Act.

120. Copies of all by-laws made under this Act shall be kept at the office of the Pradeshiya Sabaha to which they relate and at the office of the Commissioner, and shall be open for inspection and be available for sale to the public.

Supply of
copies of
by -laws.

121. Every by-law made under this Act shall, as soon as conveniently after the publication thereof under section 119, be brought before the Parliament by a motion that such by-law be not disallowed, and may, by resolution of the Parliament, be rescinded or amended. Notification of the recission or amendment of a by-law by the Parliament shall be published forthwith in the *Gazette* ; and such recission or amendment shall take effect from the date of such publication but without prejudice to anything that may have been done or any proceedings that may have been instituted under that by-law prior to that date.

By-laws to
be subject
to dis-
allowance
or amendment.

122. The powers of any Pradeshiya Sabaha to make by-laws under this chapter shall, without prejudice to the generality of the powers thereby conferred, include the power to make by-laws for or in respect of all or any of the following purposes :—

Subjects of
by-laws.

Local Authorities

(i) Meetings and procedure, including—

- (a) the intervals at which ordinary meetings are to be convened ;
- (b) special meetings ;
- 5 (c) mode of convening a meeting ;
- (d) Condu of meetings ;

(ii) Officers and servants, including—

- (a) the creation of posts or offices ;
- 10 (b) appointments to posts or offices in the service of the Pardeshiya Sabaha, not being Local Government Service posts within the meaning of the Local Government Service Law, No. 16 of 1974 ;
- 15 (c) the qualifications necessary for appointments to posts or offices referred to in sub-paragraph (b) ;
- 20 (d) the payment of salaries, allowances and remuneration to officers and servants of the Pardeshiya Sabaha who are not members of the Local Government Service ;
- (e) the provision of pensions or gratuities to the widows, children, next of kin or dependants of deceased officers or servants ;
- 25 (f) the establishment and regulation of a provident fund for the benefit of the officers and servants referred to in sub-paragraph (d).
- (g) the grant of leave of absence to officers and servants referred to in sub-paragraph (d) ;

- 30 (iii) taxation including the recovery of any tax payable under this Act, for which no other express provision is made, and the rendering of all returns and information that may be required for the purpose of any such tax ;

(iv) loans, including—

- 35 (a) the form and manner of execution of securities ;
- (b) the arrangements for liquidation ;
- (c) the mode and order of repayment of securities ;
- (d) the conditions of any loan and the appropriation of the sums advanced ;

Local Authorities

- (v) the imposition, levy and recovery of rates and charges including—
- (a) the assessment of buildings, lands and tenements ;
 - 5 (b) the rendering of returns and information required for the purposes of such assessment ;
 - (c) the hearing and determination of objections ;
 - 10 (d) the registration at the office of the Pradeshiya Sabha of mortgages over immovable property situated within the administrative limits of the Pradeshiya Sabha and of the addresses of mortgagees, and the imposition and recovery of fees for such registration ;
 - 15 (e) the posting of notices in writing to such registered mortgagees of the sale of immovable property seized for the recovery of rates, taxes, or charges ;
- (vi) land and property, including—
- (a) the provision, regulation, and management of ambulams and madams, open spaces, and as places for public recreation ;
 - 20 (b) the care of waste or public land ;
 - (c) the maintenance and management of immovable property vested in, or under the control of, the Pradeshiya Sabha ;
 - 25 (d) the care, regulation, and provision of common pasture grounds, and the levy of fees for the same ;
 - (e) the putting up and preservation of boundaries and of fences for lands, whether private or public ;
 - 30 (f) the authorisation of entry upon private lands for the purpose of the prevention of damage to, or the repairing or remedying defects in any wires or apparatus or the supports thereof maintained for the purpose of any public service ;
- 35 (vii) roads and thoroughfares, including—
- (a) the improvement, alignment level, width, and construction of new roads and paths in the area ;
 - (b) the cleaning, watering, and lighting of roads and thoroughfares ;

Local Authorities

- 5 (c) the use of, and regulation of traffic in roads and paths, including the limitation of the weight and speed of vehicles, and the prevention or restriction of the use of vehicles upon any bridge, road, or path, or in any place where such use may be attended with danger to the public, or may be likely to damage such bridge, road, or thoroughfare ;
- 10 (d) the regulation of processions and assemblies and of the performance of music on roads or thoroughfares ;
- 15 (e) the prevention, abatement, supervision, and regulation of obstructions, encroachments, projections and other interferences with roads and thoroughfares ;
- (f) the erection of hoardings and other temporary structures, and charging of fees for the use of hoardings erected by the Pradeshiya Sabha ;
- 20 (g) the protection of the public against dangers resulting from building and other operations in or about roads and thoroughfares ;
- (viii) buildings, building operations, and works, including—
- (a) the definition of areas to which the by-laws under this heading are to apply ;
- 25 (b) the regulation of the material of new buildings with a view to securing stability, the prevention of fire, and purposes of health ;
- 30 (c) the space to be left about any building or block of buildings to facilitate and secure free circulation of air and to facilitate scavenging ;
- (d) the dimensions of doors and windows, the level of the floor, the height of the roof, general ventilation, and drainage ;
- 35 (e) the levy of fees for the examination and consideration of plans for new buildings or for alterations to existing buildings ;
- (f) the number and nature of latrines ;
- (g) foundation and stability of structure ;
- (h) the line of building frontage ;

Local Authorities

- (ix) public health and amenities, including—
- (a) drainage ;
 - (b) conservancy and scavenging, and the charging of fees therefor ;
 - 5 (c) the inspection, regulation, maintenance, and cleansing of drains, privies, cesspits, ashpits and sanitary conveniences and appliances ;
 - (d) the regulation and management of public sanitary conveniences ;
 - 10 (e) the regulation, supervision, inspection, and control of lodging-house and tenement buildings ;
 - (f) the abatement of nuisances including the regulation and control of the operation of gramophones, loudspeakers, amplifiers and other instruments
 - 15 automatically or mechanically producing or reproducing sound ;
 - (g) the seizure, forfeiture, removal and destruction of unwholesome articles of food or drink, and the prevention of the sale or exposure
 - 20 for sale thereof ;
 - (h) the regulation, supervision, inspection and control of bakeries, eating house and restaurants and tea and coffee boutiques ;
 - (i) the regulation, supervision, inspection, and control
 - 25 of dairies, and the sale of milk ;
 - (j) the sale of provisions including the inspection, regulation, and control of shops and place, (other than markets) used for the sale of meat, poultry, fish, fruit, vegetables, or other perishable
 - 30 articles of food for human consumption, and the licensing of shops and places used for the sale of fresh meat, fresh fish, or live animals ;
 - (k) the regulation, supervision, inspection, and control of trades deemed to be offensive or dangerous
 - 35 by the Pradeshiya Sabaha ;
 - (l) the regulation of the dimensions and use of kraals in public lakes, rivers, lagoons, and estuaries for soaking coir husks, and the charging of fees for the use of such kraals ;
 - 40 (m) the regulation, supervision, inspection, control and licensing of breweries and aerated water manufactories ;

Local Authorities

- 5 (n) the compelling of owners and occupiers within the limits of the Pradeshiya Sabaha to keep their lands free of undergrowth and rubbish, and their dwelling compounds in clean and sanitary condition ;
- (o) the prevention of malaria and the destruction of mosquitoes and disease-bearing insects ;
- 10 (p) the draining, cleansing, covering, or filling up of ponds, pools, open ditches, sewers, drains and places containing or used for the collection of any drainage, filth, water, matter, or thing of an offensive nature or likely to be prejudicial to health ;
- 15 (q) the cleansing, purifying, ventilating, and disinfecting of houses, dwellings, and places of assembly or worship by the owners or occupiers and persons having the care and ordering thereof ;
- 20 (r) the prevention or mitigation of epidemic, endemic, or contagious diseases, and the speedy interment of the dead during the prevalence of such diseases ;
- 25 (s) washing and bathing, including the establishment, maintenance, and regulation of public bathing, places and places for washing animals and clothes ;
- (t) all such other purposes as are not specially provided for by this Act, and may be necessary for the preservation of the public health and the suppression of nuisances ;
- 30 (x) itinerant vendors, including—
- (a) the supervision or control of itinerant vendors ;
- (b) the issue of licences for the purposes of such supervision or control, and the conditions to be attached to such licences ;
- 35 (c) the refusal of licences whether in the absolute discretion of the issuing authority or in prescribed circumstances ;
- 40 (d) the regulation or prohibition of the sale of any specified article or the sale of articles in any specified place or area ;

Local Authorities

(xi) Animals, including—

- (a) the housing and penning of cattle, horses, sheep, goats, and pigs ;
- 5 (b) stray cattle, goats, and pigs, including the fixing, levying, and recovery of charges for the occupation of pounds, and the cost of the keep of the animals impounded ;
- 10 (c) the control of epidemic diseases among animals, the maintenance and regulation of quarantine stations for animals, and the levying of fees for the occupation thereof ;
- 15 (d) the regulation and control of the collection and sale of the dung of cattle, horses, sheep, and goats, and the removal of such dung from any place within the limits of any Pradeshiya Sabaha to any place outside such limit ;
- (e) the protection and preservation of game and will birds ;
- (f) the destruction of stray dogs ;
- 20 (g) the prevention of cruelty to animals (including the restriction of the exposure for sale of live animals in any manner which in the opinion of the Pradeshiya Sabaha is likely to cause unnecessary pain or suffering) ;
- 25 (h) the regulation and supervision of cattle sheds, galas, and halting places and the control of the location thereof ;
- (i) the regulation, supervision, inspection and control of slaughterhouses and the levy and recovery of fees for the use thereof ;
- 30 (j) the disposal of the bodies of dead animals ;
- (xii) public or private markets and fairs, including—
- (a) their establishment, maintenance and improvement ;
- 35 (b) their regulation, supervision, inspection, and control including the regulation of the prices of articles sold therein ;
- (c) their conservancy and scavenging, and the prevention of nuisances in connection therewith ;
- 40 (d) the control of traffic, and the preserving of order within them and in their immediate vicinity ;

Local Authorities

- (e) the provision, inspection, and control of latrines, slaughterhouses, water supply, and lighting on the premises of markets ;
- (f) the allotment of stalls, stands, seats or spaces ;
- 5 (g) the inspection of food and seizure of unwholesome articles of food ;
- (h) the prohibition of the introduction or sale of any article or articles of food in cases where, there exists good reason for such prohibition ;
- 10 (i) the absolute prohibition, or the restriction by means of special licences, of the sale of any articles, and the charging of fees for such special licences ;
- (j) the provision of security against fires ;
- 15 (k) the temporary closing of any market or fair ;
- (l) the due performance of their duties by market keepers and other employees ;
- (m) the fixing and recovery of fees or rents for the use of the premises of a public market or any part thereof, or of the buildings thereon, and for the leasing of the right to collect any such fees or rents ;
- 20 (n) the declaration of a market area for each public market, and the licensing, restriction, or prohibition of private markets or of the sale of market commodity within such area in any place other than the public market ;
- 25 (o) the licensing of private markets or fairs, the conditions of the licence, and the fees payable in respect thereof ;
- 30 (p) the standards to be observed in respect of accommodation, drainage, roads, air spaces, equipment, and sanitary requirement in private market or fairs ;
- 35 (q) the renovation, alteration, enlargement, and improvement of existing buildings, and the erection of new buildings after notice to the Pradeshiya Sabha and in accordance with plans to be approved by the Pradeshiya Sabha, in or about
- 40 the premises of private markets or fairs ;

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(xiii) Water supply and waterworks including—

- 5 (a) the regulation, protection and maintenance of communal wells, spouts, springs or other watering places for the supply of water for domestic purposes ;
- (b) the regulation and maintenance of watering places of any kind set apart by the Pradeshiya Sabha for bathing or for the washing of animals, clothes and other articles ;
- 10 (c) the regulation of the construction and maintenance of private wells in such manner as may be necessary to safeguard the public health and safety ;
- 15 (d) the regulation, control, protection and maintenance of the supply of water from any waterworks established or maintained by the Pradeshiya Sabha ;
- 20 (e) the prevention of waste, misuse, undue consumption or contamination of the water supplied for public or private use ;
- 25 (f) the direction of the use and prescribing the size, nature, strength and materials and the mode of arrangement, position, alteration, removal, renewal and repair of the pipes, valves, cocks, cisterns, soil pans, water closets and other apparatus and receptacles or any of them to be used, respectively, for carrying, delivering, regulating and storing water ;
- 30 (g) the regulation of the public supply of water by stand-pipes and the use of the same ;
- (h) the regulation of the supply of water by private services and the materials and fittings to be used ;
- 35 (i) the regulation of the supply of water by measurement and the materials, meters, appliances and fittings used for such purpose or in connection therewith ;
- 40 (j) the regulation of the terms and conditions subject to which water will be supplied for domestic purposes or for other than domestic purposes and the price to be paid for water so supplied ;
- (k) the prescribing of the procedure for the recovery of moneys due for the supply of water ;

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- (l) every other purpose relating to the supply or control of water supplied from the waterworks as to the Sabha may appear necessary.
- 5 (xiv) public services, including all matters necessary for their establishment, maintenance, working and supply, for the imposition and recovery of charges in connection therewith, and for their protection against damage and against competition ;
- 10 (xv) the measure or dimension of bread, and the regulation of its manufacture and quality ;
- (xvi) the regulation of weights and measures ;
- (xvii) the prevention of accidents connected with toddy drawing for the periodical inspection of the ropes and other appliances used for that purpose ;
- 15 (xviii) the prevention of accidents caused by the setting of springs guns and traps ;
- (xix) the fencing of wells and pits ;
- (xx) the prevention of gambling and cock-fighting and of cart-racing on public paths or roads ;
- 20 (xxi) the prevention of disorderly conduct, or loitering in public paths or roads or public places, and of the use of abusive language ;
- (xxii) the prevention of the sale of boys under sixteen years of age or to females, of any description of spirits or other intoxicating liquor or toddy drawn from any species of palm or the fermented juice of the sugar cane ;
- 25 (xxiii) the regulation, supervision, inspection and control of hairdressing saloons and barbers' shops ;
- 30 (xxiv) the regulation, supervision, inspection and control of billiard saloons ;
- (xxv) the regulation, supervision, inspection and control of forges ;
- (xxvi) the licensing of persons as brokers ;
- 35 (xxvii) the licensing of persons carrying on the business of money lending ;
- (xxviii) the regulation and control of advertisements displayed or exhibited so as to be visible from any thoroughfare and the charging of fees in respect of advertisements so displayed or exhibited ; and
- 40

Local Authorities

(xxix) all other purposes, whether of the same nature as those above enumerated or otherwise, which may be necessary for the protection or promotion of the local public interest, conveniences and amenities.

5 **123.** For the purpose of section 3 of the Cemeteries and Burial Ordinance every Pradeshiya Sabha shall be the proper authority under that Ordinance within the limits of the Pradeshiya Sabha.

Pradeshiya Sabha to be proper authority under the Cemeteries and Burials Ordinance.

124. Any land or building required for the purposes of a Pradeshiya Sabha may be acquired under the Land Acquisition Act by the Government for such Pradeshiya Sabha.

Compulsory acquisition of lands and buildings.

PART V

FINANCE

125. (1) Every Pradeshiya Sabha for its general financial purposes shall establish a Pradeshiya Sabha Fund.

Pradeshiya Sabaha Fund.

15 (2) There shall be payable into the Pradeshiya Sabha Fund—

(a) the fines and penalties enumerated in the Second Schedule ;

(b) the amount of all stamp duties enumerated in the Third Schedule ;

20 (c) subject to any special appropriation made by the Minister all grants allocated to the Pradeshiya Sabha by the Minister ;

(d) all rates, taxes, duties, fees and other charges levied under the authority of this Act or of any other written law ;

25 (e) all sums realised by sales, leases or other transactions of the Pradeshiya Sabha ;

(f) all revenue derived by the Pradeshiya Sabha from any property vested in the Pradeshiya Sabha or by the administration of any public service ;

30 (g) all sums derived from any source of revenue made over to any local authority to which the Pradeshiya Sabha is the successor in pursuance or in supposed pursuance of any repealed enactment ;

35 (h) all sums and all sources of revenue from time to time appropriated or made over to the Pradeshiya Sabha by Parliament whether by resolution or otherwise ; and

(i) all sums otherwise accruing to the Pradeshiya Sabha in the course of the exercise of its powers and duties.

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126. All moneys received by a Pradeshiya Sabha and payable into the Pradeshiya Sabha Fund shall be lodged with an approved bank, and shall be credited to an account entitled "the Pradeshiya Sabha Fund".

Moneys received by the Pradeshiya sabaha to be lodged with the bank.

- 5 In this section "approved bank" means a bank specified by the Minister by Order published in the Gazette as a bank in which the moneys of any Pradeshiya Sabaha may be deposited.

127. Any part of the Pradeshiya Sabaha Fund may be invested by a Pradeshiya Sabaha on any of the securities specified in 10 section 20 of the Trusts Ordinance.

Power to invest any part of the Pradeshiya Sabaha Fund.

128. There shall be paid out of the Pradeshiya Sabaha Fund established by each Pradeshiya Sabaha—

Application of Pradeshiya Sabaha Fund.

- 15 (a) All expenses incurred by the Pradeshiya Sabha in the exercise of its powers and the performance and discharge of its duties and functions under this Act or any other enactment or any by-law or rule made thereunder ;
- 20 (b) all sums payable by the Pradeshiya Sabha in respect of of any liability under the Workmen's Compensation Ordinance ;
- 25 (c) all sums payable by the Pradeshiya Sabaha as premium for the insurance of any property belonging to or vested in each Pradeshiya Sabaha, or for insurance against any liability that may be incurred by such Pradeshiya Sabaha under the Workmen's Compensation Ordinance ;
- 30 (d) all sums which the Pradeshiya Sabha may decide to award by way of *ex gratia* payments to any persons or the dependants of any persons (other than servants of the Pradeshiya Sabha) who receive injuries or sustain any other damage or are killed in circumstances which, being due to an accident or to a defect in any machinery, plant or equipment used by the Pradeshiya Sabha or to the unauthorised or unlawful interference of a third party, are only indirectly attributable to the exercise of any of the powers vested in the Pradeshiya Sabaha or its officers or servants by or under this Act or any other written law ;
- 35 (e) all sums received by the Pradeshiya Sabha, which the Sabha is authorised or required by any written law to refund to the persons by whom they were paid ;
- 40

Local Authorities

- 5 (f) all expenses incurred by the Pradeshiya Sabha for the purposes of any such charities or such measures for the relief of distress caused by rain, floods, fire, earthquake, famine or epidemics, or such other purpose as may be approved by the Minister ;
- (g) all expenses incurred by the Pradeshiya Sabha in the maintenance of a fire brigade and the protection of life and property from fire ;
- 10 (h) all expenses incurred by the Pradeshiya Sabaha in the establishment and maintenance of any form of public service which the Pradeshiya Sabha is authorized to establish, maintain or provide by or under this Act or any other written law ;
- 15 (i) all contributions voted by the Pradeshiya Sabha, subject to such limits as may be prescribed by regulations, for the relief of the poor or for the welfare of the servants of the Pradeshiya Sabha or for any fund or scheme constituted or established for the purpose of granting relief or assistance to officers or servants of the
- 20 Pradeshiya Sabha in cases of sickness, indebtedness or distress ;
- (j) such expenses not exceeding in the aggregate one thousand rupees in any year as may be incurred by the Pradeshiya Sabaha, and such other expenses as may be incurred by
- 25 the Pradeshiya Sabha with the prior sanction in writing of the Minister in connection with civic receptions or the celebration or observance of any events or occasions of public interest or any religious charitable, cultural, health, recreational or educational purposes ;
- 30 (k) such contributions not exceeding in the aggregate one thousand rupees in any year as may be voted by the Pradeshiya Sabha, and such other contributions as may be voted by the Sabha with the prior sanction in writing of the Minister towards the cost of public
- 35 entertainments or recreations or towards the support of any libraries or any educational scientific, charitable or benevolent institutions or any religious, charitable cultural, health or educational purposes ;
- 40 (l) all sums payable by the Pradeshiya Sabha in respect of subsistence and travelling allowances to the Chairman, Vice Chairman, Members, Officers and servants of the Pradeshiya Sabha by way of reimbursement of expenses incurred in the performance of any duty ;

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Local Authorities

- (m) all such contributions, as may be approved by the Minister, towards the cost of any association of local authorities for the promotion, organisation or establishment of local government ;
- 5 (n) all sums voted by the Pradeshiya Sabha to meet the travelling expenses of members or officers of the Sabha attending any meeting or conference of members or officers of local authorities for the consideration of matters relating to local Government ;
- 10 (o) all expenses incurred by or on behalf of the Secretary of the Pradeshiya Sabha in the exercise of any powers and the performances of any duty imposed upon him by this Act or any other written law ;
- 15 (p) all expenses incurred by the Pradeshiya Sabaha or by the Chairman or the Secretary or any other officer of the Pradeshiya Sabha on behalf of the Pradeshiya Sabaha in the exercise of its powers and the discharge of its functions and duties under this act or other written law or any by-law, rule or regulation, made thereunder ; and
- 20 (q) all sums which are required or authorised to be paid out of the Pradeshiya Sabha Fund by or under this Act or any other written law.

129. All orders or cheques for the payment of moneys out of the Pradeshiya Sabha Fund shall be signed by two officers specially authorised by the Pradeshiya Sabha for that purpose subject to the approval of the Assistant Commissioner of Local Government. The bank in which the Fund is established may pay all orders or cheques against the said Fund which are so signed.

Orders, cheques &c, for payments out of the Pradeshiya Sabaha Fund.

30 **RATES AND TAXES**

130. (1) Every Pradeshiya Sabha may, subject to the approval of the Minister, impose and levy a rate on the annual value of any immovable property or any species of immovable property situated in localities declared by the Pradeshiye Sabha, with the approval of the Assistant Commissioner of Local Government to be built up localities.

Rates and acreage tax

(2) The Pradeshiya Sabha may impose different rates for different built-up localities or parts thereof

(3) The Pradeshiya Sabha may, subject to the approval of the Minister, impose and levy an acreage tax not exceeding the rates set out below, on each hectare of land situated within the limits of any Pradeshiya Sabha and which is under permanent or regular cultivation of any kind other than paddy and chena cultivation—

Local Authorities

<i>Extent of Land</i>	<i>Rate</i>
Where such extent is less than five hectares ; but not less than one hectare ..	50 cts. per year
Where such extent is not less than five 5 hectares Rs. 2.00 per year

Provided that the Pradeshiya Sabha shall not impose an acreage tax on any divided portion of land duly defined and forming one property which is less than five hectares in extent unless it is situated in an area declared by the Minister by Order
10 published in the Gazette to be a special area for the purpose of the imposition and levy of that tax ;

Provided further that the Pradeshiya Sabha shall not impose an acreage tax on any land which is situated in localities which are declared to be built-up localities for the imposition of a rate.

15 (4) Where a building is used wholly or mainly for purposes connected with or incidental to the cultivation of the land on which it is situated or for residential purposes by any persons or persons engaged in the cultivation of that land and an acreage tax is levied and paid on that land no rate shall be recovered
20 on that building notwithstanding that it is situated within a built-up locality.

(5) Where the Pradeshiya Sabha in imposing any rate for any year under subsection (1) or an acreage tax under subsection (3) resolves to levy without alteration the same rate as was in force
25 during the preceding year the approval of the Minister shall not be required for the imposition and levy of such rate or acreage tax.

(6) Such rate or acreage tax under this section shall be payable by such instalments and at such times as the Pradeshiya Sabha
30 may direct.

(7) Every Pradeshiya Sabha shall allow a discount of ten per centum of the amount of any annual rate or acreage tax if such rate or tax is paid on or before the thirty first day of January of that year or where such rate or tax is payable in
35 instalments a Pradeshiya Sabha shall allow a discount of five per centum of the amount of the instalment of such rate or tax due if such amount is paid within the first one month of the period for which the instalment of such rate or tax is due.

131. There shall be exempt from any rate or acreage tax-
40 (a) all lands or buildings wholly or mainly used for the purpose of public religious worship including any such buildings and the land appurtenant thereto set apart as the dwelling of the incumbent of such place of public religious worship ;

Exemption
from rate or
acreage tax
imposed by
Pradeshiya
Sabha.

Local Authorities

- (b) all lands or buildings wholly or mainly used for cultural, social, religious or charitable purposes approved or recognised by a government department and where such lands or buildings are owned by such institutions ;
- 5 (c) all lands or buildings wholly or mainly used by non-fee levying educational institutions or to which grants from State funds are paid or to which such grants were earlier paid but at present are not paid :
- 10 (d) all burial and cremation grounds proclaimed or registered under the Cemeteries and Burial Grounds Ordinance ; and
- (e) all properties that are specially exempt by a resolution of the Pradeshiya Sabha on the ground of poverty of the owner.
- 15 **132.** All houses, buildings, lands and tenements within the limits of any Pradeshiya Sabha belonging to the State and leased or let by the State to any person, shall be liable to be assessed in respect of the rate or rates or acreage tax leviable under section 130, and every lessee or occupier of any such
- 20 premises shall be liable to pay, and shall pay to the Pradeshiya Sabha, the rate or rates or acreage tax leviable in respect of the house, building, land or tenement so held or occupied.
- 133.** No property whatever of the State, whether movable or immovable, shall be liable to be seized or sold for the recovery of
- 25 any rate or rates, tax or taxes, which may be due from any person holding, occupying, or enjoying any house, building, land or tenement, the property of the State, under any agreement, contract, or permit, either express or implied, with or from the State.
- 30 **135.** (1) The Pradeshiya Sabha may from time to time, as often as it may think necessary for the purpose of assessment, divide any house, building, land or tenement, and consolidate any separate houses, buildings, lands or tenements whatsoever within the limits of any Pradeshiya Sabha and assess, in respect
- 35 of any rate or rates leviable under this Act, each such divided portion separately, and each such consolidated premises as a whole :
- Provided that in the case of any such consolidation the consolidated premises shall be assessed at the aggregate annual
- 45 value of the several houses, buildings, lands or tenements of which such premises are composed.
- (2) The Pradeshiya Sabha shall cause a notice of such division or consolidation to be given to every occupier, whether he be proprietor, joint proprietor or tenant of each such house, building, land or tenement.

Assesment of State property

Property of the State not liable to seizure and sale.

Division or consolidation of property for assessment.

Local Authorities

(3) The assessed annual value of any premises so dealt with shall not, by reason of such division or consolidation, be increased or reduced for the year in which the division or consolidation is made.

5 135. (1) In order to enable a Pradeshiya Sabha to assess the annual value of any house, building, land or tenement liable to be rated or the extent of any cultivated land for the purposes of the acreage tax, the Pradeshiya Sabha may require the owner and occupier of such house, building, land or tenement
10 to furnish returns of the rent or annual value or extent thereof, and for like purpose it shall be lawful for any person authorized in that behalf by the Pradeshiya Sabha at any time between sunrise and sunset, to enter and inspect and survey such house, building land or tenement.

Return for purposes of valuation.

15 (2) It shall be the duty of the owner of any immovable property on a built-up locality to notify in writing to the Pradeshiya Sabha, the completion of any new building or of any addition to any existing building, within fourteen days of such completion.

(3) Every person who—

20 (a) fails or neglects to furnish the return herein specified within seven days from the day on which he is required to do so ; or

(b) knowingly makes a false or incorrect return ; or

25 (c) hinders, obstructs or prevents any person authorised as aforesaid from entering or inspecting or, if need be, surveying any such house, building, land or tenement ; or

(d) fails to comply with sub section (2),

shall be guilty of an offence, and shall be liable on conviction to
30 a fine not exceeding one hundred rupees.

136. (1) For the preparation of a new assessment, the annual value of each house, building, land and tenement within the limits of any Pradeshiya Sabha shall be assessed by the Chief Valuer or any person or persons appointed by the Pradeshiya
35 Sabha with the approval of the Assistant Commissioner of Local Government.

Assessment of annual value of properties.

(2) For the purpose of ascertaining the extent of all cultivated lands for the purposes of the acreage tax every Pradeshiya Sabha shall have power to appoint one or more persons to be
40 assessors.

(3) For the purpose of assessing or verifying the annual value or the extent of cultivated land it shall be lawful for the Chief Valuer or any person or persons appointed by the Pradeshiya Sabha under sub section (1), to enter at any time between sunrise

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and sunset any building or land and to do or cause to be done therein all such acts as may be necessary to ascertain the annual value or the extent thereof.

137. (1) Upon the completion of an assessment list or acreage list, the Pradeshiya Sabha shall cause to be given public notice thereof and the place where the assessment list or the acreage list may be inspected.

Assessment List and acreage list.

(2) Any person shall be permitted free of charge, to inspect any portion of the said quennial list or acreage list.

(3) The Pradeshiya Sabha shall cause a notice of assessment of the annual value or verification of the extent to be served on, or left at, the premises of every occupier whether he be owner or tenant of the house, building, land or tenement assessed or cultivated land the extent of which was verified. The said notice shall be substantially in the form set out in the Fourth Schedule. Such notice shall further intimate that written objections to the assessment or verification will be received at the Pradeshiya Sabha Office within one month from the date of service of the notice.

(4) The Pradeshiya Sabha shall cause to be kept a book to be called the "Book of Objections" and cause every objection to an assessment or verification to be registered therein. The Pradeshiya Sabha shall cause to be given notice in writing to each objector and the owner or occupier of the house, building, land or tenement or cultivated land of the day on which and the place and the time at which the objections will be investigated.

(5) At the time and place so fixed the Pradeshiya Sabha shall cause to be investigated the objections in the presence of the objector, owner and occupier or their authorised agents who may be present. Such investigation may be adjourned from time to time for reasonable cause.

(6) When any objection to an assessment or verification is disposed of, the Pradeshiya Sabha shall cause the decision thereon to be notified to the objector, owner and occupier and such decision shall be noted in the book of objections, and any necessary amendment shall be made in the quinquennial list or the acreage list, as the case may be.

(7) Every assessment against which no objection is taken shall be final for the period for which such assessment list or acreage list, as the case may be, continues to be in force.

138. (1) Every person who is aggrieved by the decision under section 137 with regard to the assessment of any house, building, land, or tenement or the verification of the extent of the cultivated land may, within thirty days of receiving the notification of the decision, institute an action objecting to such decision in the

Procedure in case of objection to assessment &c.

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Magistrate's Court having jurisdiction in the place where such house, building, land, or tenement or such cultivated land is situated, if the amount of the rate or rates on the annual value of such house, building, land or tenement, or in the cause of a consolidation, on the annual value of the houses, buildings, lands or tenements so consolidated, or the acreage tax on the verified extent does not exceed one thousand five hundred rupees, and in the District Court having such jurisdiction where such amount exceeds the sum of one thousand five hundred rupees.

(2) Upon the trial of any action under this section, the plaintiff shall not be allowed to adduce evidence of any ground of objection which is not stated in his written objection to the assessment or verification.

(3) Every such court shall hear and determine such action according to the procedure prescribed for such court by the law for the time being in force regulating the hearing and determination of actions brought in such court and the decision of such court shall in all cases be subject to appeal to the Court of Appeal.

(4) Every such appeal shall be governed by the provisions of any written law regulating the making of appeals to the Court of Appeal, from any judgment, decree, or order of a Magistrate's Court or a District Court.

(5) Neither the lodging of any objection against any assessment or verification nor the institution of such action or any appeal therein shall stay the levying of the whole or any part of such rate or rates or tax, and the excess, if any, collected shall be returned according to the decision on the objection or the decision of such Magistrate's Court or District Court if there be no appeal, or of the Court of Appeal in case of appeal.

139. (1) Where physical alterations affecting the annual value of any house, building, land or tenement or the extent of cultivated land are made after the assessment or verification in respect thereof has become final by virtue of the preceding section, a Pradeshiya Sabha may, notwithstanding anything to the contrary contained in the preceding sections, at any time prepare a new assessment or verification for such premises.

Division of assessment & c., on alterations to property affecting annual value.

(2) Every such new assessment or verification shall come into force from the first day of the month following that in which it is entered in the quinquennial list or the acreage list, as the case may be :

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Provided always that such new assessment or verification shall, as far as possible, be made in the manner prescribed by the preceding sections and be subject to the objections, investigations, actions, and appeals referred to therein.

- 5 **140.** The Pradeshiya Sabha shall have power and authority at any time to revise any assessment or verification, increasing or decreasing the same as it may seem fit, and to fix the date upon which the revised assessment or verification shall come into force. Division of assessment or verification of rates in certain cases.
- 10 **141.** (1) If any building, other than a building containing furniture, is or remains untenanted, a proportionate remission of the rates payable in respect of such building may be allowed for the period during which the building is or remains untenanted. Remission of rates in case of non-tenancy.
- 15 (2) If any building containing furniture and registered with the Pradeshiya Sabha as a building intended to be let as a furnished building is or remains untenanted, a proportionate remission of one-half of the rates payable in respect of such building may be allowed for the period during which such building is or remains untenanted.
- 20 (3) The period for which a remission is allowed under subsections (1) and (2) shall in respect of any building, commence on the day on which the Pradeshiya Sabha receives a written notice of its being untenanted and terminates on the date on which it is re-occupied :
- 25 Provided that the said period shall terminate on a date one month prior to the said date of re-occupation if within three days of the re-occupation, notice thereof is not given to the Pradeshiya Sabha. Every notice under this sub-section shall contain an address to which all communications arising therefrom may be
- 30 posted.
- (4) When with reference to any claim for remission under this section a dispute arises regarding the period during which any building is or remains untenanted, a written notice of the decision of the Pradeshiya Sabha thereon shall be posted to the
- 35 last of the addresses given under sub-section (3) ; and such decision shall be final, unless a written application for its revision is presented to the Pradeshiya Sabha within seven days from the date upon which such notice is posted and unless such decision is in consequence revised by the Pradeshiya Sabha.
- 40 **142.** (1) A Pradeshiya Sabha shall prepare a new assessment or verification only when directed generally or specially by the Minister. The Minister may direct the preparation of a new assessment or verification in respect of all or any class or species of immovable property within the limits of any Pradeshiya Adoption of previsions assessments or verifications.

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Sabha having regard to the provision of new services or the improvement of existing services within the limits of such Pradeshiya. Except when a new assessment or verification is carried out on the directions of the Minister, the Sabaha shall
5 adopt the assessment or verification for the preceding year with such alterations as may, in particular cases, be deemed necessary, as the assessment or verification for the following year.

(2) The notice of assessment or verification shall be given in the prescribed manner.

10 143. (1) A Pradeshiya Sabaha may, impose and levy any of the following taxes and licence duties within the limits of any Pradeshiya Sabaha :—

Power of Pradesiya Sabahas to impose taxes and licence duties.

(a) a tax on vehicles and animals ;

15 (b) a duty in respect of licences issued by the Pradeshiya Sabaha ; and

(c) any other form of tax approved by the Minister and confirmed by resolution of Parliament.

(2) Where the Pradeshiya Sabha, in imposing any tax under this section for any year resolves to levy without alteration the
20 same tax as was in force during the preceding year the approval of the Minister shall not be required for the imposition and levy of such tax.

25 144. (1) The tax on vehicles and animals which a Pradeshiya Sabha is authorised to impose by section 143 shall be an annual tax in respect of all the vehicles and animals specified in the Fifth Schedule and ordinarily used or to be used within the limits of any Pradeshiya Sabha at the rates specified in that Schedule.

Vehicles and animals tax.

(2) The tax on vehicles and animals shall not be leviable or
30 payable in respect of—

(a) any vehicle or animal which is the property of the State or of the Pradeshiya Sabha ; or

(b) vehicles kept for sale by bona fide dealers in such vehicles and not used for any other purpose ; or

35 (c) vehicles subject to a licence duty under section 3 of the Vehicles Ordinance or to a tax under any enactment for the time being in force relating to motor vehicles.

(3) The tax on vehicles and animals shall be payable annually in advance on such date as may be ordered by the Pradeshiya
40 Sabha or prescribed by by-laws.

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(4) The tax on vehicles and animals shall be payable by each person in whose possession or custody or control any vehicle or animal liable to a tax may be found so soon as it has been for thirty days used or kept for use within the limits of the Pradeshiya Sabha, but no person shall be liable under this action in respect of any vehicle or animal which has been in his possession for less than thirty days.

(5) No person by reason of the transfer of ownership shall be liable to pay tax on any vehicle or animal on which the tax has already been paid for the year in which the ownership was transferred.

(6) Where any vehicle or animal liable to any tax under this Act is used or intended to be used within the limits of more than one Pradeshiya Sabha, such vehicle or animal shall only be liable to one such tax in respect of the limits of the Pradeshiya Sabaha within which it is principally used or intended to be used, and if any question arises as to the limits within which any vehicle or animal liable to any such tax is principally used or intended to be used, the question shall be determined by the Assistant Commissioner of Local Government.

(7) If any person liable to pay tax leviable under this section fails to pay such tax within seven days after demand, the Secretary of the Pradeshiya Sabha shall report the failure to the Magistrate's Court and the Court shall proceed to recover the amount due as if it were a fine imposed by Court notwithstanding that such amount exceeds the amount of fine which a Magistrate may impose in the exercise of his ordinary jurisdiction and the amount so recovered shall be paid into the Pradeshiya Sabha Fund.

145. (1) The duty of a Pradeshiya Sabha is authorised to levy under section 143 in respect of any licence issued by the Pradeshiya Sabha authorising the use of any premises for any of the purposes described in this Act or in any by-law made thereunder shall be determined by the Pradeshiya Sabha according to the annual value of the premises so licensed :

Power of Pradeshiya Sabaha to levy certain licence duties.

Provided that where the annual value of such premises falls within the limits of any item in Column I set out below, the maximum duty shall not exceed the sum set out in the corresponding entry in Column II :

40	Column I	Column II
	Where the annual value does not exceed Rs. 1,500/-	Rs. 2,000
	exceeds Rs. 1,500 but does not exceed Rs. 2,500	Rs. 3,000
	exceeds Rs. 2,500	.. Rs. 5,000

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Provided further, that where any such premises are used for the purposes of a hotel, restaurant or lodging house, and such hotel, restaurant or lodging house is registered with the Sri Lanka Tourist Board for the purposes of the Tourist Development Act, No. 14 of 1968, the duty so levied shall be according to the floor area of such premises and shall not exceed the sum of five thousand rupees.

146. (1) A Pradeshiya Sabha may by resolution impose and levy a tax on any trade carried on within the limits of any Pradeshiya Sabha.

Tax on certain trades.

(2) The tax levied under subsection (1) shall be an annual tax determined by the Pradeshiya Sabha according to the annual value of the premises on which that trade is carried on :

Provided that where the annual value of such premises falls within the limits of any item in Column I set out below, the tax levied shall not exceed the sum set out in the corresponding entry in Column II :

<i>Column I</i>	<i>Column II</i>
Where the annual value does not exceed Rs. 1,500	Rs. 2,000
20 exceeds Rs. 1,500 but does not exceed Rs. 2,500	Rs. 3,000
exceeds Rs. 2,500 Rs. 5,000

Provided further, that such tax shall not be leviable or payable in respect of any trade for which a licence is necessary under the provisions of this Act or any by-law made thereunder.

25 (3) The tax levied under subsection (1) shall be payable, on such date as may be determined by the Pradeshiya Sabha or prescribed by by-law, by the person who carries on such trade.

(4) If any person liable to pay the tax levialbe under this section fails to pay such tax within seven days after demand, the Secretary of Pradeshiya Sabha shall report such failure to the Magistrate's Court having jurisdiction over the area in which such Sabha is situated. The court shall proceed to recover the amount due as if it were a fine imposed by Court, notwithstanding that such amount exceeds the amount of fine which a Magistrate may impose in the exercise of his ordinary jurisdiction, and the amount so recovered shall be paid into the Pradeshiya Sabha Fund.

147. (1) A Pradeshiya Sabha may by resolution impose and levy annually on every person who, within the limits of such Pradeshiya Sabha, carries on any business for which no licence is necessary under the provisions of this Act or any by-law made thereunder, or any tax is payable under section 146, a tax

Tax on certain businesses.

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according to the takings of the business for the year preceding the year in which such tax is payable, at such rates not exceeding the rates set out below :—

	<i>Column I</i>	<i>Column II</i>
5	Where the takings of the business for the year—	
	(i) does not exceed Rs. 6,000 ..	Nil
	(ii) exceeds Rs. 6,000 but does not exceed Rs. 12,000 ..	Rs. 90.00
10	(iii) exceeds Rs. 12,000 but does not exceed Rs. 18,750 ..	Rs. 180.00
	(iv) exceeds Rs. 18,750 but does not exceed Rs. 75,000 ..	Rs. 360.00
	(v) exceeds Rs. 75,000 but does not exceed Rs. 150,000 ..	Rs. 1,200.00
15	(vi) exceeds Rs. 150,000 ..	Rs. 3,000.00

Provided however, that the preceding provisions of this section shall not apply to itinerant vendors who do not carry on business at fixed places or do not for the purposes of such business establish themselves on the public roads or other public place.

(2) The tax payable under subsection (1) shall be payable on such date as may be specified by the Pradeshiya Sabha or prescribed by by-law.

(3) If any person liable to pay the tax leviable under this section fails to pay such tax within seven days after demand, the Secretary of the Pradeshiya Sabha shall report such failure to the Magistrate's Court having jurisdiction over the area in which such Pradeshiya Sabha is situated. The Court shall proceed to recover the amount due as if it were a fine imposed by Court, notwithstanding that such amount exceeds the amount of fine which a Magistrate may impose in the exercise of his ordinary jurisdiction, and the amount so recovered by Court shall be paid into the Pradeshiya Sabha Fund.

For the purposes of this section—

(a) "business" includes any trade or profession or calling or the business of a manufacturer, or of any person taking commission or fees in respect of any transaction or services rendered or the business of an independent contractor, but does not include the occupation of selling articles, goods or materials at a private fair or the occupation of maintaining any educational

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establishment or school to which grants from state funds are paid or to which such grants were earlier paid but at present are not paid ; and

- 5 (b) "takings" in relation to any business means the total amount received or receivable from transactions entered into in respect of that business or for service performed in carrying on that business, and includes—
- 10 (a) in the case of a financier, money-lender or pawn-broker, the moneys given out by him as loans, the interest received or receivable by him on such loans, and the sums received by him as fees or other charges in respect of such loans ;
- 15 (b) in the case of an auctioneer, and subject to the provisions of paragraph (c) in the case of a broker or commission agent—
- 20 (i) in respect of lands sold by him or in the sale of which he is instrumental the commissions or fees received or receivable by him for any transactions effected or services rendered by him in connection with such sale ;
- 25 (ii) in respect of any goods sold by him or in the sale of which he is instrumental the total amount paid or payable by the purchaser of such goods ;
- (c) in the case of any broker (other than a share broker or a produce broker), or commission agent, who—
- 30 (i) on behalf of any person not resident in Sri Lanka, sells or is instrumental in selling any goods of that non-resident person ; or
- (ii) acts on behalf of an exporter of any goods manufactured in Sri Lanka ; or
- 35 (iii) on behalf of any other person carrying on a business in Sri Lanka, is instrumental in selling in Sri Lanka any goods of that other person, being goods the total proceeds of the sale of which is included in the takings of the business of that
- 40 other person,
- the commissions of fees received or receivable by such broker or commission agent in respect of any transactions effected, or services rendered by him in so selling, acting, or in being instrumental in

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- 5 so selling, and in the case of a share broker or a produce broker, the commissions or fees received of receivable by such broker or commission agent in respect of any transactions effected or services rendered by him ; and
- 10 (d) in the case of a person carrying on any educational establishment or school, the total amount, excluding profits from investment of the moneys of the educational establishment or school, received or receivable by him in carrying on such educational establishment or school, but does not include any amount received or receivable by the sale of capital assets.

15 **148.** (1) Where any land within the limits of a Pradeshiya Sabha is suitable for building purposes, or for the purposes of permanent or regular cultivation, or such land is capable of being developed for any such purpose at a cost which would in the opinion of the Pradeshiya Sabha, be reasonable, and where—

Tax on undeveloped land.

- (a) no building has been erected on such land ; or
- 20 (b) the extent of such land which is actually covered by buildings bears to the total extent of such land, a proportion less than the prescribed proportion ; or
- (c) such land has not been subject to regular or permanent cultivation,
- 25 the Pradeshiya Sabha shall levy annually on the owner of such land, a tax not exceeding two *per centum* of the capital site value of such land.

(2) The provisions of sections 131 and 132 of this Act shall, with the necessary modifications, apply with respect to every

30 assessment of the capital site value of land made under subsection (1).

For the purposes of this section, "capital site value" when used in reference to any land, means the probable price which would be paid for the land, exclusive of all buildings thereon,

35 if the land were sold in the open market, free of all mortgages, leases, encumbrances or other charges.

40 **149.** (1) Where any land within the limits of a Pradeshiya Sabha is sold by public auction or otherwise, by an auctioneer or broker or his servant or agent, the vendor or such auctioneer or broker or his servant or agent, shall pay to the Pradeshiya Sabha, from the proceeds of the sale of such land, a tax equivalent to one *per centum* of the amount of such proceeds.

Tax on certain sales of land.

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(2) If the tax payable under subsection (1) is not paid within fourteen days of demand, the Secretary of the Pradeshiya Sabha shall report such failure to the Magistrate's Court and the Court shall proceed to recover the amount due as if it were a fine imposed by Court, notwithstanding that such amount exceeds the amount of fine which a Magistrate may impose in the exercise of his ordinary jurisdiction and the amount so recovered by court shall be paid into the Pradeshiya Sabha Fund.

10 150. No movable property found in or upon any house, building, land or tenement in respect of which any rate or rates under this Act may imposed shall be seized by the Pradeshiya Sabha for any arrears of such rate or rates beyond two quarters next preceding such seizure, unless such movable property belongs to any person who was the owner or joint owner of the said house, building, land or tenement at the time the arrears beyond such two quarters accrued and became due, or unless such movable property belongs to any person who has occupied such house, building land or tenement at the time when the said last-mentioned arrears accrued and became due.

Movable
Property
exempt from
seizure in
respect of
rates &c.

20 151. The occupant of any house, building, land or tenement not being the owner or joint owner thereof whose property has been seized as aforesaid or who to avoid such seizure, or after seizure, to avoid a sale of such property, has paid the amount of rate or rates due in respect of such house, building, land or tenement, and costs, may deduct the amount so paid by him from the rent due by him on account of the said house, building, land or tenement to the owner or owners thereof ; and the receipt of the Pradeshiya Sabha for the amount so paid shall be deemed an acquittance in full for the like amount of rent :

Deduction of
amounts paid
from rent due.

Provided that nothing herein contained shall affect any such deduction from the rent by any occupant, who by the terms of his lease or other agreement is himself bound and liable to pay such rate or rates.

35 152. No assessment, valuation or verification, and no charge or payment of any rate or tax under the authority of this Act and no seizure and sale, shall be impeached or affected by reason of any mistake in the name of any person liable to pay the rate or tax, or in the description of any property or thing liable to the rate or tax, or any mistake in the amount of assessment or verification or the mode of seizure and sale ; and no proceedings under this Act or any by-law made thereunder shall be set-aside for want of form by any court of the provisions of this Act or of such by-law.

Assessment & c.
not impeached
or affected by
reason of
mistake in
name &c.

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153. (1) If the amount of any rate payable under this Act or the amount of any tax imposed thereunder, is not paid into the Pradeshiya Sabha office within such time as the Pradeshiya Sabha may direct, a warrant signed by the Commissioner shall
5 be issued to some collector or other officer of the Pradeshiya Sabha named therein directing him—

Warrant for recovery of rates and taxes.

10 (a) in the case of non-payment of any rate or acreage tax to levy such rate or acreage tax and the costs of recovery by seizure and sale of all and singular the movable property of the owner of the premises on account of which such rate or acreage tax may be due and of all
15 movable property to whomsoever the same may belong which may be found in or upon any such premises and the immovable property on account of which such rate or acreage tax may be due ; and

20 (b) in the case of non-payment of any other tax, to levy such tax and the costs of recovery by seizure and sale of the property on account of which such taxes may be due and of all and singular the movable or immovable property of the defaulter.

(2) Every warrant issued under subsection (1) shall be in the form contained in the Eighth Schedule with such variations as the circumstances require.

25 (3) A Pradeshiya Sabha may, by resolution, waive the whole or any part of any rate or tax and any costs incurred for the purpose of recovering that rate or tax if it appears to the Pradeshiya Sabha that the amount to be waived is inconsiderable or irrecoverable or that it should be written off on the ground of the poverty of the person liable therefor ; and in any case where any
30 such resolution is passed, no warrant under subsection (1) shall be issued and any such warrant that may have been issued shall be recalled.

154. (1) If the amount due as rent for any premises let by the Sabha is not paid into the Sabaha Office within fourteen
35 days after such amount becomes due, it shall be the duty of the Commissioner by warrant signed by him to authorize an officer of the Pradeshiya Sabha named therein and his assistants to levy such amount and the costs of recovery by the seizure and sale of all movable and immovable property situated within its
40 limits and belonging to the tenant and by the seizure and sale of all movable property to whomsoever the same may belong which may be found in or upon the premises for which rent is due.

Warrant for recovery of rent and fees due to the Sabha.

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(2) If the amount due as fees for the removal of any refuse from premises where a trade is carried on is not paid into the Pradeshiya Sabha Office within fourteen days after demand, the Commissioner may by warrant authorise an officer of the Sabaha named therein and his assistants to levy such amount and the costs of recovery by the seizure and sale of movable and immovable property situated within its limits and belonging to the defaulter.

(3) Every warrant issued under subsection (1) or (2) shall be in the form set out in the Seventh Schedule with such variations as circumstances may require.

155. No property of any class or description set out hereunder shall be seized or sold in execution of any warrant issued under this Act : Restrictions as to seizure of property.

15 (a) the necessary wearing apparel, beds and bedding and cooking utensils of the person whose property is to be seized or of his wife and children ;

90 (b) the tools, utensils and implements of trade or business of such person and where such person is an agriculturist, the implements of husbandry and such cattle and seed grain as may be reasonably necessary to enable him to earn his livelihood as such ; and

25 (c) professional instruments and library necessary for the carrying on of the profession or business of such person to the value of Rupees five hundred.

156. The amount of the cost of recovery authorized to be levied under any warrant issued under this Part shall be determined in accordance with the following provisions : Scale of costs.

(a) a charge of—

30 (i) ten *per centum* on the amount of the tax or rent due ;

(ii) fifteen *per centum* on the amount of rate due on bare lands and residential premises ; and

35 (iii) twenty *per centum* on the amount of rate due on properties other than bare lands and residential premises.

shall be made in respect of the cost of issue of the warrant ;

40 (b) a charge of ten *per centum* of the amount of the rate, tax, rent or fee to be levied under the warrant may be made in any case where goods are removed after seizure under warrant and a further charge not exceeding

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twenty five cents per day shall be made for keeping such goods in safe custody during detention but so however that no such charge shall be made in respect of detention for more than one month ;

- 5 (c) in the case of the seizure of immovable property or where goods seized are not removed after seizure, a charge not exceeding three rupees per day shall be made for keeping a person in possession of the property or goods ;
- 10 (d) a charge of ten *per centum* of the amount of the rate, tax, rent or fee to be levied under the warrant may be made in any case where the property seized is advertised for sale but no sale takes place due to the rates, taxes, rents or fees and costs due being paid before the sale ;
- 15 (e) in case of seizure of immovable property a charge of ten *per centum* of the amount of the rate, tax, rent or fee to be levied under the warrant may be made in respect of the cost of issue of notice of seizure ; and
- 20 (f) where a sale takes place a charge not exceeding two and a half *per centum* of the proceeds of sale shall be made in respect of the cost of sale.

157. (1) Subject to the provisions of sections 155 and 156 it shall be the duty of the collector or other officer to whom the warrant is issued under this Chapter for the seizure and sale of any property, to effect any such seizure as far as possible in accordance with the provisions of this section.

Seizure of property.

(2) Such movable property wherever situated of the owner as can be found and as may, in the opinion of the collector or other officer, be sufficient to defray the amount leviable, shall be seized and sold before any property is seized in execution of the warrant.

(3) Where no movable property of the owner is found or where the amount realized by sale of movable property seized under subsection (2) is insufficient to defray the amount leviable, such movable property as can be found in or upon the property to which the warrant relates shall be seized and sold.

(4) Where no movable property has been seized and sold under the preceding provisions of this section or where the proceeds of sale of any movable property so seized is insufficient to defray the amount leviable, the collector or other officer shall seize and sell the rents and profits from the property to which the warrant relates for a period sufficient in the opinion of such collector or other officer to defray the amount recoverable.

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(5) Where no such rents and profits are found or where the amount realised by the sale of movable property under subsections (2) or (3) or rents and profits under subsection (4) is insufficient to defray the amount leviable, the collector or other
5 officer, in accordance with such directions as the Commissioner of the Rent Board shall issue in that behalf shall seize the immovable property to which the warrant relates.

(6) Upon the seizure of such immovable property such Commissioner shall cause notice of seizure to be served on, or
10 left at the premises of, the occupier of the property whether he is the owner or tenant of the property seized. The said notice shall intimate that the property seized shall be vested in the Pradeshiya Sabha on a date to be specified in the notice if the rates and costs due thereof are not paid before such date. The
15 date to be specified shall be a date after the expiry of a period of twenty eight days from the date of seizure but not later than forty two days from the date of such seizure.

(7) The Commissioner of the Rent Board shall cause a notice to be published in the Gazette and in a newspaper circulating
20 in the area setting out the immovable properties seized under subsection (5) of the dates specified in the notice under subsection (6) on which such property shall be vested in the Sabha if all the rates, taxes, rents or fees, as the case may be, and costs due thereof are not paid before such date. This notice shall
25 be published at least twenty four days before the specified date referred to in subsection (6).

(8) No collector or other officer shall be liable in damages by reason of his failure to carry out any seizure and sale in accordance with the provisions of this section unless the person
30 who claims such damages proves to the satisfaction of the Court that at the time when that person's immovable property was being seized he or some other person on his behalf pointed out to the collector or officer free and unclaimed property which would have been sufficient to defray that amount leviable and
35 which should lawfully have been seized in the first instance as herein before provided and that the collector or officer failed to seize the property so pointed.

(9) No seizure of any immovable property under subsection (5) shall be deemed to be invalid or be impeached or affected
40 by reason that the order in which property must be seized had not been followed on movable property that could be seized and sold had not been seized and sold unless the person who makes such application had made written declaration to the collector or officer and the Secretary of the Pradeshiya Sabha
45 setting out free and unclaimed movable property which would

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have been sufficient to defray the amount leviable and which could lawfully have been seized in the first instance as hereinbefore provided and that the collector or officer or such Commissioner failed to seize the property as declared.

5 **158.** (1) The movable property seized in execution of any warrant issued under this part shall be sold by public auction in accordance with the provisions of this section by the collector or officer to whom the warrant was issued or by some other person authorized in that behalf by the Commissioner.

Sale of
movable
Property.

10 (2) No property which in the opinion of the collector or officer seizing such property exceeds Rupees one thousand in value shall be sold under this section—

(a) except after the expiry of a period of twenty four days from the date of such seizure ; and

15 (b) unless notice of the date, time and place fixed for the sale has not less than eleven days before the date so fixed been published in the Gazette and a newspaper circulating in Sri Lanka.

(3) The Secretary of the Pradeshiya Sabha shall cause any
20 movable property seized in execution of any warrant to be sold within a period of sixty days from the date of such seizure.

(4) No property seized in execution of any warrant shall be sold under this section if at or before the time fixed for the sale of such property payment of the amount and of the costs
25 recoverable under the warrant is duly made to the Secretary.

159. Where any movable property seized in execution of a warrant is sold under this part the Secretary of the Pradeshiya Sabha shall, after deducting from the proceeds of sale the amount and cost leviable under the warrant, on application
30 made by the owner of the property or joint owners pay the surplus, if any, to the owner : or owners as the case may be :

Surplus of
sale.

Provided however, that where no such application is made before the expiry of one year from the date of the sale of any movable property, the amount of such surplus shall be credited
35 to the Pradeshiya Sabha Fund and no person shall thereafter be entitled to demand or receive such amount.

160. The person to whom any warrent under this chapter is addressed may break open in the day time any house or building for the purpose of seizing property in pursuance of such
40 warrant.

Power to
break open
houses.

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- 161.** (1) In every case where no movable property of any description referred to in section 155 can be found or where the collector or other officer to whom the warrant is issued, reports that it is impracticable to seize movable property, the Secretary shall serve a written notice in the form set out in the Sixth Schedule here on the person who had made default in the payment of the rate or tax calling upon him to pay such rate or tax along with the warrant costs within a period of one month from the date of service of the notice and inform him that in the event of any default in the payment of the rate or tax and costs within that period, steps will be taken for the seizure and sale of the building or land in respect of which the rate or tax is due.
- Default in the payment of rate or tax.
- (2) In default of compliance by any person with any notice served on him under subsection (1) within the time specified in such notice, the Secretary shall certify the aggregate amount due from that person to the Magistrate's Court where the amount of rate or tax does not exceed rupees one thousand five hundred and to the District Court where the rate or tax due exceeds rupees one thousand five hundred with in whose jurisdiction the property lies and upon such application being made the Court shall issue to the fiscal a writ for a recovery of such amount of rates or taxes and costs by the seizure and sale of such immovable property.
- (3) The provisions of Chapter XXII of the Civil Procedure Code relating to the seizure and sale of property by the fiscal in execution of a writ issued by court shall apply to the seizure and sale of immovable property for the recovery of the sum certified by the Secretary.
- (4) For the purpose of the application of such provision the sum so specified shall be deemed to be due on a decree entered by the court and the Secretary shall be deemed to be the judgement creditor and the person liable to pay such sum shall be deemed to be judgment debtor.
- (5) Every sum paid or recovered under this section shall be credited to the Pradeshiya Sabha Fund.

PART VI

SUPERVISION AND CONTROL OF PRADESHIVA SABHAS

- 162.** (1) The Chairman of every Pradeshiya Sabha shall each year on or before such date and in such form as may be specified by rules, prepare and submit to the Pradeshiya Sabha, a budget for the next succeeding year, and containing an estimate of the available income and details of the proposed expenditure for the ensuing year.
- Budget.

Local Authorities

(2) Every Pradeshiya Sabha shall finally consider and adopt the budget together with the amendments, if any, before the commencement of the year to which such budget relates.

(3) The Chairman of the Pradeshiya Sabha may at any time prepare a supplementary budget and lay it before the Pradeshiya Sabha.

(4) The Pradeshiya Sabha may pass, modify or reject all or any of the items in any budget or supplementary budget or add any item thereto.

10 **163.** If the Pradeshiya Sabha modifies or rejects all or any of the items in any budget or supplementary budget or adds any item thereto and the Chairman does not agree with any such decision of the Pradeshiya Sabha, he shall re-submit the budget or supplementary budget to the Pradeshiya Sabha for further
15 consideration. Where a budget or supplementary budget is not passed by the Pradeshiya Sabha within two weeks after it is re-submitted, such budget or supplementary budget shall, notwithstanding that it has not been passed by the Pradeshiya Sabha, be deemed to be the duly adopted budget or supplementary
20 budget of that Pradeshiya Sabha.

Chairman's powers with regard to budget.

164. The Chairman may, in case of necessity during the course of any year, reduce or increase the expenditure under any head, or transfer the moneys appropriated under one head to any other head, in the budget or in any supplementary budget
25 adopted for that year, but so, however, that the total amount of expenditure sanctioned by such budget is not exceeded.

Variation of expenditure proposed in budget.

165. (1) The administration by a Pradeshiya Sabha of the Pradeshiya Sabha Fund and of the property vested in, or used or occupied by, the Pradeshiya Sabha, shall be further subject
30 to such rules of procedure as may be made under section for prescribing—

Rules as to administration of Fund and property.

(a) the form in which estimates and budgets shall be prepared ;

(b) the period within which, and the manner in which, the approval of the Minister or of the Assistant Commissioner shall be obtained in any matter connected with
35 a budget, which requires such approval under the provisions of this Act ;

(c) the steps to be taken in any matter connected with a budget in the event of its being disapproved by the
40 Minister or the Assistant Commissioner ;

(d) the form in which books of accounts shall be kept prepared by a Pradeshiya Sabha ;

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- (e) the form of the periodical statements of accounts which shall be prepared by a Pradeshiya Sabha ;
- (f) the manner in which, the intervals at which, and the persons by whom, the books, accounts, documents and other records of a Pradeshiya Sabha, the works of construction, maintenance or repair undertaken or executed by a Pradeshiya Sabha, and the lands and buildings vested in or used or occupied by a Pradeshiya Sabha shall be inspected ; and
- 10 (g) the mode of giving notice within the limits of a Pradeshiya Sabha of the financial proposals of a Pradeshiya Sabha, and of publishing the periodical statements of accounts.

166. (1) The accounts of every Pradeshiya Sabha shall be 15 inspected and examined once at least in every year, and shall be audited annually by the Auditor-General or an officer authorised by him (hereinafter referred to as the "auditor") ; and the Pradeshiya Sabha shall pay to the Government, as a contribution towards the cost of such inspection, examination and audit, a 20 fee according to such rates as may from time to time be determined by the Minister in charge of the subject of Finance.

Audit of
Account.

(2) If any person neglects or refuses to produce any book, deed, contract, account, voucher, document, or papers within thirty days of his being required so to do, or to make or sign any 25 declaration when required so to do under this subsection, he shall be guilty of an offence, and be liable on conviction to a fine not exceeding one hundred rupees and to a further fine not exceeding fifty rupees for each day during which the offence is continued after he has been convicted of such offence.

30 (3) In auditing the accounts of a Pradeshiya Sabha under this subsection, the auditor shall disallow every item of the accounts which is contrary to law, and surcharge the same on the person making or authorizing the making of the illegal payment, and shall charge against any person the amount of any deficiency or loss 35 incurred by the negligence or misconduct of that person and any sum which ought to have been, but is not, brought into account by that person and shall in each case certify the amount due from such person and communicate his decision in writing to such person through the Commissioner of Local Government. 40 The communication shall be transmitted by the Commissioner of Local Government to such person by registered post, and if so transmitted shall be deemed to be received by such person at the time when the letter containing the decision would be delivered in the ordinary course of post, and in proving that such letter 45 was posted it shall be sufficient to prove that such letter was properly addressed and put into the post :

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Provided that no expenses incurred by a Pradeshiya Sabha shall be disallowed by the auditor if such expenses have been sanctioned by the Minister.

(4) Where any item of the accounts of a Pradeshiya Sabha
5 relating to any expenditure authorized by a resolution of that Pradeshiya Sabha is disallowed by the auditor as being contrary to law under subsection (4) of this subsection, the Chairman of that Pradeshiya Sabha and every other member of that Pradeshiya Sabha who voted in favour of such resolution,
10 shall each be deemed to be a person who made or authorized the making of the payment for the purposes of that subsection.

(5) Before making any surcharge or disallowance against any person, the auditor shall afford an opportunity to such person to be heard or to make any representation with regard to the matter
15 which he may think fit, and shall, in the event of his making such surcharge or disallowance, furnish such person in writing, on application being made to him for that purpose, with the reasons for his decision in respect of such surcharge or disallowance.

20 (6) (i) Any person aggrieved by any surcharge or disallowance may appeal therefrom to the District Court within the jurisdiction of which the Pradeshiya Sabha is situated, and the District Court may either, confirm such surcharge or disallowance or if it is of opinion that surcharge or disallowance is not in
25 accordance with the law, modify or set aside such surcharge or disallowance.

(ii) Every proceeding under this section shall be heard and determined according to the procedure prescribed by law for the time being in force regulating the hearing and determination
30 of actions in a District Court, with such necessary modifications as the District Judge may direct.

(7) (i) In lieu of an appeal under subsection (6), any person aggrieved by any surcharge or disallowance may within thirty days of the date on which the decision of the Auditor-General
35 is communicated to him appeal against such decision to the Minister and shall be lawful for the Minister upon any such appeal to decide the question at issue according to the merits of the case.

(ii) The Minister may by Order direct the recovery from the person making such appeal, the whole or any portion of the
40 amount surcharged or disallowed, if he thinks fit to do so, and if he finds that any surcharge or disallowance has been lawfully made but that the subject matter thereof was incurred under such circumstances as to make it fair and equitable that the surcharge or disallowance shall be remitted, he may by Order
45 direct that the same shall be remitted, but that the amount of the

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costs and expenses which may have been incurred by the Auditor-General in the enforcing of such surcharge or disallowance or such portion of it as may be determined by the Minister, shall be recovered from such person.

5 (8) Every sum certified to be due from any person by the auditor as aforesaid shall be paid by such person to the Commissioner of Local Government within fourteen days after the decision of the Auditor has been communicated to such person, unless there is an appeal against the decision ; and if such sum
10 is not so paid and there is no such appeal, it shall be the duty of the Commissioner of Local Government to recover the sum due from such person in the manner specified in subsection (10) or sub-section (11).

(9) If any sum referred to in sub-section (9) is not paid within
15 the time allowed therefor by that paragraph to the Commissioner of Local Government by the person from whom it is due, such Commissioner may make an application to the District Court within whose jurisdiction such person resides, for the recovery of such sum by seizure and sale of the immovable property of such
20 person, and upon such application being made, the court shall issue to the Fiscal a writ for the recovery of such sum by the seizure and sale of such immovable property. The provisions of the Civil Procedure Code relating to the seizure and sale of immovable property by the Fiscal in execution of a writ issued
25 by a court and to the making and adjudication of claims in respect of immovable property seized by the Fiscal shall apply to the seizure and sale of immovable property for the recovery of the sums specified in the Commissioner's application and to the making and adjudication of claims in respect of immovable
30 property seized for the recovery of such sum. For the purpose of the application of such provisions the sum so specified shall be deemed to be due on a decree entered by the court and such Commissioner shall be deemed to be the judgment-creditor and the person liable to pay such sum shall be deemed to be the
35 judgement-debtor.

(10) Where the Commissioner of Local Government is of the opinion in any case that recovery from any person of any sum referred to in sub-section (9) by seizure and sale of such person's immovable property is impracticable or inexpedient, or where
40 the full amount of such sum has not been so recovered, such Commissioner may issue a certificate containing particulars of the amount due from such person and the name and last known place of business or residence of such person to a Magistrate having jurisdiction in the place in which such person resides.
45 The Magistrate shall thereupon summon such person before him to show cause why proceedings for the recovery of the amount due should not be taken against such person, and if no

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sufficient cause is shown by such person, the amount due shall be deemed to be a fine imposed by a sentence of the Magistrate on such defaulter for an offence punishable with a fine only or not punishable with imprisonment, and may be recovered
5 accordingly.

(11) Any amount directed to be recovered from any such person by any order made by the Minister under this sub-section may forthwith be recovered by the Commissioner of Local Government in the same manner as any sum certified by the
10 auditor is recoverable under the provisions of this sub-section.

(12) The correctness or validity of any certificate or surcharge or disallowance made by the Auditor-General under sub-section (4) or an Order made by the Minister under sub-section (8) or the certificate given by the Commissioner of Local Government
15 under sub-section (11) of this section shall not be called in question in any District Court or Magistrate Court in any proceedings for the recovery of any sum due under this section.

(13) Every sum paid or recovered under this section, other than any sum paid or recovered as costs and expenses incurred
20 in the enforcement of any surcharge or disallowance shall be credited to the Pradeshiya Sabha Fund of the Pradeshiya Sabha.

167. Any contract for the execution or performance of any work or service or for the supply of any articles or materials or
25 for any other matter necessary for the purpose of this Act which involves an estimated expenditure or revenue exceeding and limits as may be prescribed by regulations or which will or is expected to endure for more than one year shall be reduced to writing and signed by the Chairman and the Secretary of the
30 Pradeshiya Sabha on behalf of the Pradeshiya Sabha and sealed with the common seal of the Pradeshiya Sabha and in addition to such other matters as may be deemed necessary for inclusion in any such contract shall specify—

Contracts for execution of work to be reduced to writing if exceeding prescribed limits.

(i) the work or services to be executed or performed or the
35 articles or materials to be supplied ;

(ii) the price or rate to be paid for the work, service, articles or materials ;

(iii) the time or times within which the work or services is to be completed or the articles or materials which are to
40 be supplied ;

(iv) any penalty or penalties to be imposed in case of breach.

Provided that in the purchase of any articles or materials the Sabha may dispense with the requirement of a written agreement.

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168. Before any contract as is referred to in section 167 is entered into—

Procedure for entering into contracts referred to in section 167.

5 (i) the Secretary shall, if the Pradeshiya Sabha so directs, take sufficient security for the due performance of the contract ;

(ii) the Secretary or the Chairman shall call for tenders or quotations in the manner prescribed by regulations ;

10 (iii) the invitation to tender and the tenders or quotations if any or copies thereof shall be laid before the Sabha which shall either accept one of such tenders or quotation or reject all of them and where a tender or a quotation other than the lowest where it relates to expenditure and the highest where it relates to revenue is accepted, the resolution shall give satisfactory reasons for not accepting the lowest or the highest, as the case may be ; and

15 (iv) the contract shall be sanctioned by the Pradeshiya Sabha after satisfying itself that the necessary funds have been provided for the same in a sanctioned budget or supplementary budget :

20

Provided that it shall not be necessary for the Secretary of the Pradeshiya Sabha or the Chairman to call for tenders or quotations where the work or service or the supply of any article or material or any other matter necessary for the purpose of this Act is to be carried out by a Government Department, Public Corporation or a registered Co-operative Society.

25

169. (1) For the purpose of resolving any doubts as to the legality of any item of expenditure authorized by a resolution of a Pradeshiya Sabha, the Chairman of the Pradeshiya Sabha may refer the matter for decision through the Assistant Commissioner to the Commissioner of Local Government. The Commissioner shall communicate his decision on any such reference through the Assistant Commissioner to the Chairman.

30

Resolving doubts as to legality of item of expenditure.

35

(2) Where the Commissioner of Local Government has, on any reference made to him under subsection (1), confirmed the legality of any item of expenditure authorized by a resolution of a Pradeshiya Sabha, the Chairman of the Council and every other member thereof shall not, notwithstanding anything to the contrary in section 165, be liable to a surcharge by the auditor under that section in respect of any payment relating to that item of expenditure.

40

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170. (1) Pradeshiya Sabha may, with the approval of the Minister given after consultation with the Minister in charge of the subject of Finance, grant out of the Pradeshiya Sabha Fund for which that Pradeshiya Sabha has been constituted, to any person—

Ex gratia payment of pension, annuity gratuity or retiring allowance.

(a) who retires or has retired from service as an officer or servant of that Pradeshiya Sabha, or

(b) who is or was transferred from such service to, and retire or has retired from, the service of the Government,

10 a pension, gratuity, or retiring allowance in respect of any period of his service as such officer or servant for which no pension, gratuity, or retiring allowance, or no adequate pension, gratuity allowance, is payable under any by-laws or rules of that Pradeshiya Sabha or under any pension scheme established

15 under the Local Government Service Law, No. 16 of 1974.

(2) Where no pension, annuity, or gratuity, or no adequate pension, annuity, or gratuity is payable to the widow, children, next of kin dependants of any deceased officer or servant of a Pradeshiya Sabha under any by-laws or rules of that Pradeshiya

20 Sabha or under any scheme or fund established under the Local Government Service Law, No. 16 of 1974, that Pradeshiya Sabha may, with the approval of the Minister given after consultation with the Minister in charge of the subject of Finance, grant to such widow, children, next of kin or dependents a

25 pension, an annuity or a gratuity out of the Pradeshiya Fund. Pradeshiya Sabha has been constituted.

(3) Nothing in subsection (1) or subsection (2) of this section shall be construed to confer on any person any right to any pension, annuity, gratuity or retiring allowance under either

30 of those subsections.

171. (1) A Pradeshiya Sabha may, with the approval of the Minister given with the concurrence of the Minister in charge of the subject of Finance, make by-laws providing for the establishment of, and may establish in accordance with such

35 by-laws, a scheme for the payment of gratuities to temporary officers and servants of that Pradeshiya Sabha upon their discontinuance from the service of that Pradeshiya Sabha.

Power to establish gratuity scheme.

(2) The by-laws made under subsection (1) may be so made by a Pradeshiya Council as to be applicable to temporary officers

40 and servants of that Pradeshiya Sabha who have been discontinued from the service of that Pradeshiya Sabha before coming into operation of the by-laws.

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172. (1) It shall be lawful for a Pradeshiya Sabha subject to the approval of the Minister, to borrow from the Sri Lanka Government, or any person or persons or body of persons whether incorporated or not, such sum or sums of money as may be necessary for any of the purposes of the Pradeshiya Sabha :

Power of Pradeshiya Sabha to borrow on the security of rates and taxes.

Provided that the approval of the Minister shall not be necessary for borrowing any such sum if the amount outstanding in respect of all loans already raised by such Pradeshiya Sabha does not exceed the total income received by such Pradeshiya Sabha during the three years immediately preceding the year in which that sum is to be borrowed.

(2) Every loan raised by a Pradeshiya Sabha shall be subject to such rate of interest and to such conditions for the repayment thereof as may, where that loan is raised with the approval of the Minister, be approved by the Minister, and in any other case, be determined by the Pradeshiya Sabha.

(3) For the purpose of securing the repayment of the sum or sums borrowed by a Pradeshiya Sabha and the interest accruing thereof, the Pradeshiya Sabha may mortgage and assign to the lender or lenders, by or on whose behalf such sum or sums or any part thereof may be lent, the proceeds of any rate or tax levied or imposed under this Act or any portion thereof, or any property belonging to the Pradeshiya Sabha or any other source of income accruing to the Pradeshiya Sabha or any portion thereof.

173. (1) The amount at any time outstanding in respect of all loans due from Pradeshiya Sabha (whether rated under the authority of this act or any other written law) shall not extend in the aggregate ten times the fair average annual income received by the Pradeshiya Sabha from all rates and taxes, properties and other sources of income for the preceding five years, or in the case of a Pradeshiya Sabha which has not been in existence for five years, ten times its income for one year as appraised by the Pradeshiya, subject to the approval of the Minister :

Limitation of borrowing powers.

Provided that in any case in which the liabilities of any Pradeshiya Sabha in respect of its loans or wholly or mainly due to the Sri Lanka Government, the Minister may, Order published in the Gazette, authorised the limit prescribed by this section to be exceeded to such extent as may be stated in the Order.

(2) All securities given in respect of loans under this Chapter shall be free of stamp duty.

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174. The form and manner of execution of any security given for the purpose of any loan under this Chapter, the mode and order of repayment of any sums borrowed and the arrangements for the liquidation of any loan, shall subject to the provisions of the Local loans and Development Ordinance be such as may be prescribed by by-laws or regulations made under this Act. and, in the absence of any such by-laws or regulations shall be in accordance with the provisions of the Municipal Councils Ordinance, and the said provisions, with the necessary modifications, shall in such circumstances apply to any loan made to any Pradeshiya Sabha under this Act.
175. If the Pradeshiya Sabha fails to sanction the raising of loan for the purpose of fulfilling any duty imposed on the Pradeshiya Sabha for carrying out any work, which the Chairman considers to be necessary, the Chairman may, with the approval of the Commissioner, raise such loans and any exercise all the powers vested in the Pradeshiya Sabha under the provisions of section 181 and as though much powers were conferred by that section on the Chairman.
176. A Pradeshiya Sabha may by resolution waive the whole or any part of any sum of money due to the Pradeshiya Sabha from any person on the ground that the amount to be waived is inconsiderable or irrecoverable or on the ground of the poverty of such person. A resolution relating to the waiver of an amount exceeding fifty rupees shall be subject to the approval of the Minister.

Form of Security &c.,

When chairman may exercise powers of Pradeshiya Sabha relating to raising of loans.

Waiver of sums due to Pradeshiya Sabha.

PART VII

SUPPLEMENTAL PROVISIONS RELATING TO PRADESHIYA SABHA

177. All costs, charges and expenses arising from or in respect of any suit, action, or legal proceeding, which a Pradeshiya Sabha may become liable to pay shall be paid from the Pradeshiya Sabha Fund ; and no member of the Pradeshiya Sabha or inhabitant living within the limits of a Pradeshiya Sabha shall be personally liable for the payment thereof.
178. (1) The Minister may make rules not inconsistent with the provisions of this Act, on any matter connected with the execution or enforcement of those provisions and without prejudice to the generality of the powers hereby conferred, may make such rules on all or any of the following matters :—
- (a) the form of the notice summoning meetings of a Pradeshiya Sabha, the intervals at which ordinary meetings are to be held, and the procedure to be followed in the conduct of meetings ;

Payment of costs awarded against Pradeshiya Sabha.

Rules as to meetings, and tax and finance.

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- (b) the manner in which any rent or fee which is not payable in advance under the by-laws made by a Pradeshiya Sabha, may be recovered summarily by the Pradeshiya Sabha in the event of default being made in the payment thereof ;
- 5
- (c) the several matters appertaining to finance and the administration of funds and other property for which rules are required under section 165, and all other matters connected therewith or incidental thereto ;
- 10
- (d) the rates of subsistence and travelling allowances payable to members or officers or servants of Pradeshiya Sabhas by way of reimbursement of expenses incurred in the performance of any duty ;
- (e) the rates of travelling allowances payable to members of a Pradeshiya Sabha for attendance at meetings of the Pradeshiya Sabha ;
- 15
- (f) the rates of allowances payable to the Chairman, the Vice-Chairman and members of a Pradeshiya Sabha ;
- (g) the returns to be rendered periodically by the several Pradeshiya Sabha to the Minister ;
- 20
- (h) the receipt and disposal of stores and equipment, the keeping of inventories and the manner in which such inventories shall be kept ;
- (i) the appointment, discipline, suspension and dismissal of officers and servants of Pradeshiya Sabhas who are not members of the Local Government Service, and—
- 25
- (i) the qualifications necessary for appointment to posts or offices not being Local Government Service posts within the meaning of the Local Government Service Law, No. 16 of 1974 ;
- 30
- (ii) the scales of the salaries to be designed to such posts or offices ;
- (iii) the terms and conditions, and the duration, of any leave of absence that may be granted to such officers and servants ;
- 35
- (iv) Provident funds for the benefit of such officers and servants of Pradeshiya Sabhas who are not members of the Local Government Service ;
- (j) the powers and duties of the Chairman in his capacity of chief executive officer of a Pradeshiya Sabha ;
- 40
- (k) the procedure to be followed by a Pradeshiya Sabha before any area, to which by-laws under section 131 (vii) are to apply, is defined.

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(2) Every rule made by the Minister under this section shall be published in the Gazette and shall be brought before Parliament as soon as may be after such publication for approval.

(3) Every rule made by the Minister, when approved by Parliament be as valid and effectual as if it were herein enacted, and shall prevail over any by-law made or deemed to be made by, or any power vested in, a Pradeshiya Sabha in respect of the same matter or for the same purpose. Notification of such approval shall be published in the Gazette.

10 179. (1) If any time the Minister is satisfied that there is sufficient proof of—

(a) incompetence and mismanagement, or

(b) persistent refusal or wilful neglect to perform the duties imposed by this Act, or

15 (c) misconduct in the performance of those duties, or

(d) persistent disobedience to or disregard of the directions, instructions or recommendations of the Minister, or the Commissioner, or

20 (e) abuse of the powers conferred by this Act on the part of the Chairman of a Pradeshiya Sabha or any of the members of the Pradeshiya Sabha, the Minister may as the circumstances of each case may require by Order published in the Gazette—

(i) remove the Chairman from office, or

25 (ii) remove all or any of the members from office; or

(iii) dissolve the Pradeshiya Sabha.

and such Order shall as soon as may be convenient be laid before the Parliament.

(2) The Minister shall before making an Order under sub-
30 section (1) appoint, for the purpose of satisfying himself in regard to any of the matters referred to in
(2) Subsection (1), a retired judicial officer to inquire into and report upon such matter within a period of three months, and such officer shall in relation to such inquiry have the powers of
35 a commission of inquiry appointed under the Commissions of Inquiry Act.

Removal of
Chairman and
dissolution
of Pradeshiya
Sabha.

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- (3) (a) When the Minister appoints a retired judicial officer under subsection (2) to inquire into any matter, the Minister may, as the circumstances of each case may require, by Order published in the Gazette—
- 5 (i) suspend the Chairman from office and direct the Vice-Chairman or, where the office of the Vice-Chairman is vacant or where the Vice-Chairman has been suspended, the Assistant Commissioner of the region, to exercise the powers and perform the duties of the Chairman ; or
- 10 (ii) suspend any of the members from office ; or
- (iii) suspend the Pradeshiya Sabha and direct the Assistant Commissioner of the region to exercise the powers and perform the duties of that Pradeshiya Sabha and its Chairman.
- 15 (b) Upon the receipt of the report of the person appointed under subsection (2), the Minister may make an Order under subsection (1) or revoke the Order made under paragraph (a) of this subsection.
- (4) Where the Minister removes any member of a Pradeshiya
- 20 Sabha from office by Order under subsection (1), the member appointed in place of such member who is removed, shall hold office for the unexpired period or portion of the term of office of his predecessor.
- (5) Where the Minister dissolves a Pradeshiya Sabha by
- 25 Order under subsection (1), he may by the same or any subsequent Order—
- (a) appoint for a stated period, or from time to time, a Special Commissioner or Commissioners to administer the affairs of the Pradeshiya Sabha and, for that
- 30 purpose and subject to such conditions, or limitations as may be specified in the Order, to exercise the powers and perform the duties of a Pradeshiya Sabha under this Act, and
- (b) either give such directions as may be necessary for constituting for those limits a new Pradeshiya Sabha
- 35 constituting of a larger or a smaller number of members, as to him may seem expedient.
- (6) Where the Minister appoints any Special Commissioner or Commissioners under subsection (5), all the property and the
- 40 rights under contracts and all the powers vested in the Pradeshiya Sabha shall be deemed to be vested in such Special Commissioner or Commissioners, and all the liabilities and duties of the Pradeshiya Sabha shall be transferred to and shall be discharged by such Special Commissioner or Commissioners until the end
- 45 of the period stated in the Order or until the Minister otherwise directs.

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180. Every breach of a by-law made or deemed by virtue of any written law to have been under this Act, shall be an offence punishable in the manner provided by the Administration of Justice Law No. 44 of 1978, by the Magistrate's Court having jurisdiction over the area in which the breach takes place.

Breach of by-laws.

181. (1) If at any time it appears to the Minister that any Pradeshiya Sabha is omitting to perform any duty or to carry out any work imposed upon the Pradeshiya Sabha by this Act or any other written law, or that the Pradeshiya Council has otherwise made default in the performance of any of its duties or the discharge of any of its responsibilities under this Act or any other written law, the Minister may in writing give notice to the Pradeshiya Sabha that, unless within such time as shall be specified in the notice the Pradeshiya Sabha shows cause to the contrary, the Minister will appoint a person or persons to inquire into and report upon such omission or default to the Minister and to make recommendations as to the measures that should be taken for the purpose of performing such duty or carrying out such work or making good such default.

Power of Minister when Pradeshiya Sabha make default &c.,

(2) Where any cause or sufficient cause is not shown by any Pradeshiya Sabha to which notice is given under subsection (1), the Minister shall appoint a person or persons to hold the inquiry referred to in the notice. Such inquiry shall be held as far as practicable in public.

182. (1) On the receipt of the report of the person or persons appointed to hold an inquiry under section 191, the Minister shall determine what measures shall be taken for the purpose of performing any duty or carrying out any work which the Pradeshiya Sabha has omitted to perform or carry out or in respect of which the Pradeshiya Sabha has made any default, and make in writing an Order requiring the Pradeshiya Sabha within such time as shall be specified in the Order to take such measures accordingly, and to raise the funds necessary for the purpose by levying any one or more of the rates or taxes leviable under this Act or by means of a loan.

Minister to determine measures to be taken upon receipt of report under section 181.

(2) If a Pradeshiya Sabha fails to comply with an Order made under subsection (1), within the time specified therein, the Minister may in writing appoint some person to take the measures specified in the Order, and may in writing fix the remuneration to be paid to such person, and direct that such remuneration and the cost of the measures taken in accordance with the Order of the Minister shall be paid or defrayed out of the Pradeshiya Sabha Fund and that, if necessary, any one or more of the rates or taxes leviable under this Act shall be imposed or increased, and levied.

Local Authorities

(3) For the purpose of carrying out a direction of the Minister under subsection (2), any person appointed under that subsection shall have the power—

5 (a) to impose, or increase, and levy any such rate or tax as may be imposed, or increased, and levied by the Pradeshiya Sabha affected by such direction ; and

(b) to sign and issue a cheque or an order of payment for the withdrawal of and to withdraw, any sum from the Pradeshiya Sabha Fund of the Pradeshiya Sabha ;

10 and he shall, after paying or defraying all sums and expenditure authorised by such direction to be paid or defrayed by him, pay to the Pradeshiya Sabha Fund the surplus, if may, if the moneys received by him in the exercise of his powers under this subsection.

15 183. The Minister may direct a person appointed under subsection (2) of section 181 in respect of any Pradeshiya Sabha area, in addition to imposing, or increasing, and levying any rate or tax within the limits of a Pradeshiya Sabha area or in lieu thereof, to raise a loan from the local loans and Development
20 Commissioners on the security of any rate or tax within its limits for the purpose of performing any duty, or carrying out any work, or making good any default under that section.

Power of Minister to direct raising of loans.

25 184. The Minister may from time to time certify the amount of the expenses that have been incurred, or an estimate of the expenses about to be incurred, by any person appointed under subsection (2) of section 182 and the amount of any loan, required to be raised for the purpose of defraying the expenses that have been so incurred, or are estimated as about to be incurred, and a certificate of the Minister shall be conclusive
30 as to all matters to which it relates.

Power to certify expenses

35 185. (1) Whenever the Minister under section 181 certifies a loan to be necessary in respect of any Pradeshiya Sabha the Local Loans and Development Commissioners may lend to the Commissioner of Local Government or the person appointed
under subsection (2) of section 182 the amount of such loan on the security of any rate or tax within the limits of that Pradeshiya Sabha without requiring any other security.

Power of local Commissioners to advance loans.

40 (2) The Commissioner of Local Government or the person appointed under subsection (2) of section 182 may, as security for any such loan referred to in subsection (1) as is obtained for any Pradeshiya Sabha mortgage any rate or tax in that area, and such mortgage shall have the same effect as if it had been made by that Pradeshiya Sabha.

Local Authorities

186. (1) The principal and interest due in respect of any loan raised for payment of any expenses incurred or to be incurred under this Part within the limits of any Pradeshiya Sabha shall be deemed to be a debt due from the Pradeshiya Sabha and, in addition to any other remedies, may be recovered in the manner provided by the Local Loans and Development Ordinance.

Recovery of principal and interest from the Pradeshiya Sabha.

(2) The surplus of any loan, after payment of such expenses in respect of any Pradeshiya Sabaha as are referred to in subsection (1), shall, after that surplus is certified by the Minister, be paid to the Pradeshiya Sabha Fund.

187. Any power, duty of function vested in or imposed on or assigned to the Commissioner of Local Government by or under this Act, may be exercised, performed or discharged by any Assistant Commissioner generally or specially authorized there to in writing by the Commissioner, subject to the directions and control of the Commissioner, for such period and to such extent, if any, as may be specified in such written authority.

Delegation of Powers or duties of Commissioner of Local Government to Assistant Commissioner.

188. The Minister may in writing direct the Chariman of a Pradeshiya Sabha to transmit to the Minister for inspection any such book or document as relates to any affair of that Pradeshiya Sabha.

Minister's Power to call for and inspect any book or document of a Pradeshiya Sabha.

189. The Minister or the Commissioner may—

Power to make recommendations as to Policy.

(a) bring to the notice of any Pradeshiya Sabha any measure which, in the opinion of the Minister or the Commissioner, ought to be taken within the area administered by the Pradeshiya Sabha in the interests of public health or safety ; or

(b) bring to the notice of any Pradeshiya Sabha any general question of administrative policy as to which it is desirable, in the opinion of the Minister or the Commissioner that the Pradeshiya Sabha should co-ordinate its policy generally in force in Sri Lanka or in any part of Sri Lanka.

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190. (1) The Minister or the Commissioner or any person generally or specially authroized in that behalf by the Minister or the Commissioner may—

Power of
Minister and
Commissioner

5 (a) inspect any public building, immovable property or institution used, occupied, carried on by or under the control of a Pradeshiya Sabha or any work in progress under the directions of the Pradeshiya Sabha ;

10 (b) call for an inspect or take charge of any books or documents in the possession or under the control of the Pradeshiya Sabha ;

(c) requires any person entrusted with or having dominion of any money or property of any Pradeshiya Sabha, to produce such money or property for inspection or verification ;

15 (d) inquire into any matter pertaining to the administration of the Pradeshiya Sabha or the exercise of the powers and the performances of the duties and functions under this Act or any other law ;

20 (e) require any Pradeshiya Sabha to furnish such statements, accounts, reports or copies of documents relating to the Pradeshiya Sabha or any committee therefor.

25 (2) Any person who neglects or refuses to produce any books, documents, monies or properties or to furnish any statments, accounts, reports or copies of documents when required to do so under subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding rupees one hundred and a further fine not exceeding fifty rupees per day for each day during which such offence is continued after such conviction.

30 **191.** The Commissioner or any state officer authorised in that behalf shall, within the limits of a Pradeshiya Sabha have the same powers and authority required for the due exercise and discharge of their respective powers and functions as officers of the Pradeshiya Sabha :

Additional
powers of
Commissioner.

35 Provided that the Commissioner or authroised state officer shall, in the exercise and discharge of their powers and functions under this section, act in colsultation with the Chairman of that Pradeshiya Sabha.

Local Authorities

192. The Minister shall, either of his own motion or an application made in that behalf by a Pradeshiya Sabha determine the name by which any road or path shall be known and in like manner alter at any time the name of any road or path.

PART VIII

GENERAL

RECOVERY OF CHARGES AND EXPENSES

193. Whenever under the provisions of this Act or any other enactment, or any by-law, rule, or regulation made thereunder, a Pradeshiya Sabha requires any work to be executed by the owner or occupier of any house, building, or land, and default is made in the execution of such work, the Pradeshiya Sabha, whether or not any penalty is provided for such default, may cause such work to be executed, and the expenses therein incurred by the Pradeshiya Sabha shall be paid by the person by whom such work ought to have been executed, and shall be recoverable as provided by this Part.

194. (1) If the person making any default referred to in section 193 is the owner of the house, building, or land, the Pradeshiya Sabha may, by way of additional remedy, whether or not an action or proceeding has been brought or taken against such owner, require the payment of all or any part of the expenses payable by the owner for the time being, from the person who then or at any time thereafter occupies the house, building or land under such owner.

(2) The whole or any part of any expenses referred to in subsection (1) shall, in default of payment by the occupier on demand, be levied by distress of the goods and chattels of such occupier.

(3) Where any sum in respect of expenses incurred by the Council is paid by or recovered from the occupier under subsection (1) or subsection (2), the occupier shall be entitled to deduct such sum from the rent payable by him to the owner and to retain possession of the house, building, or land until such sum is fully reimbursed to him.

195. (1) No occupier of any house, building, or land shall be liable to pay more money in respect of any expenses charged by this Act or any other enactment, or any by-law, rule, or regulation made thereunder, on the owner

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thereof than the amount of rent due from him for the premises in respect of which such expenses are payable at the time of the demand made upon him, or which at any time after such demand and notice not to pay the same to his landlord has accrued and become payable by him, unless he neglect or refuse, upon application made to him for that purpose by the Pradeshiya Sabha, truly to disclose the amount of his rent and the address of the person to whom such rent is payable.

10 (2) The burden of proof that the sum demanded of any occupier is greater than the rent which was due by him at the time of such demand or which has since accrued, shall be upon such occupier.

(3) Nothing herein contained shall be taken to affect any special contract made between any owner and occupier respecting the payment of the expense of any such works as aforesaid.

196. (1) Whenever default is made by the owner of any house, building or land in the execution of any work required to be executed by him, the occupier of such house, building, or land may, with the approval of the Pradeshiya Sabha, caused such work to be executed, and the expenses thereof shall be paid to him by the owner, or the amount may be deducted out of the rent from time to time becoming due from him to such owner.

Occupier in default of owner may execute works and deduct expenses from rent.

(2) The owner of any house, building, or land shall not be entitled to eject the occupier thereof until any expenses incurred by the occupier under subsection (1) shall have been fully paid or deducted as provided by that subsection.

30 197. If the occupier of any house, building or land prevents the owner thereof from carrying into effect, in respect of such house, building, or land, any of the provisions of this Act of any by-law, or regulation made thereunder, after notice of his intention so to do has been given by the owner to such occupier, the Pradeshiya Sabha, upon proof thereof and upon application of the owner, make an order in writing requiring such occupier to permit the owner to execute all such works with respect to such house, building, or land as may be necessary for carrying into effect the provisions of this Act, or of any by-law or regulation made thereunder and may also, if it thinks fit, order the occupier to pay to the owner the costs relating to such application or order, and if after the expiration of eight days from the date of the order, such occupier continues to refuse to per-

Obstruction by occupiers.

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mit such owner to execute such works, such occupier shall be guilty of an offence punishable with a fine not exceeding fifty rupees for everyday during which he so continues of such refusal, shall be discharged from any penalties to which he might otherwise have become liable by reason of his default in executing such works.

198. If neither the owner nor the occupier of any house, building, or land pays the expenses incurred by the Pradeshiya Sabha, the amount of the expenses shall be a charge upon the house, building, or land in respect of which the expenses were incurred, and payable as a debt due to the Pradeshiya Sabha.

Remedy of neither the owner nor occupier pays the expenses.

199. (1) Except as herein otherwise provided, in all cases where damages, costs or expenses are payable under the provisions of this Act or any other enactment, or of any by-law, rule, or regulation made thereunder, the amount, in case of dispute, and, if necessary, the apportionment of the same shall be ascertained and determined in manner following:—

Determination and recovery of damages, costs, etc.

20 (a) where the amount claimed exceeds three hundred rupees, by a Magistrate after a summary inquiry into the claim; and

25 (b) where the amount claimed exceeds three hundred rupees, by the District Judge having local jurisdiction.

(2) In the cases referred to in paragraph (b) of subsection (1), the claim be made by instituting a civil action therefor. Such action shall be heard and determined according to the procedure prescribed by the law for the time being in force regulating the hearing and determination of actions brought in District Courts respectively.

(3) Any person aggrieved by a decision of a Magistrate or District Judge under paragraph (a) or (b) of subsection (1) may appeal therefrom to the Court of Appeal.

35 200. If the amount of damages, costs, or expenses determined by the Magistrate under section 199 is not paid by the person liable to pay the same within seven days after demand, the default may be reported to such Magistrate and the amount thereof shall be recovered in the same manner as if it was a fine imposed by such Magistrate.

Recovery of damages

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201. Where a Pradeshiya Sabha incur any expenses in executing any of the works or performing any of the acts which under this Act or any other enactment, or any by-law, rule, or regulation made thereunder, the owner of any house, building or land is required to execute or perform, the Sabha may either recover the amount of such expenses in the manner provided by section 199, or, if it thinks fit, may accept any undertaking given by the owner for the payment by instalments of such sums as will be sufficient to defray the whole amount of the expenses, with interest thereon at the rate of nine per centum per annum, within a period not exceeding five years and such sums when due may be recovered by the same process by which rates payable under this Act may be recovered.

Recovery of expenses on account of improvement to private property.

15 PAYMENT OF COMPENSATION

202. A Pradeshiya Sabha may make compensation out of the Pradeshiya Sabha Fund to all persons sustaining any damage by reason of the exercise of any of the powers vested in the Pradeshiya Sabha, its officers, or servants under and by virtue of this Act, or any by-law made thereunder.

Pradeshiya Sabha may make compensation out of Pradeshiya Sabha Fund.

203. Except as herein otherwise provided, in all cases where compensation is by this Act, or by any by-law made thereunder, directed to be paid, the amount and, if necessary the apportionment of such compensation in case of dispute, shall be determined in the same manner as a claim for damages, costs or expenses under section 199, and all the provisions of that section shall, with the necessary modifications, apply to the determination of all questions under this section.

Determination and payment of compensation.

PROCEDURE AND LEGAL PROCEEDINGS

204. (1) Any notice, order or other document required or authorised to be served under this Act, or any by-law made hereunder, may be served by delivering the document to or at the residence of the person to whom it is addressed, or when addressed, to the owner or occupier of any premises, by delivering the document or a true copy thereof to some person on the premises, or if there is no person on the premises who can be served, by affixing the document on some conspicuous part of the premises.

Services of notices.

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(2) Any notice, order or other document may also be served by post by registered letter, and if as served, shall be deemed to have been served at the time when the letter containing the same would be delivered in the ordinary course of post, and in proving such service, it shall be sufficient to prove the notice, order or other document was properly addressed and put into the post.

(3) Any notice, order or other document required by this Act to be given to the owner or occupier of any premises may be addressed by the description of the "owner" or "occupier" of the premises (naming them) in respect of which the notice is given, without further name or description.

205. All notices which a Pradeshiya Sabha or any officer thereof is empowered or required to give or receive and all notices for the giving or receipt of which by the Pradeshiya Sabha occasion may otherwise arise, may be given or received by the secretary of the Pradeshiya Sabha or any other of its officers authorized by by-law for the purpose.

Notices may be given or received by Secretary or any other officer authorized thereinto.

206. Every offences under this Act shall be triable summarily by the Magistrate having local jurisdiction, and any penalty prescribed by this Act may be imposed by such Magistrate, notwithstanding that such penalty may exceed the limits placed on his jurisdiction by any other written law.

Offences to be tried by Magistrate.

207. No person shall be liable to any fine or penalty under this Act, or any by-law made thereunder, for any offences triable by Magistrate, unless the complaint respecting such offence shall have been made within three months next after the commission of such offence.

Limitation of prosecutions.

208. (1) No action shall be instituted against any Pradeshiya Sabha or any member or any officer of the Pradeshiya Sabaha or any person acting under the direction of the Pradeshiya Sabha for anything done or intended to be done under the powers conferred by this Act, or any by-law made thereunder, until the expiration of one month next after notice in writing shall have been given to the Pradeshiya Sabha or to the defendant, stating with reasonable certainty the cause of such action and the same and the place of abode of the intended plaintiff and of his proctor or agent, if any, in such action.

No action to be instituted against Pradeshiya Sabha until after one month's notice nor after six months after cause of action.

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(2) Every action referred to in subsection (1) shall be commenced within six months next after the accrual of the cause of action and not thereafter.

(3) If any person to whom notice of action is given under subsection (1) shall before action is brought tender sufficient amends to the plaintiff, such plaintiff shall not recover in any such action when brought, and the defendant shall be entitled to be paid his costs by the plaintiff.

(4) If no tender of amends is made under subsection (3), it shall be lawful for the defendant by leave of the court before which such action is pending, at any time before issue is joined, to pay into court such sum of money as he may think fit, and thereupon such proceedings shall be had as in other cases where defendants are allowed to any money into court.

(5) Upon the trial of any action referred to in subsection (1), the plaintiff shall not be permitted to prove any cause of action other than the cause of action stated in the notice given by him under that subsection; and unless such notice be proved, the court shall find for the defendant.

209. (1) No matter or thing done and no contract entered into by any Pradeshiya Sabha, and no matter or thing done under the direction of any Pradeshiya Sabha by any member or officer of such Pradeshiya Sabha or by any other person whomsoever, shall, if the matter or thing so done or the contract so entered into was done or entered into bona fide for the purposes of this Act or any other enactment relating to the powers and duties of a Pradeshiya Sabha, or any by-law, or rule made thereunder, subject any member of the Pradeshiya Sabha or any such officer or other person, in his private capacity, to any action, liability, claim, or demand whatsoever; and any expenses incurred by any such Pradeshiya Sabha or by any member, officer, or other person acting as aforesaid, shall be borne and repaid out of the Pradeshiya Sabha Fund.

Protection of
Pradeshiya
Sabha and
its officers.

(2) Subject and without prejudice to any other powers, a Pradeshiya Sabha in any case where the defendant in any action, prosecution, or other proceeding is a member of the Pradeshiya Sabha, or its officer, agent, or servant, may, if it thinks fit, except so far as the court before which the action, prosecution, or other proceeding is heard and determined otherwise directs, pay out of the Pradeshiya Sabha Fund all or any part of any sums payable by the defendant in or in consequence of the notion, prosecution, or proceeding, whether in respect of costs, charges, expenses, damages, fines, or otherwise;

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Provided that nothing in this section shall exempt any member of any Pradeshiya Sabha from liability to be surcharged with the amount of any payment which may be disallowed upon the audit of the accounts of such Pradeshiya Sabha, and which such member authorized or joined in authorizing.

POWERS AND RESPONSIBILITIES OF OFFICERS

210. A Pradeshiya Sabha may, by resolution, grant a general authority to any officer of the Pradeshiya Sabha to do, give, or receive, as may be necessary, from time to time, subject to the general control of the Chairman, all acts, receipts, and approvals which the Pradeshiya Sabha is empowered to do, give, or receive by this Act or any other enactment, or by any by-law, rule, or regulation thereunder, and all acts, receipts and approvals done or given or received by such officer, as long as such resolution remains in force shall be as binding and valid, as if such acts, receipts, and approvals were done or given by the Pradeshiya Sabha. Power of Pradeshiya Sabha to grant general authorities to its officers.
211. Whoever shall wilfully obstruct any officer of a Pradeshiya Sabha in the performance of any duty or in the exercise of any authority vested in or conferred upon him under or by virtue of any of the provisions of this Act, or any other enactment, or any by-law, rule, or regulation made thereunder, shall be guilty of an offence, and be liable, upon conviction after summary trial before a Magistrate, to a fine not exceeding fifty rupees, or to imprisonment of either description for any form not exceeding three months. Punishment for obstructing officers of Pradeshiya Sabha.
212. Any officer of a Pradeshiya Sabha who, under pretence of performing any act under the authority of this Act, or any by-law or rule made thereunder, uses any unnecessary violence or causes any vexation or annoyance to any person shall be guilty of an offence and liable on conviction thereof after summary trial before a Magistrate to a fine not exceeding fifty rupees. Penalty for misuse of power by officers of Pradeshiya Sabaha.
213. (1) No member, or servant of any Pradeshiya Sabha shall, whether directly or indirectly, be concerned or have any financial interest in any contract or work made with or executed for the Pradeshiya Sabha. Officers and servants of Pradeshiya Sabha not to be interested in contracts.
- (2) If any member, or servant of a Pradeshiya Sabha is concerned or has any financial interest in any Pradeshiya Sabha, he shall be guilty of an offence punishable with a

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fine not exceeding five hundred rupees, and shall, as the case may be, be disqualified from sitting as a member of the Pradeshiya Sabha or from holding any office or employment under the Pradeshiya Sabha ;

5 Provided, however, that no person being a shareholder of any incorporated company shall be liable to such fine by reason only of any contract between such company and the Pradeshiya Sabha or of any work executed by such company for the Pradeshiya Sabha.

10 214. Every officer or servant of a Pradeshiya Sabha who is paid out of the Pradeshiya Sabha Fund, and every contractor or agent to whom the collection of any tax or of any payment on account of any land or building of a Pradeshiya Sabha is entrusted by or under the authority of a Pradeshiya Sabha, and every servant or other person employed by such contractor or agent for the collection of such tax or payment, shall be deemed to be a public servant within the meaning of that term as used in the Penal Code.

Officers and servants of Pradeshiya Sabha to be public servants.

20 215. (1) No executive officer of a Pradeshiya Sabha shall be removed or dismissed from his office except for misconduct or for neglect of, or incapacity for, his duties, and except on a resolution passed by not less than two-thirds of the total number of members of the Pradeshiya Sabha.

Disciplinary action against officers of Pradeshiya Sabhas.

(2) No executive officer of a Pradeshiya Sabha shall be suspended or fined or reduced in status nor shall the increments to his salary be withheld for any breach of departmental rules or discipline or for carelessness, incompetence, neglect of duty or other misconduct except on a resolution passed by not less than two-thirds of the total number of members of the Pradeshiya Sabha.

(3) In this section, " executive officer " means any officer appointed as to or to act on the secretary, the electrical superintendent or the superintendent of works of a Pradeshiya Sabha and includes any other officer declared by the Minister, by rule made under section 178, to be an executive officer for the purposes of this section.

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PART IX

REPEAL, APPLICATION OF EXISTING LAWS, TRANSITIONAL ARRANGEMENTS AND MISCELLANEOUS PROVISIONS

5 **216.** For the purposes of any Pradeshiya Sabha, the Repeal.
enactments enumerated in the fifth schedule shall be re-
pealed as from the date on which such Pradeshiya Sabha
is constituted :

10 Provided that nothing in this section contained shall be
deemed to affect or in any way derogate from such of the
rights, powers, and duties of the Minister as are not other-
wise expressly provided for in this Act, in respect of prin-
cipal thoroughfares or any portions thereof situated within
the limits of any Pradeshiya Sabha.

15 **217.** (1) In any case where Pradeshiya Sabha is consti-
tuted under this Act comprises the whole or any part of
the administrative area under the control of any local autho-
rity established under any repealed enactments the Pra-
deshiya Sabha shall be the successor of such local autho-
20 rity for all purposes relating to such administrative area
or part thereof from the date of the constitution of the
Pradeshiya Sabha. **Pradeshiya Sabhas to be successors of local authorities.**

(2) With effect from the date on which a Pradeshiya
Sabha is constituted, there shall be deemed to be transferred
25 to that Pradeshiya Sabha—

- (a) all such property of the local authority referred to
in subsection (i) as may be situated within the
limits of any Pradeshiya Sabha ;
- 30 (b) the whole of the funds of such authority, or in any
case where the Pradeshiya Sabha area comprises
a part only of funds aforesaid as the Minister may
determine ; and
- 35 (c) all the rights, powers, duties, debts, liabilities and
obligations of such authority, in so far they relate
to any area within the limits of any Pradeshiya
Sabha.

(3) Except in so far as provision is otherwise made by
this Act, all reference in any enactment, or in any order,
rule, regulation, or by-law made thereunder, or in any
40 document or instrument executed or issued in pursuance
thereof, to any class of local authorities, or to any parti-
cular local authority, shall be construed as though they
were reference to the Pradeshiya Sabha constituted under

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this Act, or in the case of a reference to any particular local authority, to the Pradeshiya Sabha which is the successor to such local authority for the purposes of the matter in questions as from the date of the constitution of any such Pradeshiya Sabhas or Sabha as the case may be.

218. (1) Nothing in this Act shall prejudicially affect any loans raised by a local authority on the security of any rate of tax or of any property by this Act transferred, to any Pradeshiya Sabhas and all debts so secured, as well as **Savings for existing securities and discharge of debts.**
 10 all unsecured, as well as all unsecured debts, liabilities, and obligations incurred by any local authority in the exercise of any of the powers in relation to any property transferred from such local authority to a Pradeshiya Sabha by or under this Act, shall be discharged, paid, and satisfied by
 15 such Pradeshiya Sabha.

(2) It shall be the duty of every local authority whose powers, duties, and liabilities are to be transferred to any Pradeshiya Sabha by this Act to liquidate so far as practicable before the date of such transfer, all current debts and
 20 liabilities incurred by such local authority.

219. All such proclamations, orders, notifications, rules, regulations, and by-laws of or affecting any local authority whose powers and duties are transferred under this Act to any Pradeshiya Sabhas, as are in force at the time of the **Proclamations, orders, rules, and notifications continued in force.**
 25 transfer, shall, so far as they relate to or are in pursuance of the powers and duties transferred, or so far as they relate to any matter or thing within the limits of any Pradeshiya Sabha, and so far as they are not in conflict with the provisions of this Act, continue force as if they had been
 30 made with relation to or in the exercise of the powers of the Pradeshiya Sabha under this Act, subject, nevertheless, to revocation or alteration by the Minister or by the Pradeshiya Sabha, as the case may be, and subject also to any exceptions or modifications which may in pursuance of this
 35 Act be made at the time of, or with reference to, the transfer.

220. (1) Any action or proceeding, or any cause of **Saving for pending actions, contracts, &c.**
 action or proceeding, pending or existing at the date of the constitution of any Pradeshiya Sabha in the interest of or against any local authority in relation to any powers, duties,
 40 liabilities, or property by this Act transferred to the Pradeshiya Sabha, shall not be in anywise prejudicially affected by reason of the constitution of such Pradeshiya Sabha, but may be continued, prosecuted and enforced by or against such Pradeshiya Sabha as successor of the local authority

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in like manner as it would have been continued, prosecuted and enforced by the local authority as if such Pradeshiya Sabha had not been constituted.

(2) All contracts, deeds, bonds, agreements, notices, or other instruments entered into, issued or made by any local authority and substituting at the time of the constitution of a Pradeshiya Sabha, and affecting any such powers, duties, liabilities, obligations, or property as are by this Act transferred to the Pradeshiya Sabha, shall be of as full force and affect against or in favour of the Pradeshiya Sabha, and may be endorsed or acted upon as fully and affectually as if the said Pradeshiya Sabha had been a party to or had made or issued such contracts, deeds, bonds, agreements, notices or other instruments.

21 221. (1) The officers and servants of every local authority to which any Pradeshiya Sabha constituted under this Act as the successor shall, subject to the provisions, of this section, upon the constitution of the Pradeshiya Sabha, become officers and servants of the Pradeshiya Sabha, and shall hold 20 their office as nearly as practicable by the same tenor and upon the same terms and conditions as under the local authority and while performing the same or the corresponding duties shall as nearly as practicable receive not less salary or remuneration or allowances and be entitled 25 to receive not less pensions and gratuities if any, then they would have been entitled to receive from the local authority.

(2) The Pradeshiya Sabha may distribute the business to be performed by any officers or servants referred to in 30 subsection (2) in such manner as the Pradeshiya Sabha may think just, and every such officer or servant shall perform such duties in relation to that business as may be directed by the Pradeshiya Sabha.

222. For the purpose of the adjustment of salaries, remuneration, allowances, pensions, gratuities, or duties of any officer or servant referred to in section 221 with a view to 35 meeting the new conditions consequent upon any transfer

Officers and servants.

Adjustment of salaries, &c.

Local Authorities

of liabilities or obligations referred to in section 220, a Pradeshiya Sabha may by resolution make such provisions as it may deem to be just and equitable in all the circumstances of the case :

5 Provided that any officer or servant aggrieved by any such resolution may appeal therefrom to the Assistant Commissioner, and the Assistant Commissioner on any such appeal may by Order make any such provision as under this section might have been made by the Pradeshiya Sabha.

10 **223.** A Pradeshiya Sabha may, upon may transfer of Abolition of liabilities or obligations referred to in section 220 abolish offices. any office which it may deem unnecessary, subject to payment of such compensation to the holder of the office at the time of the abolition, as he would have been entitled to receive in the like circumstances if his office had been abolished by the local authority under whom he was employed before the constitution of the Pradeshiya Sabha.

20 **224.** (1) All such rates and taxes imposed by any local authority to which any Pradeshiya Sabha is the successor Rates and assessments, as may be due at the date of the constitution of the Pradeshiya Sabha, may be enforced and recovered in the same manner as the rates and taxes imposed by the Pradeshiya Sabha.

25 (2) All as assessments made or adopted by the local authority for the purpose of any rate referred to in subsection (1) shall continue in force until revised by the Pradeshiya Sabha in manner provided by this Act.

30 **225.** (1) Where for the purposes of the constitution of any Pradeshiya Sabha or Sabhas under this Act any subdivision is made of the area comprised in the administrative limits of any local authority or authorities to which any such Pradeshiya Sabha or Sabhas are to be the successor or successors, or any variation is otherwise made in the respective boundaries of the administrative limits of Equitable adjustment of property, debts, &c., on transfer.

Local Authorities

two or more such local authorities assigned to any Pradeshiya Sabha or Sabhas, on equitable adjustment shall be made of all matters relating to the respective property, rights, debts, liabilities, and obligations transferred from 5 any such local authority or authorities to any such Pradeshiya Sabha, either by agreement between the Pradeshiya Sabhas affected, or if such agreement shall not prove practicable, by Order of the Minister.

(2) Every agreement between two or more Pradeshiya 10 Sabhas, and every Order made by the Minister under this section, shall be published in the Gazette and every Order made by the Minister shall, upon such publication, take effect as though it had been embodied in this Act.

226. In connexion with the preliminary arrangements Adjustment of questions not provided for. 15 necessary for bringing this Act into operation, either generally or with reference to any special matter or matters, either throughout Sri Lanka or in any specified place or area, the Minister, by Order published in the Gazette, may issue all such directions as he may deem 20 necessary with a view to providing for any unforeseen or special circumstances, or to determining or adjusting any question or matter, for the determination or adjustment of which no provision or no effective provision is made by this Act.

25 227. The Town Councils Ordinance and the Village Committees Ordinance and all enactments passed in amendment thereof are hereby repealed. Repeal of Chapter 256 and 257.

228. Every reference in any written law to a Town Savings Council or a Village Council shall be deemed to be a 30 reference to a Pradeshiya Sabha.

229. In this Act, unless the context otherwise requires— Interpretation. 35 “assistant government agents division” means the assistant government agents divisions defined by Order made under section 2 of the Local Government (Administrative Regions) Ordinance;

“annual value” means the annual rent which a tenant might reasonably be expected, taking one year

Local Authorities

- with another, to pay for any house, building, land or tenement, if the tenant undertook to pay all public rates and taxes, and if the landlord undertook to bear the cost of insurance, repairs, maintenance, and upkeep, if any, necessary to maintain the house, building, land, or tenement in a state to command that rent :
- 5
- Provided that in the computation and assessment of annual value—
- 10 (a) the probable annual average cost of such insurance, repairs, maintenance, and upkeep shall be deducted ;
- (b) no allowance or reduction shall be made for any period of non-tenancy whatsoever ;
- 15 “ Assistant Commissioner ”, in relation to any Pradeshiya Sabha Council area, means the Assistant Commissioner of Local Government appointed for the assistant government agents division for which the Pradeshiya Sabha is constituted ;
- 20 “ Commissioner of Local Government ” includes any Deputy Commissioner of Local Government ;
- “ Co-operative Society ” means any society registered under any law for the time being in force relating to such societies ;
- 25 “ District ” means an administrative district ;
- “ Fiscal ” includes a Deputy Fiscal within the province of the Fiscal ;
- “ Government Agent ” includes an Assistant Government Agent ;
- 30 “ Grama Sevaka Niladhari ” includes a police vidane or gamarachchi ;
- “ Local Authority ” means a Municipal Council, Urban Council, Town Council or Village Council and includes any Authority created and established by or under any written law to exercise, perform and discharge powers, duties and functions corresponding to or similar to the powers, duties and functions exercised, performed and discharged by any such Sabha ;
- 35
- 40 “ Local Government ” means the Local Government Service constituted by the Local Government Service Law, No. 16 of 1974 ;

Local Authorities

FIRST SCHEDULE

	Rs. c.
For every vehicle other than motor car, motor tricar, motor lorry, motor bicycle, cart, hand cart, jinricksha, bicycle, tricycle ..	25 0
For every bicycle or tricycle or bicycle car or cart—	
(a) if used for trade purposes ..	18 0
(b) if used for other than trade purposes ..	5 0
For every cart ..	20 0
For every handcart ..	10 0
For every jinricksha ..	7 50
For every horse, pony or mule ..	15 0
For every elephant ..	50 0

Childrens' vehicles the wheels of which do not exceed 26 inches in diameter wheel-barrow, handcarts used for trade purposes solely within private premises and handcarts not used for trade purposes are exempted from payment.

In this Schedule, "trade purposes" includes the carriage or transport, in connection with any business or trade and whether for sale or otherwise, of any articles or goods or of any written or printed matter.

SECOND SCHEDULE

All fines, penalties and other sums, recovered by the Pradeshiya Sabha of a Pradeshiya Sabha area or by a Magistrate's Court having jurisdiction over that area, in respect of breaches, committed within that area, of the following provisions of written law :—

- (1) The by-laws made or deemed by virtue of any written law to have been made under this Act.
- (2) The Nuisances Ordinance.
- (3) Any other written law the administration of which is entrusted to the Pradeshiya Sabha and which is added to this list of written laws by the Minister by Order published in the Gazette.

All fines and penalties recovered within the administrative limits of the Pradeshiya Sabha area under—

- (a) the Excise Ordinance ;
- (b) the Street Collections (Regulation) Ordinance ;
- (c) the poisons, Opium and Dangerous Drugs Ordinance ;
- (d) the Food and Drugs Act ;
- (e) the Pawnbrokers Ordinance ;
- (f) the Public performances Ordinance ;
- (g) the Prevention of Cruelty to Animals Ordinance ;
- (h) the Local Authorities Elections Ordinance.

THIRD SCHEDULE

1. All stamp duties and fees paid by or recovered from the inhabitants of the Pradeshiya Sabha area under—

- (a) The Boat's Ordinance,
- (b) The Butchers Ordinance,
- (c) The Vehicles Ordinance,
- (d) Any other enactment the operation of which is extended to the Pradeshiya Sabha.

Local Authorities

2. All stamp duties and fees paid in respect of licences by the inhabitants of the Pradeshiya Sabha area under —

- (a) The Masters Attendant Ordinance,
- (b) The Petroleum Ordinance,
- (c) The Explosives Ordinance, 1902,
- (d) The Firearms Ordinance,
- (e) The Poisons, Opium and Dangerous Drugs Ordinance,
- (f) The Public Performances Ordinance.

3. (1) All stamp duties paid by inhabitants of the Pradeshiya Sabha area—

- (a) as Attorneys-at-law on certificates of admission under section 2 of the Legal Practitioners Ordinance or on the declaration made under section 4 of that Ordinance ;
- (b) as notaries, on warrants, certificates and declarations issued under section 3, 27 and 28 of the Notaries Ordinance ;
- (c) in respect of articles of apprenticeship or upon any contracts whereby any person first becomes bound in order to qualify himself as a notary ;
- (d) as pawnbrokers, on licences issued under section 3 of the Pawnbrokers Ordinance.

(2) Such portion of the stamp duty paid on the annual certificate issued under section 3 of the Legal Practitioners Ordinance to an inhabitant of the Pradeshiya Sabha area, being an attorney-at-Law, as is equivalent to the stamp duty which was payable on such certificate on September 15, 1960.

4. All stamp duties paid under the Stamp Ordinance in respect of transfers, mortgage bonds, gifts and leases affecting any land situated within the administrative limits of the Pradeshiya Sabha.

FOURTH SCHEDULE

FORM OF NOTICE OF ASSESSMENT

Pradeshiya Sabha

Office,

.....19.....

No.....

To

Take notice that by virtue of the Pradeshiya Sabha Act the Pradeshiya Sabha has ordered you to be assessed in respect of the undermentioned property at the sums hereunder set forth :—

Property assessed/ extent verified	Annual Value as assessed/extent verified

Local Authorities

Date of service :—

..... day of, 19.....

If you are aggrieved by this assessment for the verified extent you may lodge your objection at the office of the Pradeshiya Sabha within thirty days from the date of service of this notice. Such objections must be set out on a written statement which must also contain the grounds of the objection.

Chairman,
Pradeshiya Sabha.

FIFTH SCHEDULE

1. The Thoroughfares Ordinance, and all enactments passed in amendment thereof.
2. The Contagious Diseases Ordinance, and all enactments passed in amendment thereof.
3. The Northern Province Markets Ordinance, and all enactments passed in amendment thereof.

SIXTH SCHEDULE

**NOTICE PRIOR TO SEIZURE AND SALE OF
IMMOVABLE PROPERTY**

Pradeshiya Sabha

Building bearing assessment number.....

To : Occupier of _____

Land known as

Whereas the rate/tax due on the above mentioned land/building for the period ending19....., has not been paid and movable property which may be seized and sold for the recovery of the said rate/tax has not been found ; you are hereby called upon to pay the aforesaid rate/taxes and costs within a period of 30 days from the date of service of this notice and you are hereby informed that in default of such payment steps will be taken for the seizure and sale of the building or land in respect of which the rate/tax is due.

.....
Chairman.

.....Pradeshiya Sabha

..... Pradeshiya Sabha Area

Local Authorities**SEVENTH SCHEDULE****FORM OF NOTICE DETERMINING TENANCY**

To:

Whereas an amount of was payable by you to the Pradeshiya Sabha of on the day of as rent in respect of premises and has not been paid the Council of acting under section of the Pradeshiya Sabha Act hereby determines the contract of tenancy existing between you and the Pradeshiya Sabha of and hereby require you to quit the said premises at or before the expiration of a month from the date of service on you of this notice.

If you fail to quit the said premises as required by this notice, you and all persons occupying the premises under or with your permission will be ejected therefrom.

Date :— Commissioner.

Place :—

EIGHTH SCHEDULE**FORM OF WARRANT OF EJECTMENT**

To: and his Assistants.

Whereas on the respective dates specified in the first column of the Schedule hereto the Pradeshiya Sabha of acting under section of the Pradeshiya Sabha Act caused the persons named in the second column of the said Schedule to be served with notices determining their respective tenancies of the premises specified in the third column of the said Schedule and requiring them to quit such premises at or before the expiration of a month from the date of service : And whereas the said persons have not quitted the said premises in accordance with the said notice :

These are therefore to authorise you forthwith to eject from the said premises the persons named herein and all persons occupying the same under or with the permission of the persons named herein ; and that you do certify to the Pradeshiya Sabha on or before the day of what you shall have done by virtue of this warrant.

SCHEDULE

Dates of services of Notice	Names of Persons served with Notice	Premises in respect of which Warrant is to be executed

Given under my hand at this day of 19.....

..... Commissioner,

..... Council.

Local Authorities

PART I

**ESTABLISHMENT AND CONSTITUTION OF
GRAMODAYA MANDALAYAS**

1. (1) For the purpose of ensuring more effective participation
5 of the People in the exercise, discharge and performance of the
powers, functions and duties under this Part of this Act, there
shall be established in every Grama Seva Niladhari division a
Gramodaya Mandalaya. (hereinafter referred to in this Part as
"Gramodaya Mandalaya").

Establishment
and Consti-
tution of
Gramodaya
Mandalayas

10 (2) Every Gramodaya Mandalaya shall consist of—

(a) the Chairman, President or Head of every such organiza-
tion, association or body which is not of a political
nature, as may be specified by the Minister by Order
published in the Gazette which in his opinion, should
15 be represented in any Gramodaya Mandalaya, having
regard to the interests that such organization, associa-
tion or body represents or serves ; and

(b) such number of public officers or officers of public
corporations serving in the Grama Seva Niladhari's
20 division as are nominated by the Minister by name or by
office in consultation with the relevant Minister :

Provided however that no such officer shall be entitled to vote
at any meeting of the Gramodaya Mandalaya.

(3) (a) The Chairman of a Gramodaya Mandalaya shall be
25 elected by the members entitled to vote, from among such
members.

(b) The term of office of the Chairman of a Gramodaya
Mandalaya shall be one year :

Provided however that the office of such Chairman shall
30 become vacant—

(i) upon his resignation in writing communicated to the
Secretary of the Gramodaya Mandalaya ; or

(ii) upon his ceasing to be a member of the Gramodaya
Mandalaya ; or.

35 (iii) upon his absence from any three consecutive meetings
without leave of the Gramodaya Mandalaya first
obtained, or

(iv) upon his death.

Local Authorities

(4) Every Gramodaya Mandalaya shall be a body corporate with perpetual succession and a common seal and shall have power to enter into contracts and may sue and be sued by the name and designation of the Gramodaya Mandalaya of the area for which it is established.

(5) The common seal of the Gramodaya Mandalaya—

- (a) shall be in the custody of the Secretary of the Gramodaya Mandalaya ; and
- (b) shall not be affixed to any contract or other instrument except with the sanction of the Gramodaya Mandalaya and in the presence of the Chairman and the Secretary of the Gramodaya Mandalaya who shall sign their names to such contract or other instrument in token of their presence.

(6) Every Gramodaya Mandalaya shall, within the area for which such Gramodaya Mandalaya is established, exercise, discharge or perform any power, function or duty, conferred or imposed on, or assigned to, such Gramodaya Mandalaya by or under this Act or any other written law, and shall execute any work delegated to such Gramodaya Mandalaya by a Pradeshiya Mandalaya a Development Council, the Executive Committee of a Development Council or a District Secretary under this Act.

2. The powers and functions of a Gramodaya Mandalaya shall be—

Powers and
functions of a
Gramodaya
Mandalaya

- (a) to submit its recommendations in respect of the exercise, discharge and performance of the powers, functions and duties of a Development Council constituted under the Development Councils Act, No. 35 of 1980, and the Executive Committee of such Development Council to the Pradeshiya Mandalaya of the Assistant Government Agent's division within which such Gramodaya Mandalaya is established ;
- (b) to collect socio-economic data and the preparation of Village Development Plans ;
- (c) to formulate and implement village Level Projects, with people's participation and own resources ;
- (d) to implement programmes and projects of Pradeshiya Mandalaya which have been delegated to the Gramodaya Mandalayas for implementation :

Local Authorities

- (e) to provide common amenities and services to the people living within the area for which a Gramodaya Mandalaya had been established ;
- 5 (f) to submit project proposals to the Pradeshiya Mandalaya of the Assistant Government Agents district within which such Gramodaya Mandalaya is established ;
- (g) the protection and Management of Environment ;
- (h) to assist in the protection and management of State property ;
- 10 (i) to take steps to eliminate waste, corruption and bring about savings ;
- (j) to take steps for Social, Cultural, moral, religious and Economic upliftment of the people living within its area ; and
- 15 (k) to promote good husbandry, productivity and the generation of employment and income at village level.

3. (1) Every Gramodaya Mandalaya shall have its own Fund which shall be managed, controlled and operated by the Gramodaya Mandalaya.

Fund of a
Gramodaya
Mandalaya

- 20 (2) There shall be paid into such Fund—
- (a) any grants and appropriations allocated to such Gramodaya Mandalaya ;
- (b) any donations or other voluntary contributions made to the Gramodaya Mandalaya by any person or authority ;
- 25 and
- (c) any sums of money received by a Gramodaya Mandalaya in the exercise of its powers and functions.

(3) There shall be paid out of the Fund—

- (a) all expenses incurred in the working of the Gramodaya Mandalaya ; and
- 30 (b) the salaries of the officers and servants of a Gramodaya Mandalaya.

4. A Gramodaya Mandalaya shall have the power to employ to the staff of such Gramodaya Mandalaya such officers and

35 servants as may be necessary for the exercise of its powers and the performance of its functions.

Staff of a
Gramodaya
Mandalaya

Local Authorities

5. All officers and servants of a Gramodaya Mandalaya shall be public servants within the meaning and for the purpose of the Penal Code.

Officers and servants deemed to be public officers for the purpose of the Penal Cod.

6. A Gramodaya Mandalaya shall be deemed to be a scheduled institution within the meaning of the Bribery Act, and the provisions of that Act shall be construed accordingly.

Gramodaya Mandalaya deemed to be a scheduled institution within the meaning of the Bribery Act.

7. (1) Any member of a Gramodaya Mandalaya or any officer or servant authorized in writing in that behalf, may, for the purpose of collecting socio-economic data and the preparation of village development plans, enter into any premises, land or building situated within such Gramodaya Mandalaya area, and inspect, collect and record any information that may be necessary for such purpose.

Power of entry and inspection.

(2) Any person who obstructs any member or officer or servant of a Gramodaya Mandalaya from carrying out his duties under subsection (1), shall be guilty of an offence under this Act.

"Daily News" of 22nd December, 1984

President, Lalith sound note of cautious optimism

THE SUMMING-UP

The All Party Conference (APC) formally ended its 11-month long quest for ethnic peace but informal talks between the participants will continue while the proposals are before the country for public discussions.

Briefing reporters at the end of yesterday's meeting, conference spokesman Lalith Athulathmudali said: "The fact that the conference has ended does not mean the parties will stop talking....informal exchanges and public discussions will continue".

At the concluding meeting, President Jayewardene told delegates that he hoped that all the hard work and deliberations they had put in "would help bring at least some peace, unity and stability in the country".

The President had also indicated that the proposals must be gazetted and examined by the Supreme Court. It may sometimes be necessary to have a referendum, or general election. Those were matters that the supreme court (referendum) and he (referendum or general election) would have to decide.

Whatever, was done would have to go before the people. In the final analysis, the government would have to take a decision and introduce the necessary legislation in parliament, the President said.

"Sunday Observer" of 23rd December, 1984

President on ethnic problem

SOLUTION NEEDED IN OUR TIME

President J. R. Jayewardene said yesterday that no democratically elected government could agree to a division of the country. He, as head of state, would take full responsibility to safeguard the nation from terrorism.

The President was speaking at the inauguration of the Swarnabhoomi program of the Kalutara District at Athura, Bulathsinhala.

The President said that during our time we have to take action and find a solution to the ethnic problem and eradicate terrorism. For that we need everybody's co-operation.

..... Referring to the draft legislation presented by him at the All-Party Conference the President said that these are now open for study. If it is found necessary the proposals could even be ratified at a referendum or at a General Election.

"Weekend" of 23rd December, 1984

TULF REJECTS

The two bills before the All Party Conference do not embody any scheme of autonomy which could be accepted by the Tamil people, TULF Secretary General, Appapillai Amirthalingam, said yesterday.

In a statement he issued before leaving for Madras with other leaders of the front, Mr. Amirthalingam states:

..... We are constrained to state that the two bills before this conference do not embody any scheme of autonomy which could be accepted by the Tamil people or their accredited representatives the Tamil United Liberation Front."

"Daily News" of 24th December, 1984.

TULF REJECTS APC PROPOSALS

The TULF has rejected the proposals that emerged from the 11-month long All Party Conference (APC) and this has been conveyed to President Jayewardene by TULF leader A. Amirthalingam.

In a statement issued Saturday after APC had been formally wound-up, Mr. A. Amirthalingam said: "We are constrained to state that the two Bills before this conference do not embody the scheme of autonomy which could be accepted by the Tamil people, or their accredited representatives, the TULF".

"Daily News" of 27th December, 1984.

APC PROPOSALS DROPPED

The APC proposals will be dropped in view of their rejection by the TULF but the President will continue his efforts at finding a political solution to the ethnic conflict, the cabinet decided yesterday.

The cabinet has asked Mr. Jayewardene to continue his search for a political solution while taking all measures to eradicate terrorism, an announcement made at the end of yesterday's meeting of the ministers said.

The APC consensus was written into a peace package of legislation providing for provincial and districts councils. The TULF rejected these proposals saying that the draft legislation did not embody a scheme of autonomy acceptable to the Tamil people.

..... The Cabinet has therefore decided that no useful purpose could be achieved in discussing or arriving at a decision on these proposals. The Government will therefore not implement these proposals.

"Weekend" of 13th December, 1984

TULU REJECTS

The two bills before the All Party Conference on the embryonic scheme of autonomy which could be accepted by the Tamil people...

In a statement he issued before leaving for Madurai with other leaders of the front, Mr. Amirthalingam stated...

We are committed to move that the two bills before the conference do not embody any scheme of autonomy which could be accepted by the Tamil people...

"Daily News" of 14th December, 1984

TULU REJECTS APC PROPOSALS

The TULU has rejected the proposals that emerged from the (inter-party) All Party Conference (APC) and this has been conveyed to President Jayawardene by TULU leader A. Amirthalingam.

In a statement issued Saturday after APC had been formally wound up, Mr. A. Amirthalingam said "We are committed to move that the two bills before the conference do not embody the scheme of autonomy which could be accepted by the Tamil people..."

"Daily News" of 14th December, 1984

APC PROPOSALS DROPPED

The APC proposals will be dropped in view of their rejection by the TULU, but the President will continue his efforts at finding a political solution to the ethnic conflict, the cabinet decided yesterday.

The cabinet has asked Mr. Jayawardene to continue his search for a political solution while taking all measures to expedite resolution of the announcement made at the end of yesterday's meeting of the cabinet.

The APC proposals were written into a basic package of legislation providing for provincial and district councils. The TULU rejected these proposals saying that the draft legislation did not embody a scheme of autonomy acceptable to the Tamil people.

The Cabinet has therefore decided that no useful purpose could be achieved in demand of arriving at a decision on these proposals. The Government will therefore not implement these proposals.

"Daily News" of 13th December, 1984

President, Lahiru issued note of regret on occasion

THE SUNDAY

The All Party Conference (APC) formally ended its 11-month long quest for ethnic peace but bilateral talks between the participants will continue while the proposals are before the country for public discussion.

President Jayawardene at the end of yesterday's morning conference stated "The fact that the conference has ended does not mean the parties will stop talking... bilateral, regional and other discussions will continue."

At the concluding evening session, Jayawardene told delegates that he hoped that all the hard work and deliberations they had put in "would bear fruit in some form, any and standing in the country."

The President had also indicated that the proposals must be accepted and examined by the Supreme Court. It may sometimes be necessary to have a referendum or general election. Those were matters that the Supreme Court (the President) and the (President) would have to decide.

Whatever was done would have to go before the people. In the final analysis, the Government would have to make a decision and introduce the necessary legislation in Parliament, the President said.

"Sunday Observer" of 14th December, 1984

President on ethnic problem

SOLUTION NEEDED IN OUR TIME

President J. R. Jayawardene said yesterday that no democratically elected Government could agree to a division of the country. He said that the Government would take full responsibility to safeguard the nation from terrorism.

The President was speaking at the inauguration of the Swasthachari program of the Kullabai District at Kullabai.

The President said that during our time we have to take action and find a solution to the ethnic problem and ethnic tensions. For that we need everybody's co-operation.

Referring to the draft legislation mentioned by him at the All Party Conference the President said that these are now open for study. It is a long process, the proposals could even be ratified as amendments or a General Election.

ஆ. சூ.

மேல வாவே ஈவசன மூடனய ஈடன ஈவகிய கல்வல் திவர்டி கல ஈது துன் ஈவ்வினு ரீகி மந்தித் தேன் சிவரகக் தை சிதி சிவ
சுதரீலிவ ஈவா சிவ சிவரக துன்ஈவி ஈவகாரக வை

1985 மார்ச் 7 வன மூவசசிந்த

தேரூமவா லூவெனே சிவிய ஈதுகி.

குறிப்பு

அங்கத்தவர்கள் இறுதிப் பதிப்பிற் செய்யவிரும்பும் பிழை திருத்தங்களை அறிக்கையிற்றெளிவாகக் குறித்து
பிழை திருத்தங்களைக் கொண்ட பிரதியை ஹன்சார்ட் பதிப்பாசிரியருக்கு

1985 மார்ச் 7, வியாழக்கிழமைக்குப் பிந்தாமற்

கிடைக்கக்கூடியதாக அனுப்புதல் வேண்டும்.

NOTE

Corrections which Members suggest for the Final Print should be clearly marked in this Report and the *copy containing
the corrections must reach the Editor of HANSARD*

not later than

Thursday, 7th March 1985

Contents of Proceedings : From 9.33 a.m. to 10.35 a.m.
on 20.02.1985

Final set of manuscripts
received from Parliament : 5.15 p.m. on 20.02.1985

Printed copies despatched : 22.02.1985 morning

