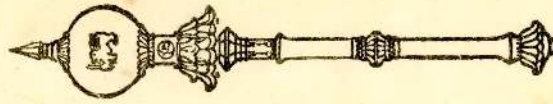


22 වන කාණ්ඩය  
4 වන කලාපය

Mohan W. Upas...  
P.O's State ment on measuring  
Upas's job.

සිකුරාද  
1983 පෙබරවාරි 25  
February



# පාර්ලිමේන්තු විවාද

(හැන්සාඩ්)

## නිල වාර්තාව

(අශෝධිත පිටපත)

### අන්තර්ගත ප්‍රධාන කරුණු

ප්‍රශ්නවලට මාවික පිළිතුරු

1970 දී මුදල් තෝට්ටු අවලංගු කිරීම: මුදල් ඇමති  
තුමාගේ ප්‍රකාශය

පිහිටි පනත් කෙටුම්පත, 1983

පළමුවන වර කියවන ලදී

වෛද්‍ය එම්. ඒ. එම්. ජලාල්දීන් විෂයෙහි ප්‍රජා අගයක් නුතා  
නියම කිරීම සහ එහි වෛද්‍ය එම්. ඒ. එම්. ජලාල්දීන්  
පාර්ලිමේන්තුවෙන් තෙරපීම

අතුරුදහන් වූ ලියවි පෙට් අහස් යානය: අභ්‍යාමාන්‍ය  
තුමාගේ ප්‍රකාශය

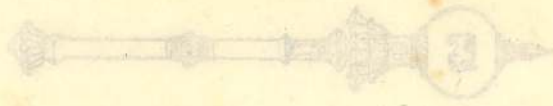
පාරිතෝෂික ගෙවීම් පනත් කෙටුම්පත:

දෙවන වර සහ තුන්වන වර කියවූ සංශෝධනාකාරයෙන් සම්මත  
කරන ලදී

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# മൂന്നു കൃതികൾ

(മുഖ്യം)

മുഖ്യം

(അദ്ധ്യക്ഷൻ)

മുഖ്യം

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# பாராளுமன்ற விவாதங்கள்

(ஹன்சர்ட்)

அதிகார அறிக்கை

(பிழை திருத்தப்படாதது)

பிரதான உள்ளடக்கம்

வினாக்களுக்கு வாய்மூல விடைகள்

வைத்தியர் எம். ஏ. எம். ஜலால்தின் மீது குடியியல் தகுதியினம் விதித்தலும் அவரைப் பாராளுமன்றத்திலிருந்து வெளியேற்றலும்

காக மதிப்பில்லாததாக்கல், 1970 : நிதி அமைச்சரது அறிக்கை

காணாமற்போன ஈயர் ஜெஹ் விமானம் : பிரதம அமைச்சரது அறிக்கை

ஒதுக்கீட்டுச் சட்டமூலம், 1983 :

பணிக்கொடைக் கொடுப்பனவுச் சட்டமூலம் :

முதன்முறை மதிப்பிடப்பட்டது

இரண்டாம் மூன்றாம் மதிப்புக்களிடம்பெற்று திருத்தப்பட்ட வாறு நிறைவேற்றப்பட்டது.

Volume 22  
No. 4

Friday  
25th February 1983

## PARLIAMENTARY DEBATES

(HANSARD)

OFFICIAL REPORT

(Uncorrected)

### PRINCIPAL CONTENTS

ORAL ANSWERS TO QUESTIONS

IMPOSITION OF CIVIC DISABILITY ON, AND EXPULSION FROM PARLIAMENT OF DR. M. A. M. JALALDEEN

DEMONETIZATION OF CURRENCY, 1970 ; STATEMENT BY MINISTER OF FINANCE

MISSING LEAR JET AIRCRAFT : STATEMENT BY PRIME MINISTER

APPROPRIATION BILL, 1983 :  
Read the First time

PAYMENT OF GRATUITY BILL :

Read a Second and the Third time, and passed as amended

2-A 68451-2,875 (83/02)



පාර්ලිමේන්තුව  
பாராளுமன்றம்  
PARLIAMENT

1983 පෙබරවාරි 25 වන සිකුරුදා  
வெள்ளிக்கிழமை, 25 பெப்ரவரி 1983  
Friday, 25th February, 1983

පූ. හා. 10 ට පාර්ලිමේන්තුව රැස් විය. කථානායකතුමා [අල් හාජ් එම්. අබ්දුල් බාකීර් මාකාර් මහතා] මූලසනාදය විය.

பாராளுமன்றம் மு. ப. 10 மணிக்குக் கூடியது. சபாநாயகர் அவர்கள் [அல் ஹாஜ் எம். அப்துல் பாகீர் மாகார்] தலைமை வகித்தார்கள்.

The House met at 10 a.m. MR. SPEAKER [AL HAJ M. ABDUL BAKEER MARKAR] in the Chair.

ලිපි ලේඛනාදිය පිළිගැනවීම

சமர்ப்பிக்கப்பட்ட பத்திரங்கள்  
PAPERS PRESENTED

1983 ජනවාරි 1 වැනි දා සිට 1983 දෙසැම්බර් 31 වැනිදා දක්වා වූ මුදල් වර්ෂය සඳහා ශ්‍රී ලංකා ප්‍රජාතාන්ත්‍රික සමාජවාදී ජනරජයේ අය කා වැය ආස්නමේන්තු—[අර්. ජේ. ජී. ද මැල් මහතා].

සහමෙසය මත නිබස යුතුයයි තීරණය කරන ලදී.  
சபாபிடத்தில் இருக்கக் கட்டளையிடப்பட்டது.  
Ordered to lie upon the Table.

පෙත්සම්  
புலங்கள்  
PETITIONS

කථානායකතුමා  
(சபாநாயகர் அவர்கள்)  
(Mr. Speaker)

The hon. Member for Minneriya (Mr. Merrill de Silva). He is not here.

ආචාර්ය ඩබ්ලිව්. දහනායක මහතා (ගාල්ල)  
(கலாநிதி டபிள்யூ. தஹநாயக்க—காலி)  
(Dr. W. Dahanayake—Galle)

I present a Petition from Mr. S. Liyasiri of the Sri Lanka Ports Authority, Galle, and 49 others.

මහජන පෙත්සම් කාරක සභාවට පැවරිය යුතු යයි තීරණය කරන ලදී.  
பொதுமனுக் குழுவுக்குச் சாட்ட கட்டளையிடப்பட்டது.  
Ordered to be referred to the Public Petitions Committee.

ප්‍රශ්නවලට වාචික පිළිතුරු  
வினாக்களுக்கு வாய்மூல விடைகள்  
ORAL ANSWERS TO QUESTIONS

සුරාබදු බලසත්‍ර  
மதுபான அனுமதிப்பத்திரம்  
LIQUOR LICENCES

1. ලක්ෂ්මන් ජයකොඩි මහතා (අත්තනගල්ල)  
(திரு. லக்ஷ்மன் ஜயக்கொடி—அத்தனகல்ல)  
(Mr. Lakshman Jayakody—Attanagalla)

මුදල් හා ක්‍රමසම්පාදන කටයුතු පිළිබඳ ඇමතිතුමා ගෙන් ඇසූ ප්‍රශ්නය: (අ) සුරාසැල් සඳහා අලුතින් බල සත්‍ර නිකුත් නොකිරීමට රජය තීරණය කර ඇති බව

එතුමා දන්නවාද? (ආ) මෙවන් තීරණයක් ගෙන තිබියදී අලුතින් සුරාබදු බලසත්‍ර ලබා දී ඇති අයගේ නම් සහ ලිපිනයන්ද, එම දිස්ත්‍රික්කද, නිකුත් කළ දිනයන්ද, එසේ නිකුත් කිරීමට නිර්දේශ කරන ලද අයගේ නම්, ලිපිනයන් සහ තනතුරුද එතුමා ඉදිරිපත් කරන්නවාද? (ඉ) නොඑසේ නම්, ඒ මන්ද?

நிதி, அமைப்புத் திட்ட அமைச்சரைக் கேட்ட வினா: (அ) மதுபானக் கடைகளுக்குப் புதிதாக அனுமதிப்பத்திரம் வழங்குவதில்லையென அரசாங்கம் தீர்மானித்திருப்பதை அவர் அறிவாரா? (ஆ) இவ்வாறு தீர்மானித்திருக்கையில் புதிதாக மதுபான அனுமதிப்பத்திரத்தைப் பெற்றுக்கொடுக்கப்பட்டவர்களின் பெயர், முகவரி, மாவட்டம், வழங்கப்பட்ட தேதி, வழங்கப்படுவதற்குச் சிபாரிசு செய்தவர்களின் பெயர், முகவரி, பதவி ஆகியவைகளை அவர் கூறுவாரா? (இ) இன்றேல், ஏன்?

asked the Minister of Finance and Planning: (a) Is he aware that the Government has resolved not to issue new licences to liquor shops? (b) Will he give the names and addresses, the respective districts and the dates of issue in respect of those who have been granted excise licences despite the said resolution and also the names, addresses and designations of those who had recommended the issue of those licences? (c) If not, why?

එම්. එච්. එම්. නයිනා මරිකාර් මහතා (නියෝජ්‍ය මුදල් හා ක්‍රමසම්පාදන ඇමතිතුමා)  
(ஜனாப் எம். எச். எம். நயினா மரிக்கார்—நிதி, அமைப்புத் திட்டப் பிரதி அமைச்சர்)  
(Mr. M. H. M. Naina Marikar—Deputy Minister of Finance & Planning)

It is a long answer. May I table it?

කථානායකතුමා  
(சபாநாயகர் அவர்கள்)  
(Mr. Speaker)  
You can table it.

ලක්ෂ්මන් ජයකොඩි මහතා  
(திரு. லக்ஷ்மன் ஜயக்கொடி)  
(Mr. Lakshman Jayakody)  
Can I have the reply to (a)?

එම්. එච්. එම්. නයිනා මරිකාර් මහතා  
(ஜனாப் எம். எச். எம். நயினா மரிக்கார்)  
(Mr. M. H. M. Naina Marikar)  
Yes,

(a) The Cabinet decided on 26.04.1978, that no new liquor licences should be issued except to tourist hotels and tourist ventures recommended by the Ministry of Shipping, Aviation and Tourism. The Cabinet subsequently decided on 21.10.81 that liquor licences for shops in the Duty Free Shopping Complex could be issued on the recommendation of the Ministry of Trade & Shipping.

**ලක්ෂමන් ජයකොඩි මහතා**

(திரு. லக்ஷமன் ஜயக்கொடி)

(Mr. Lakshman Jayakody)

How many duty-free licences have you given out ?

**එම්. එම්. එම්. නයිනා මරිකාර් මහතා**

(ஐ.ஓ.பி. எம். எச். எம். நயினா மரிக்கார்)

(Mr. M. H. M. Naina Marikar)

The whole list is here in my reply to be tabled.\*

සහමේසය මත තබන ලද පිළිතුරු

சபாபிடத்தில் வைக்கப்பட்ட விடை :

Answer tabled :

(b) (i) Duty Free Liquor Shops - As per Schedule X.  
 (ii) Tourists Hotels - As per Schedule Y. (iii) Wholesale Liquor Licences - As per Schedule Z. (iv) Others -

I. (1) Name : Mr. Amaraweera Wickrema, Gunawardena Piyadasa

(2) Address : " Thenabadu Nivasa ", Sangananda Mawatha, Kapparatota, Weligama.

(3) District : Matara.

(4) Date of Issue : 27.05.1982 - Recommended by Mr. Montague Jayawickrema, Minister of Public Administration and Minister of Plantation Industries, on a Cabinet Memorandum presented by Mr. Montague Jayawickrema, the Cabinet approved the issue of liquor licence as a special case in place of the one that was cancelled.

II. (1) Name : Cargills (Ceylon) Ltd.

(2) Address : Shopping Emporium, Mt. Lavinia.

(3) District : Colombo.

(4) Date of Issue : Effective from 16.09.1982 Recommended by the Minister of Trade & Shipping. This was a shifting of the Foreign Liquor Retail Shop from No. 34, Galle Road, Colombo 3 to the Shipping Emporium, No. 360, Galle Road, Mt. Lavinia.

This was recommended by the Hon. Minister of Trade & Shipping.

III. (1) Name : Mr. D. D. A. Romuald.

(2) Address : C. Don Patrick & Sons, Pusellawa.

(3) District : Kandy.

(4) Date of Issue : 14.10.1981

This licence was issued on the recommendation of the Political Victimization Committee and approved by Cabinet.

IV. (1) Name : Mr. L. G. Abeysinghe.

(2) Address : No. 53, Elwala, Ukuwela.

(3) District : Matale

(4) Date of Issue : Authority for the re-issue of this licence was given on 10.01.83 by this Ministry on the recommendation of the Political Victimization Committee and approved by the Cabinet.

V. The Cabinet, on the recommendation of the Minister of Mahaweli Development has also approved the issue of a temporary licence to M/s. Cornels Food Suppliers Ltd., Diagane.

This licence is for the sale of Wines and Spirits till the end of March 1985 and is to cater to expatriates and others attached to the Mahaweli Development Project.

(c) Does not arise.

**Schedule " X "****DETAILS OF LIQUOR LICENCES ISSUED FOR THE SALE OF LIQUOR AT THE DUTY FREE SHOPPING COMPLEX, KOLLUPITIYA**

Name of Licensee	Address	District	Date of Issue	Recommended by of Licence
1. Orient Co. (Cey.) Ltd.	Hulftsdorf Mills, Colombo 12.	Colombo	04.11.81	Hon. Minister of Trade & Shipping
2. Gilbeys (Lanka) Ltd.	151/6, Kirula Road, Colombo 5.	Colombo	05.11.81	do.
3. Gomez's Shopping Complex Ltd.	60, Ananda Cumaraswamy Mawatha, Colombo 7.	Colombo	04.11.81	do.
4. Ceylon Tobacco Co. Ltd.	108, George R. de Silva Mawatha, Colombo 13.	Colombo	03.11.81	do.
5. Lanka Medical Imports Ltd. (The Geekay Organisation Ltd.)	90, Bankshall Street, Colombo 11.	Colombo	23.11.81	do.
6. Cargills (Cey.) Ltd.	York Street, Colombo 1.	Colombo	04.11.81	do.
7. Mikechris Co. Ltd.	81, Ward Place, Colombo 7.	Colombo	17.11.81	do.
8. Free Lanka Trading Co.	160, 162, Reclamation Road, Colombo 11.	Colombo	04.11.81	do.
9. Colombo Apothecaries Ltd.	Prince Street, Colombo 1.	Colombo	23.11.81	do.
10. Rockland Distilleries Ltd.	73, Gregory's Road, Colombo 7	Colombo	26.11.81	do.
11. Maharajah Organisation (Imports) Ltd.	54, Bankshall Street, Colombo 11.	Colombo	13.11.81	do.
12. Bogtstra & De Wildt Distributors Ltd.	3rd Floor, Australia Bldg., Colombo 1.	Colombo	05.11.81	do.
13. Elegancy	52, Anula Road, Colombo 6.	Colombo	04.11.81	do.

## Schedule " Y "

## DETAILS OF LIQUOR LICENCES ISSUED TO TOURIST HOTELS BY THE CEYLON TOURIST BOARD

Name of Licensee	Address	District	Date of Issue of Licence	Recommended by
1. Dr. D. M. Pathmaperuma	Venus Tourist Beach Hotel, Kaikawala, Induruwa	Galle	25.01.82	Minister of State
2. Habarana Lodge Ltd.	The Lodge, Habarana	Anuradhapura	08.02.82	do.
3. Sun Island Village Ltd., Kahawa	Sun Island Village Hotel, Galle Road, Kahawa	Galle	11.02.82	do.
4. Tilanka Holiday Resort	Tilanka Hotel, No. 3, Sangamitta Road, Kandy	Kandy	16.02.82	do.
5. Mr. U. M. P. Wijesinghe	Matale Tourist Guest House, Moissy Crescent Road, Matale	Matale	24.05.82	do.
6. Sunny South Hotels Ltd.	Sunny South Hotel, Habaraduwa	Galle	22.03.82	do.
7. M. P. S. Hotels Ltd.	Hilltop Hotel, 220/21, George E. de Silva, Mawaha, Kandy	Kandy	31.03.82	do.
8. Coral Rock Hotels Ltd.	Coral Rock Hotel, 340 Galle Road, Hikkaduwa	Galle	30.03.82	do.
9. Mr. Daya Wickremaratne	Bamboo Grove Tour Inn, Borupana, Ratmalana	Colombo	18.05.82	do.
10. Mr. J. Gunasinghe/Mr. S. Gunasinghe (Mother & Son)	Mt. Lavinia Holiday Inn, 17, De Saram Road, Mt. Lavinia	Colombo	27.01.82	do.
11. Moragolla Resort Ltd.	Riveira Beach Resort, Moragolla, Beruwela	Kalutara	18.01.82	do.
12. Ahungalla Hotels Ltd.	Triton Hotel, Ahungalla	Galle	19.01.82	do.
13. Dickwella Village Resort Ltd.	Dickwella Village Resort, Bathigama, Dickwella	Matara	08.07.82 up to 31.12.82	do.
14. Mr. D. M. Wickremasekera	Priyankara Guest House, Kataragama Road, Tissamaharama	Hambantota	27.09.82	do.
15. Garden Beach Hotels Ltd.	Garden Beach Hotel, 62/9, Sumangala Mawatha, Kalutara North	Kalutara	15.10.82	do.
16. Mr. M. G. K. Perera	Ranmal Holiday Spot, Galle Road, Gorakana, Moratuwa	Kalutara	01.04.82	do.
17. UWODEN Restaurant Ltd.	Uwoden (Japanese Speciality) Restaurant, 39, De Saram Road, Mt. Lavinia	Colombo	29.09.82	do.
18. Restaurant Italian Dagaide Ltd.	Italian Speciality Restaurant, 47/4, Dharmapala Mawatha, Colombo 3.	Colombo	17.02.82	do.
19. Kohinoor Restaurant Ltd.	Kohinoor Speciality Restaurant, 49, Dharmapala Mawatha, Colombo 3.	Colombo	29.10.82	do.
20. Mr. Ban Sheen Mu	Golden Gate Restaurant, No. 25, Galle Road, Colombo 6.	Colombo	20.05.82	do.
21. Jedy Gardens Ltd.	Chinese Speciality Restaurant, 126, Havelock Road, Colombo 5.	Issued by E.C., Colombo	13.08.82	do.
22. Mr. A. L. M. Hasheem	Thirst Aid Station, Ambanpitiya Estate, Ambanpitiya	Issued by E.C., Kegalle	29.09.82	do.

## Schedule " Z "

## DETAILS OF WHOLESALE LIQUOR LICENCES ISSUED

Name of Licensee	Address	District	Date of Issue
1. Delmege Forsyth & Co.	101, Vinaylankara Mawatha, Colombo 10.	Colombo	78.06.09
2. W. N. Mendis & Co.	104, Kitulwatta Road, Colombo 8.	Colombo	78.07.21
3. Mikechris Ltd.	47, Maligawatta Road, Etul Kotte.	Colombo	78.09.04
4. Whittall Boustead Ltd.	Galle Road, Colombo 3.	Colombo	78.09.20
5. Reckitt & Colman Ltd.	53, D. S. Senanayake Mawatha, Colombo 8.	Colombo	78.10.02
6. Ceylon Port Services	Sir Baron Jayatilake Mawatha, Colombo.	Colombo	79.02.13
7. Fairfield Trading Co.	424, Union Place, Colombo 2.	Colombo	79.04.20
8. Ceylon Trading Co., Ltd.	264, Grandpass Road, Colombo 14.	Colombo	79.05.08
9. Asian Maritime Ltd.	138/2, Kynsey Road, Colombo 7.	Colombo	79.05.18

Name of Licensee	Address	District	Date of Issue
10. Ceylon Brewery Ltd.	55/10, Vauxhall Lane, Colombo 2.	Colombo	79.06.28
11. Hotel Taprobane	York Street, Colombo 1.	Colombo	79.09.06
12. A. Baur & Co. Ltd.	55, Grandpass, Colombo 14.	Colombo	79.09.19
13. McCallum Brewery Ltd.	299, Union Place, Colombo 2.	Colombo	79.10.08
14. Mascons Mixtures Ltd.	481, Darley Road, Colombo 10.	Colombo	79.10.22
15. Muller & Phipps	Galle Road, Kollupitiya.	Colombo	79.10.23
16. EcLat Ltd.	Sir Mohammed Makan Marker Mawatha, Colombo 13.	Colombo	79.10.25
17. The Colombo Trades Ltd.	7, Borella Road, Colombo 8.	Colombo	80.03.03
18. Mackinnon Trading Ltd.	130, Glennie Street, Colombo 2.	Colombo	80.03.28
19. Premasiri Wine Stores	130, Cotta Road, Borella, Colombo 8.	Colombo	80.06.15
20. Free Lanka Trading Co.	Perpetual Building, Reclamation Road, Colombo 11.	Colombo	80.07.20
21. Cargills & Co.	York Street, Colombo 1.	Colombo	80.07.22
22. Duro Ceylon Agencies Ltd.	10, Araliya Gardens, Colombo 7.	Colombo	80.09.10
23. Ceyhouse	45, Alwis Place, Colombo 3.	Colombo	80.11.03
24. Cornel & Co. Ltd.	307, Galle Road, Colombo 3.	Colombo	81.02.25
25. Visalachchi Hameed	562/1B, Aluthmawatha Road, Mutwal.	Colombo	81.03.11
26. Eastern Engineers	31/2, Aloe Avenue, Colombo 3.	Colombo	81.03.16
27. Conffifi Management Services Ltd.	207, Dharmapala Mawatha, Colombo 3.	Colombo	81.04.13
28. Ceylon Tobacco Co.	178, Sri Ramanathan Mawatha, Colombo 15.	Colombo	81.05.04
29. Bayasignus	Pagoda Road, Nugegoda.	Colombo	81.05.08
30. Raymond Granite Ltd.	431, Bauddhaloka Mawatha, Colombo 8.	Colombo	81.05.14
31. World Wine & Spirits Ltd.	151/6, Kirula Road, Colombo 5.	Colombo	81.06.22
32. Bartleet Agencies Ltd.	55, Dudley Senanayake Mawatha, Colombo 8.	Colombo	81.07.02
33. V. Sivalingam	226, Colombo Street, Kandy.	Kandy	81.08.06
34. Artisons Ltd.	5, Gower Street, Colombo 5.	Colombo	81.08.06
35. Coolrank (Cey.) Ltd	93, Palliyawatta Road, Hendala.	Colombo	81.08.12
36. Dasa Bros.	41/1, Danister Mawatha, Colombo 8.	Colombo	81.11.13
37. Shaw Wallace & Hedges Ltd.	No. 363, Galle Road, Colombo 3.	Colombo	81.11.20
38. E. C. Fernando.	Parakaduwa Stores, Eheliyagoda.	Ratnapura	81.12.13

**සරත් මුත්තේවටුවෙගම මහතා (කලවාන)**  
 (திரு. சரத் முத்தேட்டுவெகம—கலவான)  
 (Mr. Sarath Muttetuwegama—Kalawana)

May I know whether the Government has decided not to issue liquor licences? Why has the Government decided not to issue liquor licences? Is it against the consumption of liquor or the sale of liquor.

**එම්. එච්. එම්. නයිනා මරිකාර් මහතා**  
 (ஜனாப் எம். எச். எம். நயினா மரிக்கார்)  
 (Mr. M. H. M. Naina Marikar)

I am not a Member of the Cabinet, but I will answer.

**සරත් මුත්තේවටුවෙගම මහතා**  
 (திரு. சரத் முத்தேட்டுவெகம)  
 (Mr. Sarath Muttetuwegama)

You are frequently there.

**ආර්. ඩී. ජී. ද මැල් මහතා (මුදල් හා ක්‍රමසම්පාදන ඇමතිතුමා)**  
 (திரு. ஆர். ஜே. ஜி. த மெல்—நிதி, அமைப்புத்திட்ட அமைச்சர்)  
 (Mr. R. J. G. de Mel—Minister of Finance and Planning)

The hon. Member has asked a question on this subject. This Government is keen, over a process of time, to wean away people of the country from the liquor habit as much as possible. We know it takes time. We know prohibition cannot be introduced by

simple legislation. We cannot make people moral or good, completely free from liquor, by just passing a law in this House. But it is the policy of the Government that in a Buddhist country we must try to wean away people from liquor as far as possible. We decided to take this step in accordance with this principle.

**සුළු වාරිමාර්ග කටයුතු**

**சிறு நீர்ப்பாசனத்திட்டங்கள்**

**MINOR IRRIGATION WORKS**

**2. ලක්ෂ්මන් ජයකොඩි මහතා**  
 (திரு. லக்ஷ்மன் ஜயக்கொடி)  
 (Mr. Lakshman Jayakody)

7/83

මුදල් හා ක්‍රමසම්පාදන කටයුතු පිළිබඳ ඇමතිතුමාගෙන් ඇසූ ප්‍රශ්නය: (අ) අමාත්‍යාංශ තුනක්, එනම් කෘෂිකර්ම සංවර්ධනය හා පර්යේෂණ, ඉඩම් හා ඉඩම් සංවර්ධන සහ සැලසුම් ක්‍රියාත්මක කිරීම යටතට අයත් වන සුළු වාරි මාර්ග කටයුතු සඳහා 1982 වර්ෂයට එතුමා මුදල් වෙන් කළ ආකාරය ප්‍රකාශ කරන්නේද? (ආ) නොකරන්නේ නම්, ඒ මන්ද? (ඇ) එක් එක් අමාත්‍යාංශය යටතේ නිශ්චිතව දක්වා ඇති අයවැය ගත මුදල් වෙන් කිරීම් නියමිත ඉලක්කවලට අඩු වූ බවත් එම මුදල් වෙන් වූයේ සම්මතවලට මාරුකර ඇති බවත් එතුමා දන්නේද? (ඈ) නොදන්නේ නම්, ඒ මන්ද? (ඉ) ඉහත (ඇ) යටතේ දක්වා ඇති හේතූන් නිසා සුළු වාරිමාර්ග කටයුතු නඩත්තු කිරීම හා ප්‍රතිසංස්කරණය කිරීම කළ නොහැකිව



ඇති බැව් එතුමා දන්නේද? (ඊ) නොදන්නේ නම්, ඒ මන්ද? (උ) අත්තනාලේ මැතිවරුන් කොටසකට අයත් සුළු වැටිමාර්ග කටයුතු වැඩි දියුණු කිරීම, අලුත් වැඩියා කිරීම සහ තවත් කිරීම සඳහා මුදල් වෙන් කිරීමට එතුමා වහා පියවර ගන්නේද? (ඌ) පියවර නොගන්නේ නම්, ඒ මන්ද?

நிதி, அமைப்புத் திட்ட அமைச்சரைக் கேட்ட வினா: (அ) விவசாய அபிவிருத்தி ஆராய்ச்சி அமைச்சு, காணி, காணி அபிவிருத்தி அமைச்சு, திட்டச் செயற்படுத்தல் அமைச்சு ஆகிய மூன்று அமைச்சுக்களின் கீழ்வரும் சிறிய நீர்ப் பாசனத் திட்டத்துக்கு 1982 ஆம் ஆண்டுக்கான நிதி ஒதுக்கீடுகள் எவ்வாறு ஒதுக்கப்பட்டுள்ளன என்பதைக் கூறுவாரா? (ஆ) இல்லையெல் ஏன்? (இ) வரவு செலவுத் திட்டத்தில் ஒவ்வொரு அமைச்சுக்கும் குறித்தொதுக்கப்பட்ட தொகைகளிலும் பார்க்க இலக்குகள் குறைந்திருந்தன என்பதையும் ஒதுக்கப்பட்ட தொகைகள் பிறவாக்குத் தலைப்பு களுக்கு மாற்றப்பட்டன என்பதையும் அவர் அறிவாரா? (ஈ) இல்லையெல், ஏன்? (உ) வினாவின் (இ) பகுதியில் கூறப்பட்ட காரணங்களின் நிமித்தம் சிறிய நீர்ப்பாசனத் திட்டங்களைப் பராமரிப்பதும் புனரமைப்பதும் நிறைவேற்றப்பட முடியாதது என்பதை அவர் அறிவாரா? (ஊ) இல்லையெல், ஏன்? (எ) அத்தனைகல்த் தொகுதியிலுள்ள சிறிய நீர்ப்பாசனத் திட்டங்களை விருத்திசெய்யவும், திருத்தவும் பராமரிக்கவும் நிதி ஒதுக்குவதற்கு உடனடியாக நடவடிக்கை எடுப்பாரா? (ஏ) இல்லையெல், ஏன்?

asked the Minister of Finance and Planning: (a) Will he state as to how he allocated funds for Minor Irrigation works for the year 1982, which comes under three Ministries—namely Agricultural Development and Research, Lands and Land Development and Plan Implementation? (b) If not, why? (c) Is he aware that targets fell short of the budgeted allocations specified under each Ministry and the monies have been transferred to other votes? (d) If not, why? (e) Is he aware that due to the reasons stated in part (c) of the question maintenance and rehabilitation of Minor Irrigation Works cannot be carried out? (f) If not, why? (g) Will he take immediate steps to allocate the funds for the development, repairs and maintenance of Minor Irrigation Works falling within the Attanagalla Electorate? (h) If not, why?

**එම්. එච්. එම්. නයිනා මරිකාර් මහතා**  
(ஜனாப் எம். எச். எம். நயினா மரிக்கார்)  
(Mr. M. H. M. Naina Marikar)

(a) Rs. 34.0 million has been included for minor irrigation works under the votes of the Ministry of Agricultural Development and Research and Rs. 80.0 million has been included for this purpose under the votes of the Ministry of Lands and Land Development in the 1982 estimates. No funds have been provided specifically for minor irrigation works under the votes of the Ministry of Plan Implementation. Funds have, however, been provided for Integrated Rural Development Projects which include, among other components, minor irrigation works. the funds

provided in the Decentralized Budget can also be used for monor irrigaton works. (b) Does not arise. (c) this question should be directed to the Ministers under whose votes the funds have been provided. As far as I am aware, monies provided for minor irrigation works have not been transferred for other purposes. (d) Does not arise. (e) No. (f) Does not arise. (g) My Ministry does not allocate funds for mionor irrigation works on an electoral basis. (h) does not arise.

**ලක්ෂ්මන් ජයකොඩි මහතා**  
(திரு. லக்ஷ்மன் ஜயக்கொடி)  
(Mr. Lakshman Jayakody)

As Minister of Finance have you not the power to see, through the Treasury, that budget allocations are being properly conducted?

**එම්. එච්. එම්. නයිනා මරිකාර් මහතා**  
(ஜனாப் எம். எச். எம். நயினா மரிக்கார்)  
(Mr. M. H. M. Naina Marikar)

Yes, you are quite right.

**ලක්ෂ්මන් ජයකොඩි මහතා**  
(திரு. லக்ஷ்மன் ஜயக்கொடி)  
(Mr. Lakshman Jayakody)

Therefore, will the Hon. Minister take immediate steps to request the answer to my Question (c) and table before this House the figures that I have asked for regarding the targets that fall short of the budgeted allocations?

**එම්. එච්. එම්. නයිනා මරිකාර් මහතා**  
(ஜனாப் எம். எச். எம். நயினா மரிக்கார்)  
(Mr. M. H. M. Naina Marikar)

If you want those particulars, we will provide you with the particulars.

**ලක්ෂ්මන් ජයකොඩි මහතා**  
(திரு. லக்ஷ்மன் ஜயக்கொடி)  
(Mr. Lakshman Jayakody)

Thank you.

**ශ්‍රී ලංකා වොලිබෝල් සම්මේලනය**  
இலங்கைக் காப்பந்தாட்டச் சம்மேளனம்  
SRI LANKA VOLLEY BALL FEDERATION

10/83

**3. ලක්ෂ්මන් ජයකොඩි මහතා**  
(திரு. லக்ஷ்மன் ஜயக்கொடி)  
(Mr. Lakshman Jayakody)

පාර්ලිමේන්තු කටයුතු හා ක්‍රීඩා ඇමතිතුමාගෙන් ඇසූ ප්‍රශ්නය : (අ) ශ්‍රී ලංකා වොලිබෝල් සම්මේලනය 1977 න් පසු විසුරුවා හැර ඇති බව එතුමා දන්නවාද? (ආ) විසුරුවා හරින ලද දිනය සහ එයට හේතු මොනවාද? (ඇ) විසුරුවා හරින ලද මණ්ඩලය වෙනුවට වෙනත් මණ්ඩලයක් පත් කළා නම් එහේ පත් කරන ලද්දේ කවුරුන් විසින්ද? (ඈ) එම මණ්ඩලයේ සාමාජිකයන්ගේ නම සහ ලිපිනයන්ද, එම මණ්ඩලයට පත් කිරීමට ඇති සුදුසු කමිද එතුමා සඳහන් කරනවාද?

ba [ டீன்'ஸ்தன் பீயகோடி மஹா ]  
 பாராளுமன்ற அலுவல்கள், விளையாட்டுத்துறை அமைச்சரைக் கேட்ட வினா : (அ) இலங்கைக் கரப்பந்தாட்டச் சம்மேளனம் 1977 ஆம் ஆண்டுக்குப் பிறகு கலைத்துவிடப்பட்டதென்பதை அவர் அறிவாரா? (ஆ) கலைக்கப்பட்ட தேதியையும், இதற்கான காரணத்தையும் அவர் குறிப்பிடுவாரா? (இ) கலைக்கப்பட்ட சபைக்குப் பதிலாக வேறொரு சபை நியமிக்கப்பட்டிருப்பின் இச்சபை யாரால் நியமிக்கப்பட்டது? (ஈ) இச்சபை உறுப்பினர்களின் பெயர், விலாசங்களையும், இச்சபைக்கு இவர்கள் நியமிக்கப்படுதற்குரிய தகைமைகளையும் அவர் குறிப்பிடுவாரா?

asked the Minister of Parliamentary Affairs and Sports : (a) Is he aware that the Sri Lanka Volley Ball Federation was disbanded after 1977? (b) Will he give the date it was disbanded and the reason? (c) If a new Board has been appointed in place of the former, will he state who did so? (d) Will he state the names and addresses of the members of that Board and their qualifications for appointment?

එම වින්සන්ට් පෙරේරා මහතා (பார்லிமென்තු கமிஷனரின் வினாக்கள், சபை அங்கீகரிக்கப்பட்ட பதில்கள் பற்றிய வினாக்கள்)

(திரு. எம். வின்சன்ட் பெரேரா—பாராளுமன்ற அலுவல்கள், விளையாட்டுத்துறை அமைச்சரும், பிரதம அரசாங்கக் கௌரவரும்)

(Mr. M. Vincent Perera—Minister of Parliamentary Affairs and Sports and Chief Government Whip)

(a) Yes. (b) It was disbanded on 04.07.1978 for (i) failure to carry out its duties and functions (ii) failure to hold the Annual General Meetings of 1976 and 1977 (iii) failure to send the audited statement of accounts of 1976 and 1977. (c) I appointed a new Board. (d) Mr. Tilak Iddamalgoda, Superintendent of Police, Colombo (2) Mr. D. C. Alahendra of Meegoda, Mr. W. P. D. Karunaratne, A. G. A. Kolonnawa, Group Captain M. K. D. S. Chandrapala of Ratmalana, Mr. H. D. Weerasinghe of Dharmapala Mawatha, Colombo 7 and Mr. W. A. Jayasinghe, Ministry Representative of the Board.

ලක්ෂ්මන් ජයකොඩි මහතා

(திரு. லக்ஷ்மன் ஜயக்கொடி)

(Mr. Lakshman Jayakody)

What are their qualifications?

එම වින්සන්ට් පෙරේරා මහතා

(திரு. எம். வின்சன்ட் பெரேரா)

(Mr. M. Vincent Perera)

Mr. Tilak Iddamalgoda is a University Coloursman in Volley Ball.

ලක්ෂ්මන් ජයකොඩි මහතා

(திரு. லக்ஷ்மன் ஜயக்கொடி)

(Mr. Lakshman Jayakody)

I want those particulars.

එම වින්සන්ට් පෙරේරා මහතා

(திரு. எம். வின்சன்ட் பெரேரா)

(Mr. M. Vincent Perera)

Mr. D. C. Alahendra is a Volley Ball coach and an internationally qualified referee.

Mr. W. P. D. Karunaratne represented Mirigama Club in the year in which they became champions.

කමාතායකතුමා

(சபாநாயகர், அவர்கள்)

(Mr. Speaker)

I think that should satisfy the hon Member.

එම වින්සන්ට් පෙරේරා මහතා

(திரு. எம். வின்சன்ட் பெரேரா)

(Mr. M. Vincent Perera)

Group Captain Chandrapala was in charge of Volley Ball in the Sri Lanka Air Force. Mr. H. D. Weerasinghe represented Horana in Volley Ball. He is a keen promoter of the game. Mr. W. A. Jayasinghe is the Ministry representative in the Board.

ලක්ෂ්මන් ජයකොඩි මහතා

(திரு. லக்ஷ்மன் ஜயக்கொடி)

(Mr. Lakshman Jayakody)

Thank you.

බී. එම්. එම්. බණ්ඩාර මහතා : වැඩ තහනම

திரு. பி. எம். எம். பண்டார : இடைக்கம்

MR. B. M. M. BANDARA : INTERDICTION

55/83

4. සරත් මුත්තේවිට්ටේ මහතා

(திரு. சரத் முத்தேட்டுவெகம)

(Mr. Sarath Muttetuwegama)

ආහාර හා සමුපකාර අමතීතුමාගෙන් ඇසූ ප්‍රශ්නය :

(අ) බී. එම්. එම්. බණ්ඩාර මහතා සීමාසහිත කර්මාන්ත විවිධ සේවා සමුපකාර සමිතියේ අභ්‍යන්තර ගිණුම් පරීක්ෂක (විගණන) වරයෙක් වශයෙන් ස්ථිර පත්වීමක් ලැබ සේවයේ යෙදී සිටියදී, එම සමිතියේ සභාපති තැනගේ 1978. 02. 23 වෙනි දිනැති ලිපියෙන්, ඔහුගේ වැඩ තහනම් කර ඇති බව එතුමා දන්නවාද? (ආ) සමුපකාර සේවක කොමිෂන් සභා නීතිරීතිවලට අනුව, එසේ වැඩ තහනම් කරන ලද සේවකයකුගේ විනය පරීක්ෂණය මාස දෙකක් ඇතුළත පැවැත්විය යුතුව ඇතත්, දනට අවුරුදු 04, මාස 04 ක් පමණ ඉකුත් වී ඇතත්, මේ ගැන කිසිම පරීක්ෂණයක් නොපවත්වා ඇති බව එතුමා දන්නවාද? (ඇ) දූෂණ චෝදනා, මුදල් අඩුවීම් හා බඩු අඩුවීම් සම්බන්ධයෙන් කිසිම චෝදනාවක් ඔහු වෙත එල්ල කර නොමැති බැවින්, ඔහුට අඩ වැටුප් ලබාගැනීමේ හිමිකම් ඇතත්, එසේ ඔහුට අඩ වැටුප් නොගෙවා ඇති නිසා, ඔහුට වගාම අඩ වැටුප් ගෙවීමට එතුමා නියෝග කරන්නේද? (ඈ) නො එසේ නම්, ඒ මන්ද? (ඉ) ඉහත සඳහන් කරුණු සම්බන්ධයෙන් නොපමාව සොයා බලා බණ්ඩාර මහතාට සාධාරණයක් ඉටුවන අන්දමින් ක්‍රියා කිරීමට, එතුමා පිය වර ගන්නේද? (ඊ) නො එසේ නම්, ඒ මන්ද?





(b) The bed-head ticket is not a document required for the purpose of computation of compensation payable in an accident. No compensation can be paid to Mr. Abraham as he has so far failed to produce the documents required to consider payment of compensation. (c) No. Normally bed-head tickets of inmates of hospitals are kept in the respective hospitals. If Mr. Abraham wishes to obtain a copy of his bed-head ticket he will make an application to the hospital in which he was hospitalized. Anyway, a bed-head ticket is no document on which computation of compensation can be considered. (d) Payment of compensation to Mr. Abraham will be considered if he submits the required documents to the Board. Mr. Abraham has been apprised of the nature of the documents required. (e) Does not arise.

ආර්. ජී. ඩී. කරුණාවතී මහත්මිය : පුරවැසි භාවය  
 திருமதி ஆர். ஜி. டி. கருணாவதி : குடியுரிமை  
 MRS. R. G. D. KARUNAWATHIE : CITIZENSHIP  
 93/83

9. ආවාට්ස් ඩබ්ලිව්. දහනායක මහතා  
 (கலாநிதி டபிள்யூ. தஹநாயக்க)  
 (Dr. W. Dahanayake)

අමතීතුමා සහ රාජ්‍යරක්ෂක නියෝජ්‍ය අමතීතුමා  
 ගෙන් අසූ ප්‍රශ්නය : (අ) 1981 නොවැම්බර් මස  
 අංක CIT/8/2623 දරන ඉල්ලුම් පත්‍රය ඉදිරිපත් කර ඇති  
 වංචාවල යටතම, ආර්. ජී. ඩී. කරුණාවතී මහත්මියට පුර  
 වැසි භාවය ලබාදීම කඩිනම් කිරීමට එතුමා පියවර ගන්න  
 වාද? (ආ) නො එසේ නම්, ඒ මන්ද?

අමතීතුමා : (අ) 1981 නොවැම්බර් මස  
 අංක CIT/8/2623 දරන ඉල්ලුම් පත්‍රය ඉදිරිපත් කර ඇති  
 වංචාවල යටතම, ආර්. ජී. ඩී. කරුණාවතී මහත්මියට පුර  
 වැසි භාවය ලබාදීම කඩිනම් කිරීමට එතුමා පියවර ගන්න  
 වාද? (ආ) නො එසේ නම්, ඒ මන්ද?

asked the Minister, and Deputy Minister of Defence :  
 (a) Will he expedite the grant of citizenship to Mrs.  
 R. G. D. Karunawathie of Yatagama, Wanchawela,  
 application No. C IT/8/2623 of November 1981?  
 (b) If not, why ?

එම්. වින්සන්ට් පෙරේරා මහතා (පාර්ලිමේන්තු කටයුතු  
 හා ක්‍රීඩා අමතීතුමා සහ ආණ්ඩු පාර්ලිමේන්තු ප්‍රධාන  
 සංවිධායකතුමා)

(திரு. எம். வின்சன்ட் பெரேரா—பாராளுமன்ற அலுவலர்  
 கள், விளையாட்டுத்துறை அமைச்சரும் பிரதம அரசாங்கக்  
 கொறடாவும்)  
 (Mr. M. Vincent Perera—Minister of Parliamentary  
 Affairs & Sports and Chief Government Whip)

I answer on behalf of the Minister and Deputy  
 Minister of Defence.

(a) R. G. D. Karunawathie of Divelwatte,  
 Yatagama, Wanchawela, Galle has resumed the status  
 of a citizen of Sri Lanka by descent and accordingly  
 she has been issued with declaration No. R 3823 dated  
 17.12.1982. (b) Does not arise.

ආවාට්ස් ඩබ්ලිව්. දහනායක මහතා  
 (கலாநிதி டபிள்யூ. தஹநாயக்க)  
 (Dr. W. Dahanayake)  
 Thank you very much.

එම්. වින්සන්ට් පෙරේරා මහතා  
 (திரு. எம். வின்சன்ட் பெரேரா)  
 (Mr. M. Vincent Perera)  
 At last !

කමනායකතුමා  
 (சபாநாயகர் அவர்கள்)  
 (Mr. Speaker)

The Hon. Minister of Finance has seen me in my  
 Chambers and desires to make a statement. He can do  
 it now.

1970 දී මුදල්තෝට්ටු අවලංගු කිරීම :  
 මුදල් අමතීතුමාගේ ප්‍රකාශය

காசை மதிப்பில்லாததாக்கல், 1970 : நிதி அமைச்சரது  
 அறிக்கை

DEMONETIZATION OF CURRENCY, 1970 :  
 STATEMENT BY MINISTER OF FINANCE

ආර්. ජී. ජී. ද මෙල් මහතා (දිදුල් හා ක්‍රමසම්පාදන  
 අමතීතුමා)  
 (திரு. ஆர். ஜே. ஜி. த மெல்—நிதி, அமைப்புத் திட்ட  
 அமைச்சர்)  
 (Mr. R. J. G. de Mel—Minister of Finance and  
 Planning)

Mr. Speaker, I mentioned this matter to you in  
 chambers. This is with regard to the question raised by  
 my hon. Friend, the Member for Colombo West (Mr.  
 Anura Bastian), which was due for answer at  
 Adjournment yesterday but had to be postponed due to  
 the fact that there was no Adjournment time available  
 to Members yesterday.

කමනායකතුමා  
 (சபாநாயகர் அவர்கள்)  
 (Mr Speaker)

Now you are making a statement relevant to the  
 question that he asked ?

ආර්. ජී. ජී. ද මෙල් මහතා  
 (திரு. ஆர். ஜே. ஜி. த மெல்)  
 (Mr. R. J. G. de Mel)

Yes. The questions are — they are asked from the  
 Minister of Finance : (1) Is he aware that the most  
 serious irregularities took place during the  
 demonetization of currency in 1970 by the Sirimavo  
 Bandaranaike Government (2) Is he aware that even  
 the signature of the then Governor of the Central  
 Bank, Mr. William Tennekoon, was forged for the  
 printing of the new currency notes in 1970 following  
 demonetization ? (3) Was the then Prime Minister,  
 the Hon. Sirimavo Bandaranaike, made aware of the

[ආර්. ජේ. ජී. ද මැල් මහතා]

circumstances of the forgery, and what action did she take? (4) Is he aware that the new currency notes not delivered at the Central Bank in the proper way? (5) Is he also aware that up to date the Central Bank does not have a proper account of the total amount of currency notes printed and the notes delivered to the bank nor a proper reconciliation statement of this issue of notes? (6) Is he aware that either the entire quantity - (*Interruption*). As to who planted, I will tell you. It may be planted by you. (6) Is he aware that either the entire quantity - (*Interruption*). Why are you getting worried? I voted for demonetization, not for forgery of notes by your Government. (6) Is he aware that either the entire quantity or a proportion of the notes printed were kept in certain private houses in Colombo without being delivered directly from the airplane to the Central Bank? (7) In view of the grave nature of the irregularities committed, will the Government take appropriate steps to institute an inquiry into this whole transaction by a Special Commission of Inquiry?

Now, Sir, a preliminary investigation into this matter has been done at the request of His Excellency the President by the CID. I am quoting from the report sent by the Inspector-General of Police to the Secretary, Ministry of Defence.

"The demonetization of currency notes of Rs. 100 and Rs. 50 denominations came to be effective following an order published in the Government Gazette Extraordinary No. 14929/9 of 26.10.70 consequent to a decision taken by the then Minister of Finance, the late Dr. N. M. Perera".

Now the CID report follows. This is only a preliminary investigation.

"Evidence indicates that the decision for this printing of currency notes has been taken by the late Dr. N. M. Perera, the then Hon. Minister of Finance, without consulting the Governor of the Central Bank or the Monetary Board. According to the Monetary Law Act, the Monetary Board is vested with the sole power to order the printing of currency notes, and the Hon. Minister of Finance has no such power. The Monetary Board at that time consisted of Mr. William Tennekoon, Central Bank, Mr. M. Rajendra, Secretary, Ministry of Finance, and Mr. J. Thiyagarajah nominated member at the time.

The printing of currency notes for the Central Bank is usually done by a recognized security printing company, selected after calling for worldwide tenders. In this instance, another procedure seems to have been followed. The government had placed an order direct with the printers. Thomas De La Rue and Company, without calling for worldwide tenders and they printed currency notes in Rs. 100 and Rs. 50 denominations as follows: The first instalment was for Rs. 500 million, the second instalment was for Rs. 300 million, and the third instalment was for Rs. 250 million, totalling Rs. 1,050 million!

Huge sums of money, Sir.

රනිල් වික්‍රමසිංහ මහතා (සෞචන කටයුතු හා රැකී රක්ෂා ඇමතිතුමා සහ අධ්‍යාපන ඇමතිතුමා)

(*திரு. ரணில் விக்கிரமசிங்ஹ—இளைஞர் அலுவல்கள், தொழில் வாய்ப்பு அமைச்சரும் கல்வி அமைச்சரும்*)

(Mr. Ranil Wickremasinghe—Minister of Youth Affairs & Employment and Minister of Education)

Worth how much in today's money?

ආර්. ජේ. ජී. ද මැල් මහතා

(*திரு. ஆர். ஜே. ஜி. த் மெல்*)

(Mr. R. J. G. de Mel)

Maybe ten times more.

"The Monetary Board approved the first and second orders on 24th September 1970—long after the printing—while the supplementary order was approved on 4th November, 1970—also long after the printing and these orders have been antedated. It is evident that the order for printing of new currency notes has been placed without the approval of the Monetary Board. There is no evidence to indicate that these printers have taken any precautionary action to ensure that only the ordered currency notes were printed, and there is no documentary proof furnished to this effect by the printers. According to the procedure laid down in the Monetary Law Act, Several technical precautions have to be taken to prevent the printing of excess notes and to prevent leakages. There is no certificate of reconciliation of the number of notes printed per sheet per denomination from the security papers delivered by Porters Ltd. of London to the printers."

It goes on:

"According to Mr. William Tennekoon, the then Governor of the Central Bank....."

—a gentleman of unimpeachable integrity in my opinion. Mr. Tennekoon was till very recently the Chairman of the Development Finance Corporation; he has now retired.

"According to Mr. William Tennekoon, the then Governor of the Central Bank, he was informed by the late Dr. N. M. Perera just before demonetisation that a decision had been taken to demonetise Rs. 100 and Rs. 50 currency notes and he was requested to keep this as a secret as an order had to be placed for the printing of new currency notes"

This is from the evidence of Mr. Tennekoon given to the CID.

"Mr. Tennekoon, had then vehemently protested as the Hon. Minister had taken a decision contrary to the Monetary Law Act. Considering the seriousness of the decision taken by the Hon. Minister, Mr. Tennekoon had asked for an interview with Mrs. Bandaranaike, the then Prime Minister, and expressed his dissatisfaction at the manner in which the Hon. Minister of Finance had acted in this regard. The Prime Minister had then apparently attempted to contact the Hon. Minister, failing which she had informed Mr. Tennekoon that she would discuss the matter with the Minister and inform him of the position. Mr. Tennekoon had subsequently met the Prime Minister at Temple Trees where she had informed him that the new currency notes had already arrived and they have been sent to the Central Bank. . . . It would be seen that the Hon. Minister of Finance would not have taken a decision of printing of currency notes on his own without consulting the Prime Minister. When Central Bank officials brought this to the notice of the then Prime Minister, Mrs. Sirimavo Bandaranaike, no action appears to have been taken by the Government to investigate the circumstances under which the new currency notes were printed. This would indicate that the Prime Minister was aware of it".

I can also prove to you that the then Prime Minister was aware of this because there was a gazette notification issued by the then President, Mr. William Gopallawa, at the request and with the concurrence of the Prime Minister. So she would have known it. She cannot say she was unaware of it or that Dr. N. M. Perera did this behind her back.

Mr. William Tennekoon protested very vehemently, and in protest he opted to retire from the post of Governor of the Central Bank four years before the completion of his tenure of office. A very honourable gentleman, Sir. Now, these are notes of the preliminary investigation. I think this is a very serious matter. I do not think that this type of irregularity has been committed by any government in any country anywhere in the world. So the Government has decided that a full investigation be made in this matter through a Commission of Inquiry.

**කේ. තුරෙයිරත්නම් මහතා** (පේදුරතුඩුව)  
(திரு. கே. துரைராத்தினம்—பருந்தித்தறை)  
(Mr. K. Thurairatnam—Point Pedro)

If it is a forgery—(Interruption.)

**කමානායකතුමා**  
(சபாநாயகர் அவர்கள்)  
(Mr. Speaker)

I cannot allow any discussion on the statement made.—(Interruption.) I think you are out of Order. That is not going to get into Hansard.

**පනත් කෙටුම්පත් පිළිගැන්වීම**

சமர்ப்பிக்கப்பட்ட சட்டமூலங்கள்

**BILLS PRESENTED**

විසර්ජන පනත් කෙටුම්පත, 1983

ஒதுக்கீட்டுச் சட்டமூலம், 1983

**APPROPRIATION BILL—1983**

“1983 මුදල් වර්ෂයේ සේවා වියදම් සඳහා විධිවිධාන සැලසීමත්, එම සේවා වියදම් සඳහා ශ්‍රී ලංකාවෙන් හෝ පිරව්වින් හෝ ණය ලබා ගැනීමට බලය දීමත්, ඒ මුදල් වර්ෂය තුළ ආණ්ඩුවේ යම් යම් කටයුතු වෙනුවෙන් මුදල් භාජනය කිරීමත්, එම කටයුතු වෙනුවෙන් ඒ මුදල් වර්ෂය තුළ අවශ්‍ය වන මුදල් ඒකාබද්ධ අරමුදලින් හෝ ආණ්ඩුවේ හෝ ආණ්ඩුවට සුදුස්සන් කළ හැකි වෙනත් අරමුදලකින් හෝ මුදල්වලින් හෝ අන්තීකාරීම් වශයෙන් ගෙවීමට ඉඩ සැලසීමත්, ඒකාබද්ධ අරමුදලට ඒ මුදල් ආසන්න ගෙවීමට විධිවිධාන සැලසීම සහ යටෝක්ත කැපීම් සහ සම්බන්ධ වූ හෝ එයට ආනුෂංගික වූ කැපීම් සඳහා විධිවිධාන සැලසීමත් සඳහා වූ පනත් කෙටුම්පතකි. (මුදල්).”

විලිගන්වන ලද්දේ මුදල් හා ක්‍රමසම්පාදන ආමිති ආර්. ජේ. ජී. ද මල් මහතා විසිනි. 1983 මාර්තු 08 වන දිනටදී මෙහි දෙවන වර කියවිය යුතුය. එය මුද්‍රණය කළ යුතුයයිද නියෝග කරන ලදී.

நிதி, அமைப்புத் திட்ட அமைச்சர் திரு. ஆர். ஜே. ஜி. த மெல் அவர்களால் சமர்ப்பிக்கப்பட்டது. 1983 மார்ச் 8, செவ்வாய்க் கிழமை இரண்டாம் முறையாக மதிப்பிடப்பட வேண்டுமெனவும் அச்சிடப்பட வேண்டுமெனவும் கட்டளையிடப்பட்டது.

Presented by Mr. R. J. G. de Mel, Minister of Finance and Planning to be read a Second time upon Tuesday, 8th March 1983 and to be printed.

**හාජ්ලීමේන්තුවේ කටයුතු**

பாராளுமன்ற அலுவல்

**BUSINESS OF THE PARLIAMENT**

**එම්. වින්සන්ට් පෙරේරා මහතා**  
(திரு. எம். வினசன்ட் பெரேரா)  
(Mr. M. Vincent Perera)

I move,

“That the proceedings on items 1 and 2 of Public Business appearing on the Paper be exempted at this day’s Sittings from the provisions of Standing Order No. 7.”

ප්‍රශ්නය සහතික කරන ලදී.  
භිතූ ආරම්භ කළේ මමයි.

Question proposed.

**ලක්ෂ්මන් ජයකොඩි මහතා**  
(திரு. லக்ஷ்மன் ஜயக்கொடி)  
(Mr. Lakshman Jayakody)

Sir, I would like to ask a Question with regard to this particular Item. Is it correct that there is going to be a change in the Resolution appearing on the Order Paper? If that is so, Sir, I think they must tell us what the change is or the deletion or addition is.

**කමානායකතුමා**  
(சபாநாயகர் அவர்கள்)  
(Mr. Speaker)

Has the Prime Minister answered that Question?

**ලක්ෂ්මන් ජයකොඩි මහතා**  
(திரு. லக்ஷ்மன் ஜயக்கொடி)  
(Mr. Lakshman Jayakody)

No, Sir. Therefore, we would like to know first whether there is going to be a change for us to agree to this particular Resolution that the Prime Minister has moved.

**ආර්. ප්‍රේමදාස මහතා** (අග්‍රාමාත්‍යතුමා, පළාත් සාලක, නිවාස හා ඉදිකිරීම් ඇමතිතුමා, ගොම්පල කටයුතු පිළිබඳ ඇමතිතුමා සහ හාජ්ලීමේන්තුවේ සහායකයකුතුමා)

(திரு. ஆர். பிரேமதாசு—பிரதம அமைச்சரும் உள்ளந் ராட்சி, வீடமைப்பு, நிர்மாண அமைச்சரும் நெடுஞ்சாலைகள் அமைச்சரும் பாராளுமன்றச் சபை முகல்கரும்)

(Mr. R. Premadasa—Prime Minister, Minister of Local Government, Housing and Construction, Minister of Highways and Leader of the House of Parliament)

Not as far as the Government is concerned. I do not know whether the Opposition is going to move any amendment.

**ලක්ෂ්මන් ජයකොඩි මහතා**  
(திரு. லக்ஷ்மன் ஜயக்கொடி)  
(Mr. Lakshman Jayakody)

No, we cannot move an amendment to a Resolution.

**ආර්. ප්‍රේමදාස මහතා**  
(திரு. ஆர். பிரேமதாசு)  
(Mr. R. Premadasa)

I do not know—

**லக்ஷ்மன் பசுமன் ஐயக்கொடி**

(திரு. லக்ஷ்மன் ஐயக்கொடி)

(Mr. Lakshman Jayakody)

We cannot move an amendment to a Resolution—

**ஈ. ப்ரேமதாச**

(திரு. ஆர். பிரேமதாச)

(Mr. R. Premadasa)

I do not know— it is left to the Opposition.—  
(Interruption)

**கலாநாயகர்**

(சபாநாயகர் அவர்கள்)

(Mr. Speaker)

Order, please !

**ஈ. ப்ரேமதாச**

(திரு. ஆர். பிரேமதாச)

(Mr. R. Premadasa)

As far as the Government is concerned there is no change.

**கலாநாயகர்**

(சபாநாயகர் அவர்கள்)

(Mr. Speaker)

Order, please ! Your question has been answered. You must be satisfied.

**புள்ளியை விசாரிப்பதற்கு, பணியை விட.**

வினா விடுக்கப்பட்டு ஏற்றுக்கொள்ளப்பட்டது.

Question put, and agreed to.

**பி. வி. வினாயகர்**

(திரு. எம். வினாயகர்)

(Mr. M. Vincent Perera)

I move,

“That Thursday, 10th March, Friday, 11th March, Monday, 14th March, Tuesday, 15th March, Wednesday, 16th March, Thursday, 17th March, Friday, 18th March, Monday, 21st March and Tuesday, 22nd March, 1983 be Allotted Days for the consideration of the Appropriation Bill 1983.”

**புள்ளியை விசாரிப்பதற்கு, பணியை விட.**

வினா எடுத்தியம்பப்பெற்றது.

Question proposed.

**லக்ஷ்மன் பசுமன் ஐயக்கொடி**

(திரு. லக்ஷ்மன் ஐயக்கொடி)

(Mr. Lakshman Jayakody)

No, Sir. I say this very categorically—

**கலாநாயகர்**

(சபாநாயகர் அவர்கள்)

(Mr. Speaker)

You have to say something about everything.

**லக்ஷ்மன் பசுமன் ஐயக்கொடி**

(திரு. லக்ஷ்மன் ஐயக்கொடி)

(Mr. Lakshman Jayakody)

We are four here, or three perhaps ; as the Sri Lanka Freedom Party. But anyway Sir, I would be most grateful if you would give us a decision very soon, because last time the decision was to find out whether you recognize the S.L.F.P. or not.

**ஈ. ப்ரேமதாச**

(திரு. ஆர். பிரேமதாச)

(Mr. R. Premadasa)

I rise to a point of Order. May I know on which item you are speaking ?

**லக்ஷ்மன் பசுமன் ஐயக்கொடி**

(திரு. லக்ஷ்மன் ஐயக்கொடி)

(Mr. Lakshman Jayakody)

Item 3.

**கலாநாயகர்**

(சபாநாயகர் அவர்கள்)

(Mr. Speaker)

Order, please ! There is a point of Order raised.

**ஈ. ப்ரேமதாச**

(திரு. ஆர். பிரேமதாச)

(Mr. R. Premadasa)

I rise to a point of Order. There must be some system in the business of this House. We are guided by Standing Orders. May I know from the hon. Member on which item he is speaking ?

**லக்ஷ்மன் பசுமன் ஐயக்கொடி**

(திரு. லக்ஷ்மன் ஐயக்கொடி)

(Mr. Lakshman Jayakody)

I am speaking on item 3 where you have made a decision with regard to the business of Parliament under the name of the Prime Minister, namely, the allocation of days for the consideration of the Appropriation Bill, 1983.

**ஈ. ப்ரேமதாச**

(திரு. ஆர். பிரேமதாச)

(Mr. R. Premadasa)

It is a decision of Government, I as the Leader of the House—

**லக்ஷ்மன் பசுமன் ஐயக்கொடி**

(திரு. லக்ஷ்மன் ஐயக்கொடி)

(Mr. Lakshman Jayakody)

No, Sir.

**ஈ. ப்ரேமதாச**

(திரு. ஆர். பிரேமதாச)

(Mr. R. Premadasa)

Of course !



**ලක්ෂ්මන් ජයකොඩි මහතා**

(**திரு. லக்ஷ்மன் ஜயக்கொடி**)

(**Mr. Lakshman Jayakody**)

It is not a question of the Government—

**කමානායකතුමා**

(**சபாநாயகர் அவர்கள்**)

(**Mr. Speaker**)

Order, please ! Wait till the reply is given.

**ආර්. ප්‍රේමදාස මහතා**

(**திரு. ஆர். பிரேமதாச**)

(**Mr. R Premadasa**)

Mr. Speaker, under the Standing Orders it is my responsibility as Leader of the House to arrange the business of this House. I may consult various parties concerned but it is my business and I have done it accordingly. I do not think anything arises out of it.

**ලක්ෂ්මන් ජයකොඩි මහතා**

(**திரு. லக்ஷ்மன் ஜயக்கொடி**)

(**Mr. Lakshman Jayakody**)

No, not only his business. I should like to mention the number of allotted days. Now the Standing Orders of this House—

**ආර්. ප්‍රේමදාස මහතා**

(**திரு. ஆர். பிரேமதாச**)

(**Mr. R. Premadasa**)

The Standing Orders do not refer to party leaders, Sir.

**ලක්ෂ්මන් ජයකොඩි මහතා**

(**திரு. லக்ஷ்மன் ஜயக்கொடி**)

(**Mr. Lakshman Jayakody**)

May I please submit—(*Interruption*).

**කමානායකතුමා**

(**சபாநாயகர் அவர்கள்**)

(**Mr. Speaker**)

Order, please ! I think there must be some system in what you argue.

**ලක්ෂ්මන් ජයකොඩි මහතා**

(**திரு. லக்ஷ்மன் ஜயக்கொடி**)

(**Mr. Lakshman Jayakody**)

The question of Party Leaders does not arise at this juncture.

**කමානායකතුමා**

(**சபாநாயகர் அவர்கள்**)

(**Mr. Speaker**)

If you refer to tanding Order 70 you get your reply. The Prime Minister has already said so. I think I cannot allow you to proceed any further.

**ලක්ෂ්මන් ජයකොඩි මහතා**

(**திரு. லக்ஷ்மன் ஜயக்கொடி**)

(**Mr. Lakshman Jayakody**)

No, Sir, I rise to a point of Order. You are contravening the Standing Orders of this House.

**කමානායකතුමා**

(**சபாநாயகர் அவர்கள்**)

(**Mr. Speaker**)

I have already given my Ruling. Order, please !

**ලක්ෂ්මන් ජයකොඩි මහතා**

(**திரு. லக்ஷ்மன் ஜயக்கொடி**)

(**Mr. Lakshman Jayakody**)

May I read the Section ?

**කමානායකතුමා**

(**சபாநாயகர் அவர்கள்**)

(**Mr. Speaker**)

No, no. Order, please !

**ලක්ෂ්මන් ජයකොඩි මහතා**

(**திரு. லக்ஷ்மன் ஜயக்கொடி**)

(**Mr. Lakshman Jayakody**)

This contravenes the Standing Orders of this House.

**කමානායකතුමා**

(**சபாநாயகர் அவர்கள்**)

(**Mr. Speaker**)

Order, please ! I have already allowed— (*Interruption*)

**ලක්ෂ්මන් ජයකොඩි මහතා**

(**திரு. லக்ஷ்மன் ஜயக்கொடி**)

(**Mr. Lakshman Jayakody**)

It states very clearly “ Twenty-six days and no more (unless as hereinafter provided) shall be allotted to the consideration of the Appropriation Bill ”. Now we have been whittled down to nine days.

**කමානායකතුමා**

(**சபாநாயகர் அவர்கள்**)

(**Mr. Speaker**)

Order, please. That is a matter— (*Interruption*). If you like to know — (*Interruption*)

**ලක්ෂ්මන් ජයකොඩි මහතා**

(**திரு. லக்ஷ்மன் ஜயக்கொடி**)

(**Mr. Lakshman Jayakody**)

I like to know why this Standing Order has been changed. That is all I like to know.

**කමානායකතුමා**

(**சபாநாயகர் அவர்கள்**)

(**Mr. Speaker**)

Order, please ! When anything is done against the Standing Orders, I think, I might have to expunge it from HANSARD — (*Interruption.*) Now, listen to me.

[கூடுதலாக]

The Hon. Prime Minister has given you the reply on a point of Order, and if you have got anything to say—(Interruption) Now listen first. He has already told you that, if necessary, he would consult the leaders of the party. Now, will you await that. Yes, that is all.

லக்ஷ்மன் ஜயக்கொடி

(திரு. லக்ஷ்மன் ஜயக்கொடி)

(Mr. Lakshman Jayakody)

That means, Sir, we have — (Interruption)

ரனில் விக்கிரமசிங்க

(திரு. ரனில் விக்கிரமசிங்க)

(Mr. Ranil Wickremasinghe)

I like to know whether the hon. Member for Attanagalla is an individual member or whether he represents a party, and if so, which party ?

லக்ஷ்மன் ஜயக்கொடி

(திரு. லக்ஷ்மன் ஜயக்கொடி)

(Mr. Lakshman Jayakody)

I represent the Sri Lanka Freedom Party.

ரனில் விக்கிரமசிங்க

(திரு. ரனில் விக்கிரமசிங்க)

(Mr. Ranil Wickremasinghe)

No, no !

லக்ஷ்மன் ஜயக்கொடி

(திரு. லக்ஷ்மன் ஜயக்கொடி)

(Mr. Lakshman Jayakody)

We are contravening Standing Order No. 70 —

சபாநாயகர் அவர்கள்

(சபாநாயகர் அவர்கள்)

(Mr. Speaker)

Order, please.—(Interruption.)

லக்ஷ்மன் ஜயக்கொடி

(திரு. லக்ஷ்மன் ஜயக்கொடி)

(Mr. Lakshman Jayakody)

I like to have a clear decision on this matter, Sir. I like to know whether we have changed Standing Order No. 70 which clearly states that 26 days should be given to the consideration of the Appropriation Bill, and it has now been whittled down to nine days only.

சபாநாயகர் அவர்கள்

(சபாநாயகர் அவர்கள்)

(Mr. Speaker)

The Hon. Prime Minister has already answered that question. He has mentioned in unmistakable terms that he will consult party leaders. Will you wait for that ? We will get on to Item No. 4.

புல்தய விசய டீன், சபா சபிஷன் சி.

வினா விடுக்கப்பட்டு ஏற்றுக்கொள்ளப்பட்டது.

Question put, and agreed to.

பார்லிமென்துவி

பாராளுமன்ற அமர்வு

SITTINGS OF THE PARLIAMENT

එම්. වින්සන්ට් පෙරේරා මහතා

(திரு. எம். வின்சன்ட் பெரேரா)

(Mr. M. Vincent Perera)

On behalf of the Prime Minister and Leader of the House of Parliament, I move.

“ That this Parliament at its rising this day do adjourn until 2 p.m. on Tuesday, 8th March, 1983.”

புல்தய விசய டீன், சபா சபிஷன் சி.

வினா விடுக்கப்பட்டு ஏற்றுக்கொள்ளப்பட்டது.

Question put, and agreed to.

வேட்கள் එම්. ඒ. එම්. ජලාල්දීන් විජයේගී

පුරා අශක්තතා නියම කිරීම සහ එකී

வேட்கள் එම්. ඒ. එම්. ජලාල්දීන්

பார்லிமென்துவைத் தைர்பிம்

வைத்திய கலாநிதி எம். ஏ. எம். ஜலால்தீன் மீது குடியியல் தகுதியின்மை விதித்தலும் பாராளுமன்றத்திலிருந்து அவரை வெளியேற்றலும்

IMPOSITION OF CIVIC DISABILITY ON, AND EXPULSION FROM PARLIAMENT OF, DR. M. A. M. JALALDEEN

ආර්. ප්‍රේමදාස මහතා (අලුමාත්‍යතුමා, පළාත් පාලන, නිවාස හා ඉදිකිරීම් අමතිතුමා, මහාමැදි කටයුතු පිළිබඳ අමතිතුමා සහ පාර්ලිමේන්තුවේ සභානායකතුමා)

(திரு. ஆர். பிரேமதாச—பிரதம அமைச்சரும், உள்ளூர் ராட்சி, வீடமைப்பு, நிர்மாண அமைச்சரும் நெடுஞ்சாலைகள் அமைச்சரும் பாராளுமன்றச் சபை முதல்வரும்)

(Mr. R. Premadasa—Prime Minister, Minister of Local Housing, Housing & Construction, Minister of Highways, and Leader of the House of Parliament)

I move,

“ That, whereas a Special Presidential Commission of Inquiry established under the Special Presidential Commissions of Inquiry Law, No. 7 of 1978, as amended by the Special Presidential Commissions of Inquiry (Special Provisions) Act, No. 4 of 1978, and consisting of the Hon. J. G. T. Weeraratne, Chairman. (Judge of the Supreme Court) and the Hon. S. Sharvananda (Judge of the Supreme Court) has in its report dated 11th November, 1982, recommended in terms of Section 9 of the said Special Presidential Commissions of Inquiry Law, No. 7 of 1978, that Dr. M. A. M. Jalaldeen, 1st M.P. for Pottuvil, be made subject to civic disability by reason of acts done by the said Dr. M. A. M. Jalaldeen which constitutes abuse and misuse of power and corruption, as set out in the finding of the said report ; and

whereas the Cabinet of Ministers has in terms of Article 81 (2) of the Constitution of the Democratic Socialist Republic of Sri Lanka approved the introduction of a resolution to impose civic disability on the said Dr. M. A. M. Jalaldeen for a period of seven years and expel the said Dr. M. A. M. Jalaldeen from Parliament ;

this Parliament resolves in terms of the provisions of Article 81 (1) of the Constitution of the Democratic Socialist Republic of



[එම්. ඒ. එම්. ජලෝදීන් මහතා]  
 conspiracy among them to secure my conviction. However, the report of the commissioners does not consider or discuss the evidence or the submissions made on my behalf. The findings of the facts are not findings which can reasonably be arrived at on the evidence as a whole, and quite apart from proof beyond all reasonable doubt, the purported findings of the report are thus vitiated.

In fact, the allegations of bribery and corruption were inquired into by the Bribery Commissioner, but no steps were taken to prosecute me in the regular courts. The Commission has, nevertheless, proceeded without adequate consideration for the oral and documentary evidence to make findings against me on questions of fact, against which no appeal proper on the fact is available to me to my grave detriment.

My counsel were not given an opportunity to give oral submissions on facts, to elaborate on the points raised in the written submissions of fact. It is further submitted that the rules, procedure and the evidence, which are fundamental to our established system of criminal jurisprudence and natural justice, were not observed by the Commission, also to my grave detriment and prejudice.

It is another important factor that all the petitions against me were sent after a sad and tragic incident that occurred on 19th December 1980. On that day I was speaking in Parliament on the votes of the Lands and Land Development Ministry. A poor farmer, who was the President of the Agricultural Workers's Union of Addalachchenai A.G.A's Division, was severely assaulted by my brothers-in-law, brother, nephews and other relations of theirs. He was so seriously injured that he was admitted to Kalmunai and Batticaloa hospitals and treated for days.

Although my relations have done this. I thought justice should prevail and spared no effort to see that the offenders did not escape justice. The policy of our leader, His Excellency J. R. Jayewardene, and of our Government, is to oppose and eradicate family bandysm and thuggery at all levels.

Hence I intervened, for which dedicated course of action I face this situation now. These actions of mine made my brother-in-law and relations get even more angry with me and it is thereafter that my political opponents made use of this opportunity to plan and induce these persons to send these petitions. I must mention at this stage that another reason why I took upon the case of the assault of the farmer was because he was a member of the UNP and a trade union leader with the backing of the working-class people.

Although the proceedings before the Special Presidential Commission of Inquiry received the widest coverage, people supported me and my party because they have the fullest confidence in me. They

did not believe any of these allegations, they knew that it was a family plot aided and abetted by political opponents. This is clearly demonstrated by the fact that at the Presidential Elections held on 20th October, 1982, my electorate voted in favour of His Excellency the President and gave him a majority of 6,000 votes. At the Referendum held in December, my electorate polled the highest number of votes in favour of the Government in the Amparai district I must mention here that His Excellency the President, the Hon. the Prime Minister and other Ministers of the Government know my popularity and my sincere hard work for my electorate and my people. All steps and actions taken and recommendations made by me during my period as Member of Parliament were done by me sincerely and genuinely in the best interests of the U.N.P.

I do not wish to make any statement against the honourable members of the Special Presidential Commission who are honourable men. The manner and procedure adopted in leading the evidence against me, *ex parte*, of all the witnesses against me in my absence, gave all those witnesses the opportunity to re-shape and re-cast their evidence which would not happen in a court of law because immediately the evidence of each witness is led, he is cross-examined and sent out of hearing, out of contact with other witnesses who are to follow him to give evidence and who are also subject to the same cross-examination and isolation.

Every statement they made against me was given widest publicity in the press and radio while glaring contradictions in evidence in my favour were not covered or were given insignificant coverage. This could only prejudice and influence the judgement of any person, however impartial he is expected to be. The evidence-in-chief against me, the cross-examination and re-examination covered a period from June 1981 to July 1982. Each allegation against me was valiantly contested and took several days, weeks and months of hearing.

The members of the Commission in setting out the facts and findings on each allegation have confined their Report to one or, at most, three and half pages on each allegation. It is my humble view that this could not have adequately covered the mass of the evidence which was in my favour. If such a procedure was adopted, any person, however highly placed or impartial, would be prejudiced.

Now that I have gone through the experience of an inquiry before the Special Presidential Commission, I can say that if any of you hon. Members of Parliament are unfortunate enough to have relations and political opponents who bring you before the Commission, you will also face the same difficulties that I did face at the inquiry.



[ඒ. අමීර් ජාලී-යම් මෙහෙය]

This is the third Motion to expel an hon. Member that we are debating. The first one was the motion on the finding of this same Special Presidential Commission to expel a former Prime Minister and the then hon. Member for Attanagalla, Mrs. Sirimavo Bandaranaike.

The second Motion to expel that we debated was the motion to expel the Member for Panadura on the ground of breach of party discipline and this third motion to expel an hon. Member, again on the finding of this Special Presidential Commission, I think, should make all hon. Members of the House to give serious thought to the position of hon. Members vis-a-vis the inquiries that are going on before the Presidential Commission.

None of us can be happy at a motion to expel a Colleague. Dr. Jalaldeen was never in my Party. We fought him but I feel very sorry that a very genial gentlemen has been sent out of this house and my sympathy is all the greater because he is a Member from the Eastern Province and a Member of the minority community, of the Tamil speaking community. I feel all the more sorry that he has become the victim of this Motion for expulsion.

Apart from that, Sir, I think anyone reading through the report of the Presidential Commission will sit up and wonder as to how many Members, particularly Members of the Government party are safe, if representations are made to the Presidential Commission. I am not referring to the allegations of corruption and bribery on which the hon. Member has been found guilty but there are certain other grounds of abuse or misuse of power. If one reads through the allegations and the findings one will find that if an hon. Member seeks to transfer an officer or even interfere in any way—maybe, on representations made by his constituents or in whatever way—it may be construed by those gentlemen there whose finding is not subject to an appeal to any other tribunal that that is an abuse of power by the hon. Member concerned. I think this is particularly so of Members of the Government Party, for we who are in the Opposition are free from this sort of allegation being made because when we make a request to transfer anybody it is invariably turned down. So we cannot be found guilty of any abuse or misuse of power. In fact, some Hon. Ministers have said that if even for the exigencies of the service, for the needs of our electorates, we make a request for any transfer that should be sent to them and should not be dealt with by the officials.—(Interruption) Yes, if we want somebody to be transferred, I think that man will be given a promotion! But that is the fate of the Opposition Members.

I am not talking lightly on this matter but I think the hon. Members of this House should know the limits of their powers, duties and functions. After all, each Member of this House is allocated Rs. 2 1/2 million for expenditure in his electorate. When the Member wants to get the work done he has to be satisfied that the officers who are in charge of various schemes are doing their duty properly. If he is not satisfied, if he thinks that an officer who is in charge is sabotaging the work—in fact there are some officers who, when a M.P. wants the work to be done, take a sadistic pleasure in doing just the opposite in order to make the M.P. unpopular; that sort of thing had happened against all of us—in that case, if the M. P. makes representation and wants an officer transferred out, the Presidential Commission may sit in their air-conditioned rooms and come to a finding that the Member of Parliament is guilty of abuse of power or misuse of power.

Now, I think, I am voicing the concern of every hon. Member of this House—and particularly it should concern the hon. Members of the Government party much more than anybody else—when I say that a proper demarcation of the powers of MPs in respect of these matters will have to be given, maybe by you as Speaker or by the Hon. Prime Minister or by the party leaders. This has to be done because, otherwise, every M. P. is in danger particularly, as Dr. Jalaldeen said, if you have very vindictive relatives or political opponents.

In fact, Sir, I think, everyday these transfers and requests for transfers are being made. Even this morning when I was leaving my bungalow, I had a teacher from the same area, Akkaraipattu, a teacher by the name of Sivaganamoorthy who came to see me. He said that on political grounds he had been transferred from there to Colombo. Some allegations had been made against him. The CHEO, Mr. Sheriff, had held an inquiry and completely exonerated him, but on representations made by some Member of Parliament or on the insistence of some Member of Parliament, that poor teacher had been transferred to Colombo. So he came and told me, “if Dr. Jalaldeen can be found guilty on such grounds, how can any M.P. do this to me?” Sir, this happened just this morning, I am not coming out with a yarn to suit the occasion, but this morning the teacher was there to see me. In fact I have in my file the letter he left with me on this subject.

Apart from the rights or wrongs of this question, I think the position of the hon. Members in regard to such requests should be clarified, and it is very necessary, if we are to be free from the mental agony and trepidation, lest somebody makes representations against us. I would like to urge the hon. Members and

particularly the Government that the whole question of inquiries by Special Presidential Commissions should be reviewed because if there is an allegation of bribery against a Member, the bribery court is there. You charge him in the court and if he is found guilty, then he can be removed from the membership.

As all hon. Members are aware, the procedure, the rules of evidence and other matters, even the burden of proof in inquiries before these Commissions, are entirely different from those in the normal courts of law. I have been a practitioner in the courts of law, and particularly on the criminal side, for more than a quarter of a century. I think except for the last six years when I had to give up my practice, I had been practising; if I had continued in practice, it would have been more than 30 years since I had enrolled as a member of the Bar. You as a lawyer, Mr. Speaker, know about the burden of proof and the degree of proof that is called for when criminal cases are tried. But before the Presidential Commission, I think, the same degree of proof is not called for, and there is no appeal from that finding also.

One of the policies that this Government declared as a cherished objective in the administration of justice was that an aggrieved party should at least have two appeals.

That is the basis on which the Government set up the Court of Appeal and the Supreme Court. Because the last Government did away with appeals to the Privy Council, this Government came and said that there must be two appeals available, that two reviews of findings by any court should be available to the aggrieved party. And it was on that basis that they set up the Court of Appeal and the Supreme Court, to which one could appeal if one feels aggrieved with the finding of the original court.

But in the case of these commissions of inquiry, these Presidential Commissions, there is no such appeal. The aggrieved person is helpless. I do not mean to say that the finding of this particular Special Presidential Commission is right or wrong. We cannot sit in judgment over their finding. But there have been three-member court findings which have been reversed by the Appeal Court. That shows that there is a possibility of error on the facts or on law having been committed by even the three gentlemen of the Presidential Commission.

So, Sir, I think I will use this opportunity to urge the Government to reconsider and to review the whole question of the procedure and the inquiries before these Presidential Commissions, because it is something that affects the rights of individuals not merely hon. Members of this House.

We know that on the findings of the Special Presidential Commission persons who were not Members of this House, former Ministers and lawyers have been deprived of their civic rights, have been denied the right to exercise their civic and political rights for seven years. These are serious matters, and the whole question has to be reviewed and reconsidered.

I wish to give my sympathy to the hon. Member for Pottuvil who has taken this in a very heroic way and has laughed at his won misfortune. I hope all of us will have the same frame of mind to be able to laugh when we are at the receiving end of what we may consider not fair treatment. He has not only taken it in a very jovial spirit, he has even pledged his loyalty to the very party and Government that have moved this Motion against him. But it is very unfortunate, Sir, that an ordinary back-bencher has got caught. There are, I think, allegations and petitions pending against many people, people very high up in the political ladder. All those may lie in cold storage for quite a long time, and only the small fry will have to pay.

Whatever it may be, it is high time we gave serious thought to the questions involved in the whole procedure of Presidential Commissions of Inquiry—the findings, the scope of the allegations, and whole question of the rights and functions of Members of Parliament which may be called in question before commissions of inquiry.

கி. சி. மந்திரி மனா (கண்டாசலே)

(திரு. டி. எம். சந்திரபால—கண்டாசலே)  
(Mr. D. M. Chandrapala—Kundasale)

I would like to speak a few words. It is very rarely that I speak, but I would like to say this. There may be certain Members of this august Assembly, perhaps on our side, perhaps on the other side, who might take umbrage at what I am going to say today. This reminded me of Julius Caesar, Mark Antony and Cassius—(Interruption).

ஹானாயக்கே மனா

(கலாநிதி டபிள்யூ. தஹநாயக்க)  
(Dr. W. Dahanayake)

Et tu Brute!

கி. சி. மந்திரி மனா

(திரு. டி. எம். சந்திரபால)  
(Mr. D. M. Chandrapala)

You have read Your Shakespeare. I am very happy about it.

The hon. Leader of the Opposition was just now telling us that my good Friend, Dr. Jalaldeen, took this up in a very jovial manner. He might look back into the history of the recent past and find that Lord Soulbury

[**தி. சி. சி. சி. சி.**]

and two other gentlemen who accompanied him had said that the people of Sri Lanka were such as educated lot that they could laugh at their foibles. I do not fully subscribe to that view.

Whatever it is, the illustrious S. W. R. D. Bandaranaike once said in this Assembly that, even if a person was not guilty, if a court of law or a commission had found him guilty he has to leave this august Assembly. I do not know what his wife had to say about it. I might add what a husband, what a wife!

Whatever it is, let there be a deterrent to this type of tomfoolery in this Assembly. People come here on the power of the vote. They promise the sun and the moon. They say, "We want to work for the people, for their upliftment." What do they do after coming here? They play *pandu*! They appear to be paragons of virtue of a very rare order. They hand over letters, and they want to leave this assembly with respect. I for one, I am bold to say, do not have any respect for people of that type, because they have not lived up to the aspirations of the people who put them in power. When a person loses in battle and says, "Whatever has happened, I am very sorry," that will not do. This is the highest judicature of this country. We have to set an example to the world. We have a very good leadership, and that leadership is trying to inculcate in the minds of everybody who comes here a certain discipline so that we may clean society from this type of tomfoolery.

Sir, this has nothing to do with friendship. Dr. Jalaldeen happened to be a good friend of mine. That is a fact. But when a friend does the wrong thing and a commission has found him guilty, then that friend, a Member of this House, has brought disaster to the reputation of the other Members of this House. What is their position? It is better not to enter Parliament at all. I might add that the manner in which Dr. Jalaldeen came to this House, I for one will never come. I for one will never quit in that way. Thank you very much, Sir. I am very grateful to you for giving me a few minutes to speak.

**தி. சி. சி. சி. சி.**

(**திரு. வி. என். நவரத்தினம்—சாவகச்சேரி**)

(**Mr. V. N. Navaratnam—Chavakachcheri**)

கௌரவ சபாநாயகரவர்களே, இச்சபையில் கௌரவ பிரதம அமைச்சரவர்களாற் சமர்ப்பிக்கப்பட்டிருக்கின்ற இத்தீர்மானத்தைப் பற்றிச் சில கருத்துக்களைத் தெரிவிக்கக் கடமைப்பட்டுள்ளேன். எந்த அடிப்படையிலே இந்த விடயத்தைப்பற்றி நாம் கணிக்கிறோம் என்பதை எனக்கு முன்பேயே கௌரவ எதிர்க்கட்சி முதல்வரவர்கள் கூறினார்கள். கௌரவ பிரதம அமைச்சரவர்கள் இத்தீர்மானத்தை இச்சபையிலே சமர்ப்பிக்கும்பொழுது ஒரு விளக்கத்தை—இது தொடர்பான சரித்திரத்தைக் கொடுப்பார் என நாம் எதிர்பார்த்திருந்தோம். இத்தகைய தீர்மானமொன்று முதல்முறை

யாக முன்னர் அத்தனகல்ல பாராளுமன்ற அங்கத்தவருக்கெதிராகப் பிரேரிக்கப்பட்ட பொழுது நீண்ட ஓர் உரை நிகழ்த்தப்பட்டது. அதனால் அந்த உரையிலேயிருந்து எழுந்த விடயங்களைப்பற்றி எமக்குக் கருத்துக் கூறுவதற்கு வாய்ப்புக் கிடைத்தது.

முன்னர் பொத்துவில் அங்கத்தவர் ஜலால்தீன் அவர்களுக்கு எதிராக விசேட ஜனாதிபதி ஆணைக்குழு விசாரித்த 12 விடயங்களும் எங்களுக்குச் சமர்ப்பிக்கப்பட்டிருக்கின்றன. இவற்றிலே இரண்டுவகையான விடயங்கள் உள்ளன. ஒன்று, லஞ்சம் பெற்றதாக, அல்லாவிட்டால் லஞ்சம் கேட்டதாகக் கூறப்பட்ட குற்றச்சாட்டு. அடுத்தது, பாராளுமன்ற அங்கத்தவர் என்ற முறையிலே தம்முடைய அதிகாரத்தை அவர் துஷ்பிரயோகம் செய்தார் என்ற குற்றச்சாட்டு.

முதலாவது விடயத்தைப் பொறுத்தவரையிலே, அவர் லஞ்சம் வாங்கினார் என்று சொல்லப்படும் அந்தக் குற்றச்சாட்டு நிரூபிக்கப்பட்டிருந்தால்—இந்த விசாரணை செய்த ஆணைக்குழு வழமையான நீதி நிருவாக முறைக்கு அப்பாலே இந்த விசாரணையை நடத்தினாலும், வழமையான ஒரு நீதி மன்றத்திலே குற்றச்சாட்டப்படுகின்றவர்களுக்குக் கொடுக்கப்படுகின்ற வசதிகள், வாய்ப்புக்கள் இவருக்குக் கொடுக்கப்படாவிட்டிருந்தாலும், வழமையான ஒரு குற்றவியல் நீதி மன்றத்திலே குற்றம் சுமத்தப்பட்டவருக்குக் கொடுக்கப்படுகின்ற அடிமட்ட அத்திவாரத் தத்துவங்களை பாவிக்கக்கூடிய நிலையில் இவர் இல்லாதிருந்திருந்தாலும், இவர் இந்தக் குற்றத்தைப் புரிந்தார் என்று இந்த ஆணைக்குழு தீர்ப்புக்கூறியிருந்தால், இந்நாட்டின் அரசியலில் ஈடுபடுகின்றவர்கள், அதுவும் விசேடமாக மக்கள் பிரதிநிதிகளாக இந்தக் கௌரவ சபையிலே அங்கம் வகிக்கின்றவர்கள் மற்றையோரிலும் பார்க்கக் கூடுதலாக நேர்மையாக இருக்க வேண்டும் என்ற தத்துவத்தின் அடிப்படையிலே இவரை இச்சபையிலிருந்து நீக்குவதையிட்டு நாளை எனது கட்சியோ ஆட்சேபம் தெரிவிக்கவில்லை. இருந்தபோதிலும் நாம் ஒன்றை மனதிலே வைத்திருக்க வேண்டும். பொத்துவில் முன்னர் அங்கத்தவர் டாக்டர் ஜலால்தீன் லஞ்சம் பெற்றார் என்ற குற்றச்சாட்டின் அடிப்படையிலே இந்தச் சபையிலிருந்து விலக்கப்படுகின்றபொழுது, அவர் எவ்வளவுதான் சிரித்தபோதிலும் தலை குனிந்தவன்மே இந்தச் சபையைவிட்டு வெளியேறினார். அவமானம் அவருக்கு மட்டுமல்ல; அவருடைய குடும்பத்துக்கு அவமானம், அவருடைய கிராமத்துக்கு அவமானம், அவருடைய பிரதேசத்துக்கு அவமானம், அவருடைய சமுதாயத்துக்கு அவமானம். ஆகவே, இன்று அவமானத்துக்கு உட்படுத்தப்பட்டவர்கள் கிழக்குப் பிராந்தியத்தைச் சேர்ந்தவர்கள்; இன்று அவமானத்துக்கு உட்படுத்தப்பட்டவர்கள் தமிழ் மொழியைத் தாய் மொழியாகக் கொண்டவர்கள். ஆதலால் இவருக்கு எதிராக நடவடிக்கை எடுக்கப்பட்டதன் பின்னணி பற்றிச் சில விடயங்களை இங்கே குறிப்பிடுவது மிகவும் பொருத்தமாக இருக்கும் என எண்ணுகின்றேன்.

சனாதிபதி விசேட ஆணைக்குழுவின் முடிவுகள் சம்பந்தமாக முன்னர் சில பிரேரணைகள் இந்தச் சபையிலே விவாதிக்கப்பட்டபொழுது, விசேட சனாதிபதி ஆணைக்குழு எதிர்க் கட்சியிலிருக்கும் பாராளுமன்ற அங்கத்தவர்களை மாத்திரமல்ல, ஆளும் கட்சியில் இருப்பவர்களையும் கட்டுப்படுத்தும் என்று அரசாங்கத்தின் சார்பிலே கூறப்பட்டது. நீண்டகாலமாக காத்துக் கொண்டிருந்தார்கள், யாரை இதற்கு உதாரணமாக



முன்னுக்கு வைக்கலாம் என்று. டாக்டர் ஜலால்தீனுடைய முகம்தான் அவர்களுடைய கண்ணுக்குத் தெரிந்தது. லஞ்ச ஊழல் குற்றச்சாட்டுக்கு உட்பட்டவர்கள் என முறைப்பாடு செய்யப்பட்ட அங்கத்தவர்கள் பலர் இக்கே இருக்கிறார்கள் என அறிகிறோம். ஒருவருக்கு எதிராக லஞ்சக் குற்றச்சாட்டுக் கொண்டுவரப்பட்டு, அந்தக் குற்றச்சாட்டிலே ஆதாரம் ஏதாவது இருக்கிறது என அறிகிறபொழுது, அவர் சார்ந்திருக்கும் கட்சி ஆளும் கட்சியாக இருந்தால், அவரைப் பாராளுமன்ற அங்கத்தவர் பதவியிலிருந்து அகற்றுவதற்காக அந்த லஞ்சக் குற்றச்சாட்டுக்களின் அடிப்படையிலே அவரைப் பதவியிலிருந்து நீக்கினால் எவ்வளவு தூரம் அரசியல் பாதிப்பு ஏற்படும் என்று சிந்திப்பதில் பிழை இல்லை. இந்தச் சபை முன்னர் வேறு ஓர் இடத்திலே இருந்த பொழுது அந்தச் சபையிலே கம்புறுபிட்டி மக்களின் சார்பாகப் பிரதிநிதி ஒருவர் இருந்தார். அவர் எந்தச் சூழ்நிலையிலே ராஜினாமாச் செய்தார்? அவரை ராஜினாமாச் செய்ய வைத்தது யார்? என்ன குற்றச்சாட்டுகளுக்காக? அவருக்களிக்கப்பட்ட வாய்ப்பும் வசதியும் டாக்டர் ஜலால்தீனுக்குக் கொடுக்கப்பட்டனவா?

ஒவ்வொரு அரசியற் கட்சியும் அதன் அங்கத்தவர்களின் ஒழுக்கம், நடத்தை முதலியவற்றைக் கட்டுப்படுத்துவதற்கு அதிகாரமுள்ள ஒரு ஸ்தாபனமாக இருக்கிறது. எங்கள் கட்சியைப் பொறுத்த அளவில் எமது அங்கத்தவர்களுக்கெதிராக லஞ்ச அடிப்படையில் ஏதாவது குற்றச்சாட்டுச் சுமத்தப்பட்டால் நாங்கள் அதனை ஆராய்வோம். அதில் ஆதாரம் ஏதாவது இருக்குமானால் அவரைப் கட்சியிலிருந்தும் பாராளுமன்றத்திலிருந்தும் விலகும்படி வற்புறுத்துவோம். அவர் அப்படிச் செய்யாத பட்சத்தில் அவரைக் கட்சியிலிருந்து விலக்குவோம். டாக்டர் ஜலால்தீனுக்கு எதிராக லஞ்சக் குற்றச்சாட்டுக்கள் கொண்டு வருவதற்கு ஆதாரம் இருக்கிறது என்று ஐக்கிய தேசியக் கட்சிக்கு எப் பொழுது தெரிய வந்தது? இன்றைக்காக? இந்த விசேட ஆணைக்குழு அறிக்கை சமர்ப்பிக்கப்பட்டதற்குப் பிறகா? அல்லாவிட்டால் இவரை விசேட ஆணைக்குழு விசாரணைக்குட்படுத்த வேண்டுமென்று தீர்மானித்த பொழுதா? இதே குற்றச்சாட்டுக்கள் இன்னும் ஒரு சில ஆளும் கட்சியைச் சேர்ந்த அங்கத்தவர்களுக்கு எதிராக இருக்கிறதென்று—நாம் கூறவில்லை—பத்திரிகைகள் கூறுகின்றன. சில பத்திரிகைகள் அவர்களுடைய பெயர்களையும் வெளியிட்டிருக்கின்றன. டாக்டர் ஜலால்தீனுக்கு விசேட ஜனாதிபதி ஆணைக்குழு, ஆனால், என்னவர்களுக்கு ஐக்கியதேசியக் கட்சியின் உபகுழு இந்த வேற்றுமை எதற்காக? டாக்டர் ஜலால்தீன் கிழக்கு மாகாணத்தைச் சேர்ந்தவர் என்ற காரணத்தாலா? அவர் தாய் மொழியாகத் தமிழ் மொழியை வைத்திருக்கின்ற காரணத்தாலா? அல்லது அவர் இஸ்லாமிய மதத்தவர் என்ற காரணத்தாலா? யார் தங்களுடைய அதிகாரத்தை இந்தக் கட்டத்தில் துஷ்பிரயோகம் செய்கிறார்கள்?

இந்த நாட்டிலே கட்சி அரசியலும் ஆளும் கட்சியின் அதிகாரமும் பலப்படுத்தப்படுகின்றன. சில நேரங்களிலே இந்தச் சபைக்கு இல்லாத அதிகாரம் இந்த நாட்டிலே எவருக்கு ஆளுகின்ற அதிகாரம் இருக்கின்றதோ அவர்களுக்கு இருக்கின்றது. ஆளுகின்ற அந்த மன்னர்களுக்குத்தான் மக்களுக்கில்லாத அதிகாரம் இருக்கின்றது. சில கட்சிகளுடைய தலைமைக் காரியாலயத்தில் இந்த அதிகாரம் அடங்கியிருக்கின்றது. ஆகவே, இந்த அதிகாரங்களைக் கட்சிகள் துஷ்பிர

யோகம் செய்யும்போது ஒருவருக்கு ஒரு நீதி, இன்னொருவருக்கு இன்னொரு நீதி வழங்கப்படுகின்றபோது நாம் வேதனைப் படுகின்றோம். இப்படிப்பட்ட சூழ்நிலையிலேதான் நாம் வாழ்கின்றோம். இப்படிப்பட்ட பின்னணியில் இன்று சமர்ப்பிக்கப்பட்டுள்ள இந்தப் பிரேரணையின் விவாதத்தில் நாங்கள் பங்குபற்றுகிறோமென்று மிகவும் மனம் வருந்தக் கூடிய சூழ்நிலையிலேதான் நாம் இருக்கின்றோம்.

**உன். டென்சில் டென்சில் பூனான்ட் ஹென்டோ (கேபிளர் டிப்யூட்டி)**

(திரு. என். டென்சில் பெர்னான்டோ—கைத்தொழில், விஞ்ஞான அலுவல்கள் பிரதி அமைச்சர்)

(Mr. N. Denzil Fernando—Deputy Minister of Industries and Scientific Affairs)

But we only know that he resigned. Nothing else is known. He is presuming something wrong against that hon. Member which is not proper.

**சென்ட்ரல்கேள்**

(அங்கத்தவர் ஒருவர்)

(A Member)

I did not know.

**உன். டென்சில் பூனான்ட் ஹென்டோ**

(திரு. என். டென்சில் பெர்னான்டோ)

(Mr. N. Denzil Fernando)

And he is going on that presumption. May I rise to a point of Order and clarify that. It is not correct. He is only tendering his resignation to this House. That is all this House is aware of, nothing else. But the hon. Member is now saying that he may have had certain things which he cannot divulge. It is not correct to presume that the resignation was sent after some offence had been committed. He cannot say that. Therefore, I rise to a point of Order on this matter.

**உ. உன். டென்சில் பூனான்ட் ஹென்டோ**

(திரு. வி. என். நவரத்தினம்)

(Mr. V. N. Navaratnam)

ஒருவருக்கு ஒரு நியாயம்; இன்னொருவருக்கு இன்னொரு நியாயம்.

**உன். டென்சில் பூனான்ட் ஹென்டோ**

(திரு. என். டென்சில் பெர்னான்டோ)

(Mr. N. Denzil Fernando)

ஒருவருக்கு ஒரு நியாயம்

That means for one member one treatment is given and for another member another treatment. We say, no.

**சபாநாயகர் அவர்கள்**

(Mr. Speaker)

What is your point of Order?

**உன். டென்சில் பூனான்ட் ஹென்டோ**

(திரு. என். டென்சில் பெர்னான்டோ)

(Mr. N. Denzil Fernando)

We only know that this house is only aware—

வினாக்கள்

(சபாநாயகர் அவர்கள்)

(Mr. Speaker)

Order, please!

உன். டென்சில் பூனன் டென்சில்

(திரு. என். டென்சில் பெர்னாண்டோ)

(Mr. N. Denzil Fernando)

That the former Member for Kamburupitiya tendered his resignation, and nothing else.

வினாக்கள்

(சபாநாயகர் அவர்கள்)

(Mr. Speaker)

That is only an explanation. There is no point of Order in that.

ஓ. ஓ. லெவரன் லெவரன்

(திரு. வி. என். நவரத்தினம்)

(Mr. V. N. Navaratnam)

நான் இன்னொரு விஷயத்தைப் பற்றி முன்பு குறிப்பிட்டேன். நான்கு அங்கத்தவர்களுக்கெதிராக ஒழுங்கினம், லஞ்சம் சம்பந்தமாக குற்றம் சுமத்தப்பட்டிருக்கின்றதென்று எல்லாப் பத்திரிகைகளும் கூறியிருக்கின்றன; அதனை மறுக்க முடியாது. அவர்களுக்கு ஸ்ரீகோதாவில் இருந்து ஓர் உபகுழு விசாரணை நடத்துகின்றது. ஆனால் டாக்டர் ஜலால்தீன் அவர்களுக்கு குற்றம் சுமத்தப்பட்டவர்களுக்குக் கொடுக்கப்பட வேண்டிய எந்தவிதமான பாதுகாப்பும் கொடுக்காத சூழ்நிலையில் வேறுவிதமான விசாரணை நடத்தப்பட்டது. அதைத் தான் நாங்கள் ஆட்சேபிக்கின்றோம். ஆளுகின்ற கட்சி அதன் அதிகாரத்தைத் துஷ்பிரயோகம் செய்கின்றது இதை ஓர் உதாரணமாக நான் சுட்டிக் காட்டினேன்.

லஞ்சம் தொடர்பான விடயங்களைப் பற்றிய எனது குறிப்பை நான் இத்தோடு நிறுத்தி, அதிகாரம் துஷ்பிரயோகம் செய்யப்பட்டதென்ற விடயம் தொடர்பாகச் சில முக்கியமான கருத்துக்களை இங்கே தெரிவிக்க வேண்டியிருக்கின்றது. ஏற்கனவே கௌரவ எதிர்க்கட்சி முதல்வரவர்கள் கூறியபடி, இந்தப் பிரேரணையிலே கூறப்பட்டுள்ளவாறு, டாக்டர் ஜலால்தீனுக்கு எதிராக லஞ்சக் குற்றச்சாட்டுக்கள் இருந்தால் அதனை விசாரிப்பதற்கு எங்கள் நாட்டிலே பல சட்ட திட்டங்கள் இருக்கின்றன; இதற்காகவேன விசேட நீதிமன்றங்கள் நிறுவப்பட்டிருக்கின்றன. ஆகவே, அந்தக் குற்றச்சாட்டுக்கள் சார்பாக அவர் அந்த நீதிமன்றங்களிலே குற்றம் சுமத்தப்பட்டு விசாரிக்கப்பட்டிருக்கலாம். அது அவ்வாறு இருக்க அதிகாரத்தைத் துஷ்பிரயோகம் செய்தவர் யார்? இந்தச் சந்தர்ப்பத்திலே, எவருடைய அதிகாரத்தை எவர் துஷ்பிரயோகம் செய்திருக்கிறார் என்பதை நாம் ஆராய்வது நன்று. இங்கு கூறப்பட்டுள்ள ஐந்தாவது குற்றச்சாட்டைப் பார்ப்போம்—

“You being a Member of Parliament, did for political reasons, caused Mohamed Cassim Adam Bawa, a Special trained teacher at Kalmunai, to be improperly transferred out of the permanent station on several occasions.”

என்று கூறப்பட்டுள்ளது. பாராளுமன்ற அங்கத்தவர் என்ற முறையிலே அதிகாரத்தைத் துஷ்பிரயோகம் செய்து, கல்முனையிலேயுள்ள முஹம்மத் காசிம் ஆதம்பாவாவை அவருடைய பிரதேசத்திலிருந்து மாற்றம் செய்தார் என்பது இக் குற்றச்சாட்டாகும். இப்படிப்பட்ட அதிகாரத் துஷ்பிரயோகத்தை

நாம் செய்யவில்லை என்று, தமது மனச்சாட்சியைத் தொட்டு இங்கிருக்கின்ற அத்தனை கௌரவ அங்கத்தவர்களாலும் சொல்ல முடியுமா? ஆயிரக்கணக்கான ஆசிரியர்கள், ஆயிரக்கணக்கான அரசாங்க உத்தியோகத்தர்கள், பாராளுமன்ற அங்கத்தவர்களின் தலையீட்டினால் மாற்றப்படுகின்றார்கள் என்பதை இங்குள்ள எவரேனும் மறுக்க முடியுமா? இங்கிருக்கின்ற அத்தனைபேரும் விசேட அதிகாரம் படைத்தவர்கள். எனவே, இந்த ஒரு செயலுக்கு டாக்டர் ஜலால்தீன் இச்சபையிலிருந்து அப்புறப்படுத்தப்பட வேண்டுமென்று ஒரு பிரேரணையை இங்கு கொண்டு வந்திருப்பது எமக்கு மிகுந்த ஆச்சரியத்துக்குரிய விடயமாக இருக்கிறது.

மன்னார் அரசாங்க அதிபர் திரு. வாமதேவா, மன்னார் மாவட்டத்திலிருந்து சடுதியாக மாற்றப்பட்டார். அவர் அந்த மாவட்டத்திலுள்ள மக்களுக்கு நல்ல முறையிலே சேவை செய்தவர். மக்களுடைய நம்பிக்கையைப் பெற்ற ஓர் அரசாங்க அதிபர் அவர் நிருவாகத்திலே எந்தவிதமான பிழையையும் செய்யாத ஒருவர். மன்னார் மாவட்டத்தின் அபிவிருத்திக்காக முன்னின்று உழைத்தவர். அவர் எதற்காக மாற்றப்பட்டார்? அந்த நேரத்திலே யார் தங்களுடைய அதிகாரத்தைத் துஷ்பிரயோகம் செய்தார்கள்? எவராலும் இதைக் கூறமுடியுமா? ஏன் அவ்வாறு அதிகாரத் துஷ்பிரயோகம் செய்தவரை இந்த விசேட ஜனாதிபதி ஆணைக்குழுவின் முன் கொண்டுவரவில்லை? நான் இங்கு திரு. வாமதேவாவின் மாற்றத்தை ஓர் உதாரணத்திற்காகக் கூறினேன். எனது பகுதியிலே முன்பு உதவி அரசாங்க அதிபராகக் கடமையாற்றிய திரு. முருகவேல் சடுதியாக மாற்றப்பட்டார். அவர் நல்ல முறையிலே தம்முடைய பகுதிக்காக உழைத்தவர். யார் அந்த மாற்றத்துக்குப் பொறுப்பாக இருந்தார்கள்? யார் இந்த அதிகாரத் துஷ்பிரயோகத்தைச் செய்தார்கள்? இப்படியாகப் பாரதாமான வகையிலே அரசாங்க உயர் அதிகாரிகளுக்கு எதிராகப் பழிவாங்கல் வேலைகளைச் செய்துவிட்டு, பாவம் ஒரு சிறிய பையனைப் பிடித்து, “நீ உன்னிடைய தொகுதியிலேயிருந்து ஓர் ஆசிரியரை மாற்றிவிட்டாய் இதனால் நீ அதிகாரத் துஷ்பிரயோகம் செய்துவிட்டாய்? என்று கூறும்போது உலகம் உங்களைப் பார்த்துச் சிரிக்க மாட்டாது?

யார் இந்த மாற்றத்தைச் செய்தார்கள்? இதற்குப் பொறுப்பாக இருந்த நிர்வாகி யார்? இந்த மாற்றங்களைச் செய்தது நிர்வாகத்துக்குப் பொறுப்பாக இருந்த கல்விச் சேவை குழு; அந்த மாவட்டத்துக்குப் பொறுப்பாக இருந்த கல்விப் பணிப்பாளர் இவர்கள் யாருக்குக் கீழ் இயங்கினார்கள்? எந்த அமைச்சுக்குக் கீழே இயங்கினார்கள்? டாக்டர் ஜலால்தீனுக்குக் கீழேயா? என்ன காரணத்துக்காக அந்த ஆசிரியர்களை மாற்றினீர்கள் என்று அந்த குழுவுக்கு எதிராகவோ கல்விப் பணிப்பாளருக்கு எதிராகவோ நடவடிக்கை ஏதாவது எடுக்கப்பட்டதா? விசேட சனாதிபதி ஆணைக்குழுவின் அதிகாரத்தை நிலைநாட்டுவதற்காக, எங்களுடைய ஆட்களை இந்த மண்டபத்திலிருந்து வெளியேற்றுகிறோம் என்பதைக் காட்டுவதற்காக. இப்படிப்பட்ட செயலைச் செய்வதை நாங்கள் வன்மையாக எதிர்க்கிறோம்.

இந்தச் சந்தர்ப்பத்திலே உள்நாட்டு அலுவல்கள் அமைச்சருடைய கவனத்துக்கு ஒரு விடயத்தைக் கொண்டு வர விரும்புகின்றேன். என்னுடைய தொகுதியிலே ஒரு பதிவாளர் பதவி பிறப்பு, இறப்புப் பதிவாளர் பதவி காலியாக இருந்தது. இதற்கு விண்ணப்பங்கள் கோரப்பட்டன. பலர் விண்ணப்பித்தார்கள். இரண்டு வருட காலமாக நேர்மையான,

ஒழுக்கமான கைதடி அனாதை இல்லத்தை ஸ்தாபிதம் செய்த ஒருவர் தற்காலிகமாக அப்பதவியில் கடமையாற்றி வந்தார். அவர் நியமிக்கப்பட்டபொழுது அரசாங்க அதிகாரக இருந்தவர் திரு. யோகேந்திரா துரைசாமி. அவர் எந்தக்கட்டத்திலும் பாராளுமன்ற அங்கத்தவருடைய சிபார்சின் பேரிலோ செல்வாக்கின் பேரிலோ அவரை நியமித்திருக்க மாட்டார். இரண்டு வருடங்களுக்குப் பிறகு அந்த இடம் நிரப்பப்பட்ட பொழுது எந்தவிதமான தகுதியும் இல்லாத ஒருவர் நியமிக்கப்பட்டார். இது சம்பந்தமாகப் பலவிதமான ஆட்சேபணைகள் அமைச்சரும் சனாதிபதிக்கும் தெரிவிக்கப்பட்டன. உள்நாட்டிலுலகன் அமைச்சரைப் பொறுத்தவரையிலே அவர் மீது நான் குறை எதுவும் சொல்லவில்லை. இயன்ற அளவு அவர் நேர்மையாக நடக்க முயல்கிறார். ஆனால், அவருக்கு அப்பாற்பட்ட சிலர் தங்களுடைய அதிகாரத்தைத் துஷ்பிரயோகம் செய்து— நேர்மையாக, ஒழுங்காக நடக்க வேண்டும் என்று விரும்புகிறவர்களுடைய கையையே கட்டுப்படுத்தி—நியமனங்களை நடத்துகிறார்கள். யார் அதிகாரத்தைத் துஷ்பிரயோகம் செய்தார்கள்? நாம் நம்மைக் கேட்க வேண்டும். இந்த நாட்டிலே யாருக்குக் கூடுதலான அதிகாரம் இருக்கிறதோ அவர்கள்தான் அதிகாரத்தைத் துஷ்பிரயோகம் செய்கிறார்கள் என்பதைக் கைதடி பதிவாளர் நியமனம் உறுதியாகக் காட்டுகின்றது. நியமனம் செய்வது உள்நாட்டு அமைச்சிலிருந்து. உத்தரவு வருவதோ பூங்கோதாவிலிருந்து. இப்படிப்பட்ட முறையிலே அரசியல் அதிகாரத்தைத் துஷ்பிரயோகம் செய்கிறவர்கள் நிமிர்ந்து நேர்மையானவர்களைப் போல ரேட்டிலே பெரிய வாகனங்களிலே ஓட, பாவம் அரசியலுக்குப் புதியவரான டாக்டர் ஜலால்தீன் இப்படிப்பட்ட பிரேரணையைக் கொண்டு வந்து அகற்றுவது வெட்கத்துக்குரிய விடயமாக இருக்கிறது.

சபாநாயகர் அவர்களே, எனது நண்பன் பருத்தித்துறை அங்கத்தவர் (திரு. கே. துரைத்தினம்), “100 கோடி ரூபா அளவான கள்ள நோட்டுக்கள் இந்த நாட்டிலே உலவுகின்றனவே, அதற்கு என்ன நடவடிக்கை எடுத்தீர்கள்? மக்களை ஏன் இதுவரை எச்சரிக்கை செய்யவில்லை?” என்று, கௌரவ நிதி அமைச்சர் இதுபற்றி விளக்குகையிற் குறுக்கிட்டு சில கேள்விகளைக்கேட்ட பொழுது சபாநாயகர் அவர்களே, நீங்கள் கூறினீர்கள்—இந்த இடத்திலே சபாநாயகருடைய கதிரைக்கு மதிப்புக் கொடுக்க வேண்டும்—நீங்கள் இருங்கள்” என்று, இந்த ஆசனத்துக்கு, உங்கள் பதவிக்கு மதிப்புக் கொடுக்க வேண்டும் என்பது தான் எங்களுடைய கருத்தும். இந்தச் சபை இந்த நாட்டிலே வேறு எவருக்கும் இரண்டாம் தரமானது அல்ல. சட்டத்தை நிறைவேற்றும் அதிகாரம் எங்களுக்கு மட்டும் தான் இருக்கிறது. இந்தச் சபைக்கு வெளியே இருக்கும் எவருக்கும் இல்லை. இந்த நாட்டின் நிர்வாகத்துக்குப் பணம் தேவை என்றால் அந்தப் பணத்தை ஒதுக்குகின்ற அதிகாரம் எங்களுக்குத்தான் இருக்கிறது. வேறு யாருக்கும் இல்லை. ஆகவே, இந்தச் சபைக்குக் கௌரவம் இருக்க வேண்டும்; இந்த ஆசனத்துக்குக் கௌரவம் இருக்க வேண்டும், என்று நாங்கள் ஆசைப்படுகின்ற பொழுது எங்களுடைய சம்மதமில்லாமலேயே உங்களை உங்கள் ஆசனத்திலிருந்து இறக்கி வேறு இடங்களில் இருக்க வைத்தானது யார் தங்களுடைய அதிகாரத்தைத் துஷ்பிரயோகம் செய்கிறார்கள் என்பதை எங்களுக்கு எடுத்துக் காட்டுகின்றது. எங்கள் சபையும் நீங்களும் இவ்விதம் அவமானப்படுத்தப்படும் பொழுது நங்கள் வெட்கப்படுகிறோம். அதிகாரத்தைத் துஷ்பிரயோகம் செய்து உங்களை அவமானப்படுத்தும் பொழுது நாங்களும் சேர்ந்து அவமானப்படுகிறோம்; வேதனைப்படுகிறோம்.

We have a right to protect the office of Speaker. We, certainly, do not want our Speaker to sit anywhere else except in that rostrum.

**கி. வி. சுவாமிநாதன்**

(சபாநாயகர் அவர்கள்)

(Mr. Speaker)

What happened about—

**வி. ஏன். நவரத்நம்**

(திரு. வி. என். நவரத்தினம்)

(Mr. V. N. Navaratnam)

Particularly we, as Members of Parliament, would like to see you there, Sir.

**கி. வி. சுவாமிநாதன்**

(சபாநாயகர் அவர்கள்)

(Mr. Speaker)

That is another matter, but what I—

**வி. ஏன். நவரத்நம்**

(திரு. வி. என். நவரத்தினம்)

(Mr. V. N. Navaratnam)

There has been abuse of power, misuse of power, interference with the rights of this House. Nobody goes before the Presidential Commission for such abuse of power.

ஆகவே, சபாநாயகரவர்களே, அதிகாரம் துஷ்பிரயோகம் செய்யப்படுகின்றது என்று கூறும் பொழுது அதனைப் பற்றி அறிய வேண்டியது எங்களுடைய கடமை.

இன்னோர் உதாரணம்; இன்று நடந்த விஷயம். ஒவ்வொரு அங்கத்தவருக்கும் ஒத்திவைப்புப் பிரேரணையிலே கேள்வி கேட்கும் அதிகாரம் இருக்கின்றது. ஒவ்வொரு அமைச்சருக்கும் இந்தக் கேள்விகளுக்குப் பதில் கொடுக்கின்ற கடமையும் பொறுப்பும் இருக்கின்றன. சில நேரங்களிலே கேள்விகளுக்கு உடனடியாகப் பதில் கூற முடியாவிட்டால் இன்னொரு சந்தர்ப்பத்தில் பதில் கொடுக்கின்ற வாய்ப்பை ஏற்படுத்துவதற்கு அதிகாரம் இருக்கின்றது. இந்த அதிகாரம் துஷ்பிரயோகம் செய்யப்பட்டால் என்ன செய்வது? நேற்று கொழும்பு மேற்குத் தொகுதி அங்கத்தவர் என்ன காரணத்தினால் ஒரு கேள்வியைக் கேட்டார்? இன்று நிதி அமைச்சரவர்கள் உங்களுடைய விசேட உத்தரவைப் பெற்று என்ன அடிப்படையிலே அதற்குப் பதிலைக்கொடுத்தார்? இங்கே அதிகாரம் துஷ்பிரயோகம் செய்யப்பட்டதா? 1970 ஆம் ஆண்டு அச்சடிக்கப்பட்ட ஐம்பது, நூறு ரூபா நோட்டுக்களிலே கள்ளக் கையெழுத்து இருக்கின்றதென்று எப்பொழுது அரசாங்கத்துக்குத் தெரியவந்தது? 1983 ஆம் ஆண்டிலா? அல்லது கௌரவ கொழும்பு மேற்குத் தொகுதி அங்கத்தவர் கேள்வி கேட்ட பிறகா? அல்லது கேள்வி கேட்ட பிறகு விசேட புலன் ஆய்வுப் பிரிவுக்கு இந்த விடயம் விடப்பட்ட பிறகா? அல்லாவிட்டால் விசேட புலன் ஆய்வுப் பிரிவு அறிக்கை சமர்ப்பித்ததன் பிறகா? இந்தச் சபைக்கு வெளியில் இருக்கின்றவர்களை, எங்களை விட்டுப் பிரிந்து மற்ற உலகுக்குப் போனவர்களை அவமானப்படுத்த வேண்டுமென்றும் நோக்கத்தோடு இதுபற்றி நிதி அமைச்சர் இச்சபையிலே அறிக்கை விடுத்திருந்தால் பறவாயில்லை. ஆனால், இங்கே கௌரவ அங்கத்தினருக்கும் அமைச்சருக்குமுள்ள அதிகாரங்கள் துஷ்பிரயோகம் செய்யப்பட்டிருக்கின்றன.

[தி. சி. லி. லி. லி. லி. லி.]

லஞ்சக் குற்றச்சாட்டிலே டாக்டர் ஜலால்தின் குற்றவாளி என்றால் அவரை அகற்றுவதைப் பற்றி நாம் எவரும் ஆட்சேபனை தெரிவிக்கமாட்டோம். அவர் இந்த நாட்டில் ஒரு பிரசை. ஒவ்வொரு பிரசைக்கும் தன்மீது சுமத்தப்பட்ட குற்றச்சாட்டிற்கு எதிராக விவாதிக்கின்ற உரிமை இருக்கின்றது. கொலை செய்தவர்களுக்கு, கற்பழித்தவர்களுக்குக் கொடுக்கப்படுகின்ற உரிமை டாக்டர் ஜலால்தின் அவர்களுக்குக் கொடுக்கப்படவில்லை. லஞ்சம் வாங்கினார் என்று அங்குக்கு எதிராக நீதிமன்றத்திலே குற்றம் சுமத்தப்பட்டிருந்தால் அவர்மீதுள்ள குற்றச்சாட்டு சந்தேகத்திற்கு அப்பால் நிரூபிக்கப்படவில்லை என்ற நிலையில் சிலநேரம் அவர் குற்றவாளியல்ல என்று தீர்ப்புக்கூறுகின்ற வழி கிடைத்திருக்கும். இருந்தபோதிலும் அதைப்பற்றி நாம் கவனம் செலுத்தவில்லை. அதிகாரம் துஷ்பிரயோகம் செய்யப்படுகின்ற விடயத்தில் இந்த அரசாங்கமும் அரசாங்கத்திற்குப் பொறுப்பாக இருக்கும் ஆளும் கட்சியும் தங்கள் அதிகாரம் அத்தனையும் துஷ்பிரயோகம் செய்கிறார்கள் என்று கூறி எனது பேச்சை முடித்துக்கொள்ளுகிறேன்.

பி. கணேசலிங்கம் (புதிர்ச்சி)

(திரு. பி. கணேசலிங்கம்—பட்டிப்பு)

(Mr. P. Ganeshalingam—Paddiruppu)

கௌரவ சபாநாயகர் அவர்களே, கிழக்குப் பிரதேசத்தைச் சேர்ந்த ஓர் அங்கத்தவரை இந்தச் சபையிலிருந்து வெளியேற்றப் பிரேரணை கொண்டுவரப்பட்டிருக்கும் காரணத்தினால் அவர் தமது பதவியை ராஜினாமாச் செய்து வெளியேறி இருக்கிறார். கிழக்குப் பிரதேசத்தைச் சேர்ந்த பாராளுமன்ற அங்கத்தவர்களில் நானும் திருகோணமலைப் பாராளுமன்ற அங்கத்தவருமே எதிர்க்கட்சியில் இருக்கின்றோம். ஏனைய பாராளுமன்ற அங்கத்தவர்கள் அரசாங்கக் கட்சியில் இருக்கின்ற காரணத்தினால் இந்தப் பிரேரணையில் அவர்கள் பேசுவார்களோ என்கின்ற ஐயம் ஏற்பட்டிருக்கின்ற காரணத்தினால் நான் சில வார்த்தைகள் பேச விரும்புகின்றேன்.

இன்று இப்பாராளுமன்றம் புனிதமான ஒரு நீதிமன்றமாக அமைந்து இவ்வமர்விலே இப்பிரேரணையை நாம் விவாதித்துக் கொண்டிருக்கின்றோம். முன்னாள் பாராளுமன்ற அங்கத்தவர் ஜலால்தின் அவர்கள்—முன்னாள் அங்கத்தவர் என்று ஏன் குறிப்பிடுகிறேனென்றால், பிரேரணை கொண்டுவரப்பட்ட பின்பு அவர் ராஜினாமாச் செய்த காரணத்தினால்தான்—இச்சபையிலிருந்து வெளியேறிய பின்பாவது அரசாங்கம் இப்பிரேரணையை வாபஸ் பெற்றிருக்க வேண்டும். இப்பிரேரணையின் நோக்கம் இரு விடயங்களை உள்ளடக்கியுள்ளது. ஒன்று அவரை இப்பாராளுமன்றத்திலிருந்து வெளியேற்றுவது. இரண்டாவது, அவரது குடியுரிமையை ஏழு வருடங்களுக்குப் பறிப்பது. எனக்கு முன்பு பேசிய கௌரவ சாவகச்சேரி அங்கத்தவரவர்கள் கூறியதுபோல, நான் ஒரு தமிழ் பேசுகின்ற அங்கத்தவன் என்ற வகையிலே—இங்கே நான் சிறுபான்மையினம் என்ற சொல்லைக் குறிப்பிட விரும்பவில்லை—ஜலால்தின் அவர்கள் விசேட ஜனாதிபதி ஆணைக்குழுவைப் பயன்படுத்திப் பழிவாங்கப் படுகின்ற இவ்வேளையில் இங்கே நான் வாய்மூடி அமர்ந்திருந்தால் நிச்சயமாக கிழக்கு மாகாணத்தில் வாழுகின்ற தமிழ் பேசும் மக்கள் என்னை மன்விக்க மாட்டார்கள். ஆகவே, நான் சில கருத்துக்களைக் கூற முன்வருகின்றேன்.

சபாநாயகரவர்களே, இந்தச் சபையிலே இப்பிரேரணையைக் கொண்டுவருகின்ற நேரத்தில் விசேட ஜனாதிபதி விசாரணை ஆணைக்குழுவில், ஜலால்தின் அவர்களுக்கெதிராக என்ன குற்றச்சாட்டுக்கள் கொண்டுவரப்பட்டன எனக் குறிப்பிடப்பட்டிருக்கின்றது. முதலாவது, இரண்டாவது, மூன்றாவது குற்றங்களிலே லஞ்சக் குற்றம் எனக் குறிப்பிடப்பட்டிருக்கின்றது. எங்கள் கைகள் கறைபடியாத கைகள். ஆகவே, இவற்றைப் பற்றிக் கூறும்போது நாங்கள் துணிவாகப் பேசமுடியும். எவராவது லஞ்சக் குற்றத்துக்கு ஆளாக்கப்பட்டு இச்சபையிலிருந்து வெளியேற்றப்பட்டால், நிச்சயமாக நாங்கள் அதனை ஆதரிப்போம். ஆனால், அது ஒரு முறைப்படி நடக்க வேண்டும். இந்த நாட்டிலே லஞ்சத் திணைக்களம் ஒன்று இல்லாமல், இச்சபையின் விசாரணைக் குழுவொன்றின்மூலம் இச்சபை அங்கத்தவர்கள் நிறுத்தப்பட்டு பின்னர் வெளியேற்றப்பட்டால் அதை நாம் ஏற்றுக்கொள்ளலாம். ஆனால், லஞ்சத்தைப் பற்றி விசாரணை செய்து, நீதிமன்றத்திலே அவர்களை நிறுத்திக் குற்றவாளியாகக் காண்பதற்கு விசேட லஞ்ச நீதிமன்றங்கள் இருக்கின்றன. ஜலால்தின் அவர்கள் இதற்கு விதிவிலக்கல்ல. அவர் தம்முடைய வாக்குமூலத்திலே, லஞ்சத் திணைக்களத்திற்குட தமக்கெதிராக முறைப்பாடு செய்யப்பட்டது; அவ்விசாரணை நடந்து பின்னர் அது இடைநிறுத்தப்பட்டதென்று குறிப்பிட்டிருந்தார். ஆனால், லஞ்சத் திணைக்களம் நிச்சயமாக லஞ்சக் குற்றத்துக்காக அவரைக் குற்றவாளியாக்க முடியாதென்பது இந்த அரசாங்கத்துக்கு நன்றாகத் தெரியும். அந்தக் காரணத்தினால்தான் விசேட ஜனாதிபதி ஆணைக்குழுமூலம் அவர் நிறுத்தப்பட்டிருக்கிறார்.

ஏனக்கு முன்பு கௌரவ சாவகச்சேரி அங்கத்தவர் பேசும்போது அரசாங்கத்தின் பக்கமாக இருக்கின்ற ஒருவர் கூறினார், முன்னாள் பாராளுமன்ற அங்கத்தவர் ஜலால்தின் ராஜினாமாச் செய்துவிட்டார் என்று. உங்கள் மனச் சாட்சியைத் தொட்டுப்பார்த்துக் கூறுங்கள், ஏன் அவர் ராஜினாமாச் செய்தார் என்று. நீங்கள் அவருக்கெதிராக இப்பிரேரணையை நிறைவேற்றுகின்ற அந்தச் சமையை உங்கள் மந்தியிலே சுமத்தக்கூடாதென்ற காரணத்துக்காக அவர் தம்முடைய பதவியை ராஜினாமாச் செய்திருக்கின்றார். அதற்காக நீங்கள் நன்றி கூறுவதை விடுத்து, அவர் சபையிலிருந்து வெளியேறுகின்ற நேரத்திற்குட—இந்த அரசாங்கத்துக்கும் இந்நாட்டின் அதியுத்தம ஜனாதிபதி அவர்களுக்கும் தாம் விசுவாசமாக இருப்பதாகக் கூறி வெளியேறுகின்ற நேரத்திலுங்கூட—நீங்கள் கூறிவீர்கள் அவர் ராஜினாமாச் செய்துவிட்டார்; ஆகவே பிரேரணைக்கும் அவருடைய வெளியேற்றத்துக்கும் சம்பந்தம் இல்லை என்று.

இங்கே குறிப்பிடப்பட்ட லஞ்சக் குற்றச்சாட்டிலே இரண்டாவது குற்றச்சாட்டைப்பற்றி நான் சில வார்த்தைகள் கூற விரும்புகிறேன். இந்த இரண்டாவது குற்றச்சாட்டிலே, கௌரவ சபாநாயகரவர்களே, உழவு இயந்திரம் சம்பந்தமான விஷயம் குறிப்பிடப்பட்டிருக்கிறது. இந்தப் பாராளுமன்றத்திலே இருக்கிற அந்தனை அங்கத்தினரையும் பார்த்துக் கொள்ளின்றேன், நீங்கள் உழவு இயந்திரங்களை உங்கள் ஆதரவாளர்கள் பெறுவதற்குச் சிபார்சு செய்யவில்லையா என்று. உழவு இயந்திரங்களை ஆதரவாளர்களுக்குக் கொடுப்பதற்கு சிபார்சு

செய்கிற உரிமை வழங்கப்பட்டால் சிபார்சிலே குறிப்பிட்ட பட்டபெயரைப் பின்மாற்றுவதிலே என்ன தவறு இருக்கிறது? ஜலால்தின் அவர்களால் கந்தையாவைச் சிபார்சு செய்யமுடியுமானால், அகமது லெப்பையை சிபார்சு செய்ய முடியுமானால், ஜெயினுலாப்தீன் சிபார்சு செய்ய முடியுமானால், அல்லது ஒரு சமணதாசவைச் சிபார்சுசெய்ய முடியுமானால், அவ்விதம் சிபார்சு செய்யப்பட்ட ஒரு பெயரை மாற்றுகிறபொழுது யார் குற்றவாளியாகிறார்? பெயரை மாற்றிய ஜலால்தின் அவர்கள் குற்றவாளியா, அல்லது அதை ஏற்றுக்கொண்ட உழவு இயந்திரக் கூட்டுற்தாபனத் தலைவர் குற்றவாளியா? எனவே, இந்தவிதமான இலஞ்சக் குற்றங்களை நீதிமன்றத்திலே நீருமீக்க முடியாது என்ற காரணத்தினால் அப்பாவியாகிய, தமிழ் பேசுகின்ற, ஆதரவற்ற ஒரு பாராளுமன்ற அங்கத்தவரை வெளியேற்ற வேண்டும் என்பதற்காக ஜலால்தின் அவர்களை விசேட ஜனாதிபதி ஆணைக்குழுவின் மூன் நிபந்தி இன்று அவர் ராஜினாமாச் செய்யும்படியான நிலை ஏற்படுத்தப்பட்டிருக்கின்றது. கௌரவ சாவகச்சேரி அங்கத்தவர் கூறுவது போல, அதிகாரத்தைத் துஷ்பிரயோகம் செய்தது ஜலால்தின் மட்டுந்தான், இந்தச் சபையிலே இருக்கிற அத்தனை பாராளுமன்ற அங்கத்தவர்களும் தங்களுடைய அதிகாரத்தைத் துஷ்பிரயோகம் செய்யாமலா இருக்கிறார்கள் என்று நான் கேட்க விரும்புகிறேன். இலங்கைத் தமிழ் ஆசிரியர் சங்கத் தலைவரான திரு. வணசிங்க ஆறு மாதங்களில் எத்தனையோ இடங்களுக்கு மாற்றப்பட்டிருக்கிறார்; கிட்டத்தட்ட 16 இடங்களுக்கு அவர் மாற்றப்பட்டிருக்கிறார். அவரை மாற்றிய பாராளுமன்ற அங்கத்தவர் இன்று சனாதிபதி ஆணைக்குழுவின் குற்றவாளியாகக் காணப்பட்டிருக்கிறாரா?

**கிசான்சுகுமார்**

(சபாநாயகர் அவர்கள்)  
(Mr. Speaker)

Order, please. The Sitting is suspended till 2 p.m.

உள்வீடு சீடு ஏதுவுமே நாலைகிடை ஏன் கிடைவது ஒரே, 4. ம. 2 0, தினேய கிசான்சுகுமார் கே [கேள்வி] வேலையின் மீது [கேள்வி] கிசான்சுகுமார் கிடைவது சிலை சிலைவது ஒரே.

அதன்படி அமர்வு பி. ப. 2 மணிவரை இடைநிறுத்தப்பட்டு, மீண்டும் ஆரம்பமாயிற்று. பிரதிச் சபாநாயகர் [திரு. நேமன் வைத்யரத்ன] அவர்கள் தலைமை வகித்தார்கள்.

Sitting accordingly suspended till 2 p.m. and then resumed, MR. DEPUTY SPEAKER, MR. NORMAN WAIDYARATNA in the Chair.

**ஏயர்சைஃபி லீட் ரேட் ஈயக் கிசான்சுகுமார்**

**ஏயர்சைஃபி லீட் ரேட் ஈயக் கிசான்சுகுமார்**

காணாமற்போன லீட் ரேட் ஈயக் கிசான்சுகுமார் : பிரதம அமைச்சரது அறிக்கை

**MISSING LEAR JET AIRCRAFT : STATEMENT BY PRIME MINISTER**

**தினேய கிசான்சுகுமார்**

(பிரதிச் சபாநாயகர் அவர்கள்)  
(Mr. Deputy Speaker)

Order, please! The Hon. Prime Minister will now make a statement.

ஏயர். ஸ்பீக்கர் மீது (ஏயர்சைஃபி லீட் ரேட் ஈயக் கிசான்சுகுமார், தினேய கிசான்சுகுமார், தினேய கிசான்சுகுமார், தினேய கிசான்சுகுமார், தினேய கிசான்சுகுமார், தினேய கிசான்சுகுமார், தினேய கிசான்சுகுமார், தினேய கிசான்சுகுமார், தினேய கிசான்சுகுமார், தினேய கிசான்சுகுமார்)

(திரு. ஆர். பிரதம—பிரதம அமைச்சரும் உள்ளூராட்சி, வீடமைப்பு, நிர்மாண அமைச்சரும் நெடுஞ்சாலைகள் அமைச்சரும் பாராளுமன்றச் சபை முதல்வரும்)

(Mr. R. Premadasa—Prime Minister, Minister of Local Government, Housing & Construction, Minister of Highways, and Leader of the House of Parliament)

Mr. Deputy Speaker, I would like the indulgence of the House to give a reply to some questions which were raised by the hon. Member for Kotmale (Mr. Ananda Dassanayake). Unfortunately, even yesterday he was unable to get a reply from me. I have the information which has been requested by him and it may be useful for the people also to know this in regard to the matters about which he has raised questions. The hon. Member raised questions about the missing Lear jet aircraft and the actions taken by this Government. I thought that on behalf of the Government I should let this House know and through the House the people concerned know what steps have been taken.

The hon. Member for Kotmale has raised four questions in regard to the missing aircraft. The first question was with regard to a news item that had appeared in the "Sun" of 16.2.1983. The "Sun" of February 16 carried a report alleged to have been made by Mr. Abdul Kuddus, the Director-General of Civil Aviation in Malaysia. The Sri Lanka High Commissioner in Malaysia has checked this with the Director-General and Mr. Kuddus has informed our High Commissioner that he has been misquoted. The Director-General is still continuing his investigations.

Regarding the second and third questions, the authorities concerned in Malaysia, Indonesia and Sri Lanka have instituted a full inquiry into the circumstances of the mishap. We have to await the findings before we can come to any conclusions.

Regarding question 4, the Government of Sri Lanka, as soon as it was known that the aircraft was overdue, had contacted the authorities in Malaysia and Indonesia to ensure that search and rescue operations were being promptly and effectively carried out. The Government also arranged for naval aircraft and search and rescue units of Australia, India, the U.S.A. and Sri Lanka Air Force to carry out search and rescue operations in the Bay of Bengal and in and around the Andaman and Nicobar Islands. Search operations are still continuing off the coast of Sumatra regardless of the cost involved. A search and rescue operation of this magnitude is unprecedented. The manner in which several countries joined in the search is a unique humanitarian gesture.

When the missing aircraft or parts of it are found, it may be possible to determine the cause of the mishap. At the same time, inquiries have been instituted by the

[சுரீ. அர்துமல மலைய]

Aviation authorities in Kuala Lumpur and a team of Police officials from Colombo have been sent to Kuala Lumpur to liaise with the highest authorities and ascertain the facts pertaining to this unfortunate incident. The Sri Lanka High Commission in Malaysia is also actively watching the progress of these investigations. The search is now concentrated off the coast of Sumatra where a wheel of the missing aircraft was found. The Hon. Athulathmudali, Minister of Trade and Shipping, has proceeded to Indonesia as a special envoy of His Excellency the President to meet President Suharto so that the Indonesian authorities may continue the search with the same intensity until they can come to some conclusive findings.

A formal inquiry as required by the procedures of the International Civil Aviation Organisation will be undertaken by the appropriate authorities in whose area the mishap occurred as soon as the preliminary inquiries are over.

**වෛද්‍ය එම්. ජී. එම්. ජලාදීන විජයේ ප්‍රජා අරක්‍ෂක නියම කිරීම සහ එකී වෛද්‍ය එම්. ජී. එම්. ජලාදීන පාර්ලිමේන්තුවෙන් තෙරපීම**

வைத்தியகலாநிதி எம். ஏ. எம். ஜலால்தீன் மீது குடியியல் தகுதியின்மை விதித்ததும் பாராளுமன்றத்திலிருந்து அவரை வெளியேற்றலும்

**IMPOSITION OF CIVIC DISABILITY ON, AND EXPULSION FROM PARLIAMENT OF, DR. M. A. M. JALALDEEN**

පී. ගනේෂලිංගම් මහතා (පදිරිප්පු)  
(திரு. பி. கணேசலிங்கம்—பட்டிப்பு)  
(Mr. P. Ganeshalingam—Paddiruppu)

கௌரவ பிரதிச் சபாநாயகரவர்களே, மதிய போசனத்துக் காகப் பாராளுமன்றம் ஒத்திவைக்கப்பட்ட நேரத்திலே முன்னர் பாராளுமன்ற அங்கத்தவர் ஜலால்தீன் அவர்களைப் பாராளுமன்றத்திலிருந்து வெளியேற்றுவதற்கும் அவருடைய குடியரிமையைப் பறிப்பதற்குமாகக் கொண்டு வரப்பட்டுள்ள பிரேரணை பற்றியும் அதிகார துஷ்பிரயோகம் பற்றியும் விவாதித்துக் கொண்டிருந்தோம்.

தமிழ் ஆசிரியர் சங்கத் தலைவரும், ஒரு பாடசாலை அதிபரும், ஐம்பது வயதுக்கு மேற்பட்டவருமான திரு. வணசிங்க ஆறு மாத காலத்துக்குள் பலமுறை இடமாற்றம் செய்யப்பட்டது பற்றி நான் குறிப்பிட்டேன். தமிழ் ஆசிரியர் சங்கத்தின் உறுப்பினர்களில் அனேகர் வடக்கு, கிழக்கு மாகாணங்களிலே இருக்கிறார்கள். ஆனால், அதன் தலைவரான திரு. வணசிங்க கொடும்புக்கு இடமாற்றம் செய்யப்பட்டார். அப்படியிருந்துங் கூட அவரை இடமாற்றஞ் செய்ய வேண்டுமென்று சிபார்சு செய்த பாராளுமன்ற அங்கத்தவரை அதிகார துஷ்பிரயோகம் செய்தார் என்று நான் குற்றஞ்சாட்ட முனையவில்லை. ஏனென்றால், அவர் அவரை இடமாற்றஞ் செய்ய வேண்டுமென்று சிபார்சு செய்தாரேயொழிய, அந்த இடமாற்றத்தைச் செய்

தவர்கள் கல்வி திணைக்களத்தைச் சேர்ந்தவர்களும் கல்விச் சேவைக் குழுவைச் சேர்ந்தவர்களும். ஆகவே, பாராளுகின்ற அங்கத்தினர் தமது அதிகாரத்தைத் துஷ்பிரயோகம் செய்தார்களென்று கூற முடியாது.

1977 ஆண்டு தேர்தலுக்குப் பின் முப்பதுக்கும் மேற்பட்ட ஆசிரியர்கள் மட்டக்களப்பு மாவட்டத்திலிருந்து வவுனியா, மன்னார் போன்ற மாவட்டங்களுக்கு இடமாற்றஞ் செய்யப்பட்டார்கள். அந்த ஆசிரியர்கள் எல்லாருக்கும் அரசியல் உரிமை உண்டு. எந்த ஓர் அரசியற் கட்சியை ஆதரிக்கும் உரிமையும் அவர்களுக்கிருக்கிறது. அப்படியிருந்தும் அவர்கள் தமிழர் விடுதலைக் கூட்டணியை ஆதரித்த காரணத்துக்காக வவுனியா, மன்னார் போன்ற மாவட்டங்களுக்கு இடமாற்றஞ் செய்யப்பட்டார்கள். அவ்வாறு இடமாற்றஞ் செய்யப்பட்ட ஆசிரியர்களில் 16 பேரைத் திரும்பவும் எனது தொகுதிக்கு எடுக்கக் கூடியதாக இருந்தது.

முன்னர் பாராளுமன்ற அங்கத்தவராக இப்போது விளங்கும் ஜலால்தீன் அவர்கள்மீது சுமத்தப்பட்ட குற்றச்சாட்டுக்கள் அடங்கிய அறிக்கையான—  
**Interim Report of the Special Presidential Commission of inquiry** என்ற இந்த அறிக்கையிலே கூறப்படும் ஜந்தாவது குற்றச் சாட்டாவது:

“You being a Member of Parliament, did for political reasons, cause Mohamed Cassim Adamawa, a Special Trained Teacher at Kalmunai to be improperly transferred out of his permanent station on several occasions.”

ஏழாவது குற்றச்சாட்டு:

“You being a Member of Parliament did improperly cause the services of M. A. M. Saleem as a Cultivation Officer in the Department of Agrarian Services to be terminated.”

எட்டாவது குற்றச்சாட்டு:

“You being a Member of Parliament did improperly cause M. A. M. Nazeer, Assistant Cashier/Junior Clerk of the Bank of Ceylon, Akkaraipattu Branch, to be transferred from his present station.”

ஒன்பதாவது குற்றச்சாட்டு:

“You being a Member of Parliament did improperly cause K. L. Adam Lebbe, Principal, Al-Aram Muslim Vidyalaya, Attalachchenai, to be transferred from his permanent station.”

இவை அனைத்தும் அதிகார துஷ்பிரயோகம் என்று கூறினால், இந்தச் சபையிலே வீற்றிருக்கின்ற கௌரவ அங்கத்தினர் அத்தனை பேரையும் ஒருவேளை விசேட சனாதிபதி ஆணைக்குழு முன் நிறுத்த வேண்டியவரும்.

பிரதிச் சபாநாயகர் அவர்களே, வெல்லாவெளி கமநலச் சேவைத் தலைவராக இருந்தவர் நீக்கப்பட்டதையிட்டு நான் முறையீடு செய்தபொழுது கமநலச் சேவைத் திணைக்களத்துக்குப் பொறுப்பாக இருக்கின்றவர் எனக்கு அனுப்பிய கடிதத்தை இங்கு வாசித்துக் காட்டுகிறேன்:

“My No. 7/8/5/14/3 (1).

DEPARTMENT OF AGRARIAN SERVICES

20th January, 1983.

Mr. P. Ganeshalingam,

M. P. for Paddiruppu,

Dear Sir,

Chairman—Agrarian Services Committee—Vellavelly

I wish to draw your kind attention to your letter dated 3.1.83, addressed to my Assistant Commissioner, Batticaloa regarding the nomination of a Chairman for the Vellavelly ASC.

I observed from your letter that you wish to renominate Mr. M. Nadarasa, of Vellavelly as the Chairman of the ASC., Vellavelly. I regret however, that Mr. Nadarasa's appointment was terminated recently and is therefore, disqualified from being reappointed to the same Agrarian Services Committee as a Member of such Committee. May I therefore, kindly request you to nominate another suitable Farmer Representative to succeed Mr. Nadarasa, as a Member of the ASC., Vellavelly.

Thanking you,  
Yours faithfully,

H. M. C. KAPILARATNE,  
Commissioner of Agrarian  
Services.

cc: ACAS., Batticaloa for information, please meet the hon'ble M.P., for Paddirippu and obtain his nomination from among the Farmer Representatives who are eligible to be appointed to the ASC Vellavelly."

இந்தக் கடிதம் எனக்கு அனுப்பப்பட்ட பின் இதனுடைய பிரதி மட்டக்களப்பு கமநலச் சேவை ஆணையாளருக்கு அனுப்பப்பட்டிருக்கிறது. அதாவது, என்னைச் சந்தித்து நான் சிபார்சு செய்யும் ஒருவரை நியமிக்க வேண்டுமென்று ஆனால், அது அவ்வாறு நடக்கவில்லை. வெல்லாவெளிக்குப் பொறுப்பாகவிருந்த பெரும்பாக உத்தியோகத்தார் கமநலச் சேவைச் சட்டத்தைக் காட்டி ஒவ்வொருவருடமும் கமநலச்சேவைக் குழுவினர்தான் தலைவர் தெரிவு செய்யப்படவேண்டும் என்று கூறி ஒருவரைத் தெரிவு செய்தார். அதையிட்டு நான் முறையிட்டு செய்தபோது கமநலச்சேவை உதவி ஆணையாளர் ஒரு கடிதத்தை வெல்லாவெளிப் பெரும்பாக உத்தியோகத்தருக்கு அனுப்பியிருந்தார். அது வருமாறு:

"திரு. எம். செல்வநாயகம்,  
பெரும்பாக உத்தியோகத்தார்,  
கமநலச்சேவை நிலையம்,  
வெல்லாவெளி.

#### வெல்லாவெளி கமநலச்சேவைக் குழு தலைவர் நியமனம்

வெல்லாவெளி கமநலச்சேவைக் குழுத் தலைவர் நியமனத்தைத் தற்காலிகமாக இடைநிறுத்தும்படி பட்டிபட்டிப் தொகுதி பாராளுமன்றப் பிரதிநிதி கௌரவ பி. கணேசலிங்கம் கேட்டிருந்தும், அதை நீர் பொருட்படுத்தாது 29.1.83 ந்த திகதி நடந்தேறிய குழுக் கூட்டத்தில் பழகாமத்திற் கடமையாற்றும் விவசாயப் போதகரி யரை வெல்லாவெளி கமநலச்சேவைக் குழுத் தலைவராக நியமித்திருப்பதாக அறியக்கிடக்கின்றது. ஆகவே கௌரவ அங்கத்தவர் அவர்கள் இதையிட்டு கடைசிமுடிவு எடுக்கும்வரையும் கமநலச் சேவைச் சட்டத்திற்கிணங்க ஒவ்வொரு கூட்டத்திற்கும் ஒரு தற்காலிக அங்கத்தவரை தலைவராக நியமித்து கூட்டத்தை நடத்தும்படி ஆலோசனை கூறுகின்றேன். ....

(ஒப்பம்)  
உதவி ஆணையாளர்,  
மட்டக்களப்பு"

இப்படியான அதிகாரங்கள் எனக்குத் தரப்பட்டிருக்கும் அதே வேளையில் அதிகார துஷ்பிரயோகம் என்ற குற்றச்சாட்டின் பெயரில் விசேட ஜனாதிபதி ஆணைக்குழுவால் ஜலால்தீன்

அவர்கள் குற்றவாளியாக காணப்பட்டால், இப்படியான நியமனங்களைச் செய்கின்றபொழுது எங்கள் அனைவரையும் குற்றவாளியாகக் காண முடியும்.

கௌரவ உபசபாநாயகர் அவர்களே, நான் ஒரு சட்டத் தரணி அல்லன். சட்ட நுணுக்கம் என்னும் பேச முடியாது. இருந்தாலும் ஒரு பாராளுமன்ற அங்கத்தவர் என்ற முறையில் என்னுடைய உரிமைகள் என்ன என்பதைப்பற்றி நான் அறிந்திருக்கிறேன். ஒரு பாராளுமன்ற அங்கத்தவருக்கு நிறைவேற்று அதிகாரம் இல்லை. ஓர் அமைச்சருக்கு, மாவட்ட அமைச்சருக்கு, பிரதி அமைச்சருக்கு, மாவட்ட அபிவிருத்திச்சபை நிறைவேற்றுக் குழுவில் இருக்கும் பாராளுமன்ற அங்கத்தவருக்கு நிறைவேற்று அதிகாரம் இருக்கிறது. ஒரு சாதாரண பாராளுமன்ற அங்கத்தவருக்கு நிறைவேற்று அதிகாரம் இல்லை; கல்விச் சேவைக் குழுவை, அல்லது கல்வித் திணைக்களத்தைப் பார்த்து இன்ன ஆசிரியரை இன்ன இடத்திலிருந்து இடமாற்றம் செய்ய வேண்டும் என்று பணிக்கின்ற அதிகாரம் அவருக்குக் கிடையாது. அவர் ஒரு வேண்டுமானால் தான் விடலாம். ஒரு பயிற்ச செய்கை உத்தியோகத்தரை வேலை நீக்கம் செய்யுங்கள் என்று கட்டளை இடும் அதிகாரம் அவருக்குக் கிடையாது. அவர் சட்பந்தப்பட்ட திணைக்களத்தை சம்பந்தப்பட்ட பயிற்ச செய்கை உத்தியோகத்தரை இன்ன குற்றத்திற்காக வேலை நீக்கம் செய்யுங்கள் என்று கோரிக்கைவிடும் அதிகாரத்தைத்தான் உடையவராக இருக்கிறார். என்னிடம் ஒரு கடிதம் இருக்கிறது; ஓர் அமைச்சரே எனக்கு அறிவித்து இருக்கிறார், குருக்களமடம் அஞ்சல் அலுவலகப் பொறுப்பதிகாரியாக நியமிக்கப்பட்டவர் எனது தொகுதிக்கு அப்பாற்பட்ட ஒரு பாராளுமன்ற அங்கத்தவரின் சிபார்சில் நியமிக்கப்பட்டிருக்கிறார் என்று. ஆகையால் இந்த அமைச்சர் கூட ஜனாதிபதி ஆணைக்குழுவின் முன் நிறுத்தப்பட வேண்டும். எந்த ஓர் ஆசிரியர் இடமாற்றம் செய்யப்பட்டாலும், அல்லது பயிற்ச செய்கை உத்தியோகத்தார் வேலை நீக்கம் செய்யப்பட்டாலும் அதற்குச் சம்பந்தப்பட்ட அதிகாரிகளே ஜனாதிபதி விசேட ஆணைக்குழு முன் நிறுத்தப்பட வேண்டுமே ஒழிய பாராளுமன்ற அங்கத்தினர் அல்ல. ஆகையால், இந்த அறிக்கையிலே பெரும்பாலும் ஜலால்தீன் அவர்களுக்கு எதிராகக் காணப்படும் குற்றங்கள் இப்படியான அதிகார துஷ்பிரயோகங்களே. இவற்றை ஆராயவே இன்றைய சபை அமர்வு ஒரு சிறப்பு அமர்வாக அமர்ந்து ஒரு நீதிமன்றமாகக் கூடி இருக்கிறது. நீங்கள் உங்கள் பெஞ்சத்தைத் தொட்டுக் கூற முடியுமா, ஜலால்தீன் அவர்கள் செய்த சிபார்சு போன்று நீங்கள் சிபார்சுகள் செய்யவில்லை என்று ஜலால்தீன் அவர்கள் ஆசிரியர்களை இடமாற்றம் செய்யும்படி கோரியது போல, அல்லது வேறு ஓர் அரசாங்க உத்தியோகத்தரை இடமாற்றம் செய்ய வேண்டுமென்று கோரியதுபோல நீங்கள் செய்யவில்லையா என்று நீங்கள் உங்கள் மனச்சாட்சியை வைத்துக் கூறுங்கள்.

லஞ்சக் குற்றத்தைப் பொறுத்தவரையில் நாங்கள் எதுவும் கூற முடியாமலிருக்கிறோம். நான் ஏற்கனவே கூறியது போல, இந்நாட்டில் இதற்கென்று ஒரு திணைக்களம் இருக்கின்றது. லஞ்ச வழக்குகள் விசேட நீதிமன்றத்தால் விசாரிக்கப்படுகின்றன. இந்த இரண்டாவது குற்றச்சாட்டிற்குட, அதாவது உழவு இயந்திரம் வழங்கிய குற்றத்திற்குட ஓரிடத்தில் அவர் 'பேர்மிட்' வழங்கப்பட்ட பின்பு பெயர்களை

[பி. ஹேன்ஸ்டீன் ஹை]

மாற்றினர் என்றுதான் கூறப்படுகின்றது. This is only a technical error. இக்குற்றச் சாட்டு பற்றி இந்த அறிக்கை சீன் 10 ஆம் பக்கத்தில் பின்வருமாறு கூறப்படுகின்றது:

“The Respondent had made an endorsement on the copy of the permit to issue the tractor to Ibrahim Lebbe. Mr. Weeraratne also stated that though a Member of Parliament has the discretion to select persons for the issue of tractors, once a permit was issued if he desired a change of the person the permit had to be returned and a fresh permit would have to be obtained from the Ministry.”

அதே குற்றச் சாட்டின்மீது 12 ஆவது பக்கத்தில் கூறப்படுகிறது:

“In taking these permits from Weeraratne and depriving the persons mentioned in the permits, the Respondent acted improperly. But the question arises why the officials of the Corporation acted on the altered permits and never protested against the action of the Respondent in making the unauthorised alterations.”

ஆகையால், டாக்டர் ஜலால்தீன் செய்தது ஒரு குற்றமாக இருந்தாலும் அந்தக் குற்றத்தை இழைக்கப் பொறுப்பாக இருந்தவர்கள் டிராக்டர் கூட்டுத்தாபனத்தைச் சேர்ந்த பொறுப்பதிகாரிகளே தவிர டாக்டர் ஜலால்தீனல்ல.

டாக்டர் ஜலால்தீன் இன்று தமது பதவியை ராஜினாமாச் செய்துவிட்டார். அவர் தம்முடைய பதவியை ராஜினாமாச் செய்த படியால் ஓர் பாராளுமன்ற அங்கத்தவருக்கின்ற அத்தனை சிறப்புரிமையையும் இழந்துவிட்டார். எனவே அவரை ஒரு சாதாரண பிராசையைப்போன்று விசாரணை செய்து லஞ்சத் திணைக்களத்துக்கு முன் நிறுத்த முடியும்; நீதிமன்றத்திலே நிறுத்த முடியும்; நீதிமன்றத்தால் அவர் லஞ்ச ஊழல்களுக்காகக் குற்றவாளியாகக் காணப்பட்டால் அவரைச் சிறைக்கு அனுப்பமுடியும்; அதன்மூலம் அவரது குடியுரிமையைப் பறிக்கமுடியும். டாக்டர் ஜலால்தீன் கூறியது போல—

He has stated in his statement that the entire proceedings were ex-parte. He was not given the opportunity to cross-examine the witnesses. In a court of law, after the evidence in chief the defence should be given the opportunity to cross-examine witnesses.

ஆனால், விசேட சனாதிபதி ஆணைக்குமுன் முன் அந்தச் சந்தர்ப்பம் டாக்டர் ஜலால்தீனுக்கு வழங்கப்படவில்லை. ஆகவே, சமத்துவம் பேசுகின்ற தார்மீகம் பேசுகின்ற அரசாங்கம், சனாதிபதி விசேட ஆணைக்குமுன் சட்டத்தை— ஒரு சிலரை அரசியல் காரணத்துக்காகப் பழிவாங்கக் கொண்டுவந்த சட்டத்தை—“நாங்கள் அப்படியான நோக்கத்துடன் இச்சட்டத்தைக் கொண்டுவரவில்லை; எல்லாப் பாராளுமன்ற அங்கத்தவர்களையும் சமமாகக் கணிக்கின்றோம்; எங்கள் அரசியல் கட்சியைச் சேர்ந்த டாக்டர் ஜலால்தீனைக்கூட அந்த ஆணைக்குமுன்முன் நிறுத்தி அவரைக் குற்றவாளியாகக் கண்டு, இச்சட்டத்தின் மூலம் அவரைப் பாராளுமன்றத்திலிருந்து வெளியேற்றி அவரின் குடியுரிமையையும் பறித்திருக்கின்றோம்” என்று இந்நாட்டு மக்களுக்குக் காட்டுவதற்காக இவ்வாறு செய்கின்றது; அதன் மூலம் கிழக்கு மாகாணத்தைச் சேர்ந்த தமிழ்ப்பேசும் ஓர் அப்பாவிப் பாராளுமன்ற அங்கத்தனரைத் தமது பதவியை ராஜினாமாச் செய்யும் ஒரு சூழ்நிலைக்குத் தள்ளியிருக்கின்றது.

ஏற்கனவே கௌரவ சாவகச்சேரிப் பாராளுமன்றப் பிரதிநிதியவர்கள் ஏன் டாக்டர் ஜலால்தீனுக்கு ஒரு நீதி, இன்னும் சிலருக்கு வேறு நீதி என்று கேட்ட நேரத்திலே, அரசாங்கக் கட்சியைச் சேர்ந்த சில அங்கத்தினர்கள் கூக்குரலிட்டார்கள். இன்று குற்றம் சுமத்தப்பட்டுள்ள சில பாராளுமன்ற அங்கத்தவர்களுக்கெதிராக ஸ்ரீகோதவில் விசாரணை செய்யப்படுவதை நீங்கள் அறிவிர்கள். அவ்வாறு முறைப்பாடுகள் செய்யப்பட்ட பாராளுமன்ற அங்கத்தவர்கள் விசாரணை செய்யப்பட்டு குற்றவாளிகளாகக் காணப்பட்டால் அவர்கள் விசேட ஜனாதிபதி ஆணைக்குமுன் முன் நிறுத்தப்படுவார்களா? அல்லது அவர்கள் தங்கள் பதவியை மட்டும் ராஜினாமாச் செய்யவேண்டிய நிலை ஏற்படுமா? அந்தச் சந்தர்ப்பம் ஏன் தமிழ் பேசும் அங்கத்தவராகிய ஜலால்தீன் அவர்களுக்குக் கொடுக்கப்படவில்லை என்று கௌரவ பிரதம அமைச்சரவர்களை நான் கேட்கின்றேன். ஆகவே, லஞ்ச ஊழல் குற்றங்களுக்காக முன்னால் பாராளுமன்ற அங்கத்தவர் டாக்டர் ஜலால்தீனை நீங்கள் தண்டிக்க வேண்டுமென்றால் அவரை இன்று லஞ்சக் குற்றத்துக்காக நீதிமன்றத்தின் முன் நிறுத்துங்கள். இந்த நிலை யிலே, அவர் தமது பாராளுமன்றப் பதவியை ராஜினாமாச் செய்த பின்பு அவரது குடியுரிமையைப் பறிக்கின்ற அந்த இரண்டாவது சரத்தையாவது இப் பாராளுமன்றப் பிரேரணையிலிருந்து வரப்பெறவேண்டுமென்று மிகவும் தாழ்மையாகக் கேட்டு எனது உரையை முடித்துக்கொள்கின்றேன்.

பி. சிவசிதம்பரம் (உட்பேரவை)

(திரு. எம். சிவசிதம்பரம்—நல்லூர்)

(Mr. M. Sivasithamparam—Nallur)

Mr. Deputy Speaker, it is an unpleasant task to have to speak on a Motion which seeks to deprive the civic rights of an erstwhile Colleague and the circumstances which have compelled him to resign from this honourable house and leave amidst a certain amount of dishonour.

I do not wish to make this a party issue but I think it should cause some concern to all of us who are here as Members of Parliament as to what this abuse of power and misuse of power is. I think that when the Motion to deprive Mrs. Bandaranaike of her civic rights was being discussed we said that we could understand a charge of bribery because that is a well-known concept. We know what bribery is. But what is this abuse of power, what is this misuse of power on which Dr. Jalaldeen is being deprived of his civic rights? I think that if each of us searches our conscience—largely on the Government side but also on the Opposition side—we will be guilty of some misuse of power as defined by the honourable gentlemen of this commission.

It is a well-known fact that with every change of Government teachers are the first victims of transfers. That is nothing new in this country. With every change of Government lists are given to hon. Ministers and transfers are made. In this case the hon. Member had given 37 names. The Hon. Minister had said that the



first 10 should be transferred. Why it should be the first 10 and not the rest we do not know. If Dr. Jalaldeen is guilty of misuse of power, then the Hon. Minister is also guilty. Why did he transfer the first 10 and not the rest? Why did he not find out the reason why they were being transferred? We all expose ourselves to this charge.

Again, we recommend acquisitions of land. Very often we recommend land acquisition for a public purpose, maybe for a school or a playground for a school. Who is the landowner who is willingly going to surrender his land? He will naturally make allegations that the Member of Parliament did so out of political motivations. And if there is a commission appointed after a change of Government, we would be found guilty of misuse of power.

I appeal to the Hon. Prime Minister to give thought to this matter. I am not saying this as a party matter. Poor Mr. Jalaldeen is gone, but those of us who are here must know what our powers are. We must know when we are transgressing that power. We must know our rights as Members of Parliament. We must know how far we can go and how far we cannot go. The Government must give serious thought to this matter. Of course, you are all right for a further six years because you have succeeded at the Referendum. But six years is not a very long period of time. Therefore I do ask that the Government give serious thought to this matter.

On the offence of bribery, it is true there have been commissions in the past and people have been found guilty and dealt with, and even hon. Members have had to leave this House. But now there is a difference. At the time those commissions sat there was no Bribery Act; there was no provision under the Bribery Act to punish members of the legislature. Today we have a Bribery Act, and special procedures are laid out. First of all, Sir, the authorities have to seek your permission to investigate a bribery allegation against a Member of Parliament. Once that permission is given, an investigation takes place and a case is filed, and one can defend oneself ably or otherwise, and that is the end of the matter. Today, as far as bribery is concerned there is a special procedure which covers a lot of loopholes which were there earlier. That is why Special Commissions had to be appointed. But that is no longer necessary today because you have a Bribery Act which covers a lot of these things. Therefore, I do say that it is now time that the Government stopped this. You have punished Mrs. Bandaranaike; you have also, for the sake of showing other people, punished a Member of the Government. Let us stop this. Now let us re-examine this whole business and see what safeguards Members of Parliament can have. I mean, Sir, we have come here to function. We are not coming here just to sit and go away. We come here to function,

to do something for our people, and in that process we might tread on one's corns; we might create problems for others. That sort of thing can go on.

Therefore, I tell the Hon. Prime Minister; this is not a party matter; this is not something which affects you or affects me because, as I said, we can change sides; except us, who always remain here, others can change sides. Therefore, I do ask the Government to give serious thought to this matter and once and for all tell us what are our rights. If you tell us, "Please do not interfere in transfers", we will stop interfering in transfers. We know what happens, Sir. After all, we all have experience of transfers. Some Minister comes and says, "Members of Parliament must not interfere". But what happens under the table? These chits go, the letters go, and the transfers take place. So, I only want to make this point, that it is time for the Government to examine this whole question and tell us what exactly is abuse of power.

අනුර බණ්ඩාරනායක මහතා (නුවරඑළිය-මස්කෙලිය දෙවන)

(திரு. அனூர் பண்டாரநாயக்க—நுவரெலிய-மஸ்கெலிய இரண்டாம் அங்கத்தவர்)

(Mr. Anura Bandaranaike—Second Nuwara Eliya-Maskeliya)

Mr. Deputy Speaker, I think it is always a very sad and very solemn occasion for us Members of Parliament to pass judgment on our Colleagues, particularly when it involves their expulsion from Parliament and also when it involves depriving them of their civic rights for a period of seven years.

I think the hon. Member for Chavakachcheri (Mr. V. N. Navaratnam), the hon. Member for Nallur (Mr. M. Sivasithamparam) and the hon. Member for Paddiruppu (Mr. P. Ganeshalingam) very capably tackled the various charges which Dr. Jalaldeen had been found guilty of by the Special Presidential Commission. I think they went into all the details. I think the speech of the hon. Member for Nallur is a very timely one. We agree with his view that it is time we took stock of the limitations in which a Member of Parliament can function, in which a Minister can function, the Hon. Prime Minister can function and so on. Therefore, I do not wish to deal, in the course of my very short speech, with any of the charges that Dr. Jalaldeen had been found guilty of.

But I think that at the very outset I must state very clearly the position the SLFP has right throughout taken regarding the Special Presidential Commission. We have opposed its very formation; we opposed its principles. We have done so in the course of many Debates in this House. Particularly on the motion against Mr. Nihal Jayawickrema, the former Secretary to the Ministry of Justice, when his civic rights were taken away, I remember I made a

[අනුර බණ්ඩාරනායක මහතා]

two-hour speech in the House and within those two hours I focussed attention on a number of issues, a number of anomalies, a number of contradictions, a number of flaws in the functioning of the Presidential Commission, and we voted against that Motion on those grounds. When the civic rights of the SLFP President, Mrs. Bandaranaike, were taken away, in a farewell speech to the House she drew attention to a number of anomalies in the commission—the way they led evidence, the way they found various people guilty of offences hitherto unknown in any country, like for example what the hon. Member for Nallur referred to, the concept of the abuse of power, the misuses of power hitherto unknown charges in this country. On a number of issues like these our party has firmly opposed the Special Presidential Commission.

Similarly, Sir, in the matter of the former First Member of Parliament for Pottuvil (Dr. M. A. M. Jalaldeen) we take the same position in that it is the same commission that found him guilty. They functioned under the same provision, they functioned in the same manner, they came to their judgment in the same fashion. Therefore, as far as the SLFP is concerned, we will vote against this Motion because we are against the very concept of this Special Presidential Commission.

Now, Sir, when I was going through the 5th Interim Report of the Special Presidential Commission of Inquiry, I was reading this recommendation. It says :

“ We find the respondent, Dr. M. A. M. Jalaldeen, 1st M.P. for Pottuvil, guilty of abuse and misuse of power and corruption and report to your Excellency accordingly. In terms of Section 9 of the Special Presidential Commission of Inquiry Law, No. 7 of 1978, as amended by the Special Presidential Commission of Inquiry (Special Provisions) Act, No. 4 of 1978, we recommend that the respondent should be made subject to civic disability. We submit the above interim report for Your Excellency's consideration.

Sgd., J. G. P. Weeraratne, Chairman,  
S. Sharvananda, Commissioner.

Signed at Colombo, 11th day of November 1982.”

Sir, I find that the third judge who heard a large part of this case has not signed this document. Who is that judge? Mr. K. C. E. de Alwis, who has now retired, who retired from the bench of the Supreme Court four months ago; I believe on the 16th October 1982. Now, Sir, I was surprised to find that Mr. K. C. E. de Alwis has not signed this recommendation, so I went and looked through some of the past documents to find out why this good gentleman has not signed this document. Then I came across a very interesting judgment given by none other than the Chief Justice, Mr. Justice Neville Samarakoon, Mr. Justice Wimalaratne and Mr. Justice Percy Colin Thome. These three learned judges had found, in a case which was filed in the Supreme Court, Mr. K. C. E. de Alwis

guilty of misconduct unbecoming of a judicial officer and had held that he is disentitled to hold the office and function of a member of the Special Presidential Commission of Inquiry.

I think, Sir, it is the duty of this House, when we are discussing a report of the Special Presidential Commission, to find out why the third member of the commission has not decided to put his signature on the recommendation depriving Dr. Jalaldeen of his civic rights.

Sir, now look at what the Chief Justice, no less a person than the Chief Justice of this country, Mr. Neville Samarakoon, says :

“ I would therefore, issue a writ of prohibition forbidding the 1st respondent ” -

that is Mr. K. C. E. de Alwis—

“ from taking any further part in the investigation of the conduct of Fowzie and also prohibiting him from joining the other Commissioners in a final or other report to the President which incorporates a decision regarding Fowzie ”.

Now, Sir, I think I should at this point of time explain that this case was filed against Mr. K. C. E. de Alwis by the former Minister of Finance and Justice, Mr. Felix R. Dias Bandaranaike, and the matter, I believe, was, very briefly, that the first respondent in this case, Mr. K. C. E. de Alwis, entered into a financial transaction—

නියෝජ්‍ය කථානායකතුමා

(පිරිනිසි සභානායකර් අයුරු)

(Mr. Deputy Speaker)

Order, please! Is it necessary for a third judge to sign that report?

අනුර බණ්ඩාරනායක මහතා

(ති.ප්‍ර. අනුර පුණ්ඩාරනායක)

(Mr. Anura Bandaranaike)

What I am saying is that he is a Member of the commission and we wanted to find out -

නියෝජ්‍ය කථානායකතුමා

(පිරිනිසි සභානායකර් අයුරු)

(Mr. Deputy Speaker)

Is it material to this discussion to discuss -

අනුර බණ්ඩාරනායක මහතා

(ති.ප්‍ර. අනුර පුණ්ඩාරනායක)

(Mr. Anura Bandaranaike)

Sir, if you will kindly bear with me I will not take very long. I am coming to a certain argument, Sir. I will come to that at the end of my speech.

නියෝජ්‍ය කථානායකතුමා

(පිරිනිසි සභානායකර් අයුරු)

(Mr. Deputy Speaker)

You were very short but you have done sufficient damage.

අනුර බණ්ඩාරත්නායක මහතා

(திரு. அனூர் பண்டாரநாயக்க)

(Mr. Anura Bandaranaike)

Sir, I could not follow that.

නියෝජ්‍ය කමාන්‍යකතුමා

(பிரதிச் சபாநாயகர் அவர்கள்)

(Mr. Deputy Speaker)

Order, please! Is it necessary for this report to be signed by three judges?

අනුර බණ්ඩාරත්නායක මහතා

(திரு. அனூர் பண்டாரநாயக்க)

(Mr. Anura Bandaranaike)

No, it is not necessary.

නියෝජ්‍ය කමාන්‍යකතුමා

(பிரதிச் சபாநாயகர் அவர்கள்)

(Mr. Deputy Speaker)

Then what purpose will it serve when discussing this Resolution?

අනුර බණ්ඩාරත්නායක මහතා

(திரு. அனூர் பண்டாரநாயக்க)

(Mr. Anura Bandaranaike)

Sir, if you will bear with me, Mr. K. C. E. de Alwis heard this case.

නියෝජ්‍ය කමාන්‍යකතුමා

(பிரதிச் சபாநாயகர் அவர்கள்)

(Mr. Deputy Speaker)

Part of the case.

අනුර බණ්ඩාරත්නායක මහතා

(திரு. அனூர் பண்டாரநாயக்க)

(Mr. Anura Bandaranaike)

He heard a major part of it.

නියෝජ්‍ය කමාන්‍යකතුමා

(பிரதிச் சபாநாயகர் அவர்கள்)

(Mr. Deputy Speaker)

A decision does not have to be made by all three.

අනුර බණ්ඩාරත්නායක මහතා

(திரு. அனூர் பண்டாரநாயக்க)

(Mr. Anura Bandaranaike)

Not all three. I am not saying that it is necessary for him to sign it. What I am saying is, Sir, Members of this House, who have before this occasion deprived three people of their civic rights, Mr. Nihal Jayawickrema, Mrs. Sirimavo Bandaranaike. Mr. Felix Dias Bandaranaike -

නියෝජ්‍ය කමාන්‍යකතුමා

(பிரதிச் சபாநாயகர் அவர்கள்)

(Mr. Deputy Speaker)

You have some ground to refer to this, but is it necessary for the purpose of our dealing with this Resolution?

අනුර බණ්ඩාරත්නායක මහතා

(திரு. அனூர் பண்டாரநாயக்க)

(Mr. Anura Bandaranaike)

I think it is very necessary. We are dealing with three Commissioners.

නියෝජ්‍ය කමාන්‍යකතුමා

(பிரதிச் சபாநாயகர் அவர்கள்)

(Mr. Deputy Speaker)

No, we are not dealing with the Commissioners.

අනුර බණ්ඩාරත්නායක මහතා

(திரு. அனூர் பண்டாரநாயக்க)

(Mr. Anura Bandaranaike)

We are not dealing with the Commissioners, but we are dealing with a report submitted by three Commissioners but not signed by one of them.

නියෝජ්‍ය කමාන්‍යකතුමා

(பிரதிச் சபாநாயகர் அவர்கள்)

(Mr. Deputy Speaker)

Not three Commissioners, by two Commissioners.

අනුර බණ්ඩාරත්නායක මහතා

(திரு. அனூர் பண்டாரநாயக்க)

(Mr. Anura Bandaranaike)

Three were sitting on the bench, but one did not sign it.

නියෝජ්‍ය කමාන්‍යකතුමා

(பிரதிச் சபாநாயகர் அவர்கள்)

(Mr. Deputy Speaker)

We are dealing with a report signed by two Commissioners. So what bearing has this on the report?

අනුර බණ්ඩාරත්නායක මහතා

(திரு. அனூர் பண்டாரநாயக்க)

(Mr. Anura Bandaranaike)

What I want to do is to draw the attention of hon. Members of this House as to why-

නියෝජ්‍ය කමාන්‍යකතුමා

(பிரதிச் சபாநாயகர் அவர்கள்)

(Mr. Deputy Speaker)

I do not want to stifle any argument of yours, if you are trying to make it relevant to the Resolution.

අනුර බණ්ඩාරත්නායක මහතා

(திரு. அனூர் பண்டாரநாயக்க)

(Mr. Anura Bandaranaike)

Yes, Sir I am coming to that. I am not going to take very long. Now, Sir, you will find the relevance of this when I finish with this. The Chief Justice says:

"What intrinsic worth any recommendations already made or that will be made in the future will have is not a matter for this Court. That must be judged by those who seek to impose punishment on the basis of such recommendation."

Here it is, where it is relevant!

**நியோசு கலாநாயகர்**  
(பிரதிச் சபாநாயகர் அவர்கள்)  
(Mr. Deputy Speaker)

Order, please! But are we not bordering on discussing the conduct of one of the persons who -

**அந்த உறுப்பினர்**  
(திரு. அனூர பண்டாரநாயக்க)  
(Mr. Anura Bandaranaike)

Sir, he is no longer a judge. He has ceased to be a judge on the 16th October last year. Mr. K. C. E. de Alwis is no longer a judge. There is no provision in the Standing Orders to prevent any Member -

**நியோசு கலாநாயகர்**  
(பிரதிச் சபாநாயகர் அவர்கள்)  
(Mr. Deputy Speaker)

But the Resolution before us has nothing to do with Mr. K. C. E. de Alwis.

**அந்த உறுப்பினர்**  
(திரு. அனூர பண்டாரநாயக்க)  
(Mr. Anura Bandaranaike)

But he is a member of the commission.

**நியோசு கலாநாயகர்**  
(பிரதிச் சபாநாயகர் அவர்கள்)  
(Mr. Deputy Speaker)

On the face of the resolution, if you read it, it refers to two judges. So this Resolution does not refer to Mr. K. C. E. de Alwis. Of course, as a matter of fact, he is a person who might have sat on that commission. Now you are trying to discuss the decision of the Chief Justice with regard to a matter where Mr. Justice K. C. E. de Alwis figures - (*Interruption*)

**உறுப்பினர்**  
(திரு. ரணில் விக்ரமசிங்க)  
(Mr. Ranil Wickremasinghe)

Excuse me, Sir. It has been signed by Mr. Justice Weeraratne and Mr. Justice Sharvananda. There is no person called Mr. K. C. E. de Alwis there.

**நியோசு கலாநாயகர்**  
(பிரதிச் சபாநாயகர் அவர்கள்)  
(Mr. Deputy Speaker)

That is exactly what I am trying to say.

**அந்த உறுப்பினர்**  
(திரு. அனூர பண்டாரநாயக்க)  
(Mr. Anura Bandaranaike)

I said that. The Hon. Minister has not followed what had taken place in this House. That is precisely what I said - (*Interruption*). He comes in between debates and wants to show his knowledge of the law. He knows nothing of the law. He considers himself to be a pundit all the time. He is pointing out what I said from the very beginning. What is the meaning of this?

**நியோசு கலாநாயகர்**  
(பிரதிச் சபாநாயகர் அவர்கள்)  
(Mr. Deputy Speaker)

Order, please! I am only trying -

**உறுப்பினர்**  
(திரு. ரணில் விக்ரமசிங்க)  
(Mr. Ranil Wickremasinghe)

There is a difference between some who have passed the law examination and others who have not passed the law examination.

**அந்த உறுப்பினர்**  
(திரு. அனூர பண்டாரநாயக்க)  
(Mr. Anura Bandaranaike)

We all know how you passed the law examination - (*Interruption*).

**உறுப்பினர்**  
(திரு. ரணில் விக்ரமசிங்க)  
(Mr. Ranil Wickremasinghe)

There is a difference between those who have passed the law examination and those who have not.

**அந்த உறுப்பினர்**  
(திரு. அனூர பண்டாரநாயக்க)  
(Mr. Anura Bandaranaike)

We all know it. There is a limit to all this, Sir. The Hon. Minister should stop - this is a solemn occasion. He comes in the middle of a debate and shows off his gas here. There is a limit.

**உறுப்பினர்**  
(திரு. ரணில் விக்ரமசிங்க)  
(Mr. Ranil Wickremasinghe)

Mr. Deputy Speaker, I made no reference to any Member. You were having an argument -

**அந்த உறுப்பினர்**  
(திரு. அனூர பண்டாரநாயக்க)  
(Mr. Anura Bandaranaike)

I am not giving way, Mr. Deputy Speaker.

**உறுப்பினர்**  
(திரு. ரணில் விக்ரமசிங்க)  
(Mr. Ranil Wickremasinghe)

The argument that the Second Member for Nuwara Eliya - Maskeliya -

**அந்த உறுப்பினர்**  
(திரு. அனூர பண்டாரநாயக்க)  
(Mr. Anura Bandaranaike)

He must rise to a point of Order.

**உறுப்பினர்**  
(திரு. ரணில் விக்ரமசிங்க)  
(Mr. Ranil Wickremasinghe)

I raised a Point of Order. On a point of personal explanation, I am entitled to get up now.

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(திரு. அனூர பண்டாரநாயக்க)

(Mr. Anura Bandaranaike)

You got up. Now sit down.

රනිල් වික්‍රමසිංහ මහතා

(திரு. ரணில் விக்கிரமசிங்ஹ)

(Mr. Ranil Wickremasinghe)

I got up the first time on a point of Order.

අනුර බණ්ඩාරනායක මහතා

(திரு. அனூர பண்டாரநாயக்க)

(Mr. Anura Bandaranaike)

If you got up, sit down.

නියෝජ්‍ය කළානායකතුමා

(பிரதிச் சபாநாயகர் அவர்கள்)

(Mr. Deputy Speaker)

He is merely explaining why he got up.

අනුර බණ්ඩාරනායක මහතා

(திரு. அனூர பண்டாரநாயக்க)

(Mr. Anura Bandaranaike)

He cannot explain why he got up.

රනිල් වික්‍රමසිංහ මහතා

(திரு. ரணில் விக்கிரமசிங்ஹ)

(Mr. Ranil Wickremasinghe)

I have got up on a matter of personal explanation.

අනුර බණ්ඩාරනායක මහතා

(திரு. அனூர பண்டாரநாயக்க)

(Mr. Anura Bandaranaike)

He is always - (Interruption.)

නියෝජ්‍ය කළානායකතුමා

(பிரதிச் சபாநாயகர் அவர்கள்)

(Mr. Deputy Speaker)

I shall give you all the time for your argument.

රනිල් වික්‍රමසිංහ මහතා

(திரு. ரணில் விக்கிரமசிங்ஹ)

(Mr. Ranil Wickremasinghe)

Mr. Deputy Speaker, when this was being discussed I got up on a point of Order. I pointed out to you, when this was being discussed, that Justice K. C. E. de Alwis has not signed this report.

අනුර බණ්ඩාරනායක මහතා

(திரு. அனூர பண்டாரநாயக்க)

(Mr. Anura Bandaranaike)

I said that at the very beginning.

රනිල් වික්‍රමසිංහ මහතා

(திரு. ரணில் விக்கிரமசிங்ஹ)

(Mr. Ranil Wickremasinghe)

The second matter about which I got up was a point of personal explanation because all of a sudden I find the Second Member for Nuwara Eliya-Maskeliya

making various statements about me which were not relevant to the debate. All that I tried to do was to assist you in this matter -

අනුර බණ්ඩාරනායක මහතා

(திரு. அனூர பண்டாரநாயக்க)

(Mr. Anura Bandaranaike)

Because you wanted to be a pundit.

රනිල් වික්‍රමසිංහ මහතා

(திரு. ரணில் விக்கிரமசிங்ஹ)

(Mr. Ranil Wickremasinghe)

What I am saying is that it is not relevant to this debate to discuss what our knowledge of the law is. If you want to know about knowledge of the law - the hon. Member for Nuwara Eliya-Maskeliya thought that only a knowledge - (Interruption.)

අනුර බණ්ඩාරනායක මහතා

(திரு. அனூர பண்டாரநாயக்க)

(Mr. Anura Bandaranaike)

The Hon. Minister is behaving like a clown! - (Interruption)

නියෝජ්‍ය කළානායකතුමා

(பிரதிச் சபாநாயகர் அவர்கள்)

(Mr. Deputy Speaker)

We have a very pleasant interlude.

අනුර බණ්ඩාරනායක මහතා

(திரு. அனூர பண்டாரநாயக்க)

(Mr. Anura Bandaranaike)

Yes, until he came. You heard me saying at the very start of my submission that Mr. K. C. E. de Alwis did not sign the report. I framed my argument on that basis. What is he talking about?

නියෝජ්‍ය කළානායකතුමා

(பிரதிச் சபாநாயகர் அவர்கள்)

(Mr. Deputy Speaker)

Now, based on that fact, is it necessary for us to discuss the person called K. C. E. de Alwis?

අනුර බණ්ඩාරනායක මහතා

(திரு. அனூர பண்டாரநாயக்க)

(Mr. Anura Bandaranaike)

I am not discussing Mr. K. C. E. de Alwis, Sir. What I am saying is that this House deprived three individuals of their civic rights, namely, the former Secretary to the Ministry of Justice, Mr. Nihal Jayawickrema, the former Prime Minister of this country, Mrs. Bandaranaike, and the former Minister of Finance, Mr. Felix Dias Bandaranaike. Three individuals have been deprived of their civic rights for seven years on recommendations made by Justice Weeraratne, Justice Sharvananda and Justice de Alwis.

**நியோகக் கமிஷனருக்கு**

(பிரதிச் சபாநாயகர் அவர்கள்)

(Mr. Deputy Speaker)

Therefore, why -

**அந்த விவரத்தைக் குறித்து**

(திரு. அனூர பண்டாரநாயக்க)

(Mr. Anura Bandaranaike)

Therefore, it is our duty to find out -

**நியோகக் கமிஷனருக்கு**

(பிரதிச் சபாநாயகர் அவர்கள்)

(Mr. Deputy Speaker)

Why should we deprive a judge of the privilege he has of not being discussed? That is all.

**அந்த விவரத்தைக் குறித்து**

(திரு. அனூர பண்டாரநாயக்க)

(Mr. Anura Bandaranaike)

Sir, if Mr. K. C. E. de Alwis was a judge at this precise point of time I would never have raised the matter here. I know my Standing Orders. But Mr. K. C. E. de Alwis is not a judge any more. That is all, I will never embarrass you, Sir, by referring to a judge. I know my Standing Orders.

**நியோகக் கமிஷனருக்கு**

(பிரதிச் சபாநாயகர் அவர்கள்)

(Mr. Deputy Speaker)

I grant that. I know that. But why take such a very thin technical reason?

**அந்த விவரத்தைக் குறித்து**

(திரு. அனூர பண்டாரநாயக்க)

(Mr. Anura Bandaranaike)

It is not a thin line, Sir. Either he is a judge or he is not a judge. There cannot be a thin line between the two.

**நியோகக் கமிஷனருக்கு**

(பிரதிச் சபாநாயகர் அவர்கள்)

(Mr. Deputy Speaker)

You are not discussing the conduct of a judge. I grant that. But why discuss a person who has not signed this report as a judge?

**அந்த விவரத்தைக் குறித்து**

(திரு. அனூர பண்டாரநாயக்க)

(Mr. Anura Bandaranaike)

Sir, as an inquisitive character, I was wondering why a judge who heard the case did not sign the report. When going through some of my files to inform myself as to what could have happened—whether the man expired, whether he went mad, or whether he behaved like a clown—I do not know, Sir—

**நியோகக் கமிஷனருக்கு**

(பிரதிச் சபாநாயகர் அவர்கள்)

(Mr. Deputy Speaker)

But none here, I think, will be able to help you.

**அந்த விவரத்தைக் குறித்து**

(திரு. அனூர பண்டாரநாயக்க)

(Mr. Anura Bandaranaike)

What I wanted to know was, what happened to him. Then I found this judgment signed by three Judges of the Supreme Court and by no less a person than the Chief Justice himself. All I am saying is, I wanted to draw the attention of this House very briefly to a fact which some of them probably do not know. I assure you, Sir, I would never have referred to it if he was still a judge.

**நியோகக் கமிஷனருக்கு**

(பிரதிச் சபாநாயகர் அவர்கள்)

(Mr. Deputy Speaker)

I know that. I know that you know that amount of the Standing Orders.

**அந்த விவரத்தைக் குறித்து**

(திரு. அனூர பண்டாரநாயக்க)

(Mr. Anura Bandaranaike)

I would never have done that.

**ஈ. ப்ரேமதாசு**

(திரு. ஆர். பிரேமதாசு)

(Mr. R. Premadasa)

If the hon. Member would give way, I can help him by only pointing out a matter that is relevant to what he is now going to say. Now he takes up the position that Mr. K. C. E. de Alwis had not signed the report, he was a Commissioner earlier and that his conduct had been questioned. Some Judges of the Supreme Court, including the Chief Justice, had passed certain strictures. Right. And he says that since Mr. K. C. E. de Alwis is no longer a Supreme Court Judge that we can comment on that.

One matter I would like to bring to the hon. Member's notice is this. He is aware that Mr. K. C. E. de Alwis has made counter allegations against some Judges of the Supreme Court.

**நியோகக் கமிஷனருக்கு**

(பிரதிச் சபாநாயகர் அவர்கள்)

(Mr. Deputy Speaker)

Correct.

**அந்த விவரத்தைக் குறித்து**

(திரு. அனூர பண்டாரநாயக்க)

(Mr. Anura Bandaranaike)

I know that. I am coming to that.

**ஈ. ப்ரேமதாசு**

(திரு. ஆர். பிரேமதாசு)

(Mr. R. Premadasa)

And he has made these allegations to His Excellency the President, who appoints the Supreme Court Judges.

நியோசு கலாநாயகனது  
(பிரதிச் சபாநாயகர் அவர்கள்)  
(Mr. Deputy Speaker)

Yes.

ஈ. ப்ரேமதாசு  
(திரு. ஆர். பிரேமதாசு)  
(Mr. R. Premadasa)

Now, that matter has not reached finality. So I want to prevent a very awkward situation arising here.

நியோசு கலாநாயகனது  
(பிரதிச் சபாநாயகர் அவர்கள்)  
(Mr. Deputy Speaker)

Yes.

ஈ. ப்ரேமதாசு  
(திரு. ஆர். பிரேமதாசு)  
(Mr. R. Premadasa)

How are you going to prevent a Member here getting up and reading the petition of Mr. K. C. E. de Alwis to His Excellency the President against certain Supreme Court Judges? Then you will have to give a Ruling, Sir, that according to Standing Orders, without a substantive motion he cannot bring it up here.

ஈ. அனூர் பண்டாரநாயக்க  
(திரு. அனூர் பண்டாரநாயக்க)  
(Mr. Anura Bandaranaike)

Correct.

ஈ. ப்ரேமதாசு  
(திரு. ஆர். பிரேமதாசு)  
(Mr. R. Premadasa)

So are you not being unfair by another member of Parliament who is unable to bring out the other side of the story? So why should the hon. Member not await the disposal of this counter-charge and then come here on some other day to deal with Mr. K. C. E. de Alwis without making use of this opportunity, especially because Mr. K. C. E. de Alwis is not a signatory to this Report?

நியோசு கலாநாயகனது  
(பிரதிச் சபாநாயகர் அவர்கள்)  
(Mr. Deputy Speaker)

I think that is a very good suggestion.

ஈ. ப்ரேமதாசு  
(திரு. ஆர். பிரேமதாசு)  
(Mr. R. Premadasa)

And, the Special Presidential Commission law provides for two judges to sign.

ஈ. அனூர் பண்டாரநாயக்க  
(திரு. அனூர் பண்டாரநாயக்க)  
(Mr. Anura Bandaranaike)

I will reply to the Hon. Prime Minister in full. Take his first argument. He says that Mr. K. C. E. de Alwis

has complained to His Excellency the President about two of the judges who heard the case, namely, Justice Percy Colin Thome and Justice Wimalaratne.

Now, Sir, if Mr. K. C. E. de Alwis—I am only going on the report in the “Sun” newspaper; nothing officially has been issued by the Government, just of the newspaper report. (*Interruption.*) I am replying to you. Will you please allow me to reply to you? I allowed you to say what you had to say.

ஈ. ப்ரேமதாசு  
(திரு. ஆர். பிரேமதாசு)  
(Mr. R. Premadasa)

You are discussing the Supreme Court Judges.

நியோசு கலாநாயகனது  
(பிரதிச் சபாநாயகர் அவர்கள்)  
(Mr. Deputy Speaker)

Order, please! Now you have mentioned the names of two judges.

ஈ. அனூர் பண்டாரநாயக்க  
(திரு. அனூர் பண்டாரநாயக்க)  
(Mr. Anura Bandaranaike)

Yes, Sir. I was replying to the Prime Minister.

நியோசு கலாநாயகனது  
(பிரதிச் சபாநாயகர் அவர்கள்)  
(Mr. Deputy Speaker)

But in replying, you have referred to two judges.

ஈ. அனூர் பண்டாரநாயக்க  
(திரு. அனூர் பண்டாரநாயக்க)  
(Mr. Anura Bandaranaike)

Because he referred.

நியோசு கலாநாயகனது  
(பிரதிச் சபாநாயகர் அவர்கள்)  
(Mr. Deputy Speaker)

He merely referred. He did not give the names.

ஈ. அனூர் பண்டாரநாயக்க  
(திரு. அனூர் பண்டாரநாயக்க)  
(Mr. Anura Bandaranaike)

Sir, I have a high regard for you as a person who is impartial. But, Sir, will you allow me to say this?

நியோசு கலாநாயகனது  
(பிரதிச் சபாநாயகர் அவர்கள்)  
(Mr. Deputy Speaker)

Why go on this voyage of discovery?

ஈ. அனூர் பண்டாரநாயக்க  
(திரு. அனூர் பண்டாரநாயக்க)  
(Mr. Anura Bandaranaike)

I want to reply to the Hon. Prime Minister.

ஈ. ப்ரேமதாசு மஹா

(திரு. ஆர். பிரேமதாசு)

(Mr. R. Premadasa)

I only cautioned him.

ஈ. அனூர் பண்டாரநாயக்க

(திரு. அனூர் பண்டாரநாயக்க)

(Mr. Anura Bandaranaike)

No. No. Thank you for the cautioning. I do not require it. But I want to tell you where you went wrong in your cautioning.

நியோசகர் கவனம்

(பிரதீச் சபாநாயகர் அவர்கள்)

(Mr. Deputy Speaker)

But we have to protect the present two judges.

ஈ. அனூர் பண்டாரநாயக்க

(திரு. அனூர் பண்டாரநாயக்க)

(Mr. Anura Bandaranaike)

All right. We will leave them out, Sir. I withdraw those two names. Mr. K. C. E. de Alwis has complained to His Excellency the President against two Judges of the Supreme Court. That is what the hon. Prime Minister said, not I.—(Interruption.) I will go on as far as I possibly can, and if I require any assistance I will ask him.

The second aspect is that at the time Mr. K. C. E. de Alwis' matter was argued before these three judges he never stated that these judges were prejudiced.

ஈ. ப்ரேமதாசு மஹா

(திரு. ஆர். பிரேமதாசு)

(Mr. R. Premadasa)

Pardon ?

ஈ. அனூர் பண்டாரநாயக்க

(திரு. அனூர் பண்டாரநாயக்க)

(Mr. Anura Bandaranaike)

At the time Mr. K. C. E. de Alwis' matter was taken up before these three judges he had every right to object to these two judges hearing it. He did not do that.

நியோசகர் கவனம்

(பிரதீச் சபாநாயகர் அவர்கள்)

(Mr. Deputy Speaker)

We do not know.

ஈ. ப்ரேமதாசு மஹா

(திரு. ஆர். பிரேமதாசு)

(Mr. R. Premadasa)

How do we know ?

ஈ. அனூர் பண்டாரநாயக்க

(திரு. அனூர் பண்டாரநாயக்க)

(Mr. Anura Bandaranaike)

He never did that.

ஈ. ப்ரேமதாசு மஹா

(திரு. ஆர். பிரேமதாசு)

(Mr. R. Premadasa)

The only trouble is, we are now going to sit in judgment on the proceedings of court.

ஈ. அனூர் பண்டாரநாயக்க

(திரு. அனூர் பண்டாரநாயக்க)

(Mr. Anura Bandaranaike)

No, Sir.—(Interruption).

ஈ. ப்ரேமதாசு மஹா

(திரு. ஆர். பிரேமதாசு)

(Mr. R. Premadasa)

How do we know whether an objection was raised or not ?

Let the hon. Member give notice of a separate Motion so that we may come ready.

ஈ. அனூர் பண்டாரநாயக்க

(திரு. அனூர் பண்டாரநாயக்க)

(Mr. Anura Bandaranaike)

Sir, an objection was never raised.

நியோசகர் கவனம்

(பிரதீச் சபாநாயகர் அவர்கள்)

(Mr. Deputy Speaker)

Order, please ! Will you please take my advice on this matter ? It is not a Ruling. We shall not continue to discuss this matter.

ஈ. ப்ரேமதாசு மஹா

(திரு. ஆர். பிரேமதாசு)

(Mr. R. Premadasa)

I am only helping you.

ஈ. அனூர் பண்டாரநாயக்க

(திரு. அனூர் பண்டாரநாயக்க)

(Mr. Anura Bandaranaike)

I do not require it.

ஈ. ப்ரேமதாசு மஹா

(திரு. ஆர். பிரேமதாசு)

(Mr. R. Premadasa)

This is the trouble. Even when we offer assistance you do not want it.

ஈ. அனூர் பண்டாரநாயக்க

(திரு. அனூர் பண்டாரநாயக்க)

(Mr. Anura Bandaranaike)

I do not require your assistance. I do not want to talk about other troubles elsewhere.

நியோசகர் கவனம்

(பிரதீச் சபாநாயகர் அவர்கள்)

(Mr. Deputy Speaker)

Order, please ! I am afraid I must give a Ruling that this aspect of it is irrelevant to the discussion of this Resolution.



**ஐந்து நினைவர்த்தியை மொழி**

(திரு. அனூர பண்டாரநாயக்க)

(Mr. Anura Bandaranaike)

How can you give a Ruling that it is irrelevant? Sir, you have not heard my arguments.

**நியோகக் கமிஷனரின் மொழி**

(பிரதிச் சபாநாயகர் அவர்கள்)

(Mr. Deputy Speaker)

Please accept it, because we are now discussing one judge and you referred to two other judges by name.

**ஐந்து நினைவர்த்தியை மொழி**

(திரு. அனூர பண்டாரநாயக்க)

(Mr. Anura Bandaranaike)

He referred to them, not I.

**நியோகக் கமிஷனரின் மொழி**

(பிரதிச் சபாநாயகர் அவர்கள்)

(Mr. Deputy Speaker)

You referred to them by name. He referred to them up as judges, their designations. But why make this House responsible for this type of disclosures?

**ஐந்து நினைவர்த்தியை மொழி**

(திரு. அனூர பண்டாரநாயக்க)

(Mr. Anura Bandaranaike)

I am not talking about the conduct of any judge. All that I am saying is about a person who was a judge.

Then, Sir, I want a Ruling from you on this also. If your contention is that you cannot talk about the conduct of a former judge, will you similarly give a Ruling that you cannot talk about the conduct of an ex-Member of Parliament?

**நியோகக் கமிஷனரின் மொழி**

(பிரதிச் சபாநாயகர் அவர்கள்)

(Mr. Deputy Speaker)

I did not give a Ruling that you cannot discuss a former judge. I said that this discussion is irrelevant to this Resolution.

**ஐந்து நினைவர்த்தியை மொழி**

(திரு. அனூர பண்டாரநாயக்க)

(Mr. Anura Bandaranaike)

With all due respect to you, how can you say it is irrelevant before you have heard what I want to say?

**நியோகக் கமிஷனரின் மொழி**

(பிரதிச் சபாநாயகர் அவர்கள்)

(Mr. Deputy Speaker)

I have said it, and please accept my Ruling.

**ஐந்து நினைவர்த்தியை மொழி**

(திரு. அனூர பண்டாரநாயக்க)

(Mr. Anura Bandaranaike)

In deference to your wish, however much I disagree with what you have said, I will not be disobedient to you because you are the Chair. And I am glad you are the Chair at this moment.

Sir, I was going to table the full judgment of Justice Wimalaratne and Justice Percy Colin Thome, but I will not do that because you seem to hold a contrary view to the opinion on this matter. But, Sir, may I say this, that in his findings Mr. Percy Colin Thome, Justice of the Supreme Court, said that Mr. K. C. E. de Alwis was guilty of misconduct unbecoming of a judicial officer. Three people have been deprived of their civic rights on the recommendation of a person who has been found unfit to be a judge.—(Interruption) Why not? He was there in all those three commissions.

**ஈ. பி. ப்ரேமதாசா மொழி**

(திரு. ஆர். பிரேமதாசா)

(Mr. R. Premadasa)

I rise to a point of Order, Sir. The hon. Member is misleading this House. If you read the very judgment you are quoting, this is regarding Fowzie's case, where the Chief Justice and other judges had passed a stricture on Mr. K. C. E. de Alwis. You will see that they have said that Mr. K. C. E. de Alwis should not sit in judgment in respect of Mr. Fowzie's case. And that ruling does not apply to earlier cases where he sat in judgment.

**ஐந்து நினைவர்த்தியை மொழி**

(திரு. அனூர பண்டாரநாயக்க)

(Mr. Anura Bandaranaike)

No! No! The Hon. Prime Minister is misleading this House.

**ஈ. பி. ப்ரேமதாசா மொழி**

(திரு. ஆர். பிரேமதாசா)

(Mr. R. Premadasa)

In fairness to the Chief Justice's ruling, I must tell you, Sir—I am raising it on a point of Order; he himself read it out—that the ruling is confined to that particular case.

**ஐந்து நினைவர்த்தியை மொழி**

(திரு. அனூர பண்டாரநாயக்க)

(Mr. Anura Bandaranaike)

No! No!

**ஈ. பி. ப்ரேமதாசா மொழி**

(திரு. ஆர். பிரேமதாசா)

(Mr. R. Premadasa)

Why not?

**ஐந்து நினைவர்த்தியை மொழி**

(திரு. அனூர பண்டாரநாயக்க)

(Mr. Anura Bandaranaike)

I will read it, Sir. It is only in the judgment of the Chief Justice that he held he cannot hear Fowzie's case. The other three Judges unanimously held that—(Interruption).



ஈ. ப்ரேமதாசா உரை

(திரு. ஆர். பிரேமதாசா)

(Mr. R. Premadasa)

No, you said earlier that this person should not have sat on the commission in respect of Mrs. Bandaranaike Mr. Felix R. Dias Bandaranaike and Mr. Niha Jayawickrema.

ஈ. அனூர் பண்டாரநாயக்கா உரை

(திரு. அனூர் பண்டாரநாயக்கா)

(Mr. Anura Bandaranaike)

That is my own view. The whole problem is that the Hon. Prime Minister gets mixed up. That is my personal view.

ஈ. ப்ரேமதாசா உரை

(திரு. ஆர். பிரேமதாசா)

(Mr. R. Premadasa)

You said something different earlier, and now you are saying something else.

ஈ. அனூர் பண்டாரநாயக்கா உரை

(திரு. அனூர் பண்டாரநாயக்கா)

(Mr. Anura Bandaranaike)

You do not understand what I am saying.

ஈ. ப்ரேமதாசா உரை

(திரு. ஆர். பிரேமதாசா)

(Mr. R. Premadasa)

Do you know what your mother said about you ?

ஈ. அனூர் பண்டாரநாயக்கா உரை

(திரு. அனூர் பண்டாரநாயக்கா)

(Mr. Anura Bandaranaike)

What did you say about Dudley Senanayake ?

ஈ. ப்ரேமதாசா உரை

(திரு. ஆர். பிரேமதாசா)

(Mr. R. Premadasa)

I only quoted your mother. She said you should not be taken seriously and that you were irresponsible.

ஈ. அனூர் பண்டாரநாயக்கா உரை

(திரு. அனூர் பண்டாரநாயக்கா)

(Mr. Anura Bandaranaike)

I do not want to say what you said about Mr. Dudley Senanayake, the present President and the late Upali Wijewardena. I do not want to go prying into other's garbage cans. That is not the way I do politics.

நி. டி. ப்ரேமதாசா உரை

(திரு. டி. ப்ரேமதாசா)

(Mr. Deputy Speaker)

Have you finished with Mr. de Alwis ?

ஈ. அனூர் பண்டாரநாயக்கா உரை

(திரு. அனூர் பண்டாரநாயக்கா)

(Mr. Anura Bandaranaike)

No.

நி. டி. ப்ரேமதாசா உரை

(திரு. டி. ப்ரேமதாசா)

(Mr. Deputy Speaker)

Then, please continue.

ஈ. அனூர் பண்டாரநாயக்கா உரை

(திரு. அனூர் பண்டாரநாயக்கா)

(Mr. Anura Bandaranaike)

Sir, every time I want to finish the Hon. Prime Minister gets up like a jack-in-the-box. I was trying to inform myself as to why this third gentleman—(Interruption). Hon. Member for Chilaw, you do not understand anything. Please do not display your ignorance in public.

Sir, I will not take up much time. Let us take the case of how the Deputy Inspector-General of Police, Mr. Tyrell Goonetilleke, was reinstated. Mr. Goonetilleke was found guilty of shoplifting in England. He was reinstated by this Government on the basis that the person on whose evidence Mr. Goonetilleke was found guilty—a man named Tanakie was subsequently found guilty of robbery. That was the basis on which this Government reinstated Mr. Goonetilleke—that the man on whose evidence Mr. Goonetilleke was found guilty was himself subsequently found guilty of robbery.

Now, Sir, if the Government applies that principle to the reinstatement of Mr. Tyrrell Goonetilleke, how is it that the same principle, now that Mr. K. C. E. de Alwis has been found guilty of misconduct, does not apply in the case of those three people who have lost their civic rights ? That is all I wish to present to this House, Sir.

This very innocent reference to Mr. K. C. E. de Alwis has caused so much fire, so much hot air on both sides of the House, particularly between the Hon. Prime Minister and myself. I thought the hot exchanges between the two of us had come to an end sometimes ago, but it seems to continue. Whatever that may be, I think I do not need to take more time of the House but I reiterate the fact that we of the SLFP will vote against this Motion, not because we have any sympathy or love for Dr. Jalaldeen, but for the simple fact that the Special Presidential Commission is wrong ; it was founded on wrong principles and I think we have stated that in great detail in all the speeches we have made regarding the Commission's Reports.

Thank you.

நி. டி. ப்ரேமதாசா உரை (செய்தி கமிட்டி உறுப்பினர் டி. ப்ரேமதாசா உரை)

(திரு. ரணில் விக்ரமசிங்கா—இளைஞர் அலுவலர்கள், தொழில் வளம் அமைச்சரும் கல்வி அமைச்சரும்)

(Mr. Ranil Wickremasinghe—Minister of Youth Affairs & Employment and Minister of Education)

I thought I should speak a few words on this Resolution. I certainly did not have in mind earlier to speak on this Resolution because it was about a

[**உறுதி** வினாக்கள் கேள்வி]

Colleague of mine who has been with me in Parliament—we have done politics together—and who had been found guilty by the Special Presidential Commission. But, as he said, the law must take its course and he handed his resignation and went from here. It certainly is a more glorious departure than of someone who threatened to surround this House and break us down in case we passed the Resolution depriving Mr. Bandaranaike of her civic rights.—(*Interruption*). What is not relevant to anyone else is relevant to me.

**உறுதி** வினாக்கள் கேள்வி

(**திரு. அனூர பண்டாரநாயக்க**)

(Mr. Anura Bandaranaike)

That matter is *sub judice*.

**உறுதி** வினாக்கள் கேள்வி

(**திரு. ரணில் விக்ரமசிங்க**)

(Mr. Ranil Wickremasinghe)

I would also like to tell—

**உறுதி** வினாக்கள் கேள்வி

(**திரு. அனூர பண்டாரநாயக்க**)

(Mr. Anura Bandaranaike)

I rise to a point of Order! You cannot refer to a matter that is before a Court.

**உறுதி** வினாக்கள் கேள்வி

(**திரு. ரணில் விக்ரமசிங்க**)

(Mr. Ranil Wickremasinghe)

I do not know why he is objecting to my saying that I had the pleasure of working with the First M.P. for Pottuvil.—(*Interruption.*) He did a lot of work.

**உறுதி** வினாக்கள் கேள்வி

(**திரு. அனூர பண்டாரநாயக்க**)

(Mr. Anura Bandaranaike)

I rise to a point of Order!

**உறுதி** வினாக்கள் கேள்வி

(**பிரதிச் சபாநாயகர் அவர்கள்**)

(Mr. Deputy Speaker)

May I know what is your point of Order?

**உறுதி** வினாக்கள் கேள்வி

(**திரு. அனூர பண்டாரநாயக்க**)

(Mr. Anura Bandaranaike)

The point of Order is that he is referring to a matter which is *sub judice*.

**உறுதி** வினாக்கள் கேள்வி

(**பிரதிச் சபாநாயகர் அவர்கள்**)

(Mr. Deputy Speaker)

He is not.

**உறுதி** வினாக்கள் கேள்வி

(**திரு. ரணில் விக்ரமசிங்க**)

(Mr. Ranil Wickremasinghe)

How can my saying that I worked with the First M.P. for Pottuvil be *sub judice*? I do not know—

**உறுதி** வினாக்கள் கேள்வி

(**பிரதிச் சபாநாயகர் அவர்கள்**)

(Mr. Deputy Speaker)

May I know the statement that you are objecting to?

**உறுதி** வினாக்கள் கேள்வி

(**திரு. அனூர பண்டாரநாயக்க**)

(Mr. Anura Bandaranaike)

He said that someone had said that he would break down this House by surrounding it when a person's civic rights were taken away earlier. That matter is *sub judice*.—(*Interruption*)—Of course, it is before the Courts.

**உறுதி** வினாக்கள் கேள்வி

(**திரு. ரணில் விக்ரமசிங்க**)

(Mr. Ranil Wickremasinghe)

A Select Committee of Parliament investigated it.

**உறுதி** வினாக்கள் கேள்வி

(**திரு. ஆர். பிரேமதாச**)

(Mr. R. Premadasa)

There may be other people than those accused people who were going to pull down Parliament.—(*Interruption.*)

**உறுதி** வினாக்கள் கேள்வி

(**பிரதிச் சபாநாயகர் அவர்கள்**)

(Mr. Deputy Speaker)

You carry on.

**உறுதி** வினாக்கள் கேள்வி

(**திரு. ரணில் விக்ரமசிங்க**)

(Mr. Ranil Wickremasinghe)

Mr. Deputy Speaker, sauce for the goose is sauce for the gander!

It was a pleasure to have worked with the First M.P. for Pottuvil. Certainly he did a lot of work for the area but, as he said, the law must take its course and as Members of the UNP we have to follow a certain course which we ourselves decided long ago. But I found that this Debate was not restricted to the Resolution or to the conduct of the First M.P. for Pottuvil.

We were discussing here about the Commission and some people tried to challenge the Commission. Why is it? Firstly, I see that two members have signed this Report. It is a valid Report before this House. We might not always agree with a decision of a Court, but

we have to bow our heads to it. As the First Member for Pottuvil himself proclaimed, "I may not agree with it, but then the law must take its course." That is what all of us seek to do here. So, for the fact that these two members have signed it and sent it, it is a matter the this House has to accept. I do not want to comment on the matters about one member of this commission, Justice K. C. de Alwis, for the simple reason that all are aware that Justice K. C. E. de Alwis has in turn sent a petition making certain charges against two Judges of the Supreme Court, Justice Wimalaratne and Justice Colin Thome. It is a matter which may have to be determined somewhere, but finally it may have to come to us because we must realize that judicial power is vested in this House and exercised by the Courts. I do not think this is the forum. But there is one matter. I read that judgment regarding the application made by one Mr. Felix Dias Bandaranaike against Justice K. C. E. de Alwis. It was in regard to the fact that Justice K. C. E. de Alwis should not hear one case before the Special Presidential Commission. There were three different judgments delivered. All of them upheld the fact that Justice K. C. E. de Alwis should not sit on this Commission, but they said they had no power to enforce it. Justice Alwis has not sat on it. There were three different judgments in which they had given different reasons to come to the same conclusion.—(Interruption.) I am not tabling a report. I am talking of the judgment. If you want to read it, you can read it. Otherwise sit down !

**லக்ஷ்மன் பசுகோடி மஹா**

(திரு. லக்ஷ்மன் ஜயக்கொடி)

(Mr. Lakshman Jayakody)

He cannot refer to any other document here.

**ரனில் விஜயமஹி மஹா**

(திரு. ரனில் விக்ரமசிங்ஹ)

(Mr. Ranil Wickremasinghe)

What is the document ? I am talking of a public document which he should have read.

**லக்ஷ்மன் பசுகோடி மஹா**

(திரு. லக்ஷ்மன் ஜயக்கொடி)

(Mr. Lakshman Jayakody)

He should be able to produce that document.

**ரனில் விஜயமஹி மஹா**

(திரு. ரனில் விக்ரமசிங்ஹ)

(Mr. Ranil Wickremasinghe)

I am talking of a public document of which we should have knowledge. Just sit down !

**நியேப்டா கலாநாயகர்**

(பிரதிச் சபாநாயகர் அவர்கள்)

(Mr. Deputy Speaker)

Order, please !

**ரனில் விஜயமஹி மஹா**

(திரு. ரனில் விக்ரமசிங்ஹ)

(Mr. Ranil Wickremasinghe)

Sit down, sit down !

**நியேப்டா கலாநாயகர்**

(பிரதிச் சபாநாயகர் அவர்கள்)

(Mr. Deputy Speaker)

Order, please ! Address the Chair.

**லக்ஷ்மன் பசுகோடி மஹா**

(திரு. லக்ஷ்மன் ஜயக்கொடி)

(Mr. Lakshman Jayakody)

I challenge you to table that document.

**நியேப்டா கலாநாயகர்**

(பிரதிச் சபாநாயகர் அவர்கள்)

(Mr. Deputy Speaker)

You cannot ask anybody to table anything.

**ரனில் விஜயமஹி மஹா**

(திரு. ரனில் விக்ரமசிங்ஹ)

(Mr. Ranil Wickremasinghe)

Mr. Deputy Speaker, these members have been misleading the House and are now afraid of being exposed. There were three different judgments delivered by three different Judges. What is the basic principle behind this ? That if a person has an interest in a case he should not hear it. There had been judgments made—(Interruption).

**நியேப்டா கலாநாயகர்**

(பிரதிச் சபாநாயகர் அவர்கள்)

(Mr. Deputy Speaker)

Order, please !

**ரனில் விஜயமஹி மஹா**

(திரு. ரனில் விக்ரமசிங்ஹ)

(Mr. Ranil Wickremasinghe)

I am explaining the law.

**நியேப்டா கலாநாயகர்**

(பிரதிச் சபாநாயகர் அவர்கள்)

(Mr. Deputy Speaker)

Is it a point of Order ?

**ரனில் விஜயமஹி மஹா**

(திரு. ரனில் விக்ரமசிங்ஹ)

(Mr. Ranil Wickremasinghe)

I am explaining a point of law.—(Interruption).

**அனூர் பண்டாரநாயக்க**

(திரு. அனூர் பண்டாரநாயக்க)

(Mr. Anura Bandaranaike)

You are allowing him to do what you prevented me from doing.

**නියෝජ්‍ය කථානායකතුමා**  
(பிரதீச் சபாநாயகர் அவர்கள்)  
(Mr. Deputy Speaker)

I shall not allow him to do anything that I prevented you from doing.

**රනිල් වික්‍රමසිංහ මහතා**  
(திரு. ரணில் விக்கரமசிங்ஹ)  
(Mr. Ranil Wickremasinghe)

Mr. Deputy Speaker, there is a legal principle, that a person who has an interest in a case should not hear it. That was the principle that was argued. If that was upheld, Justice Alwis should not have sat on that case. It has happened earlier. There have been writs issued against other Judges, other Commissioners, some upheld, some not upheld. They did not sit on those cases. This is a growing law : whoever has an interest should not sit. And they held that he should not sit. The Chief Justice's Judgement said it was not a question of finding any misconduct on his part but as a legal principle he should not have sat. One judge made some very adverse comments on Justice K. C. E. de Alwis, and a third judgement came in between. I do not want to go into details because we are debating another matter, but they upheld it on that principle and Justice K. C. E. de Alwis did not sit. Whether he should have sat on that or not, whether he should have sat on other cases, whether he should have sat on Nihal Jayawickrema's case or Sirima Bandaranaike's case are not relevant.

The law is clear to anyone who reads it. Mr. Deputy Speaker, I am not certainly a Queen's Counsel or a Senior Attorney. I am a person who did my law degree in Sri Lanka. You have to sit for a public examination. I went to the Law College like you and I did my Advocate's examination, and a little bit of law I know had taught me these legal principles, and also the fact that I must not swear an affidavit against my own mother who has been helping me in life from time to time.

Anyway, Mr. Deputy Speaker, that was all that has been said. So why are you then challenging the rest of the Commission ? It is not relevant. After all no less a person than Mr. Hector Kobbekaduwa said he had complete confidence in the Commission which had found Mrs. Bandaranaike guilty of having violated certain fundamental freedoms of this country. Who are we then—

**නියෝජ්‍ය කථානායකතුමා**  
(பிரதீச் சபாநாயகர் அவர்கள்)  
(Mr. Deputy Speaker)

He will take each case separately.

**රනිල් වික්‍රමසිංහ මහතා**  
(திரு. ரணில் விக்கரமசிங்ஹ)  
(Mr. Ranil Wickremasinghe)

Here, Mr. Hector Kobbekaduwa has given a certificate. Even if you do not accept it, the members of the SLFP or those who claim to be that part of the SLFP must accept that certificate. After all, what was the case before it ? Did Mrs. Bandaranaike by her actions abuse certain powers ?

**නියෝජ්‍ය කථානායකතුමා**  
(பிரதீச் சபாநாயகர் அவர்கள்)  
(Mr. Deputy Speaker)

Now we will leave that—

**රනිල් වික්‍රමසිංහ මහතා**  
(திரு. ரணில் விக்கரமசிங்ஹ)  
(Mr. Ranil Wickremasinghe)

What I would like to say, Mr. Deputy Speaker, is that they are trying to make use of this argument, about the First Member of Parliament for Pottuvil, not to speak about him but to challenge in this House certain findings regarding Mr. Bandaranaike which the House has accepted and which this country has accepted at the Presidential election and the Referendum.

**නියෝජ්‍ය කථානායකතුමා**  
(பிரதீச் சபாநாயகர் அவர்கள்)  
(Mr. Deputy Speaker)

Those matters are over.

**රනිල් වික්‍රමසිංහ මහතා**  
(திரு. ரணில் விக்கரமசிங்ஹ)  
(Mr. Ranil Wickremasinghe)

I mean, when you kill 10,000 young people, when you imprison your opponents, when you acquire their property, when you lock up the whole country, when you tell them :

“සිති නැතුව තේ බොන්න. මිලියන් නැතුව හොඳි කන්න. මැතිණි කියනවා නම් රෙදි නැතිව පාලේ යන්න”—

**නියෝජ්‍ය කථානායකතුමා**  
(பிரதீச் சபாநாயகர் அவர்கள்)  
(Mr. Deputy Speaker)

Order, please ! - (Interruption)

**රනිල් වික්‍රමසිංහ මහතා**  
(திரு. ரணில் விக்கரமசிங்ஹ)  
(Mr. Ranil Wickremasinghe)

When you made it the personal kingdom of one family - (Interruption.) Do you need the Supreme Court ?

**අනුර බණ්ඩාරනායක මහතා**

(*திரு. அனூர பண்டாரநாயக்க*)

(Mr. Anura Bandaranaike)

All these are irrelevant - (*Interruption*).

**රනිල් වික්‍රමසිංහ මහතා**

(*திரு. ரணில் விக்கிரமசிங்ஹ*)

(Mr. Ranil Wickremasinghe)

Major General Richard Udugama-

**නියෝජ්‍ය කපානායකතුමා**

(*பிரதிச் சபாநாயகர் அவர்கள்*)

(Mr. Deputy Speaker)

Order, please ! We will come back to the Resolution.

**රනිල් වික්‍රමසිංහ මහතා**

(*திரு. ரணில் விக்கிரமசிங்ஹ*)

(Mr. Ranil Wickremasinghe)

Mr. Deputy Speaker, when the Special Presidential Commission Act was passed in Parliament, there was a reference which was made on a proposal by Major General Richard Udugama, the then Member of Parliament for Matale, just before the elections that these rascals should be tried by a people's tribunal held at Galle Face Green. He had adopted an idea given by Mr. Nanda Ellawala. In fact some people said that the Special Presidential Commission was too good. The whole country had judged what these people had done when there was murder in the country, when there was rape in the country, and when the Emergency was carried on for five to six years. Then when you find out today that billions of rupees have been issued in forged notes- I think the hon. Member for Point Pedro raised this-when you have been using this currency without proper care-how much of money came in?-I mean this is something new. Who got this money?

කවුද මේ හොරකම කෙළේ? කවුද මේව ප්‍රින්ට් කෙළේ? මොකද තෝමස් ඩිලරුව පුන්හේ? මොකක්ද හමිම වුණේ හිකට. කී දෙනෙකුගෙ භාක්කුවට මස සල්ලි ගියාද? කාගෙ හෙදරද සල්ලි තිබුණේ? කාගෙ පෙට්ටිවලද ගෙනිමිවේ? (*Interruption*)

**නියෝජ්‍ය කපානායකතුමා**

(*பிரதிச் சபாநாயகர் அவர்கள்*)

(Mr. Deputy Speaker)

Order, please !

**රනිල් වික්‍රමසිංහ මහතා**

(*திரு. ரணில் விக்கிரமசிங்ஹ*)

(Mr. Ranil Wickremasinghe)

Even those are matters which should go before the Special Presidential Commission.-(*Interruption*).

**අනුර බණ්ඩාරනායක මහතා**

(*திரு. அனூர பண்டாரநாயக்க*)

(Mr. Anura Bandaranaike)

What have we to do with one million - two and half million ? Is he bankrupt ?

**නියෝජ්‍ය කපානායකතුමා**

(*பிரதிச் சபாநாயகர் அவர்கள்*)

(Mr. Deputy Speaker)

He is speaking of the-(*Interruption*.)

**රනිල් වික්‍රමසිංහ මහතා**

(*திரு. ரணில் விக்கிரமசிங்ஹ*)

(Mr. Ranil Wickremasinghe)

I do not know what my hon. Friend, the Second Member for Nuwara Eliya - Maskeliya is saying because I am talking of certain matters which I feel should come before the Special Presidential Commission. So, kindly listen to it. I have nothing against you. For God's sake do not get excited.

**අනුර බණ්ඩාරනායක මහතා**

(*திரு. அனூர பண்டாரநாயக்க*)

(Mr. Anura Bandaranaike)

I never get excited when I see you.

**රනිල් වික්‍රමසිංහ මහතා**

(*திரு. ரணில் விக்கிரமசிங்ஹ*)

(Mr. Ranil Wickremasinghe)

I only got up to explain one matter. But these are matters of public interest. What was the hon. Member for Attanagalla, who was the Deputy Minister of Defence doing when they asked for a Police investigation ? What have you all done ? These are crimes you do not need Judges to sit on. Any member, a member of the general public, will make up his mind on these facts. Do not come and challenge those facts here. The people in this country have decided ; they have decided that Mrs. Bandaranaike should be without her civic rights for seven years.

So this is the matter. If anyone in our party, on our side was guilty, then certainly a certain course of action must follow. We have seen in this Debate that they have accepted it without fighting. Dr. Jalaldeen, the First M.P. for Pottuvil did not come here and say " I am going to burn this building down. I am going to cut the Members of Parliament into pieces. I am going to do away with it. I am going to surround this House. I am going to throw you all into the Diyawanna Oya in case this is passed." In a way he said " I do not agree with this, but I bow to the verdict of the Court." That is all that we have to do.

I do not want to take any more time of this House. But I thought that we must judge it in its proper perspective and Mr. Deputy Speaker, in order to help this House that I should make these observations.





අපි සලකනවා” ය කියල. 17 වැනිදා රාත්‍රියේ හදිසි නීතිය ප්‍රකාශයට පත් කර හදිසි නීති රෙගුලාසි යටතේ පසුවදාට කියනවා, “නුඹලා ඔක්කොම අස් කලා” ය කියල. මේවා වැරදි නොවෙයිද? මේවා රජය කර තිබෙන ඉතාම බරපතල වැරදි. මේ වැරදිවලට වන්දි ගෙවන්නෙ කවුද? එම අසරණ සේවකයන්ගේ පවුල්—අගමැති තුමා කියන විධියට නම් පවුල් හතළිස් දාහක්—පසුගිය කාලයේ දුක් වින්දා. සමහර ඇමතිවරුන්ට පිං සිද්ධ වෙන්න ඒ ඇමතිවරු සාධාරණත්වය ගැන හිතන නිසා සැහෙන පිරිසකට රක්ෂාව දී තිබෙනවා. නමුත් සමහර ඇමතිවරු තවමත් ඒ අයට රක්ෂාව දී නැහැ. අගමැති තුමාගේ අමාත්‍යාංශ දෙක තුනකත් තවත් අමාත්‍යාංශ දෙක තුනකත් සේවකයන් තවමත් රක්ෂාව නැතිව ඉන්නවා. සිල්වා කියන මහත්මයාකුගේ රක්ෂාව නැති කලාය කියල එයට රක්ෂාවෙන් යන්න කිව්වාය කියල ගරු බණ්ඩාරනායක මැතිණියට විරුද්ධව චෝදනාවක් ඉදිරිපත් කලා, ජනාධිපති කොමිෂන් සභාවට. එහෙම නම් හදිසි නීතිය දමල අස්ථානයේ හතළිස් දහසකගේ රැකිරක්ෂා නැති කිරීම වරදක් නොවෙයිද? කවද හරි හරි විභාගයට ගත්තොත් මොන ආණ්ඩුව ආවත් මේව වැරදි හැටියට ගණන් ගන්නෙ නැද්ද? මොන ආණ්ඩුව අවුත් මේවා වැරදියි. මොන ආණ්ඩුව කළත් වැරදි නම් වැරදි හැටියට පිළිගනීම.

**මන්ත්‍රීවරයෙක්**  
(அங்கத்தவர் ஒருவர்)  
(A Member)

කොබ්බෑකඩුව මහත්මයා කීව්වෙ නැද්ද, ඒක ගැන විශ්වාසයක් තිබෙනවා කියලා.

**ආනන්ද දසනායක මහතා**  
(திரு. ஆனந்த தஸநாயக்க)  
(Mr. Ananda Dassanayake)

ඇත්තවශයෙන්ම කියනවා නම් මේ වැරදි නැති යාරයක් වනා. වැරදි නැති කිරීම තමයි, දූෂණ නැති කිරීම තමයි, පාර්ලිමේන්තුවක පරමාර්ථය. නමුත් ඒ පාර්ලිමේන්තුවම ඇත්තම් එදාට පවතින ආණ්ඩුවම ඒ වැරදි කරනවා නම් කාටද කියන්නෙ? වැටත් නියරත් ගෙයම් කා නම් කාටද ඒ අමාරුව කියන්නෙ? ආණ්ඩුවම කියනවා වැරදි කරන්න එපාය කියා. නමුත් ආණ්ඩුවම වැරදි කරනවා. ආණ්ඩුව කියන දේම ආණ්ඩුව විසින් එතැනම බිඳ දමනවා. එය වැරදියි. මේ විධියට කරනවා නම් ඒ ආණ්ඩුව කෙරෙහි මහජනයා විශ්වාසයක් තබන්නෙ නැහැ.

හදිසි නීතිය යටතේ ආණ්ඩුවක් ගෙන යන්න බැහැයි කීවා. නමුත් හදිසි නීතිය යටතේ ජනමත විචාරණයක් තිබිබා. මේ රටේ පළමුවැනි වරට “රෝපරන්ඩම්” එකක් තිබිබේ හදිසි නීතිය යටතේයි. ඒ “රෝපරන්ඩම්” එක අපේ රටේ මිනිසුන්ට අමුතු දෙයක්. නමුත් එය පැවැත්වුවේ කොහොමද? හදිසි නීතිය තබාගෙනයි, ඒ කටයුත්ත කළේ. මිනිසුන් බිය වද්දලයි එය කළේ. ඇත්තවශයෙන්ම ආණ්ඩු පක්ෂයට විරුද්ධ අය—විරුද්ධ පාර්ශ්වයේ සාමාජිකයන්—බිය වද්දලයි, ඒ අයට නොයෙකුත් විධියේ තාබන පිඩන කරමිනුයි, එය පැවැත්වුයේ. මේවා හරිද? මේවාට සාක්ෂි කොයි තරම්

තිබෙනවාද? හොඳයි කෙමිසමක් තියල බලන්න, කොයි තරම් සාක්ෂි ඉදිරිපත් කරයිද කියා බලන්න. ඔය නමුත් නාන්සේලාගේ “කොමිසම” කියන එකට ඕනෑ කෙනෙකුට ඕනෑ විධියට “ඇලිගේෂන්ස්” ගෙනෙන්න, නැත්නම් චෝදනා ඉදිරිපත් කරන්න පුළුවන්. යම් කිසි විදියකින් කොමිසමක් තිබිබොත් මේ ඉන්න ඕනෑම මන්ත්‍රීවරයකුට විරුද්ධව චෝදනා එකක් නොවෙයි, ඕනෑ තරම් ඉදිරිපත් වෙන්න පුළුවන්. බොරුවට වුණත් චෝදනා ඉදිරිපත් කරන්න පුළුවන්. මේ චෝදනා ඉදිරිපත් කරල නියෙන්තෙ ජනාධිපති කොමිසම නිසයි. ඒ කොමිසමට ඕනෑ කෙනෙකුට චෝදනා ඉදිරිපත් කරන්න පුළුවන්.

නමුත් උසාවියක් ඉදිරිපිට නඩුවකට යන විට ඒ නඩුවට චෝදනා ඉදිරිපත් කරන පුද්ගලයාම ඉදිරිපත් වෙන්න ඕනෑ. එක් එක් චෝදනාව වෙත වෙනම ඉදිරිපත් කරන්න ඕනෑ. උසාවියට චෝදනා ගොඩක් එක පාරට එක් කෙනෙකුට ඉදිරිපත් කරන්න බැහැ. එම චෝදනා වෙන් වෙන් වශයෙන් ඉදිරිපත් කරන්න ඕනෑ. ඔය විධියට චෝදනා සියයක් තිබුණොත් පළමු වැනි චෝදනාව, දෙවැනි චෝදනාව ආදී වශයෙන් ඒ චෝදනා සියය වෙන් වෙන් වශයෙන් ඉදිරිපත් කරන්න ඕනෑ. එහෙත් මේ කොමිසමට චෝදනා සමූහයක් එකට එකතු කර ගෙන ගිනිත් එක පාරටම ලිපියකින් භාර දුන්නත් ඒ චෝදනා ඔක්කොම භාර ගන්නවා.

කොමිසම කියන එක උසාවියක් නොවෙයි. එය උසාවියක නාම මාත්‍රයක් තිබෙන ස්ථානයක් පමණයි. මේ කොමිසම පත් කරන කොටත් මම එයට විරුද්ධ වුණා. නීත්‍යානුකූල තත්ත්වයකින් එතැන කටයුතු කෙරෙන්නෙ නැහැ. නීත්‍යානුකූල නැහැයි කියන්නෙ ඇයි? හිටපු පොතුච්චේ පළමුවන මන්ත්‍රීතුමා (එම්. ඒ. එම්. ජලාල්දීන් මහතා) කීවා, මේ සිද්ධියේදී එතුමාට විරුද්ධව සාක්ෂි දුන් සාක්ෂිකරුවන්ගෙන් එතුමාට හෝ එතුමාගේ නීතිඥයාට හරස් ප්‍රශ්න අසන්නට හෝ එම සාක්ෂි හරිද, වැරදිද, සත්‍යද අසත්‍යද කියා බලන්න හෝ අවස්ථාවක් දුන්නේ නැත කියා. ඇත්ත වශයෙන්ම එය කනගාටුවට කාරණයක්. කෝ, එත කොට නඩුවක්? එතැනදී ඒ මන්ත්‍රීතුමාට සාධාරණයක් සිදු වී තිබෙනවාද? මම කියන්නෙ නැහැ, දූෂණ නවත්වන්න එපාය කියා. අපි කවුරුත් හෝ වේවා—මන්ත්‍රීවරයෙක් හෝ වේවා වෙනත් පුද්ගලයෙක් හෝ වේවා—කරන ලද වරදකට උසාවියකින් නීත්‍යානුකූල නින්දාවක් එත තුරු ඔහු වැරදිකරුවෙක් නොවෙයි. මිනි මරුවකුටත් ඒ නීතිය තිබෙනවා. සමහර විට නඩුකාරයෙකු ඉදිරිපිටම මිනීමැරුමක් කර තිබෙනවා නම් ඒ සම්බන්ධ නඩුව උසාවියට ඉදිරිපත් වුණ විට නඩු කාරයන් සාක්ෂි දෙනවා. නඩුකාරයා දෙන ඒ සාක්ෂිය පවා හරිද වැරදිද, සත්‍යයද අසත්‍යයද, දුටහට කියනවාද, බොරුවක් ගොතා කියනවාද කියා තර්ක විතර්ක කර බලනවා. ඒ විධියට එහි වැරදි නිවැරදි භාවය සොයා ගැනීමට ඕනෑම මිනිෂෙකුට අයිතියක් තිබෙනවා. උසාවිය කියන්නේ එවැනි තැනකටයි. නමුත් ඒ අයිතිය අපේ ජලාල්දීන් මහතාට ලැබුනේ නැහැ. සිරිමාවෝ බණ්ඩාර නායක මැතිණියට ලැබුණේ නැහැ. එතැන තිබෙන්නේ “එක්ස්පාට්ව් ජ්ජීඑන්චී” එකක්, එක් පක්ෂයෙක කීමක් විතරයි. පැමිණිල්ල ඉදිරිපත් කලා. පැමිණිල්ල

[ආනන්ද දසනායක මහතා]

අනුව තීන්දුව දුන්නා, නමුත් වග උත්තරකරු හැටියට මැතිණියගේ ඉල්ලීමට ඉඩ දුන්නේ නැහැ, සාධාරණව, මැතිණිය කීවා, "මේ කොමිසම ගැන මට විශ්වාසයක් නැහැ; මේ කොමිසමේ ඉන්න අය මේ මේ විධියේ අයයි; එම නිසා මා වෙනුවෙන් වෙනත් කොමිසමක් පත් කරන්න කියා.

නමුත් දුන්නද? එතකොට මූලික අයිතිවාසිකම් කොහේද තිබෙන්නේ? කෝ මූලික මිනිස් අයිතිවාසිකම්? අපට නඩුවක් වුණොත් අපි දඟලනවා නිදහසට කරුණු කියන්න. මේ සිටින වෙනත් කෙනෙක් වුණත් එහෙමයි. ඒකයි සිද්ධාන්තය. අපි දන්නවා, උසාවියකත් මේකෙන් තිබෙන වෙනස. ඒ වෙනස මෙයයි: උසාවියේ ඒකමතිකව තීන්දු ගන්න බැහැ, ගරු නියෝජ්‍ය කථානායකතුමනි, නමුත් නාත්සේ හොඳ නීතියෙකෝ, ප්‍රසිද්ධ නීතියෙකෝ. ඒ නිසා නඩු කථා කරලා දන්නවා, ඇති, යමෙක් කළ වරද සොයන්නට, මොන තරම් උත්සාහ ගන්නවාද කියා. කෙස් පැළෙන නර්කා ඉදිරිපත් කර නීතියෙන් කථා කරන්නේ ඇයි? එය ඒ තැනැත්තා සතු මූලික අයිතිවාසිකමක්. එහෙත් කොමිසමකදී එවැනි තත්ත්වයක් ලැබෙන්නේ නැහැ, කොමිසන් එකක තීන්දුව තිබෙන්නේ දළ වශයෙන් සොයන වරදක් අනුවයි. එසේ දළ වශයෙන් වරද සෙවීම නියම වරද සෙවීමක් නොවෙයි. ඒ වරද නියම වශයෙන් සොයන තුරු ඔහු නිවැරදිකරුවෙක්. අන්න ඒ නිසා තමයි ප්‍රාථමික උසාවියකදී හෝ දිස්ත්‍රික් උසාවියකදී හෝ අභ්‍යන්තර නඩු නැත්නම් ගයි කෝට්ටුව අභ්‍යන්තර නඩු සුප්‍රීම් උසාවියට දමන්නේ. සුප්‍රීම් කෝට්ටුවදී ඒ සම්බන්ධ දේවල් තවත් පළල් වශයෙන් සාකච්ඡා කරනවා, ඔහු වැරදිකරයෙක්ද නිවැරදිකරයෙක්ද කියා. සුප්‍රීම් කෝට්ටුවදී ගන්නා තීන්දුවට විරුද්ධව ඇපිල් කෝට්ටුවට යන්න පුළුවන්. [බාධා කිරීමක්] මට වැරදීමක්. කලින් තිබුණු තත්ත්වය අනුවයි, මම කීවිමේ. දැන් තිබෙන තත්ත්වය අනුව ඇපිල් කෝට්ටුව දෙවැනි තැන. අවසාන තීන්දුව සුප්‍රීම් කෝට්ටුව.

ගරු අගමැතිතුමා ඊයේ එක් අවස්ථාවකදී කීවා මේ රටේ වස්තුව මිනිස්සු කියා, ලෝකයේම වස්තුව මිනිස්සු කීවා. මම බොහොම සන්තෝෂ වුණා ඒ ගැන. එහෙත් සමාජයේ සිටින හැම පුද්ගලයාගේම අයිතිවාසිකම් එක සමානව ආරක්ෂා වන්නට ඕනෑ නේද? එකම නීතියෙන් එක්කෙනෙකුගේ මිනිස් අයිතිවාසිකම් නැති කර දමන්නත් තිබෙන සාධාරණත්වය මොකක්ද කියා මම ගරු අගමැතිතුමාගෙන් අභ්‍යන්තර කැමතියි. ඊයේ එසේ කී එක මගේ හදවතේ කෙටුණා. ඉතාම වැදගත් කියමනක්. මිනිසුන් නිසා තමයි අපි මේ හැම දෙයක්ම කරන්නේ. එතකොට හැම කෙනෙකුගේම මිනිස් අයිතිවාසිකම් ආරක්ෂා වෙන්න ඕනෑ. ලොකු කුඩා, උගත් නුගත්, දුප්පත් පොහොසත් වශයෙන් හෝ ජාති වශයෙන් හෝ බෞද්ධත්වය තිබෙන්න බැහැ. ඒ මිනිස් අයිතිවාසිකම් තමයි මූලික මිනිස් අයිතිවාසිකම් නැත්නම් 'පන්ඩිතවරු' රයිට්ස්. ඒවා ආරක්ෂා කරන්නට අපට බැරි නම්, එක්කෙනෙකුගේ ආරක්ෂා කර දෙන අතර ඒ නීතිය උඩම තවත් කෙනෙකුගේ ආරක්ෂා කරන්නේ නැත්නම් එතැන තිබෙන සාධාරණත්වය මොකක්ද?

එමෙන්ම සමහර තැන්වල වැරදි ගොඩක් සිදු වී තිබෙනවා. සමහර අවස්ථාවල අපි පාර්ලිමේන්තුවේදීත් ඒවා ඉදිරිපත් කර තිබෙනවා. සමහර දේශපාලකයින් සේවක ව්‍යාප්තියේ නැත්නම් ස්ථානමාරු කර තිබෙනවා. ඒවා ගැන සමහර දේශපාලකයින්ගේ ලියුම් කියුම් තිබෙනවා. ඒවා කොමිසන්වලට ඉදිරිපත් කළොත් මොකක්ද තත්ත්වය, මේ පලදීන් මන්ත්‍රී තුමාට කර තිබෙන චෝදනාව අනුව? යම් පුද්ගලයෙක් මාරුකළා කියා එතුමාට විරුද්ධව චෝදනාවක් තිබෙනවා. ඒ චෝදනාව කොමිසම පිළිගන්නවා නම්, එහෙම නම්, අපේ මේ සමහර දේශපාලනඥයින් කර තිබෙන මාරු කිරීම් තම තමන්ගේ හෘද සාක්ෂියට අනුව කල්පනා කර බලන්න. පොඩ්ඩක් පවුට්ට තට්ටු කර බලන්න කොච්චර වැරදි කර තිබෙනවාද කියා. ඒවාට කෙමිසන් දැමීමෙන් කොහොමද? ඒවාට යනවාට නමයි, අපි ඔම්බුඩ්ස්මන් නැත්නම් දුන්නේ නැරඹූ කියා කෙනෙක් පත් කර තිබෙන්නේ. පාර්ලිමේන්තු කොමිසම්වරයෙක් පත් කර තිබෙනවා, ඒවා විභාග කරන්න. මම දන්නේ නැහැ විභාග වෙනවාද කියා. අපි පෙත්සම් ඉදිරිපත් කර තිබෙනවා, ඒ ඒ පුද්ගලයන්ට කර තිබෙන සමහර අසාධාරණකම් ගැන. ඒවා ගැන කොතෙක් දුරට ක්‍රියාත්මක වෙනවාද කියන්න අපි දන්නේ නැහැ. ඒ පෙත්සම් විභාග වෙනවාද, නැද්ද කියන්න අපි දන්නේ නැහැ. නමුත් අපි බලා පොරොත්තු වෙනවා, ඒ පිළිබඳ කටයුතු ඉක්මණින් ඉක්මණින් සිදු වෙයි කියා.

දැනට ක්‍රියාත්මක වන එක ක්‍රමයක් අනුව සමහර දෙනෙකුට විරුද්ධව චෝදනා පාර්ලිමේන්තු කොමිසාරිස්තුමාට ඉදිරිපත් වෙනවා. තවත් සමහර දෙනෙකුට විරුද්ධව චෝදනා විශේෂ ජනාධිපති කොමිසමට ඉදිරිපත් වෙනවා. තවත් සමහර ඒවා සාමාන්‍ය උසාවියට ඉදිරිපත් වෙනවා. 'බ්‍රයිබරි වෑප්ස්' නැත්නම් අල්ලස් චෝදනා 'බ්‍රයිබරි කෝට්ටි' එකට නැත්නම් අල්ලස් උසාවියට දමනවා. මොකක්ද, මේකෙ තේරුම? උසාවි කියක්ද? එක අතකින් පාර්ලිමේන්තු උසාවිය. තවත් පැත්තකින් කොමිසම, වෙන පැත්තකින් සාමාන්‍ය උසාවිය. තවත් පැත්තකින් 'බ්‍රයිබරි කෝට්ටි' එක නැත්නම් අල්ලස් උසාවිය. මේ විධියට බලන විට එකම කාරණය සම්බන්ධයෙන් එක් එක් පුද්ගලයා අනුව කරුණු විභාග කෙරෙන ස්ථාන කීපයක්ම තිබෙනවා. ඇයි, ඒ? වරද, එකමයි. වරදේ ස්වභාවය නැත්නම් තත්ත්වය එකමයි. නමුත් එක්-එක් තැනට යොමු කෙරෙනවා. මේ තත්ත්වය නිසා සමහර දෙනෙකුට හානියක් නැත්නම් වරදක් වන අතර තවත් සමහර දෙනෙකුට පහසුවක් නැත්නම් වාසියක් සැලසෙනවා.

අපි හිතනවා, නම්, "හැම මිනිසාම එක සමානයි, හැම මිනිසාම ජීවත්වන්න ආශා කරනවාය, හැම මිනිසාගේම අයිතිවාසිකම් එකයි" කියා එහෙම නම් එකම වරද සම්බන්ධයෙන් ඒ ඒ අයට දෙන දඩුවමත් එකක්ම විය යුතුයි. ඒ විධියට දඩුවම් දෙන එක ක්‍රමයක් තිබෙන්න ඕනෑ, "මේන්න මේ ක්‍රමය තමයි, සිද්ධාන්තයක් වශයෙන් සලකන්නේ" කියා. නමුත් දැන් කෙරෙන්නේ එකම වරද සම්බන්ධයෙන් පාර්ලිමේන්තු මන්ත්‍රීවරයා කොමිසමක් ඉදිරිපත්, තවත්

පුද්ගලයෙක් 'බ්‍රිබරි' කෝචි නැත්නම් අල්ලස් උසාවිය ඉදිරියටත් යැවීමයි. මේ දෙදෙනාම එකම තැනට යවන්නා කියායි, අපි කියන්නේ. (බාධ කිරීම්) මම දන්නේ නැහැ. එහෙම නම් 'බ්‍රිබරි කෝචි' එක නැත්නම් අල්ලස් උසාවිය ඉදිරියට මේ සියලුම දෙනා යවන්න. ජලාලදීන් මන්ත්‍රීතුමාටත්, සිරිමා බණ්ඩාරනායක මැතිණියටත් තිබෙන්න ඕනෑ, සාධාරණ උසාවියක් ඉදිරියේදී තමන්ට විරුද්ධ සාක්ෂිවල පරස්පර විරෝධතාව විග්‍රහ කිරීමේ අවස්ථාව. චිත්තිකරුවන් ඉදිරිපත් කරන්නේ මොන විධියේ අධිකරණයක් ඉදිරියට වුණත් සාධාරණය, යුක්තිය ඔවුන්ට ඉෂ්ටවන්න ඕනෑ. කොමිසම් වලින් ඒ සාධාරණය, යුක්තිය ඉෂ්ට වන්නේ නැහැ. ඇයි, මම එහෙම කියන්නේ? නියම විධියට ඒ සාක්ෂිවල පරස්පර විරෝධතා ගැන සටනක් කරන්න එතැන ඉඩ ලැබෙන්නේ නැති නිසයි.

මේ ජනාධිපති කොමිසම ඉදිරියේ පැවැත්වුණ නඩු විභාගවලදී සාධාරණය ඉෂ්ට වුණේ නැහැ. මම හිතන භාවයට ජයවික්‍රම මහතාට විරුධ විභාගයේදී එතුමා පමණක් එතැන යම්කිසි විග්‍රහයක් කළා. නමුත් එතුමාටත් එතැනදී සාක්ෂි නියම විධියට විග්‍රහ කරල පෙන්වා ඒවායේ පරස්පර විරෝධතාව පෙන්වන්න අවස්ථාවක් දුන්නේ නැහැ. නඩුවක් ඔප්පු වන්නේ සාක්ෂි අනුවයි. නමුත් ජලාලදීන් මහතාටත් දීලා නැහැ, ඒ සාක්ෂිවල පරස්පර විරෝධතා නියම විධියට විග්‍රහ කරන්න. ඒවා වෙනම විභාග කරල තිබෙනවා. මෙහිලා කොමිසමේත් උසාවියේත් තිබෙන මොකක්ද?

කොමිසමේදී එක පාරටම විභාග කරගෙන යනවා. සමහර විට විත්තිකරුට චෝදනා පත්‍රය ලැබෙන්නත් පළමු වෙන් "අසුවල් පුද්ගලයාට විරුද්ධව මේ විධියේ චෝදනා තිබෙනවා, දැන් ඒ ගැන නඩු විභාගයකට කටයුතු සියල්ල පුදානම් කර තිබෙනවා" කියා ඊර්ඩියෝ එකෙන් ප්‍රචාරය කරලත් ඉවරයි. ඒ විධියේ ප්‍රචාරයක් දීම වැරදියි. ඊළඟට පත්‍රවලින් ඒ ප්‍රචාරය තවත් පුළුල් විධියට ගෙන යනවා. ඒ විධියේ අතවලය ප්‍රසිද්ධියක් දීම ඒ චෝදනා ලබන පුද්ගලයාට කරන ලොකු අසාධාරණයක් ; අපරාධයක් ; අයුක්තියක්. මේවා වැරදි වැඩ.

එහෙම නම් ඒල්ල කර තිබෙන චෝදනා ගැන රහසිගතව මූලික විභාගයක් කරල ඉවර වෙලයි, ඒ ගැන පත්‍රවල ප්‍රසිද්ධ කළ යුත්තේ. ඉන් පසුව උසාවිය ඉදිරියේ පැවැත් වෙන විභාග ගැන සාධාරණ වාර්තාවක් ප්‍රසිද්ධ කළාට කමක් නැහැ. නමුත් දැන් කෙරෙන්නේ වූදිතයාට චෝදනා පත්‍රය ඉදිරිපත් කෙරෙන්නත් ඉස්සෙල්ලා ඊර්ඩියෝ එකෙනුයි, පත්‍රයෙනුයි, අතවලය ප්‍රචාරයක් දීමයි. දැන් ටෙලිවිෂන් තිබෙන නිසා සමහර විට ඉදිරියේදී ටෙලිවිෂන් එකේ වූදිතයාගේ චිත්තයන් ඉදිරිපත් කර ඉහුව විරුද්ධව තිබෙන චෝදනා පෙන්වා දෙන්න පුළුවනි. ඒ විධියට අසුතු ප්‍රසිද්ධියක් දීම අධිකරණයට ඇහිලී ගැහීමක් නොවෙයිද? සාක්ෂිකරුවන් නොමග යැවීමත් අධිකරණයට ඇහිලී ගැහීමත්. එය සාක්ෂිකරුවන්ගේ හිත්වලට විෂද්‍රමක් දැමීමක් වෙනවා. වූදිතයාට විරුද්ධව කරුණු කීම සඳහා. ඒවා වැරදි වැඩ. ඒ විධියට කටයුතු කිරීම අධිකරණ නීතිය, අධිකරණ සිද්ධාන්තය බිඳ දැමීමක් නොවෙයි ද?

උගත්-නුගත් කියා වෙනසක් නැතිව ඕනෑම කෙනෙකුට තෝරෙනවා, නමුත්ට අයුක්තියක් කෙරෙනවා නම් ඒ සඳහා අධිකරණ නීති ගැන විශාරද දැනීමක් ඇති කර ගන්න, පෙරකදෝරුවෙක් වෙන්න, අධිනීතිඥයෙක් වෙන්න අවශ්‍ය නැහැ. මිනිසකුට, තමන්ට කරන අයුක්තිය දැනෙනවා. නම් එතැන තමයි නීතිය තිබෙන්නේ ; එතැන තමයි අවනීතිය තිබෙන්නේ. අධිකරණය කියන්නේ එයයි. මිනිසුන් තුළින් ඇති වුණු දෙයක්. මේක මේ අමුතුවෙන් ආපු දෙයක් නොවෙයි. මිනිසුන්ට කරන අවනීතිය පෙනෙනවා නම්, නුගත් පුද්ගලයාටය කියා එය නොපෙනී තියෙන්නේ නැහැ ; උගත් පුද්ගලයාටය කියා වෙනම පෙනෙන්නේත් නැහැ. දෙදෙනාටම එක සමානවමයි අවනීතිය හරි අයුක්තිය හරි පෙනෙන්නේ. අන්න එම නිසා අප කියන්නෙ එක කට වියකට එක විධියකටත් තවත් කටවියකට වෙනත් විධියකටත් සංග්‍රහ කරන්න එපාය කියලා, රාජ්‍ය බලය හෝ ආණ්ඩු බලය යෙදලා. ඒන වැරදියි.

ගරු නියෝජ්‍ය කථානායකතුමනි, පසුගිය දවස්වල එක්තරා සිද්ධියක් අපි ඉදිරිපත් කළා. අපේ ගරු රාජ්‍ය පරිපාලන ඇමතිතුමාට ඒ ගැන කීප වතාවක්ම මතක් කළා. ලංකා පරිපාලන සේවයට පුද්ගලයන් බඳවා ගැනීම සඳහා විභාගයක් තැබුවා. මේ විභාගයට ශ්‍රී ලංකා නිදහස් පක්ෂයේ අය, සමසමාජ පක්ෂයේ අය, කොමියුනිස්ට් පක්ෂයේ අය, ද්විධ එක්සත් විමුක්ති පෙරමුණේ අය මේ අදී ටලයෙන් පක්ෂ හේදයකින් තොරව—irrespective of party politics—හැම දෙනාම වාගේ පෙනී සිටියා. විභාගයෙන් සමත් වුණු අය 'ඉන්ටිවි' එකටත් කැඳවුවා. 'ඉන්ටිවි' එකෙන් සමත් වෙලා, ඒ අයට කැඳවීම් කළා, ලිඛිත වශයෙන්. ඊළඟට මොකද කළේ? ඒ අයට තැපැල් කළ ලියම් පික ආපසු ගන්නා. එසේ කැඳවීම් ලීපි ආපසු ගැනීමෙන් ඒ අයට අයුක්තියක් කළා. ඒ සම්බන්ධයෙන් ඒ ගොල්ලන් උසාවි පවා ගිහින් තිබෙනවා. උසාවියෙන් තීන්දු කර තිබෙනවා. එසේ කිරීම වැරදිය, ඒ ගොල්ලන්ට අපසු කැඳවීම් දෙන්නාය කියා. නමුත් තවමත් ඒක ක්‍රියාත්මක වුණේ නැහැ. මේවා වැරදි වැඩ නොවෙයිද? මේවා කළේ කවුද? ආණ්ඩුවම එකතු වී කළාද? නැතිනම් මෙයට කැබිනට් මණ්ඩලයේ කීප දෙනෙකු පමණක් වග කීව යුතුද? එක ඇමතිවරයකු පමණක් වගකිව යුතුද? එසේ නම් ඒ ඇමතිවරයා කවුද? කොයි පුද්ගලයා කළත් මේවා වැරදි වැඩ. මේවා නිසා තමයි ආණ්ඩුව සාධාරණ විධියට වැඩ කරන්නෙ නැත කියා කියන්නේ.

සේවයට බඳවා ගැනීම ගැනත් එකක් කියන්නම්. මම ස්තූතීවන්ත වෙනවා අපේ සමහර ඇමතිතුමන්ලාට. එතුමන්ලා සමහර විට ආණ්ඩුවේ ප්‍රතිපත්තිවලට පට ගැනිම, හොරෙන් හරි, මට සහයෝගය දී තිබෙනවා. ආණ්ඩුවේ ප්‍රතිපත්ති වැරදි නිසා—

නියෝජ්‍ය කථානායකතුමා  
(ශ්‍රී ලංකා ප්‍රජාතාන්ත්‍රික පක්ෂයේ නියෝජ්‍ය කථානායක) (Mr. Deputy Speaker)  
මන්ත්‍රීතුමා භව කොපමණ වෙලාවක් ගන්න බලා පොරොන්තු වෙනවාද?

**ආනන්ද දසනායක මහතා**

(ශ්‍රී ලං. ඉගැන්වූ කලාපය)

(Mr. Ananda Dassanayake)

තව විනාඩි 10 ක් 15 ක් නම් කළා, කරන්නම ඕනෑ. මේක ජලාලීදීන් මන්ත්‍රීතුමා පමණක් නොවෙයි ඊට වඩා පළල් වශයෙන් බලපාන ප්‍රශ්නයක්. අද ජලාලීදීන් මන්ත්‍රීතුමා නම් සමහර විට හෙට තවත් කෙනෙක් වෙන්න පුළුවනි. එයා කවුද කියලා කියන්න අපි දන්නෙ නැහැ. (බාධාකීර්මක්) හරි හරි තමුන් නාත්සේට පසුගිය දවස්වල වුණ දේ ගැන අපි දන්නවා. නියෝජ්‍ය ඇමතිතුමා වශයෙන් හොදට කටයුතු කළා. පසුවදා බලන කොට නියෝජ්‍ය ඇමති ධුරයෙන් එලවලා. මෙතන කළා කරන්න එනවා 'ඕව අපට නැහැ' කියලා. ඕවා නැතිලා, එන්න පුළුවනි නුලෙන් බේරුණා. 'සිපියුරි මිනිස්ටර් ඔප් ඇග්ට් කල්වර්' හැටියට හිටියේ. එතැනින් 'ඩිස්ට්‍රික් මිනිස්ටර් කමට' ඩිමෝට් කරලා දමා තිබෙනවා. ඊට වැඩිය මොනවාද?

**හරින්ද්‍ර කොරියා මහතා (නියෝජ්‍ය රාජ්‍ය පරිපාලන ඇමතිතුමා)**

(ශ්‍රී ලං. ඉගැන්වූ කලාපය—පොත්‍රාධිකාරී ජනාධිපති අමාත්‍ය ජනරාල්)

(Mr. Harindra Corea—Deputy Minister of Public Administration)

Mr. Deputy Speaker, there is a matter I would like to clarify because the hon. Member is attempting to mislead the House. The matter he referred to about the SLAS was challenged in Court but the Court ruled with us.

**ආනන්ද දසනායක මහතා**

(ශ්‍රී ලං. ඉගැන්වූ කලාපය)

(Mr. Ananda Dassanayake)

ගරු නියෝජ්‍ය කළා නායකතුමනි, මෙතන ප්‍රශ්නය මේකයි. සේවකයන් බදවා ගැනීමේ කාරණයේදී මටම අයුක්තියක් කර තිබෙනවා. රුකී රකු, මධ්‍යස්ථානවල—එම්ප්ලොයිමන්ට් එක්ස්චේන්ජ්—ලියා පදිංචි වී සිටින අයගෙන් බදවා ගැනීම කලින් තිබුණු ක්‍රමයයි. මේ ක්‍රමය වෙනස් කර දමා රුකී රකු—'ජේබ් බැන්ක්'—කියන එකක් ඇති කළා. මම දන්නෙ නැහැ, මේ රුකී රකු බැංකුව ගැන මන්ත්‍රීතුමන් ලා මොන විධියේ අදහස් දරනවාද කියා නමුත් ඒ සම්බන්ධයෙන් මන්ත්‍රීතුමන් ලා සමග කථා කරන විට එතුමන් ලා දරන අදහස් අපට දැනගන්න ලැබෙනවා. ඇත්තවශයෙන්ම රුකී රකු බැංකු ගැන සම්මත කර ගන්නා, රෙගුලාසි වශයක්. ඒ රෙගුලාසි අනුව, හැම මන්ත්‍රීවරයකුටම ලැබෙන්නේ එක හා සමාන වරප්‍රසාද. ඒ ඒ ප්‍රදේශවල නැතිනම් ආසනවල රුකී රකු බැංකුවේ සහා පති වශයෙන් සැලකෙන්නේ ඒ ප්‍රදේශයේ මන්ත්‍රීවරයායි. ඒක මේ පාර්ලිමේන්තුවට ගෙනැවිත් සම්මත කරන කොට කවුරුත් පිළිගන්නා. නමුත් අන්තිමට මොකද වුණේ? විරුද්ධ පක්ෂයේ මන්ත්‍රීවරුන්ගේ ආසනවලට රුකී රකු බැංකු පෝර්ට් දුන්නේ නැහැ. රුකී රකු පෝර්ට් ලබා ගන්නට ගියාම අන්න එතැන හිටිය සේවක මහතන් අපට කිව්වා තමුන් නාත්සේලාට රුකී රකු බැංකු පෝර්ට් නැහැ. ඒක අහෝසි කරලා කියා. එතෙක්ට යන තුරු අපි ඒ බව දන්නේ නැහැ.

ඒ හේතුව උඩ අද දවස දක්වා මට කොත්මලේ ආසනයෙන් රුකී රකු බැංකුවට කියා එක් කෙනෙක්වත් රුකී රකු බැංකුවට පත් කරන්න බැරි වුණා. ඒ අයගේ අයිති වාසිකම් නැති කරලයි තිබෙන්නේ. කොත්මලේ, අත්තනගල්ල ආදී ආසනවලත් උතුරේ දුටු මන්ත්‍රී වරුන්ගේ ආසනවලත් රුකී රකු බැංකු නැති කරලයි තිබෙන්නේ. මෙහෙමද සාධාරණත්වය ගැන කතා කරන්නේ? ඇයි නැති කළේ ලියලයි අපි අහන්නේ? එක මන්ත්‍රීවරයෙකුට රුකී රකු බැංකුව තිබෙනවා නම් තවත් මන්ත්‍රීවරයෙකුට රුකී රකු බැංකුව නැත්තේ ඇයි? මන්ත්‍රීවරයා නොවෙයි, ඒකේ පාඩුව විදින්නේ ඒ ප්‍රදේශයේ ජනතාවයි. එක්සත් ජාතික පක්ෂයේ හරි, ශ්‍රී ලංකා නිදහස් පක්ෂයේ හරි, වෙනත් පක්ෂයක හරි ඒ ප්‍රදේශයේ සුදුසුකම් තිබෙන ජනතාවකට රුකී රකු බැංකු වෙනවා. මේවා වැරදි දේවල්. මේ විධියට වැරදි කරමින් අපි සුදනෝ, අපි හරියට ගමන් කරනවාය කියලා කියනවා. මේකයි වරද. අපි කියනවා හරියට ගමන් කරන්න කියා. කෙටි කාලීන් වශයෙන් තිබෙන නමුත් නත්සේලාගේ ආණ්ඩුවකදී ඇයි ඒ විධියට පලිගැනීම් කරන්නේ? පලිගැනීම කිරීමෙන් මන්ත්‍රීවරයෙකුට කිසිම හානියක් නැහැ. මන්ත්‍රීවරයාට නොවෙයි, හානිය ඒ ප්‍රදේශයේ ජනතාවටයි.

ඒවාගේම මම දන්නවා, උසස්වීම් දීමේදී සම්මුඛ පරීක්ෂණවලට—ඉන්ටර්විව්වලට—යනවා. සුදුසුකම් තිබෙනවා. මන්ත්‍රීතුමා ලඟට නැත්නම් ඇමතිතුමා ලඟට ලැයිස්තුව එනවා. මන්ත්‍රීතුමා නැත්නම් ඇමතිතුමා කරන්නේ මොකක්ද? හැමෝම එහෙමයි කියා මම කියන්නේ නැහැ. සමහර විට සමහර ඇමතිවරුන්ට උපදෙස් ලැබෙනවා. සමහර අය කියනවා "මෙන්න මේ ගොල්ල බැහැ; මේ නම් පික ඕනෑ නැහැ; මේ නම් පික දමන්න" කියා. හැබැයි තෝරීමේදී එකම සුදුසුකම් තිබෙන්නේ. එතැනදී කරන්නේ මොකක්ද? ඇමති තුමාත් සමහර විට අර කියන දේවල් අහලා කවිචයකට දෙනවා. කවිචයකට නැහැ. එතැන 'ප්‍රයෝජිච් ලිස්ට්' එකක් නැහැ. ඒක 'ප්‍රයෝජිච් ලිස්ට්' එකක් තොවෙයි. තමන්ගේ පුද්ගලික ලිස්ට් එකක් හැටියටයි යන්නේ. ඒකෙන් තමන්ට ඕනෑ අය තෝරනවා. තෝරලා මෙන්න මේ උදවියට පත්වීම දෙන්න" කියනවා. මෙන්න මේ විධියේ ක්‍රමයක් තබාගෙන තමුන් නාත්සේලා විරුධව පක්ෂයේ උදවියට සහය දෙන්න කියලා කියනවා. මේ වැරදි කරද්දී විරුද්ධ පක්ෂයේ උදවිය කොහෙමද යහාය දෙන්නේ?

තමුන් නාත්සේලා ආණ්ඩුවක් පිහිටුවීම නිසා දේශ පාලන වශයෙන් තමුන් නාත්සේලාගේ අයගේ බර පැන විසඳන්න ඒ වරප්‍රසාදවලින් සියයට අසූවක් පමණ ගන්න ඕනෑය කියා මම හිතනවා, සාමාජිකයන්ගේ නැත්නම් උදව් කරපු 'සපෝටර්ස්' ලාගේ බර පැන අරින්න. එහෙම නම් සාධාරණයක් තිබෙනවා නම් විරුද්ධ පක්ෂයට සියයට විස්සක්වත් දෙන්න එපාය. ඒ කිසි වක් නැහැ. දෙන්නේම නැහැ. මේවා වැරදි කියලයි මම කියන්නේ. අපේ පැත්තෙන් කළත් ඔය පැත්තෙන් කළත් වැරදි වැරදිමයි. මේවා මතු වෙලා එන දේවල්. නැවින් තිබෙන්නේ නැහැ. සමහර විට ආණ්ඩුවේ ඉන්නකොට, බලය තිබෙනකොට මේවා ඔක්කොම ආවත් අපි ඒවා යටපත්

කරනවා කියා හිතනවා. නමුත් ඔවා ඉස්මතු වෙලා එන දවසක් තිබෙනවා. බලාපොරොත්තු වන හැම වේලාවේම තමන්ගේ අධීක්ෂණයට ඉෂ්ට වෙනවාය කියා හිතන්න එපා. ඒ අධීක්ෂණයත් ඉෂ්ට වෙන දවස් එක් තිබෙනවා. සමහර වෙලාවට තමන් බලාපොරොත්තු වන විධියට නොවෙයි, බලාපොරොත්තු නොවුණ විධියට යම් යම් දේවල්වලට මුහුණ පාන්නට වෙනවා.

ඒ නිසා මම කියන්නට කැමතියි, කරුණාකර මේවා හරිගස්සන්න. ජලාලේදීන් මන්ත්‍රීතුමා පමණක් නොවෙයි, මුළු ආණ්ඩුවම කරන වැරදි තිබෙනවා. පසුගිය කාලයේ තමුන් නාන්සේලාගේ ඉල්ලීම පිට අපිත් එකතු වෙලා ඉඩම් පනත සංශෝධනය කළා. මොකක්ද කළේ? අපේ මිනිස්සු අවුරුදු අට, දහය, පහලොව පදිංචිවෙලා හිටපු ස්ථානවලින් ඒ ඉඩම්වලින් කිසිම දෙයක් නැතිව එළියට දමනවා. මේක හරිද? කොහේ හරි ගිහින්, කවුරුහරි මොන ක්‍රමයකට හරි, මොන ආණ්ඩුවකින් හරි දුන්න ඉඩම් කැබලිලක පදිංචිවුණම ඒ නැනැත්තා එළියට දමනවා නම් එතැන මොන මනුෂ්‍යකමක්ද තිබෙන්නේ? ඒක මූලික මිනිස් අයිතිවාසිකම්වලට විරුද්ධ ක්‍රියාවක්. ඒ මනුෂ්‍යයා රටේ දෙයක් හොරකම් කළේ නැහැ. බැංකු ඵක් කැඩුවේ නැහැ. හොර සල්ලි අවිච්ඡාලුවේ නැහැ. එහෙම නොකර මේ දක්කර කාලක විතර, පොඩි ගෙයක් ගදාගන්නාම ඒකෙන් ඒ මිනිහා එළියට දමනවා නම්, ඒ ආණ්ඩුවට තියෙනවාද හිතක් පසුවක්? ඒක ආණ්ඩුවක්ද? මේක මොන ක්‍රමයක්ද? මෙතැන තිබෙන්නේ මොන සාධාරණත්වයක්ද? මේවා කොතෙක් කර තිබෙනවාද?

මේවා ගැන අපි ළඟ ලියුම් කියුම් තිබෙනවා. ඒවා ඉදිරිපත් කරන්න පුළුවන්. සිය දහස් ගණන් තිබෙනවා. මට මතකයි මේ ඊයේ පෙරේදා—මම නම් වශයෙන් කියන්නේ නැහැ—මම යම් ගරු ඇමතිවරයකුට ඉදිරිපත් කළා යම් ප්‍රශ්නයක්, යම්කිසි සංස්ථාවක. මම සංස්ථාවේ නම කියන්නේ නැහැ. ගරු ඇමතිතුමාගේ නම කියන්නේ නැහැ. ඒ සංස්ථාවේ එක් අයකුට දහ පොළකට මාරු කළා. ඔහුට අසනීපයි. ඒ අසනීපයට සහතික දී තිබෙනවා, ඒ ප්‍රදේශයේ 'ඩිඇම්මි' මහත්මයා. නමුත් මොකක්ද කළේ? ඒ ඩිඇම්මි මහත්මයාගේ සහතිකය ඒ සංස්ථාවේ සභාපති භාරගත්තා නැහැ. මොකද දේශපාලන බලපෑමක් නිසා. දේශපාලනය නිසා මෙයට කොහොමහරි අස්කරන්න හිතාගෙන ඔහුට කිව්වා, යන්න මහනුවරට, ගිහිල්ලා වැඩ භාර ගන්න කියා. ඔහුට මහනුවර හොඳ නැහැ, ඇදුම තියෙන පුද්ගලයෙක් නිසා. ඊට පසුව මොකක්ද කළේ? එයා නැවත වෛද්‍ය සහතිකයක් ඉදිරිපත් කළා. ඒක උඩ ගිටියා මෙහේ. පසුව රක්ෂාවට ගියාම මොකක්ද කළේ? කිව්ව දේ ඇහුවේ නැහැ කියා ඔහුට කෙළින්ම 'සැක්' කළා, රක්ෂාවෙන් අස් කළා. මම මේ කරුණු කිව්වාම ඒක සාධාරණව විභාග කරන්න පොරොන්දු වුණා, සාධාරණත්වය ඉෂ්ට කරනවායයි කියන ගරු ඇමතිවරයෙක්. මම බලාපොරොත්තුවෙනවා ඒක කරයි කියා.

ඒ වාගේ සිද්ධීන් ඒ වාගේ දේවල්, කොතෙක් තිබෙනවාද? මට මතකයි—ඒක නම් කිව්වාට කමක් නැහැ—ගරු තැපැල් ඇමතිතුමාට මම ඉදිරිපත් කළ කරුණක්. මෙහෙ නොවෙයි, ගලගෙදර සිද්ධියක් යම්

බන්ධියෙන්. ගලගෙදර තැපැල් මහත්මියක් හැටියට අවුරුදු 11 ක් පමණ වැඩ කළ තැපැල් මහත්මිය ඒ කන්තෝරුවෙන් ඉවත් කරලා කිසිම හේතුවක් නැතුව, වැරද්දක් කරලවත්, මනිඹවර් හොරකම් කිරීමක් කරලවත් නැහැ. මොකක්වත් වෝදනාවක් නැතිව කෙලින්ම එළියට දාලා වෙනත් එක්කෙනෙක් පත් කළා, කිසිම සුදුසුකමක් නැති. මේවා අපි ඉදිරිපත් කරලා තිබෙනවා. මේ වගේ වැරදි අවනවා. මේවා කොපමණ බරපතල වැරදිද? [බැඩා කිරීමක්]

තමුත් නාන්සේ තමයි එහෙනම් ඔය වැඩේ කරලා තියෙන්නේ. මම කිව්වේ ගලගෙදර කියලා. තමුත් නාන්සේට ලියලා දිලා නැහැ ගලගෙදර. [බැඩා කිරීමක්] ගලගෙදර තැපැල් කන්තෝරුව කියලයි මම කිව්වේ. මම කිව්වා ඒ මන්ත්‍රීතුමාටත්, මන්ත්‍රීතුමා කිව්වා මම කියවමත් කරන්නේ නැහැ අපට විරුද්ධව වැඩ කළයි කියලා. ඒක කියවමත් අස්කරගන්නේ නැහැ කියා තමුත් නාන්සේ කිව්වේ නැද්ද? යුතුකමක් වශයෙන් මම කිව්වා, එයාගෙන් නැයෙක්, මගෙන් නැයෙක්. දේශපාලන වශයෙන් විරුද්ධව වැඩ කළා කියා අස් කළා. ඒ ළමයා නොවෙයි වැඩ කළේ. ඒ ලමයාගේ ස්වාමීපුරුෂයා, මහත්මයා වැඩ කළයි කියලා; දඩුවම දුන්නේ අපේ මන්ත්‍රීතුමා වෙන්න ඇති එහෙනම්. [බැඩා කිරීමක්] අපේ ගරු ඇමතිතුමා කිව්වා මට කරන්න දෙයක් නැහැ මේක කරලා තියෙන්නේ අහ වලා. එහෙත් බේරාගන්න කියලා. මම කියන්නේ මේකයි. මෙහෙම වැරදි කළා කියන එකයි. මෙහෙම වැරදි කරලා ඒවායේ විපාක අර මිනිසුන්ට විදින්න සිද්ධ වෙනවා. ඒ නිසා—[බැඩා කිරීමක්] මගෙන් නැයෙක් ඒ මන්ත්‍රීතුමාගෙන් නැයෙක්. ඒක වෙනම වැඩක්. මගෙන් නැහැ ඒක, ඒ මන්ත්‍රීතුමාගෙන් නැහැ ඒක. නමුත් වැරද්ද මම කිව්වා එතුමාට. මගේ යුතුකම හැටියට, ඒක බේරන්න පුළුවන්ද කියා මම ඇහුවා. නමුත් එතුමා මගේ කීමවත් ඇහුවේ නැහැ. කෙළින්ම ඒක බැහැ කිව්වා. එතුමාට විරුද්ධව වැඩ කළයි කියලා. එන කොට මෙහෙම මේ විධියට යනවා. නම් කී දෙනෙක් මේ විධියේ වැරදි කළ ඒවාට දඩුවම් විදිය යුතුද?

ගරු නියෝජ්‍ය කථානායකතුමනි, මේ විධියට වැරදි කර කර ඉන්න අයට ඒ වැරදි වලට දඩුවම් දෙනවා නම් මේ පාර්ලිමේන්තුවේ මන්ත්‍රීවරුන් කී දෙනෙක් ඉතුරු වෙයිද කියලා මම දන්නේ නැහැ. ට්‍රාන්ස්පර් එකක් නම් මම නම් කවදාවත් කරල නැහැ.

**මන්ත්‍රීවරයෙක්**  
(අනුකූලතවර් ඉරුචාර්)  
(A Member)

තමුත් නාන්සේ කළ බව අපි කියනවා.

**ආනන්ද දසනායක මහතා**  
(ති. ශ්‍රී. ආණන්ද තලආයාඡ්ඡ)  
(Mr. Ananda Dassanayake)

හරි ඒකට කමක් නැහැ, කිව්වට. කියනවානම් තමුත් නාන්සේ ඒක ඔප්පු කරන්න ඕනෑ. මම කියපු දේ මම ඔප්පු කරන්නම්. [බැඩා කිරීම] තමුත් නාන්සේ ගෙදර හිටපු ගැහිට වන්දි ගෙවන්න. ගෙදර වැඩට හිටි සේවි කාවට වන්දි ගෙවලා නැහැ. නඩත්තු ගෙවල නැතුව තමුටත් තියෙනවා.



I would like, Sir, for example, from time to time the Presidential Commission to say: "We have investigated into the following complaints"; to issue some sort of public statement: "We have investigated the following complaints against the following persons and found them to be groundless; therefore, we are not proceeding with them"; or for them to say: "We have received complaints against so and so, we are investigating them and we will take up those cases at an appropriate time." Or it is for the Government to say, "these are the people against whom these complaints are made," because, Sir, this is a very secretive process, if I may say so. Nobody knows against whom there are complaints. Nobody knows against whom there are investigations, except, maybe, the investigator himself. And nobody knows on what basis priority is given to the case of 'A' rather than to the case of 'B'. That is why, Sir, I do not want to participate in the voting. I am abstaining for that reason and also for the reason that the Presidential Commission was born out of a desire not so much to cleanse public life. It owes its origin to a desire to deal with the political opponents of this Government. If another government succeeds this along these traditions, they will appoint an even more powerful Commission and it will go on *ad infinitum*. *Ad infinitum*, this process will go on. So, it is for these reasons—and that is why I wanted to say what I had to say—that I will not be participating in the voting.

අ. හා. 4.4

පර්සි සමරවෙර මහතා (නියෝජ්‍ය ස්වදේශ කටයුතු ඇමතිතුමා)

(திரு. பெர்சி சமரவீர—உள்ளநாட்டளவைகள் பிரதி அமைச்சர்)

(Mr. Percy Samaraweera— Deputy Minister of Home Affairs)

ගරු නියෝජ්‍ය කළාතායකතුමනි, පොතුවිල් මැතිවරණ කොමසාරිස්වරයාගේ පළමුවැනි මන්ත්‍රිතුමාගේ (එම්. ඒ. එම්. ජලල් දීන් මහතා) ප්‍රජා අයිතිය අහෝසි කිරීමේ පනත භාකවිෂ් කෙරෙන මේ මොහොතේදී කතා කරන්නට මම මුලින් බලාපොරොත්තු නුඹන් විරුද්ධ පක්ෂයේ, විශේෂයෙන්ම දුට්ඨ එක්සත් විමුක්ති පෙරමුණේ මන්ත්‍රිවරුන් ඒ වාගේම ශ්‍රී ලංකා නිදහස් පක්ෂයට සම්බන්ධ මන්ත්‍රිවරුන් ප්‍රකාශ කළ අදහස් අනුව මම වචන කීපයක් කතා කරන්න කල්පනා කළා.

මන්ත්‍රිවරයකු හැටියට සාහෙන කාලයක් මේ ගරු සභාවේ ඉඳලා, යම් යම් හේතු නිසා දඬුවමක් ලැබ. මේ ගරු සභාවෙන් වෙන් වී යන ගරු මන්ත්‍රිවරයකු ගැන අපි කවුරුත් කතාගාටු වෙනවා. තමන් තාන්සේට මම මතක් කරන්න ඕනෑ, මේ වාගේ සිද්ධියක් මේ ඇති වී තිබෙන්නේ පළමුවැනි වතාවට නොවන බව. මීට ඉස්සරහා මේ වාගේ සිද්ධීන් රාශියකදී මන්ත්‍රිවරුන් මේ වාගේ අවස්ථාවලට මුහුණ දීලා, මේ සභාවෙන් තොර පන ලද අවස්ථා තිබෙනවා.

තල්ගොඩපිටිය කොමිසමේ වැරිතාව අනුව, මේ සභාවේ සිටි ගරු මන්ත්‍රිවරුන් තුන්දෙනෙකුටත් ඒ වාගේම සෙනෙට් සභික මහත්මයාකුටත් මේ ඉරණමට මුහුණ

දෙන්නට සිදු වුණු බව මම මතක් කරන්න ඕනෑ. මෙහි තිබෙන අවාසනාවන්ත සිද්ධිය මෙයයි. විශේෂ ජනාධිපති කොමිසම ඉදිරිපිටට යන උදවිය මේ රජයේ තීරණය මත එසේ යතවායයි පෙන්වුම් කරන්නට විරුද්ධ පක්ෂයේ මන්ත්‍රිවරුන් හතරදෙනෙක් උත්සාහ ගැනි මයි. මේ රජය යම් යම් අදහස් මුදුන් පමුණුවා ගන්නට මේ විශේෂ ජනාධිපති කොමිසම පත් කලායයි, අවසාන යේදී කතා කළ කලාවෙන් ගරු මන්ත්‍රිතුමා (සරත් මුත්තෙවිට්ටෙගම මහතා) කීවා. මේ රජය විරුද්ධ ටැදීන්ගෙන් පලිගන්න මේ කොමිසම පත් කලායයි එතුමා දන් මොහොතකට ඉස්සර වෙලා සදහන් කලා. විශේෂ ජනාධිපති කොමිසම පත් කිරීමට තීරණය කළ අවස්ථාවේදී එතුමා මේ සභාවේ සිටියායයි මම හිතන් දේ නැහැ.

විශේෂයෙන්, ජනාධිපති කොමිසමක් පත් කරන ලෙස මෙම ගරු සභාවේදී ඉල්ලුම් කළේ කවුද? ඒ ඉල්ලීම කළේ කවුද කියා අපි හෙවිවෙත්, මෙය වුවමනා වුණේ කාටද කියා හෙවිවෙත්, ශ්‍රී ලංකා නිදහස් පක්ෂයේ මන්ත්‍රිවරුන් පිළිගනියි, ඒ උදවියගේ ඉල්ලීම පිට නැත්නම්, ඒ පක්ෂයේ හිටපු නායිකාවගේ ඉල්ලීම පිට මේ ජනාධිපති කොමිසමක් සභා පත් කළ බව. වරක් එතුමියට විරුද්ධව යම් යම් වෝදනා නැගුණු වේලාවේදී එතුමිය විරුද්ධ පක්ෂයෙන් නැගිට, "හොඳයි මම සුදුනම් ජනාධිපති කොමිසමක් ඉදිරිපිටට යන්න, පත් කරන්න ජනාධිපති කොමිසමක්" කියා ඉල්ලුම් කලා. රජය ඒ ඉල්ලීම පිළිගන්නා. එපමණක් නොවෙයි, ගරු නියෝජ්‍ය කළාතායකතුමනි, ඒ කොමිසම පත් කරනොත් සුදුම් උසාවියේ නඩුකාරවරුන් ඒ කොමිසමට පත් කරන්න ඕනෑ බවත් එතුමිය කීවා. රජය ඒ ඉල්ලීම මත් පිළිගන්නා. ඒකත් පිළිගෙන තමයි, සුදුම් උසාවියේ විනිශ්චයකාරවරුන් තුන්දෙනෙක් පත් කරලා, ජනාධිපති කොමිසම ක්‍රියාත්මක වුණේ.

කොත්මලේ ගරු මන්ත්‍රිතුමාට (ආනන්ද දසනායක මහතා) අමතක වෙලා, කොමිසම උපන් හැටි. අපේ සිංහලයන් අතර ගතානුගතික, තාත්තම් පාරම්පරික සිරිත් විරිත් තිබෙනවා. මොනවාද මේ සිරිත් විරිත්? කෙනෙකු මැරුණොට පස්සේ සොහොන් බීමට ගෙන ගොස් ඒ පුද්ගලයාට බොහෝම චර්ඡනා කරනවා. මෙය අපේ සිරිතක්. ඒක තමයි, දුට්ඨ එක්සත් විමුක්ති පෙරමුණ කෙරුවෙන්, ශ්‍රී ලංකා නිදහස් පක්ෂය කෙරුවෙන්.

මේ රටේ මුස්ලිම් චර්ඡනා බේරා ගන්නට, ඉස්ලාම් භක්තිකයන් බේරා ගන්නට, එක්සත් ජාතික පක්ෂය හැරුණු විට වෙනත් එක පක්ෂයක්වත් මේ රටේ තිබුණේ නැති බව මට නිර්භයව ප්‍රකාශ කරන්නට පුළුවනි. දුට්ඨ එක්සත් විමුක්ති පෙරමුණ නියෝජ්‍යය කරන මන්ත්‍රිවරුන් මීට ඉස්සර එක් අවස්ථාවකදීවත් මුස්ලිම් ජාතිකයන් වෙනුවෙන් කතා කර නැහැ. එකම ඉස්ලාම් භක්තිකයකු වෙනුවෙන් ඒ මේ අය මේ ගරු සභාවේදී කතා කර නැහැ. 'මම දන්නා තරම්ත්', ඒ ආසනවල තිබෙන මුස්ලිම් දේවස්ථාන කීවුවට අරාබි පාසලක් පවත්වාගෙන යෑමට, තාත්තම් ඉස්ලාම් ආගම ඉගැන්වීමට පොඩි ඉස්කෝලයක් හදන්න ඉඩම් කැබලිලක් ඉල්ල අවස්ථාවක ඒකත් දීලා නැහැ. නමුත්, ජලාල් දීන් මන්ත්‍රිතුමා මේ සභාවෙන් තොර පත් නා හදන විට මේ උදවිය එයින් දේශපාලන වාසියක්

[පර්සි සමරවීර මහතා]

ලබා ගන්න කිවුණු කළු හලනවා. වාතී වුණොත් හොදයි “that the TULF is shedding crocodile tears because of the expulsion of Dr. Jalaldeen” කියා.

මේක දේශපාලන වැසි ලබාගත යුතු ප්‍රශ්නයක් නොවෙයි. එකම එක මන්ත්‍රීවරයායි යම් වැදගත් යෝජනාවක් කෙළේ. නල්ලර් ගැන මන්ත්‍රීතුමා, (එම්. සීව සිතම්පරම් මහතා, ඇත්ත වශයෙන්ම අපි මන්ත්‍රීවරුන් හැටියට අපේ සීමාවන් අපි දැනගන්න ඕනෑ, මින් ඉදිරියට කටයුතු කිරීමේදී, මම හිතනවා කවුරුත් ඒකට එකඟ වෙනවා ඇත කියා.

කෙසේ වෙතත්, මේ අවස්ථාවේදී ප්‍රකාශ වුණු කරුණු ගැන බලන විට කොත්මලේ ගැන මන්ත්‍රීතුමා (ආනන්ද දසනායක මහතා) මේකට සම්පූර්ණයෙන්ම සම්බන්ධ නැති කරුණු ඉදිරිපත් කරනවා. ශ්‍රී ලංකා පරිපාලන සේවයේ හිටපු උදවිය ගැන එතුමා කිව්වා. එතුමා මොනවා දැනගෙනද ඒ කලා කෙළේ? එතුමා දන්නවාද නඩුවේ තීන්දුව? ශ්‍රී ලංකා පරිපාලන සේවයේ ඒ හිටපු උපදිසාපතිවරුන් සම්බන්ධයෙන් ගත් තීන්දුව ගැන එතුමා දන්නවාද? කිකම් අසත්‍ය දේ ප්‍රකාශ කරන්න එපා මෙතෙක්දී, යම් දෙයක් කියන්න පුළුවන් කම තිබුණට.

මිය ජනාධිපති කොමිසම ඉදිරියට ගිය ඔය එතුමන් ලාගේ කාලයේ රාජ්‍ය පරිපාලන ඇමති හැටියට සිටි ඩී.පී.ලීක්ස් ඩයස් බණ්ඩාරනායක මහතා රාජ්‍ය පරිපාලන ඇමති හැටියට කටයුතු කිරීමේදී එතුමා දන්නවාද ශ්‍රී ලංකා පරිපාලන සේවයේ උපදිසාපතිවරු සම්මුඛ පරීක්ෂණයකට භාජනය කළ හැටි 1974 දී? එතුමාගේ කාලයේදී කොහොමද කෙළේ? ඔය ශ්‍රී ලංකා පරිපාලන සේවයේ පත්වීම් සඳහා විභාග දෙපාර්තමේන්තුවෙන් ලිඛිත විභාගයක් පවත්වනවා. සම්මුඛ පරීක්ෂණ කරන අවස්ථාවේදී ඒ ලිඛිත විභාගයේ ප්‍රතිඵල නැහැ. නමුත් තමුත්තාත්සේලා මොකද කෙළේ? සම්මුඛ පරීක්ෂණයේදී අර විභාගයේ ප්‍රතිඵල ගෙන්වාගෙන ලකුණු අඩුවෙන් ලබා ඇති එතුමන්ලාගේ උදවියට අර ලකුණුත් එක්කාසු කර වැඩි ලකුණු ලබාගැනීමේ අවස්ථාව සැලසුවා. ඒකයි ඩී.පී.ලීක්ස් ඩයස් බණ්ඩාරනායක මහතා කෙළේ. දැන් තමුත්තාත්සේ කියන්න එනවා, නඩු කිව්වය, නඩු තීන්දුවට විරුද්ධ වුණාය කියා. නියෝජ්‍ය කලානායකතුමනි, මේ වාගේ සුළු ප්‍රශ්න සම්බන්ධයෙන් කලා කර මේ ප්‍රශ්නය ගැන අපට තීන්දු වකට බහින්න බැහැ.

එතුමාට තවත් කියන්න මට කරුණු තිබෙනවා. එතුමාගේ ආසනයේ ග්‍රාම සේවක නිලධාරී මහත්මයාණන්ගේ ලියුමක් ම, ලඟ තිබෙනවා. කොත්මලේ තමුත්තාත්සේලාගේ හිටපු ප්‍රධාන සංවිධායකයා—අද ජීවතුන් අතර නැහැ—ග්‍රාම සේවකට ලියුමක් යවා තිබෙනවා, “ මට ආරංචි තමුත්තාත්සේ මට විරුද්ධව කලා කරනවා තමුත්තාත්සේගේ වසම තුළ, මම තමුත්තාත්සේ සේවයෙන් පහ කරනවා ” කියා. අදත් ඒ පුද්ගලයාට රක්ෂාව නැහැ. අපි තීරණය කර තිබෙනවා එයාට රක්ෂාව දෙන්න. ඔය ඒකටයි තමුත්තාත්සේලා කෙළේ.

නියෝජ්‍ය කලානායකතුමනි, මේ අවස්ථාවේදී ආණ්ඩු පක්ෂයේ මන්ත්‍රීවරුන් හැටියට අපි සියලු දෙනාම හන ගාටු වෙනවා මේ සිද්ධිය ගැන. එතුමාගේ අවාසනාවටදෝ එතුමාට ජනාධිපති කොමිසම ඉදිරියට යන්නට සිද්ධ වුණා. එක්සත් ජාතික පක්ෂයේ විනය කමිටුවක් සිරිකොත මන්දිරයේ තිබෙනවා, මන්ත්‍රීවරුන් පිළිබඳව ඇති පැමිණිලි විභාග කරන්න මන්ත්‍රීවරයෙක් යම් වරදක් කර තිබෙනවා නම් ඕනෑම කෙනෙකුට ඒ කමිටුවට ලියා යවන්න පුළුවන්. ඒවා විභාග කරනවා අපි. ගැන ජනාධිපතිතුමා ඒ කමිටුව පත් කර තිබෙනවා. කෘත්‍යාධිකාරී මණ්ඩලය තුළින් ඒවා විභාග කරන්න.

නමුත් මේ පැමිණිල්ල පමණක් ජනාධිපති කොමිසමට යන්න සිද්ධ වුණේ එතුමා ප්‍රකාශ කලා වාගේ එතුමාගේ නැදෑ පිරිස්—එතුමාගේ සහෝදරයෙක්—මේ පෙත්සම එතෙක්ට ඉදිරිපත් කළ නිසයි. ඒ පෙත්සම පිළිබඳව අවුරුදු එකහමාරක් පමණ විභාග කලා. විභාගයෙන් පස්සෙ තීන්දුවක් ලැබුණා. ඒ තීන්දුව ක්‍රියාත්මක කිරීමට නැමයි මේ යෝජනාව පාර්ලිමේන්තුවට ඉදිරිපත් කර තිබෙන්නේ.

මේ පාර්ලිමේන්තු කාලය තුළදී තුන් දෙනෙකුට මේ ඉරණමට මුහුණ පාන්න සිද්ධ වුණා. කලින් තීන්දු ක්‍රියාත්මක කලා. මේකත් ක්‍රියාත්මක කිරීම රජයේ යුතුකමක්. ඒ නිසයි මේක ඉදිරිපත් කර තිබෙන්නේ.

මෙතෙක්දී ප්‍රකාශ වුණා, කමුරුපිටියේ ගැන මන්ත්‍රීතුමාගේ ඉල්ලා අස්වීමේ ලියුම ගැන ඇයි ක්‍රියා කෙළේ නැත්තේ කියා. අර නියෝජ්‍ය ඇමතිතුමා ප්‍රකාශ කලා වාගේ ඒ සම්බන්ධයෙන් අපි දැනගෙන සිටියේ එතුමා ඉදිරිපත් කළ ඉල්ලා අස්වීම ගැන පමණයි. ඉන් අනතුරුව විභාගයක් ගැන මොකත් දන්නේ නැහැ. සිරිකොතට—ප්‍රධාන කාර්යාලයට—දන්වා තිබුණා; ඒ අනුව ක්‍රියා කර තිබෙනවා. කෙසේ වෙතත්, මෙය දේශපාලන වාසියක් ලබා ගත යුතු ප්‍රශ්නයක් නොවෙයි. ද්‍රවිඩ එක්සත් විමුක්ති පෙරමුණේ උදවිය, ස්වකීය මන්ත්‍රී ධුරයෙන් අස්වෙන්න සිදු වුණු ජලාදිත් මන්ත්‍රීතුමා ගැන මේ සභාවේදී කතා කර—විශේෂයෙන්ම දෙමළ භාෂාවෙන් කතා කර—දෙමළ කතා කරන උදවියට එත්තු ගත්වන්න උත්සාහ කරනවා නම් මේ රජය අසාධාරණයක් කර තිබෙනවාය කියා, එය වැරදියි. මම හිතන්නේ නැහැ, නැගෙනහිර පළාතේ උදවිය ඒ කතාවලින් කටදාවන් රැවටෙවිය කියා.

ඒ නිසා ගැන නියෝජ්‍ය කලානායකතුමනි, මෙය බොහොම කනහටුදායක අවස්ථාවක් වුවත් ගැන අග මැතිතුමා විසින් ඉදිරිපත් කරන ලද මේ යෝජනාවට පක්ෂපාති බව දක්වන්නට පොරොන්දු වෙමින් මම මගේ කතාව අවසන් කරනවා.

**නියෝජ්‍ය කලානායකතුමා**  
(*பிரதீச் சபாநாயகர் அவர்கள்*)  
(Mr. Deputy Speaker)

The Sitting is suspended for half an hour. The Sitting will resume at 4.45 p.m. and the Speaker will take the chair.



රැස්මේ වී අනුකූලව නාවකලිකව අත්තිවුවන ලදීන්, අ. ක. 4.45 කළානායකතුමාගේ සහායකින් වශයෙන් නැවත සවන් වන ලදී.

அதன்படி அமர்வு பி. ப. 4.45 மணி வரை இடை நிறுத்தப்பட்டு, மீண்டும் ஆரம்பமாயிற்று. சபாநாயகர் அவர்கள் தலைமை வகித்தார்கள்.

*Sitting accordingly suspended till 4.45 p.m. and then resumed.*  
MR. SPEAKER in the Chair.

ලක්ෂ්මන් ජයකොඩි මහතා (අත්තනගල්ල)

(திரு. லக்ஷ்மன் ஜயக்கொடி—அத்தனகல்ல)

(Mr. Lakshman Jayakody—Attanagalle)

Mr. Speaker, I have risen in the course of this Debate at this moment because I want to put the record straight in regard to certain matters.

It has been stated here that the then Member for Attanagalla, Mrs. Sirimavo Bandaranaike, agreed to a Special Presidential Commission sitting to hear the charges that had been made against her. Sir, it is quite true that she was prepared to face a Special Commission of Inquiry consisting of Supreme Court Judges, I would like to quote the Sessional Paper which says very clearly that she stated that her party would support the Bill if Judges of the Supreme Court were to be appointed as members of the commission. She had further said that the commission had powers which even the Supreme Court did not have. This is what she had said :

"Therefore please appoint Supreme Court Judges. It does not matter whom you appoint."

Sir, it is not quite correct if one gets up and says that she had agreed to this. She did not agree to the Presidential Commission.

But later what happened? The Presidential Commission did not consist of Supreme Court judges alone. It consisted of two Supreme Court Judges and one District Judge. And you know what has happened to that District Judge today. He is under a cloud today. At a later date and in another inquiry the Chief Justice of the Supreme Court had said, as shown by the hon. Second member for Nuwara Eliya—Maskeliya, that he was liable to a charge of misconduct.

Therefore, let it be recorded here that what Mrs. Bandaranaike had to say at that time did come true at the end. If there were three Supreme Court Judges she would have definitely faced the trial. She refused to come mainly because she had no faith in District Judges hearing the case, and she was proved right.

Now, Sir, I would like to inform the Hon. Prime Minister, who is here, that since 1978 we have heard only four cases. There are many other cases. So far we have finished trying Mrs. Bandaranaike, Mr. Felix Dias Bandaranaike, Mr. Nihal Jayawickrema, now Mr. Jalaldeen. We do not know the next one.—(Interruption). We would like to know the next

one, because there was a questionnaire with regard to an application made by a person called Mr. Berty Warusavithana. What has happened to that? Is that case to be tried? I do not know whether the Hon. Prime Minister could answer me, because it concerns the Hon. Minister of Plantations. There has been an application made by one Mr. Berty Warusavithana. Everyone knows who he is. I do not want to say what connections he has with the UNP and what connections he has had with other sectors of public life in this country. Anyway, we would like to know which case is going to be the next one. Apparently this commission is becoming rather slow in its activities.

We of the SLFP would like to ask a question from the Hon. Prime Minister. Why are we having these double standards? As far as Dr. Jalaldeen is concerned, we do not know whether there has been misuse of power or abuse of power, but I think where bribery is concerned we are using double standards. Today we have a Bribery Act and Bribery Commissioner and the entire procedure is laid down, but in charges of bribery vis-a-vis an ordinary citizen and a Member of Parliament we have double standards.

What are we trying to do today? This gentleman has been charged with bribery but has not gone through the courts. He has been found guilty by a commission. What are we trying to do? We are only disqualifying him for seven years. If we had taken him before the Bribery Court he would have been sentenced to four years' rigorous imprisonment, which I believe is the maximum sentence. If he had been taken before the Bribery Court he would have automatically had to forgo his civic rights for seven years. Why these double standards? Therefore, where bribery is concerned, not only should there be the disqualification but I would suggest that the person be sent immediately before the Bribery Court to find out in that forum whether or not he is guilty and to be sentenced to a term of imprisonment. Let there be a final conviction there. I would urge the Government to consider this suggestion.

With regard to Mrs. Bandaranaike, there was no criminal conduct proved. With regard to Felix Dias Bandaranaike and Nihal Jayawickrema too, no criminal conduct was proved and no bribery either. But they are all treated in the same manner as Dr. Jalaldeen.

I quite appreciate the reasoning of the hon. Second Member for Nuwara Eliya—Maskeliya (Mr. Anura Bandaranaike) on the Tyrell Goonetilleke—Tanakie incident. I think we all know about that incident because it created a huge uproar among the Deputy Speaker, the Hon. Prime Minister and the hon. Second Member for Nuwara Eliya—Maskeliya. But I would

[ලක්ෂ්මේන් ජයසේකරි මහතා]

like to stress one point. Tanakie, when he was giving evidence, obviously had done something or there were some crooked activities in which he was involved, and therefore our President held that his evidence could not be accepted, and Tyrell Goonetilleke, quite rightly, was reinstated. Why can we not use that same yardstick here? I am posing this question without making any insinuation against any judge. Why not use that same yardstick here? If this commission or any other commission in this country consisted of any person of doubtful character at any stage of his life, why should we choose him? This is something the Government should look into in the case of further inquiries before Presidential Commissions.

We of the SLFP feel that this commission must go. If the SLFP comes back to power we assure you that we will not take you before this type of commission. We will use the normal courts of law. We are a middle-path party. We are not extremist. You find extremists on both sides of the House. I know that one day in this country the moderate-minded people will win the day, whatever power struggle that might take place in the SLFP or in the UNP.

**මොන්ටේගු ජයවික්රම මහතා (රාජ්‍ය පරිපාලන ඇමතිතුමා සහ වැවිලි කර්මාන්ත ඇමතිතුමා)**

(திரு. மொண்டேகு ஜயவிக்ரம—பொது நிர்வாக அமைச்சரும் பெருந் தோட்டத்தொழில் அமைச்சரும்)

(Mr. Montague Jayawickrema—Minister of Public Administration and Minister of Plantation Industries)

Mr. Speaker, arising out of the speech made by my hon. Friend, I should like to make an explanation on the reference he made to the former Chairman of the Tea Board, Mr. Warusuvithana.

Mr. Warusuvithana is alleged to have made a complaint that a certain individual was transferred to London and that the Government had incurred a certain amount of expenditure as a result of that transfer.

I like to tell the hon. Member—I am prepared to show him the document—that Mr. Perty Warusuvithana was the Chairman of the Board and this man concerned was one Chandrasekera. The board unanimously decided to have him transferred to London, I must also tell the hon. Member that this man's son needed specialized treatment. He could not hear. He had certain other physical impediments which no doctor in this country was able to treat. Therefore the board decided to fill the vacancy in England by transferring him.

So what is this nonsense about Bertu Warusuvithana? I take full responsibility, Sir, in this matter.

**එම්. හැලීම් ඉෂාක් ශිෂ්‍යා (මැද කොළඹ තුන්වන) (ஜனாப் எம். ஹலீம் இஷாக்—கொழும்பு மத்தி மூன்றாம் அங்கத்தவர்)**

(Mr. M. Haleem Ishak—Third Colombo Central)

Mr. Speaker, I will not take very much time. I wish to speak a few words on this Motion that has been submitted by the Hon. Prime Minister to disfranchise or take away the civic rights of Dr. Jalaldeen, the former Member of Parliament for Pottuvil.

In principle, Sir, consistently we have been opposed to the principle of the Special Presidential Commission hearing cases of this nature. I do not wish to go into the merits or demerits of Dr. Jalaldeen's actions nor into the case as such, but in the normal court of law, if Dr. Jalaldeen was accused of a bribery charge, he had the opportunity, after the original court had heard his case, the Bribery Court, to go before the Court of Appeal. If the Court of Appeal did not hold with him, he had the opportunity to appeal to the Supreme Court. Today Dr. Jalaldeen, or anybody else who goes before the Presidential Commission, finds that its finding is completely final.

In the case of Dr. Jalaldeen and others who had gone before the Presidential Commission and been found guilty, long before the commission could decide on the cases the country had decided against these people. I say this for this particular reason. Long before the indictment was served on Dr. Jalaldeen, State Counsel started the proceedings before the commission, and everything that happened before the commission the public came to know through the press and the radio. It was very unfair on the part of the commission not to issue the indictment to him but to hear the case ex-parte. It was long after that that Dr. Jalaldeen was served with the indictment and he had to face the charges.

As I said earlier, Sir, I am not going into the merits and demerits of his case or his actions, but in principle consistently we have been opposed to Special Presidential Commissions hearing this type of cases. Hence we will also be opposing this Motion before the House.

**ආර්. ප්‍රේමදාස මහතා (අග්‍රාමාත්‍යතුමා, පළාත් පාලන, නිවාස හා ඉදිකිරීම් ඇමතිතුමා, මහාමාර්ග කටයුතු සිලී බදු ඇමතිතුමා සහ පාර්ලිමේන්තුවේ සභානායකතුමා)**

(திரு. ஆர். பிரேமதாசு—பிரதம அமைச்சரும் உள் ளுராட்சி, வீடமைப்பு, நிர்மாண அமைச்சரும் நெடுஞ்சாலை கள் அமைச்சரும் பாராளுமன்றச் சபை முதல்வரும்)

(Mr. R. Premadasa—Prime Minister, Minister of Local Government, Housing & Construction, Minister of Highways, and Leader of the House of Parliament)

ගරු කථානායකතුමනි, මේ යෝජනාව ඉදිරිපත් කළ අවස්ථාවේ මම විස්තරයක් කළේ නැත කියා වචා කළේවිසිණි. ගරු මන්ත්‍රීතුමා, (වී. එන්. නවරත්නම් මහතා) ප්‍රකාශ කළා. මම හිතුවා, මේ සභාව ඉදිරිපේ මුළු

වාර්තාවම තිබෙන නිසා මේ කොමිෂන් සභාවේ නිර්දේශ සහ විභාගය ගැන කරුණු මන්ත්‍රීවරුන්ට දැනගන්නට ලැබී ඇති කියල. මේ සභාවේ කාලය ඉතිරි කර ගැනීමට වුවමනා වූ නිසාත්, විශේෂයෙන්ම අපේ රටේ වැඩ කරන ජනතාවට බලපාන වැදගත් ව්‍යවස්ථාවක් ඉදිරිපත් කරන්නට කමිකරු ඇමතිතුමා ඊයේ ඉදලම උත්සාහ කරන නිසාත් කාලය ඉතිරි කර ගැනීම සඳහායි, මම මේ යෝජනාව ගැන විස්තර නොකළේ.

ගරු කථානායකතුමනි, තමුත්තාන්සේ දන්නවා, මේ සභාවේ ගරු මන්ත්‍රීවරයෙකුට විරුද්ධව යෝජනාවක් ඉදිරිපත් කිරීම මේ සභාවේ මන්ත්‍රීවරයෙකුට ඉතා මත්ම අපහසු කාර්යයක් බව. තමුත් ඇණ්ඩුකුම ව්‍යවස්ථාව අනුව ඒ කාණ්ඩය කරන්නට අපට සිදු වී තිබෙනවා. මේ විශේෂ ජනාධිපති කොමිෂන් සභා පනත මේ සභාව සම්මත කළ එකක් නියෝජ්‍ය ස්වදේශ කටයුතු ඇමතිතුමා මතක් කළා, මේ කොමිෂන් සභාව පත් කිරීමට හේතුභූත වූ කාරණා. අත්තනලේලේ ගිවසු මන්ත්‍රීවරියගේ විශේෂ ඉල්ලීම උඩ. ඒකට අලුත් අර්ථ කථනයක් දෙමින් අත්තනලේලේ වර්තමාන මන්ත්‍රීතුමා කීවේ එතුමිය කීවේ ලේඛනාධිකරණයේ තඩුකාරයින් පත් කරන්නාය, තමුත් මේකට දිස්ත්‍රික් උසාවියේ එක් කෙනෙකුත් දමල තිබෙනවාය, ඒ එක්කෙනා ගැනත් දැන් ප්‍රශ්නයක් මතු වෙලා තිබෙනවාය කියලයි.

ගරු කථානායකතුමනි, අත්තනලේලේ ගිවසු මන්ත්‍රීවරියට වෝදනා පත්‍රය ඉදිරිපත් කළ අවස්ථාවේදී කෙමිෂන් සභාව ඉදිරියට ගිහින් මේ අදහස ඉදිරිපත් කරන්නට පුළුවන්කම තිබුණා. කොමිෂන් සභාව ඉදිරියට ගිහින්, “ මම ලැස්තී නැහැ, මේ කොමිෂන් සභාවට කට උත්තර දෙන්න ”, [බාධා කිරීමක්] මොකක්ද ?

**ලක්ෂ්මන් ජයකොඩි මහතා**  
(*திரு. லக்ஷமன் ஜயக்கொடி.*)  
(Mr. Lakshman Jayakody)

I quote from Sessional Paper No. VI of 1980, page 110 :

“it is indeed strange that the Respondent was unwilling to face the commission, when according to a speech made by her during the debate on the Bill relating to the Special Presidential Commission”-

She participated in the debate in Parliament on the 22nd of February 1978-

“She stated that her Party could support the Bill if Judges of the Supreme Court were to be appointed as members of the Commission.”

But obviously it was because it was not so that she did not come before it. It is quite clear.

**ආර්. ප්‍රේමදාස මහතා**  
(*திரு. ஆர். பிரேமதாச*)  
(Mr. R. Premadasa)

Please follow my argument in the first instance. You are not following my argument.

**ලක්ෂ්මන් ජයකොඩි මහතා**  
(*திரு. லக்ஷமன் ஜயக்கொடி.*)  
(Mr. Lakshman Jayakody)

But you asked me-

**ආර්. ප්‍රේමදාස මහතා**  
(*திரு. ஆர். பிரேமதாச*)  
(Mr. R. Premadasa)

I was making the point that when she was served with the charge and when she went before the Commission she could have taken the same objection if she wanted. What she said in Parliament regarding the appointment of Supreme Court Judges is a different matter, and Supreme Court Judges were appointed. If that is the time of argument you are taking, then she failed to say in Parliament “Do not appoint even a single District Court Judge”.

**ලක්ෂ්මන් ජයකොඩි මහතා**  
(*திரு. லக்ஷமன் ஜயக்கொடி.*)  
(Mr. Lakshman Jayakody)

No. no.

**ආර්. ප්‍රේමදාස මහතා**  
(*திரு. ஆர். பிரேமதாச*)  
(Mr. R. Premadasa)

If you want an argument on that, I also have an argument. Just do not try to be silly on these matters. Let us argue seriously. She could have very well gone before the Commission and told them, “Now look, gentlemen, I expected to face a Commission consisting of Supreme Court Judges, but I find a Judge from the District Court is also functioning here. I am sorry”.

**ලක්ෂ්මන් ජයකොඩි මහතා**  
(*திரு. லக்ஷமன் ஜயக்கொடி.*)  
(Mr. Lakshman Jayakody)

How can she say that ?

**ආර්. ප්‍රේමදාස මහතා**  
(*திரு. ஆர். பிரேமதாச*)  
(Mr. R. Premadasa)

Why cannot she say that ?

**ලක්ෂ්මන් ජයකොඩි මහතා**  
(*திரு. லக்ஷமன் ஜயக்கொடி.*)  
(Mr. Lakshman Jayakody)

How can she ?

**ආර්. ප්‍රේමදාස මහතා**  
(*திரு. ஆர். பிரேமதாச*)  
(Mr. R. Premadasa)

Wait. I will tell you how she can say it.

**ලක්ෂ්මන් ජයකොඩි මහතා**  
(*திரு. லக்ஷமன் ஜயக்கொடி.*)  
(Mr. Lakshman Jayakody)

How can she say that before the Bench ?

**ආර්. ප්‍රේමදාස මහතා**  
(*திரு. ஆர். பிரேமதாச*)  
(Mr. R. Premadasa)

But she can go before the Commission and say, “I boycott the Commission and go home”. That she can say.

**ලක්ෂ්මන් ජයකොඩි මහතා**

(*திரு. லக்ஷ்மன் ஜயக்கொடி*)  
(Mr. Lakshman Jayakody)  
Naturally.

**ආර්. ප්‍රේමදාස මහතා**

(*திரு. ஆர். பிரேமதாச*)  
(Mr. R. Premadasa)

Do not think I have a short memory. I remember this whole incident, because I read these things, I study them, and I am in the know of them. Though you try to read here only extracts and try to build up new arguments, I will tell you the whole history, how it happened. I have gone through the whole process of this Presidential Commission Bill and I have fully studied the proceedings also.

What did she do, Sir? She went first and asked for time, and time was granted. All these new excuses they thought of after the penalty was imposed on her. Then she tried to browbeat the Commission. She tried to go before the Commission and say, "I am boycotting you, I am going home. This is my statement". And she made, I should say, a foolish statement which was worse than the indictment served on her, because if I analyse that statement, I can prove that she has accepted guilt on the charges that were levelled against her.

Therefore, do not try to argue a horribly weak case. She had messed up the whole case.

ගරු කපානයකතුමනි, එහෙම නම් ගිනිල්ල, "මම ලැහැස්ති නැහැ, මේ කොමිෂම ඉදිරියේ පෙනී සිටින්න, මන්ද? මේ කොමිෂමේ නැහැ, සුප්‍රීම් උසාවියේ නඩුකාර වරු" කියලයි, කියන්න තිබුණේ. එහෙම නම් අපට ඒ වෙලාවේදී ඒ ගැන කල්පනා කර බලන්න තිබුණා, රජයක් හැටියට. මන්ද? පැරණි පාර්ලිමේන්තු ගොඩ නැගිල්ලේදී ආය පුන පුනා කෙමිසමක් ඉල්ලද්දී, ජනාධිපතිතුමා එදා අගමැතිතුමා හැටියට නැගිටල එක පාරටම කිව්වා, "කොමිසමක් පත් කරන්නම්" කියල. මටත් පුදුමයි, එතුමා කීප විටක් නිහඬව සිටියා. පුළුවන් තරම් උත්සාහ කළා, ඒ තත්ත්වය ආති නොකරන්න. මොකද? එවකට සිටි කෘෂිකර්ම ඇමතිතුමා ඔය ඉඩම් කොල්ලය ගැන—සිරිමා බණ්ඩාරනායක මහත්මිය මුළු රටටම අක්කර පණහේ ඉඩම් සීමාව දමා එයා පමණක් රහසේ ඉඩම් කොල්ල කා ගන්න එක ගැන—කරුණු කියන විට තමයි අභියෝගයක් කළේ. කොන්මලේ මන්ත්‍රීතුමා ඇවිත් කියනවා, 'හදිසි නීතියක් දැමීම පොඩ්ඩට බණ්ඩාරනායක මහත්මියට කළ අපරාධය බලන්න කියා. කියවල බලන්න වෝදනාවල්. First read it.

**ආනන්ද දසනායක මහතා**

(*திரு. ஆனந்த தஸநாயக்க*)  
(Mr. Ananda Dassanayake)

ගරු අගමැතිතුමා කියවල බලන්න.

**ලක්ෂ්මන් ජයකොඩි මහතා**

(*திரு. லக்ஷ்மன் ஜயக்கொடி*)  
(Mr. Lakshman Jayakody)  
Do not mislead the House.

**ආර්. ප්‍රේමදාස මහතා**

(*திரு. ஆர். பிரேமதாச*)  
(Mr. R. Premadasa)

කෘෂිකර්ම ඇමතිතුමා මොන වෝදනාවල්ද කළේ කියල කියවල බලන්න ඔනා.

**ආනන්ද දසනායක මහතා**

(*திரு. ஆனந்த தஸநாயக்க*)  
(Mr. Ananda Dassanayake)

කෘෂිකර්ම ඇමතිතුමා වෝදනාවල් කළා මේ සනාවේදී. උන්නාගේගෙන් තත්ත්වය විකක් පහළ වැටිල.

**ආර්. ප්‍රේමදාස මහතා**

(*திரு. ஆர். பிரேமதாச*)  
(Mr. R. Premadasa)

ඒක වෙනම ප්‍රශ්නයක් නේ? කෘෂිකර්ම ඇමතිතුමා ගේ තත්ත්වය පහළ වැටුණා සමහර උදවියගේ තට්ට ඉහළට යනවා. සමහර අයගේ තට්ට පහළට යනවා. ඒ නිසා ඒවා ගැන කල්පනා කරන්න ඔනා නැහැ. මේ අවස්ථාවට උචිත වන විධියට කපා කරමු.

මම කියාගෙන ආවේ, එදා පාර්ලිමේන්තුවේදී කෘෂිකර්ම ඇමතිතුමා මේ වෝදනාවල් කරන විට බණ්ඩාරනායක මහත්මිය කීප විටක්ම කිව්වා, "කොමිසමක් පත් කරන්න, පත් කරන්න" කියා. ඒ නිසා තමයි, මේ විශේෂ ජනාධිපති කොමිසම පත් කළේ. ඒකයි, ඉතිහාසය. දැන් මේ උදවිය ජලාලදීන් මන්ත්‍රීතුමා කෙරෙහි ඇති කර ගත් අනුකම්පාවක් උඩ කපා කරනවා නොවෙයි. අර කාරණාවේ නිර්දෝෂිතාවය පෙන්වන්න මේ අවස්ථාව දඩ මීමා කර ගන්නවා. නමුත් ගරු කපා නායකතුමනි, මේ කොමිසන් සභා තීන්දුව ආවාට පසුව, අපි බැරි වෙලාවත් මේ යෝජනාව නිත්‍යානුකූලව මේ සභාවට ඉදිරිපත් නොකළා නම්, අපි නිකම් සිටියා නම්, මේ මන්ත්‍රීවරුන් අද මෙතැනට ඇවිත් මේ කතාවල් කරයිද? "බොහොම හොඳ වැඩක් කළේ, ජලාලදීන් මන්ත්‍රීතුමාට විරුද්ධව බොහොම වැරදි තීන්දුවක් කර තිබෙනවා. බොහොම හොඳ අණවූවක්. එයට එකඟ වුණේ නැහැ. මේ යෝජනාව පාර්ලිමේන්තුවට ඉදිරිපත් නොකළ එක කොයි තරම් ලොකු වැඩක්ද? මේ ආණ්ඩුවට අපි ප්‍රශංසා කරනවා" කියා කියයිද? අපට ප්‍රශංසා කරයිද? එහෙම නම් මොනවාද කියන්නේ? "විරුද්ධ පක්ෂයේ කෙනෙකු සම්බන්ධයෙන් කොමිසන් තීරණයක් ආවාම, විගහට දුටල ඇවිත් යෝජනාව ඉදිරිපත් කරනවා, ප්‍රජා උරුමය නැති කරන්න. නමුත් තමන්ගේ පක්ෂයේ කෙනෙකුට වුණම මෙන් දැන් නිහඬව ඉන්නවා." කියල නොකියයිද? අද නම් මේ උදවිය හරි කණගාටු වෙන් ඉන්නේ! අම්මේ! ජලාලදීන් මන්ත්‍රීතුමාගේ ගුණ කදම්බය, විරුද්ධ පක්ෂයේ අයගෙන්ම එතුමාට මේ අවස්ථාවේදී අහන්න ලැබුණ එක ලොකු දෙයක්.

අද ජලාලදීන් මන්ත්‍රීතුමා වෙනුවෙන් අනුකම්පාවෙන් කපා කළ විපක්ෂයේ කටිකයින් හැම උත්සාහයක්ම කළේ එයින් තමන්ගේ දේශපාලන ව්‍යාපාරයට

ප්‍රයෝජනයක් ලබන්නයි. ශ්‍රී ලංකා නිදහස් පක්ෂය උත්සාහ කළේත් තමන්ගේ නායකවගේ නිර්දෝෂී භාවය කියන්නයි. විශේෂ ජනාධිපති කොමිෂමක් ඔනෑ නැහැනේ, ඒ නායකවගේ ඒ කාඩ්පති දරුණු ස්වරූපය ඇගේ පුත්‍රයාම කී හැටියට මම ඊයේ මෙනත කිව්වනේ. ඔකට විශේෂ ජනාධිපති කොමිෂමක් ඔනද? විශේෂ ජනාධිපති කොමිෂම කී දේවල්ම පුත්‍රයා කිව්වනේ. උසාවියට දිවුරුම් පෙන්සමකින්තේ කිව්වේ. එතකොට, පැරදිලා පක්ෂ නායක වක් වශයෙන් සිටින පුද්ගලයෙක් තමන්ගේ පක්ෂයේ ඒ කාඩ්පතියෙක් හැටියට ක්‍රියා කරනවා නම් ඒ පක්ෂයේ නීති ඊනී බිද ක්‍රියා කරනවා නම්, පක්ෂයේ ව්‍යවස්ථාවට විරුද්ධව ක්‍රියා කරනවා නම් වෙන මොනවද? ඔය පැරදිලා ඉදගෙන. මැදවච්චියේ ගරු මන්ත්‍රීතුමාගෙන් (මෙමන්ත්‍රීපාල සේනානායක මහතා) ඇහුවොත් කියයි, පක්ෂ ව්‍යවස්ථා කඩමින් ක්‍රියා කළ ආකාරය. මැද කොළඹ තුන්වෙනි ගරු මන්ත්‍රීතුමාගෙන් (එම්. හලිම ඉස්ක මහතා) ඇහුවොත් කියාවී පක්ෂ නායකව හැටියට මොන තරම් ඒ කාඩ්පති ස්වරූපයකින් ක්‍රියා කළද කියා පැරදිලා ඉදගෙන. ඉතින් අගමැති වෙලා ඉන්න විට කොහොම ක්‍රියා කරන්න ඇද්ද? ජනාධිපති කොමිෂම කී ඔක්කොම මප්පු කළානේ. පුතාට සිද්ධ වුණානේ දිස්ත්‍රික් උසාවියට යන්න දිවුරුම් පෙන්සම කුත් එක්ක. මෙය සදහටම යාවච්ච නායකව හැටියට ඉන්නට උත්සාහ කරන කෙනෙක් කියා කිව්වනේ. පැරදිලා ඉදගෙන ස්වරූපය ඒක නම් රජකම් කරන විට කොහොමට ඉන්න ඇද්ද? අපි සසඳලා බලමු. ඔකට ජනාධිපති කොමිෂමක් ඔනෑ නැහැනේ.

ගරු කථානායකතුමනි, බොහොම ඉක්මනට අතීතය අමතක කරන්න උත්සාහ කරනවා. මම ස්තූති කරනවා අත්තනගල්ලේ ගරු මන්ත්‍රීතුමා (ලක්ෂ්මන් ජයකොඩි මහතා) අද අපට කිව්ව, ශ්‍රී ලංකා නිදහස් පක්ෂයේ ආණ්ඩුවක් ආවොත් නම් තමුසෙලා ජනාධිපති කොමිසන් වලට එක්ක යන්නේ නැහැ, අපි දැන් තිබෙන උසාවි ම ඊගයෙන් තමයි තමුසෙලාව පරීක්ෂණයට භාජනය කරන්නේ කියා. බොහොම ස්තූතියි ඒ පොරොන්දුව ගැන. ඒ පොරොන්දුව ඉෂ්ට කරන්න අවස්ථාවක් ලැබෙයිද නොලැබෙයිද කියාත් එතුමා තුළ සැකයක් තිබෙනවා. එහෙත් අපි දන්නවා, ඒ අයගේ පලනය යටතේ සාමාන්‍ය උසාවි ක්‍රියා කළ හැටි. එදා තිබුණු උසස්ම උසාවිය තමයි, ව්‍යවස්ථා අධිකරණය. මෙ අතීතය පිකක් මතක් කර දෙන්නම්. අත්තනගල්ලේ වර්තමාන මන්ත්‍රීවරයා අපට ඒ අතීතය පිකක් අමතක කරවනවා. මම මතක් කර දෙන්නම්.

උසස්ම උසාවිය තමයි ව්‍යවස්ථා අධිකරණය. කවුද හිටියේ? නිහාල් ජයවික්‍රම මහතාගේ මාමා. කවුද, රාජ නීතිඥ ටී. එස්. ප්‍රනාන්දු මහතා. තැව කෙනෙක් තමයි විනිසුරු දෙහෙරගොඩ මහතා. මොකක්ද කළේ? රජගෙද රට ගෙන්වා බලපෑම් කළා රජයට ඔනෑ හැටියට තීන්දු වක් දෙන්නට. නඩුකාරවරු එකිනෙකා දුස්සවෙලා ගියානේ. අන්න ඒ ගොල්ල අපට දෙන්න යන සාධාරණ අධිකරණය.

ගරු කථානායකතුමනි, ඒ නිසා මම කියන්න කැමතියි, ගම්හිර විධියට කථා කරන්න කලින් පිකක් මතක් කර ගන්නය කියා ඒ අතීතය. මගේ

හිතේ අද මේ විවාදයේදී හොඳම කථාව කළේ පොතුපිල් පළමු වන මන්ත්‍රීතුමා හැටියට සිටි දොස්තර ජලාල්දීන් මහතායි. එතුමා මොකක්ද කිව්වේ? මේ තීරණයෙන් දඬුවම් ලැබූ පුද්ගලයා කියන්නේ වෙන එකක්. එතුමාගේ වේදනාව මොකක්ද? එතුමා කිවේ මොකක්ද? 'අනේ මට මෙය සිදු වුණේ මගේ ජාතිය නිසා නොවෙයි; මා කථා කරන භාෂාව නිසා නොවෙයි; මේ ආණ්ඩුවේ අසාධාරණකමක් නිසා නොවෙයි; මගේම දුෂ්ට තරක නැගේ නිසයි; කරුණා කර මතක් කර ගන්න, එතුමා කී දේවල්. 'මෙපමණ දහස් ගණනක් ඉන්න පොතුපිල් ආසනයේ, ගම් ගී ක් තිබෙන මගේ කොට්ඨාශයේ, මා ඉන්නාවූ අවිචලවේන කියන ග්‍රාමයේ ඉන්න මගේම මස්සිනා සහ සහෝ දරයායි, ඒ ගොල්ලන්ට නැකම් තිබේන අයයි දෙයියනේ මට මේ විපත කළේ' කියායි, එතුමා කිවේ.

කෝ, දුට්ඨ එක්සත් විමුක්ති පෙරමුණේ මන්ත්‍රීවරු. ඒ එය දැන් මෙතැන නැහැනේ! ඒ මන්ත්‍රීතුමාගේ මස් සිනාලා සිංහල අයද? මට හිතා නොවී ඉන්න බැරි වුණා, දුට්ඨ එක්සත් විමුක්ති පෙරමුණේ මහා නීතිඥයන්— නල්ලූර්ගි ගරු මන්ත්‍රීතුමා (එම්. සිට්සිනම්පරම් මහතා) වැනි උදවිය—අර විධියේ කථා කියන විට. මොනවාද, ඒ ගොල්ලො පෙන්වන්න හැදවේ? තමුන් නාන්සේලා ගේ ආණ්ඩුව අද මේ විධියට ක්‍රියා කරන්නේ ඔහු සුළු ජාතික මන්ත්‍රීවරයෙක් නිසයි, දෙමළ භාෂාව කථා කරන පුද්ගලයෙක් නිසයි කියන එකයි. එතුමන්ලා කිව්වේ එතුමන්ලා තුළ මේ හිටපු මන්ත්‍රීතුමා කෙරෙහි හරි ලොකු ආදරයක්, කැක්කුමක් ඇති වෙලා. 'සිංහල මන්ත්‍රී වරයෙක් මේකට අහු වුණා නම් උසාවි ඔහොම කරන්නේ නැහැ' කියන හැගීම දෙන්නයි, එතුමන්ලා කථා කළේ.

කථානායකතුමනි, නමුත් ජලාල්දීන් හිටපු මන්ත්‍රීතුමා මොකක්ද, කිව්වේ? 'අනේ කථානායකතුමනි, මේ විපත මට කළේ මගේ හතුරෝ නොවෙයි, මගේ එක දේශපාලන හතුරෙක් ඉන්නවා' යයි එතුමා කියන විටම නුවරඑළිය-මස්කෙළිය දෙවන ගරු මන්ත්‍රීතුමා (අනුර බණ්ඩාර නායක මහතා) කීවා, 'එයා දැන් ඉන්නේ යු. එන්. පී. එකේ' කියා. ඒක ඇත්ත නම් මේක කෙරුණය කියන කාලයේ ඔහු හිටියේ ඒ පැත්තේ බව පෙන්වා දෙන්න මට පුළුවන් කම තිබුණා. නමුත් මම ඒවෙලාවේ බාධා කළේ නැහැ. යමක් කියන විට පිකක් හිතාමතා කථා කරන්න ඒ උදවිය ඉගෙන ගන්න ඔනෑ.

හිටපු පොතුපිල් පළවෙනි මන්ත්‍රීතුමා කීවා, 'මගේම මස්සිනාලා' කියා නමුත් එතුමා කොයිම වෙලාවකවත් කිව්වේ නැහැ, 'මගේ මස්සිනාලා සිංහල උදවියය, මගේ සහෝදරයා සිංහලය' කියා. නමුත් දුට්ඨ එක්සත් විමුක්ති පෙරමුණේ උදවිය කියනවා, 'බලන්න, මේ සිංහල ආණ්ඩුව දෙමළ භාෂාව කථා කරන මනුෂ්‍යයකුට කරන අප රාධය' කියා. කොයි තරම් කිඹුල් කපුළු හෙළවාද, මාවා කවිවේරියේ මන්ත්‍රීතුමා (ටී. එන්. නවරත්නම් මහතා). එතුමා නීතිඥයෙක්. නමුත් මෙතැන කථා කළේ ඒ විධියටයි.

කථානායකතුමනි, විරුද්ධ පාර්ශ්වයට එකක් කියා දෙන්න ඔනෑ. අද පමණක් නොවෙයි විරුද්ධපාර්ශ්වය වෙනදත් තර්ක ඉදිරිපත් කළේ තමන්ගේ පටු දේශ

[ආර්. ප්‍රේමදාස මහතා]

පාලන ප්‍රයෝජනය තකායි. ද්‍රවිඩ එක්සත් විමුක්ති පෙර මුණේ මන්ත්‍රීවරු තමන්ගේ කථා දෙමළ පත්‍රවල වැටෙන්න සලස්වා මේ ගරු සභාවෙන් පැන ගියා. එතු මන්ත්‍ර ලා දෙමළෙන් කථා කළේත් ඒ නිසාමයි.

පොතු විල් හි හිටපු පළමු වැනි මන්ත්‍රීතුමා අපේ සහෝදර මන්ත්‍රීවරයෙක්. මෙවැනි බැරැරුම් අවස්ථාවකට මුහුණ දෙන්න පුළුවන් ශක්තියක් තමාට තිබෙන බව එතුමා අද ප්‍රදර්ශනය කළා. එතුමා, මේ වෝදනා සම්බන්ධයෙන් ලැබුණු දඩුවම දරන්න පුළුවන් කෙනෙක්. එතුමා අද හැසිරුණු ආකාරය අනුව මා දන්නවා, තමාගේ අනාගතය වෙනස් විධියකට හැඩගස්වා ගන්න එතුමාට ශක්තියක් තිබෙන බව. තමාගේ හෘද්‍යය සාක්ෂ්‍යය අනුව එතුමා හිතනවා නම් තමා නිර්දෝෂීය කියා ඒ ගැන තාවෙන් එතුමාට වුවමනාවක් නැහැ.

මිට කලින් මෙවැනි තත්ත්වයන්ට මුහුණ දුන් පක්ෂ නායකයන්ට අද එතුමා ආදර්ශයක් දුන්නා. වෙන අය වගේ මේ පාපය යවන්න එතුමා 'දඩමිමා' හෙවිවේ නැහැ. එතුමා කිව්වා, "ඔව් ඒක මගේ නැඟියෝ එකතු වෙලා කළ වැඩක්. මගේ පක්ෂයේ නායකයා සමගවත්, මගේ පක්ෂය සමගවත්, මගේ කිසිම අමනාපයක් නැහැ. කරන්න දෙයක් නැහැ. තීතියක් තිබෙනවා. අප සම්මත කළ නීතිය. කොමසරිස්වරුන්ට බැනලාත් වැඩක් නැහැ. මම මේ තීරණය පිළිගන්නවා. නමුත් මගේ හෘද සාක්ෂිය අනුව, මම නිර්දෝෂීයි". ගරු කථානායක තුමනි, ලොකු විශ්වාසයක් ඇතුව එතුමා කතා කළා. එක් සක් ජාතික පාක්ෂිකයෝ හැටියට අපි ආඩම්බර වෙනවා, එවැනි මන්ත්‍රීවරයකු අපත් එක්ක හිටපු එක ගැන. කාගෙන් අඩුපාඩු තිබෙනව, දුර්වලකම් තිබෙනවා. ඒක වෙනම දෙයක්. වැරදි සිද්ධි වෙනවා, ලෝකයේ කාගෙ නුත්. ඒකට කරන්න දෙයක් නැහැ.

ගරු කථානායකතුමනි, මම කියන්න කැමතියි, අද එතුමා වෙනුවෙන් කිලිල් කළුළු හලපු අය අතේ ජලල් දීන් මන්ත්‍රීතුමාටත් වැඩිය ලොකු වේදනාවක් අත්පත් කර ගත්තා. මට ඒ කතා අහගෙන හිටපු වෙලාවේදී මතක් වුණ, අපේ රජයේ ප්‍රධාන සංවිධායක, ක්‍රීඩා සහ පාර්ලිමේන්තු කටයුතු පිළිබඳ ඇමතිතුමා කොළඹ නගර සභාවේ ඉන්න කාලයේදී අපිට කියාපු කතන්දරයක්. ඒක කාගෙවත් වේදනා වෙනත් අය භාර ගන්න ගිහින් වෙච්ච එකක්. දීර්ඝ වෙලාවක් අපි බරපතල ලෙස කතා කළ නිසා, අපට පිකක් විනෝදයක් ලබන්න හොඳ නිසා මම ඒ කතන්දරය කියන්නම්, එතුමා මෙහෙම කිව්වා. ශක්‍ර දේවේන්ද්‍රයා ගාවට ගියාලු රවේ හිටපු සියලුම ස්ත්‍රී වර්ගයා. ගිහින් කිව්වාලු 'දේවයන් වහන්ස, දරුවන් ලැබීමේ වේදනාව අපට විතරක් අත්පත් කර දෙන්නෙ මොකද, අපි දෙපොලක් මේකට සම්බන්ධ වෙනවානෙ, දන් මෙච්චර කාලයක් අපි මේ වේදනාව වින්දා, නරකද පික කාලයකටවත් අපේ හවුල්කාරයාටත් මේ වේදනාව ලබා දුන්නොත්. කියලා, "ඔව්, ඒකෙන් සාධාරණකමක් තිබෙනවා, හොඳයි, මින් පස්සෙ ඒ වේදනාව මම පුරුෂ පක්ෂයටත් දෙනව". කියලා ශක්‍ර දේවේන්ද්‍රයා කිව්වා. ඊට පස්සෙ දාරකෝත්පත්තියක් සිද්ධි වුණා ලග ගෙදරක. ඉතින් ඒ ගෙදර ස්වාමි පුරුෂයා, බොහොම සත් තෝෂයෙන් ඉන්නව, මේ දරුවගේ ශ්‍රීත්පත්තී වෙලාව එනතුරු. දැන් වේදනාව තමන්ට ඇති වෙන්න යනව,

ඒකට ඉන්ජේක්ෂන් එකක් එහෙමත් ගහගෙන මෙයා ලැස්ති වෙලා ඉන්නවා වේදනාව විදගන්න. දැන් දරු පුහුණියත් කිව්වයි. වින්නලු මාතාවත් ආවා. නමුත් මෙයාට වේදනාවක් නැහැ. අල්ලපු ගෙදර ස්වාමි පුරුෂයා මර ලනෝනි දෙන්න පටන් ගත්තා. ඊට පසුව ආයෙමත් ස්ත්‍රී වර්ගයා ගිහින් කියල තිබෙනව සක්තුදේවේන්ද්‍රයන්ට, 'අතේ ස්වාමිනි මේක දැන් නවත්වන්න, අපිම මේ වේදනාව දරන්නම්,' කියලා. මට ඔය කථාව මතක් වුනා, ජලල්දීන් මන්ත්‍රීතුමාගේ වේදනාව කොත්මලේ මන්ත්‍රීතුමාට (ආනන්ද දසනායක මහතා) ඇති වුණාම, කලවානේ මන්ත්‍රීතුමාට (සරත් මුත්තෙවිටුවෙගම මහතා) නම් හාගෙටයි වේදනාව ගත්තෙ. අත්තනගල්ලේ මන්ත්‍රීතුමාට (ලක්ෂ්මන් ජයකොඩි මහතා) තුරුවළිය-මස්කෙළිය දෙවන මන්ත්‍රීතුමාට (අනුර බණ්ඩාරනායක මහතා) ඒවාගේම ද්‍රවිඩ එක්සත් විමුක්ති පෙරමුණේ මන්ත්‍රීවරුන්ට ලොකු කණ ගාටුවක් වේදනාවක් ඇති වෙලා.

ගරු කථානායකතුමනි, මේ විශේෂ ජනාධිපති කොමිෂන් සභාවේ විනිශ්චය මණ්ඩලය ගැන නොයෙක් නොයෙක් ඇහුම්පද කියන්නට යෙදුණා. නමුත් මේ ඉදිරිපත් කළ වාර්තාව අත්සන් කර තිබෙන්නෙ මගේ හිතේ අධිකරණයේ උසස්ම ගෞරවයට පාත්‍රව සිටින විනිශ්චයකාරවරුන් දෙපොලක් බව මම ප්‍රකාශ කරන්න කැමතියි. ඒ අය අධිකරණයේ දීර්ඝ කාලයක් සේවය කළ අයයි. එක් විනිශ්චයකාරතුමෙක් මගෙ හිතේ සැහෙන කාලයක් අල්ලස් කොමසරිස් හැටියටත් ක්‍රියා කරලා තිබෙනවා. ජෝ. විරරත්න විනිශ්චයකාරතුමා. එතුමා දන්නවා අල්ලස් නීතිය. එතුමා ඒ ගැන ක්‍රියා කරලා තිබෙන කෙනෙක්. ශ්‍රේෂ්ඨාධිකරණයේ විනිශ්චයකාර වරයෙක්. සර්වානන්ද විනිශ්චයකාරතුමා කීර්තිමත් විනිශ්චයකාරවරයෙක්. මම අහන්නට කැමතියි, කථා නායකතුමනි, මේ විනිශ්චයකාරවරු දැන දැනම දේශපාලනඥයෙකු සම්බන්ධයෙන් පරීක්ෂණයක් කරන විට ඔය අධිකරණමය පිළිවෙත් නීතිරීති අමතක කොට ක්‍රියා කරයි කියා තමුත්තාත්සේ හිතනවාද? මොකක්ද එතුමන්ලාට මේකෙන් ලැබෙන තාප්තිය?

අද විනිශ්චයකාරවරුන්ට නොයෙකුත් ඇහුම්පද එල්ල කෙරුවා. කේ. සී. ඊ. ද අල්විස් මහතා ගැන සඳහන් කළා. ඒගොල්ලන්ගේ රජය තිබුණු කාලයේ එතුමාට අධිකරණයේ උසස් පදවියක් දරන්න හොඳයි. නමුත් ඒ ගොල්ලන්ගේ නායිකාවගේ ප්‍රශ්නයේදී ක්‍රියා කළාම අන්න එතැන ඉඳලා නරක් වුණා. කථා නායකතුමනි, තමුත්තාත්සේ මේ වාර්තාව කියවල බැලුවොත්, එහෙම නැත්නම් මිට කලින් වාර්තාවල් කියවල බැලුවොත්, තමුත්තාත්සේට පෙනෙයි, මොන තරම් ප්‍රවේශමෙන් මේ ගැන ක්‍රියා කර තිබෙනවාද කියා. හෙක්ටර් කොබ්බෑකඩුව මහතා වෝදනා පත්‍රය ලැබුණු දවසේ ඉඳලාම අපේ ජලල්දීන් මන්ත්‍රීතුමා වගේම බය නැතිව නඩුවට පෙනී සිටියා. නීතිඥයෙක් ඉදිරිපත් කෙරුවා. මගේ හිතේ කොබ්බෑකඩුව මහතා තමාම සාක්ෂි විභාගත් කළා. නඩුව අවසන් වෙන්න ඉස්සර වෙලා එතුමා කිව්වා මට මතකයි, 'තමුත්තාත්සේලාගේ තීරණය මට පක්ෂ වුණත් විපක්ෂ වුණත් මම එකක් කියන්නට බිනා, මට සාධාරණ ලෙස ඇහුම් කන් දීමක් කළා' කියා.

කොත්මලේ ගරු මන්ත්‍රීතුමා (ආනන්ද දසනායක මහතා) මොකද කිව්වේ? “මේක ඉදිරියට ගිය කිසිම කෙනෙකුට සාධාරණ ඇහුම්කන් දීමක් කළේ නැහැ; ජයවික්‍රම උන්කැණේට දුන්නේ නැහැ, බණ්ඩාරනායක මැතිණියට දුන්නේ නැහැ.” ඔය විධියට කියා ගෙන ගියා. නමුත් කොබ්බෑකඩුව මහතාගේ, ගම්පොල හිටපු මන්ත්‍රී දී. ම. ජයරත්න මහතාගේ නඩුව විභාග කළ අවස්ථාවේදී මගේ හිතේ කොබ්බෑකඩුව මහතා මයි ඒ නඩුවේ හරස් පුස්තක ඇසුවේ. අවසාන දවසේ කොබ්බෑකඩුව මහතා කිව්වේ මොකක්ද? “කුමන තීරණයක් ගත්තත් මට කියන්නට පුළුවන් තමුන්තාත් සේලා මට සාධාරණ ඇහුම්කන් දීමක් කළා; ඒ වාගේ ම නිසි ලෙස මේ පරීක්ෂණය කරගෙන ගියා,” කිව්වා. ඒ ප්‍රමාණය මම කියන්නට කැමතියි.

බණ්ඩාරනායක මහත්මියගේ නඩුව ඇදලා ගත් නවා. වර්ජනය කරලා ප්‍රකාශයක් කරලා ගෙදර ගියා මිසක් නඩුවට ඉදිරිපත් වුණේ නැහැ. මම කියන්නම් ඉදිරිපත් නොවුණු රහස. නඩුවට ඉදිරිපත් වෙන්නයි හිටියේ. ඒ නිසා තමයි මගේ හිතේ දෙවරක්ම කල් ගත්තේ. දෙවරක් හෝ එක් වරක් හෝ කල් ගත්තා. කොහොම නමුත් නඩුවට ඉදිරිපත් වෙන්නයි හිටියේ. නමුත් සාක්ෂි දෙන එන උදවියගේ කට උත්තර ඇට ලැබිවිට හැටියේම ඇ තේරුම් ගත්තා මම ගිහිල්ලා අමාරුවේ වැටෙනවා. ඇයි? තමන්ම පත් කරපු තමන්ගේ පොලිස්පති සාක්ෂි දීලා තිබෙනවා. හමුදාවේ නිල ධාරීන් සාක්ෂි දෙනවා. ඒගොල්ලන්ගේ සාක්ෂි බිඳින්න බැරි බව දන්නවා. එහෙම නම් මම මේකෙන් දේශපාලන ප්‍රයෝජනයක් ගන්න ඕනෑ කියලා තමයි එය වර්ජනය කරලා ආවේ. වර්ජනය කරලා අවිල්ලා තමයි, තීරණය දුන්නට පස්සේ පාලම් කඩවන්න, වරාන්ස් පෝමර් කඩවන්න, පාර්ලිමේන්තුව කඩවන්න ඊල් පිලි පන්නවන්න ව්‍යාපාරයක් කරන්න ලැස්ති වුණේ.

ඔක්කොම සැලසුම් කරලා තිබුණා. ඒවා කරන්න සැලසුම් කරලා තිබුණා. නමුත් මේ රජය පළපුරුදු නායකයෙක් යටතේ ක්‍රියාත්මක වෙන නිසා ඊට අවස්ථාවක් ලැබුණේ නැහැ. පළපුරුද්දක් නැති කෙනෙක් නායකත්වය දැරුවා නම්, ඒ කඩකප්පල්කාරී වැඩ සාමක වෙන්න තිබුණා. කථානායකතුමනි, මම කියන්න කැමතියි මේ අවස්ථාවේදී අපේ ද්‍රවිඩ එක්සත් විමුක්ති පෙරමුණේ උදවිය ප්‍රනාප්තා කියන්න වැයම් කලා අර දෙමළ භාෂාව කථා කරන පුස්තකය. මේ විනිශ්චයකාරවරුන් දෙන්නා ගෙන් එක්කෙනෙක් සිංහල කෙනෙක්; අනික් එක්කෙනා දෙමළ කථා කරන ද්‍රවිඩ එක්කෙනෙක්. පෙන්නුම් කරන්න වැයම් කලා මේ රජයත්, ඒ විනිශ්චයකාරවරුන් මේ සුළු ජාතිකයෙක් නිසයි මේ තීරණයට එළඹුණේ කියා. ඒ ගොල්ලො ගින්නේ මේ රටේ ජනතාවට අමතකයි කියා මීට ඉස්සරවෙලා දඬුවම් ලැබූ අය. ඒ ගොල්ලො සුළු ජාතිකයෙද? ද්‍රවිඩ භාෂාව කථා කරන අයද? බණ්ඩාරනායක මහත්මිය, පිලික්ස් ඩයස් බණ්ඩාරනායක මහත්මිය, නිහාල් ජයවික්‍රම මහතා [බාධා කිරීමක්] මේ ජනාධිපති කොමිසමට ගිය අය—එහෙම නම් ඒ ගොල්ලන්ටත් දඬුවම් නියම වුණේ ද්‍රවිඩ භාෂාව කථා කරන නිසාද?

ඇත්තවශයෙන්ම මම කණගාටු වුණා මේ පුස්තකයන් ජාති හේද වාදයක් ඇති කරන්නට පාවිච්චි කිරීම ගැන. ඒ උඩ තමයි කිව්වේ, අයිසෝ අපේ මන්ත්‍රීවරුන්ට

මෙහෙම කරනවා නම් මොන අපරාධයක්ද? දුෂණයක් වෙලා තිබෙනවා නම්, මෙහෙමද දඬුවම් දෙන්න තිබෙන්නේ? මේක වැරදි නේද? මට කණගාටුව අපේ විපක්ෂ නායකතුමා අද මොන නැති එක ගැනයි. මීට වඩා අළුත් ක්‍රමයකට, මීට වඩා වෙනස් ක්‍රමයකට මන්ත්‍රී වරුන්ට දඬුවම් දීමට ක්‍රමයක් ඒ පළාත්වල දුන් ඇති වේගන යන බව අපට පේනවා. මම දන්නේ නැහැ; නමුත් ප්‍රවෘත්ති පත්‍ර බැලුවාම නොයෙක් කතාවල් තිබෙනවා. “මේ වෙඩි දෙක තුන තිබ්බේ මන්ත්‍රීව මරන්න නොවෙයි, පාඩමක් උගන්වන්න. සමුපකාරයේ යම් යම් සිද්ධි ගැන කියලා වෝදනා කරලා”—මම දන්නේ නැහැ ඒක ඇත්තද නැත්තද කියා—විශේෂ කොමිසමක් නැහැ [බාධා කිරීමක්]—

—It is not *sub judice*. It is in the papers. I am repeating the news that appeared in the papers. I am entitled to do so. Why cannot I refer to a news item?

කථානායකතුමනි, තමුන්තාත්සෙ දන්නවා, නීතිඥයෙක් හැටියට, මම රතුඉර පතින කොට මට කියන්න.

කථානායකතුමනි, අළුත් ක්‍රමයක්. විශේෂ ජනාධිපති කොමිසමට වඩා ලේසියි ඒ ක්‍රමය. හත් අවුරුද්දකට ගෙදර යවන්න නොවෙයි, ඕනෑ නම් සදහටම වෙනත් ලොවකට යවන්න. වාජී මීට එකක් නැහැ, කොමිසම රැස් වෙන්නේ නැහැ, නීතිඥයෝ නැහැ. බයිසිකල් වලින් එනවා ඒ “විශේෂ ජනාධිපති කොමිසමේ” තීරණය ක්‍රියාත්මක කරනවා; යනවා. ඇයි අපේ විපක්ෂ නායකතුමා ඒක ගෙලා දැකලා තිබුණේ. මේක අළුත් ක්‍රමයේ දඬුවමක් මන්ත්‍රීවරුන්ට. බොහොම කතා කලා අපේ මේ ජනාධිපති කොමිසම කොයිතරම් අසාධාරණද ආදී වශයෙන්. මම හිතුවා අන් අරක ගැනත් පොඩ්ඩක් මතක් කරයි කියා. “මේ අළුත් ක්‍රමයක දඬුවම් ක්‍රමයක් ක්‍රියාත්මක කිරීමට දුන් අපේ පළාත්වල අපේ ජන්දයකයෝ වෙනම කොමිසමක් පත් කරල තිබෙනවා” කියා මතක් කරයි කියා. මේක අළුත් කොමිසමක්. පාර්ලිමේන්තුවෙන් සම්මත වුණු ව්‍යවස්ථාවක් නැහැ. ඒ කොමිසම ගමන් කරන්නේ කාර්වලින් නොවෙයි, බයිසිකල් වල. නඩුවයි, විභාගයයි, දඬුවමයි එක තැනම දීලා ඉවර කරනවා. රජයට වැඩි විශදමකුත් නැහැ. අයිසෝ. අයිසෝ! මට කණගාටු, මේ ද්‍රවිඩ එක්සත් විමුක්ති පෙරමුණේ මන්ත්‍රීවරුන් මේ ස්ථානයේ නොසිටීම ගැනයි. බොහෝම දිගට කතා කර සද්ද නැතුව ඉවත් ව යනවා, අපේ පිලිතුරු කතාවලට ඇහුම්කන් දෙන්නේ නැතිව.

මම මේ සභාවේ දනගනීම සදහා මේ කොමිසන් සභා වාර්තාවේ සුළු කොටසක් කියවන්න කැමතියි. මොකද? මෙතෙක්දී කියවුණා, උසාවියක මේ කාරණය විභාග කලා නම් සැකයේ වාසිය බොහෝ දුරට වූදිනාට ලැබෙන්නට තිබුණාය කියා. නමුත් මේ කොමිසන් සභාවෙන් එය ලැබුණේ නැහැයි කියවුණා. නමුත් මේ වාර්තාව කියවන විට මට එසේ පේන්නේ නැහැ. මම මේවා ඉදිරිපත් කරන්න නොවෙයි හිටියේ. නමුත් මේ කොමිසන් සභාවට අපි සාධාරණය ඉෂ්ට කරන්නට ඕනෑ. මේ කොමසාරිස් වරුන්ට අපි සාධාරණ වන්නට ඕනෑ.

අපේ මන්ත්‍රීවරුන් මොනදී නොයෙක් ආකාරයට, කොමිසන් සභාවේ අපක්ෂපාතීත්වය ගැන පුස්තක කලා පමණක් නොව, කොමිසන් සභාව අනුගමනය කළ පිලි

[ආර්. ප්‍රේමදාස මහතා]  
 වෙන විවේචනයක් කලා. ඒකට මම පිළිතුරු නොදුන් නොත් මම කරන්නේ බලවත් අසාධාරණයක්. මේ කොමසාරිස්වරුන්ට, විනිශ්චයකරුවරුන්ට පුළුවන් කමක් නැහැ, මෙහි ඇවිත් පිළිතුරු දෙන්න. නමුත් ඒ අය කරන්නේ රාජකාරියක්, මේ රජයේ රාජකාරියක්. එම නිසා මම මේ අයට සාධාරණය ඉෂ්ට කරන්නට ඕනෑ. මම වැඩි විස්තරවලට යන්නේ නැහැ. අවශ්‍ය කරුණු කිපයක් පමණක් ඉදිරිපත් කරන්න කැමතියි.

මොකද? උත්සාහ කලා මෙහිදී පෙන්වුම් කරන්න, “අනේ, මේ වෝදනා මොනවාද? මේ එක්කෙනෙක් එහාට වරාන්සර්පර් කළ එකක්. නැත්නම් ප්‍රොමෝෂන් එකක්. එහෙමත් නැත්නම්, වරැක්ටරයක් අරන් දුන්න එකක්. මේ විධියේ දේවල් දැන් මෙහි සිටින අයත් කරනවා නේද? මේවා මොනවාද? මේවාට මේ විධියට දඬුවම් කරන්න ගියොත් මෙහි එක්කෙනෙක්වත් ඉතුරු වෙයිද” කියා. ඕන්න ඔය විධියේ බොරු බියක් වකිකයක් ඇති කරන්නට උත්සාහ කලා.

අපටත් පුළුවනි මේව අහගෙන ඉදලා ගෙදර යන්න. නමුත් මේ වාර්තාවේ කියා තිබෙන්නේ ඊට වෙනස් ස්වරූපයක්. එහෙම නම් අපි සාධාරණය ඉෂ්ට කර නැහැ. අපි මේ කියන මිථ්‍යා මත ඔළුවට ගෙන, කටයුතු කරන්නට හොඳ නැහැ. ඇයි වරාන්සර්පර් කරන්න බැරි? කරන්න වෙනවා. මන්ත්‍රීවරයකුට ලියන්න වෙනවා, නිලධාරීන්ගේ වැරදි පෙන්වන්න වෙනවා. මාරු කරන්න කියන්න වෙනවා. නමුත් ඒ මන්ත්‍රීවරයා එය කරන්නේ තම රාජකාරියේ ඇති අවශ්‍යතාවක් නිසායි. රාජකාරියේ හැටියට මිස වෙනත් හේතුවක් නිසා නොවෙයි. මේ කොමිෂන් සභාව ඒ ගැන සලකා බැලුවාද නැද්ද? ඒ ගැන විකක් අපි කල්පනා කර, විභාග කර බලන්න ඕනෑ.

මන්ත්‍රීවරුන්ගේ ක්‍රියා කලාපය පිළිබඳව ආචාර ධර්ම පද්ධතියක් පාර්ලිමේන්තුවෙන් සම්මත කර එය නීතිගත කරන්න කියනවා නම් එය වැරදි නැහැ. ඒක වෙනම කරුණක්. නමුත් මෙහි ඇවිත් අවස්ථාවෙන් ප්‍රයෝජන ගන්නට, අපේ අනෙක් මන්ත්‍රීවරුන්ගේ මේ පිළිබඳ ගැඹිම වෙනස් කරන්න, අසත්‍ය කරුණු ඉදිරිපත් කර තොත් එය සාධාරණ නැති බව කියන්න කැමතියි. පෙන්වුම් කරන්නට උත්සාහ කලා, මෙහි තිබෙන්නේ වෙනත් දෙයක් නොවෙයි, ඔය “වරාන්සර්” එකක් වාගේ සුළු දේවල්ය කියා. මේක ඒ තරම් සුළු හැටියට පෙන්වන්නී බැලුවා. නමුත් මේ වාර්තාව කියෙව්වම ඊට වඩා වෙනස් තත්ත්වයක් තිබෙන්නෙ.

“Allegations and Findings”—I will only refer to what is absolutely necessary to remove this misconception which was created by some Members of the Opposition.

Allegations 1, 3 and 11 relate to gratifications.

Charge 1 relates to a gratification of Rs. 10,000 for obtaining a permit to purchase tractors from the Tractor Corporation at concessionary prices. This is held to be proved.

Charge 3 is about the acceptance of a gratification of Rs. 4,500.00 for obtaining a divesting order from the Land Reform Commission in respect of a piece of land. This is held to be proved.

Change 11 deals with soliciting and/or accepting a gratification of a “Singer” refrigerator valued at Rs. 8,455.00. This is also held to be proved in the acceptance aspect.

Grossly abusing his position as an MP to victimize and harass employees by endless and unnecessary transfers is accepted as proved in Charge 5, Charge 8 and Charge 9.

That an employee had his services improperly terminated due to the MP’s influence is held to be proved in Charge 7.

In charge 10, he is proved to have attempted to victimize a political opponent, Mr. M. S. M. Abubucker, Chief Trustee of the Northern Section of the Addelachenai Jumma Mosque.

That he corruptly acquired property for himself is held proved in Charge 12, and in Charge 4 he is held to have abused his powers by protecting by offenders who were defrauding the multi-purpose co-operative stores.

He is exonerated on Charge 2 and acquitted on Charge 6.

I have been told by officials who serviced the commission that the allegations were supported by witnesses. Dr. Jalaldeen’s counsel were given unfettered opportunity to cross-examine them at length. Where documents were concerned, they were made available to him before the trial commenced. He was allowed to call any number of witnesses and produce any documents for his defence. Some of the criticisms in this House were based on a misconception that the burden of proof and standard of proof applied before the Presidential Commission was different from those applied in the normal courts. That was a misconception that they tried to create in the minds of hon. members. If you read the report you will find references to the judges’ having referred to the fact that the evidence satisfied them beyond reasonable doubt.

I would like to refer hon. members to page 16 and the last paragraph on page 40. They have given the benefit of the doubt in respect of certain witnesses to Dr. Jalaldeen. On allegation 12 at page 43, the judges held that “though the oral evidence of witnesses in support of this allegation is overwhelming, we felt that some of the evidence was exaggerated and was inspired by animus against the Respondent and could not be safely acted upon”, and they were acting, not on oral



evidence, but "having anxiously examined the respondent's own evidence, it will be seen that the charge of bribery has been established not so much on what witnesses said but on documents and declarations signed by Dr. Jalaldeen himself".

It may be that hon. members who criticised were unaware that one of the judges, in fact the chairman of the commission, had himself been a Bribery Commissioner for several years and would have been aware of the burden and standard of proof required in bribery cases. Another aspect of the criticism levelled on the Floor of this House was that they were led by communal issues in selecting Dr. Jalaldeen for the imposition of civic disabilities. I dealt with that earlier.

When you examine the charges you will find some based on corruption and others on the misuse of power. Charges 1, 3, 11 and 12 relates to illegal gratification. Charges 1 to 3 go to show that the total sum of almost Rs. 200,000 which Dr. Jalaldeen is supposed to have spent in excess of what he earned had been received. I do not want to go into details, but I want to state in fairness to the commission that they have followed the rules that govern judicial proceedings. I do not think it is fair to level this sort of unwarranted criticism at them.

ඒ නිසා ගරු කථානායකතුමනි, මේ අවස්ථාවේදී මීට වඩා කථා කරන්නට මම බලාපොරොත්තු වෙන්නෙ නැහැ. අපි ප්‍රීතීඡතක දෙයක නොවෙයි, මේ නිරත වී සිටින්නෙ. නමුත් කරන්න දෙයක් නැහැ. අපේ පොදු ගලික සම්බන්ධකම්වලට වඩා පොදු යුතුකම් ඉටු කරන්න අපට සිද්ධ වෙලා තිබෙනවා. මම දන්නවා දෙස්තර ජලාල්දීන් මහතා මේ පාර්ලිමේන්තුවේ මන්ත්‍රීවරයෙක් හැටියට පොදුගලිකව පොකුවිල් ආසනයේ පොදු ජනතාවට, පොදු මෙහෙයට මොන තරම් උනන්දුවකින් කැප වීමකින් ක්‍රියා කළාද කියා. ඒ ගැන මේ අවස්ථාවේදී මම නැවත වරක් මතක් කරන්න කැමතියි. නමුත් මෙය අපට පාලනය කරන්න පුළුවන් තත්ත්වයක් නොවෙයි. මෙම පාර්ලිමේන්තුවෙන්ම සම්මත වුණ මේ විශේෂ ජනාධිපති කොමිෂමේ නීති රීති අනුව විභාගයක් පවත්වා තීරණයක් දන්නා නම් අපි ඒ ගැන ආසිමත් විභාගයක් මෙතන කරන්න ගියොත් එහෙම නම් අපිම, අපි ඇති කළ වැඩ පිළිවෙළ වෙනස් කිරීමක් කරනවා වෙනවා.

ජලාල්දීන් මහතාට මෙවැනි ඉරතමකට මුහුණ පාන්නට සිද්ධ වුණේ එතුමා දුටුව භාෂාව කථා කරන කෙනෙක් නිසාවත් එතුමාට මේ පාර්ලිමේන්තුවෙන්, රජයෙන් අසාධාරණයක් වෙලාව නිසාවත් නොවෙයි එතුමාගේ කිට්ටුවන්ත ඥාතිවරුන්ගේ වැඩපිළිවෙළක් නිසාය කියා පැහැදිලි ලෙස එතුමා කියා සිටි නිසා විපක්ෂයේ අනික් මන්ත්‍රීවරුන් හලපු කිලුල් කළළ ගැන අපි කතාගාටු වන බව මම නැවතත් ප්‍රකාශ කරමින් මෙම යෝජනාව පිළිගන්නා ලෙස ඉල්ලා සිටිනවා.

ප්‍රශ්නය විමසන ලදී.  
කමබවට අනුව "පක්ෂ" මන්ත්‍රීන්ට ජය බව කථානායකතුමා විසින් ප්‍රකාශ කරන ලදී.

ශ්‍රී ලංකා විධිකරු.  
ඉරාලකුණිපාඩු. "ஆம்" மேலோங்கிற்று என சபாநாயகர் அவர்கள் அறிவித்தார்கள்.  
Question put.  
Mr. SPEAKER having collected the Voices, declared that the "Ayes" had it.

ලක්ෂ්මීන් ජයකොඩි මහතා  
(திரு. லக்ஷ்மன் ஜயக்கொடி)  
(Mr. Lakshman Jayakody)  
Divide!

ආර්. ප්‍රේමදාස මහතා  
(திரு. ஆர். பிரேமதாச)  
(Mr. R. Premadasa)  
In any case we have to devide.

පාර්ලිමේන්තුව 43 වන ස්ථාවර නියෝගය යටතේ—පක්ෂව 117 ;  
දිරාද්ධව 4 ; යනුවෙන්—බෙදුණේය.  
பாராளுமன்றம், 43 ஆம் நிலைக் கட்டளையின் கீழ் பிரிந்தது சார்பாக 117 ; எதிராக 4 ; நடுநிலை 1.  
The Parliament divided (under Standing Order No. 43) : Ayes 117 ; Noes 4 ; Declined to vote 1.

**පාරිතෝෂික ගෙවීමේ පනත් කෙටුම්පත**  
**பணிக்கொடைக் கொடுப்பனவு சட்டமூலம்**  
**PAYMENT OF GRATUITY BILL**

දෙවන වර කියවීමේ යෝජනාව කියවන ලදී.  
இரண்டாம் மதிப்பிற்கான கட்டளை வாசிக்கப்பட்டது.  
Order for Second Reading read.

අ. ගා. 5.55  
සී. පී. ජේ. සෙනෙවිරත්න මහතා (කම්කරු ඇමතිතුමා)  
(திரு. வி. பி. ஜே. செனெவிரத்தன்—தொழில் அமைச்சர்)  
(Mr. C. P. J. Seneviratne—Minister of Labour)

ගරු කථානායකතුමනි, මම නැගිට සිටියේ මෙම සභාවට ඉදිරිපත් කර හය මාසයක් පමණ ගත වුණ, හය මාසයක් පමණ ප්‍රමාද වුණා, පාරිතෝෂික දීමනා ගෙවීමේ පනත් කෙටුම්පත දෙවන වර කියවීමට ඉදිරිපත් කිරීම සඳහායි. පසුගිය මාස හයක පමණ කාලයක් තුළ දී වරින් වර මෙම පනත් කෙටුම්පත දෙවන වර කියවීම කරන්නට විර්යය කළ නමුත් වැළැක්විය නොහැකි වැදගත් කරුණු රාශියක් නිසා එය කරන්නට නොහැකි වුණා. ඒ ගැන මම තමුන්තාත් සේවත් මේ ගරු සභාවටත් කණගාටුව ප්‍රකාශ කරනවා.

ඉතාම වැදගත් පනතක් හැටියට මම මෙය සලකන අතර, මෙම පනත් කෙටුම්පත කියවූ තමුන්තාත් සේ ලාභ මගේ ඒ අදහස අවිවාදයෙන්ම පිළිගන්නවා ඇතැයි කියා මා විශ්වාස කරනවා. ගරු කථානායකතුමනි, අපේ රටේ ජනතාවගෙන් දළ වශයෙන් ලක්ෂ 55 ක් පමණ විවිධ රැකියාවල යෙදී සිටින බව අපි පිළිගන්නවා. මය ලක්ෂ 55න් ලක්ෂ 20ක් පමණ ස්වයං රැකියාවල යෙදී සිටිනවා. තවත් කොටසක් අර්ධ රැකියාවල යෙදී සිටිනවා. තවත් කොටසක් සම්පූර්ණ රැකියාවල යෙදී සිටින අතර ස්වාමි වරුන් යටතේ ඒ අය සාමූහික ගිවිසුම් ආදියට සම්බන්ධ වී ඒ ව්‍යාපාර කරගෙන යනවා. එම නිසා මම කියන්න කැමතියි, අද ඉදිරිපත් කරන මේ පාරිතෝෂික ගෙවීමේ පනත් කෙටුම්පත නිසා මේ රටේ වැඩ කරන 35 ලක්ෂ යක් පමණ වන කම්කරු ජනතාවට විශාල සහනයක් ලැබෙන බව.

[සී. ඩී. ජේ. සෙනෙවිරත්න මහතා]

ගරු කථානායකතුමනි, මේ අවුරුදු හය ඇතුළත කම්කරුවන්ගේ යහපත උදෙසා ඉදිරිපත් කරන 21 වැනි පනතයි, මේ. මේ 21 වැනි පනතේ අනිකුත් පනත් 20 වම වඩා විශාල වැදගත්කමක් තිබෙන බව මා මේ අවස්ථාවේදී පෙන් නුම් කරනවා. මම මෙය පෙන් නුම් කරන්නේ මගේ තමම ප්‍රසිද්ධියක් ගන්න නොවෙයි. එක කාරණයක් තිසයි, මම මෙය පෙන් නුම් කරන්නෙ. මේ සභාවේ ඉද ගෙන මේ රට පාලනය කළ රජයවල් අතර මහජනතාව විසින් තෝරා පත් කර ගත් සමාජවාදීය කියා ගන්න රජය වල් තිබුණා. සමාජවාදීය කී පක්ෂ හා පාක්ෂිකයන් ඔක්කොම එකතු වෙලා, හත් හවුල් අට හවුල් එකතු වෙලා පිහිටුවා ගත් රජයවල් තිබුණා. නමුත් ඔය එකම පක්ෂයක්වත්, රජයක්වත් කල්පනා කළේ නැහැ මේ රටේ සේවය කරන කම්කරුවා, වැඩ කරන කම්කරුවා, යම් දවසක ඒ සේවයෙන් මිදී ගෙදර යන කොට ඔහුට පාලක පක්ෂයෙන් මොන සහනයක් ලබා දීමට පියවර ගතයුතුද කියල.

ගරු කථානායකතුමනි, මේ පනත අපේ රජයේ මූලික ප්‍රතිපත්තියක් වන වැඩ කරන ජනතාව රටේ සංවර්ධනයට හවුල් කර ගැනීම මුදුන්පත් කර ගැනීමට ගන්නා තවත් වැදගත් පියවරක් හැටියට හදුන්වා දෙන්නට පුළුවනි. Involving the worker in the development of the country with the government. මේ ගරු සභාවේ නමුත් නාන්සේලා විවාද කළත්, මෙම පනත් කෙටුම්පත ඒ කමතිකව පිළිගන්නොත් මේ රටේ අද වැඩ කරන තිස්සන් ලක්ෂයක් වූ කම්කරුවන්ට පමණක් නොවෙයි මින් ඉදිරියට කම්කරුවන් තුන්සිය පණස් ලක්ෂයක් මේ රටේ සේවය කළත් ඒ සියලු දෙනාටම මේ පනත නිසා සදකාලිකව විශාල සහනයක් අත් වන බව තමුත් නාන්සේලාට පෙනී යනවා ඇති. සමහර විට මේ පනතේ අපි තමුත් නාන්සේලා බලාපොරොත්තු වූ සහන සියයට සියයකින්ම සම්පූර්ණ වී නැතිව ඇති. ඒවාගේම මා මුලින් කීවාක් මෙන් පසුගිය කාලය තුළ මවිසින් ඉදිරිපත් කරන ලද පනත් විස්සෙන්—විශාල වුවත් සුළු වුවත් ඒ පනත් විස්සෙන්—කම්කරුවන්ගේ ජීවිතය කිරියෙන් පැණියෙන් උතුරුවන්නට නොහැකි වූවා වෙන් නට පුළුවනි. ඒක අපි පිළිගන්නවා. නමුත් අපි පසුගිය අවුරුදු පහක හයක කාලය ඇතුළත කම්කරුවා දුකින් මුදු ගෙන ඔහුට ආත්ම ගෞරවයක් ඇතිව ජීවත් වෙන්නට පුළුවන් මිබියේ, හෙටක් ගැන හදවත තුළ විශ්වාසයන් තබාගෙන ජීවත්වන්නට පුළුවන් මිබියේ වාතාවරණයක් ඇති කලා. අන්න ඒ ප්‍රතිපත්තිය මුල් කරගෙනයි, අද මේ පනත් කෙටුම්පත ඉදිරිපත් කරන්නේ.

ගරු කථානායකතුමනි, අද ඇතැම් පක්ෂවලට අමතන වි තිබෙනවාදැයි මා දන්නෙ නැහැ, කාගේ හෝ ක්‍රියා පටිපාටිවල දුර්වලකම නිසා අද මේ රටේ කම්කරු උසාවි ඉදිරිපිට දළ වශයෙන් කම්කරු නඩු 20,000 ක් පමණ ගොඩ ගැසී තිබෙන බව. ඔය නඩු විසිදුහොත් හතරෙන් තුනක්ම සේවයෙන් මිදුණු කම්කරුවන් පාරිතෝෂික මුදල් ඉල්ලා පවරා තිබෙන නඩු බව මට කියන්නට

පුළුවනි. නඩු විසිදුහසකින් පහළොස් දහසක්ම සේව යෙන් මිදුණු කම්කරුවන් පාරිතෝෂික මුදල් ඉල්ලන නඩු නම් ඇතැම් අය අවුරුදු අට නවය දහය බලාගෙන ඉන් නවා සහනයක් ලබාගැනීමට. නමුත් තීන්දුවක් ලැබෙන්නේ නැහැ. නඩුව විභාගයට ගත් විට එක්කෝ එක දවසක ස්ථාමියා නැහැ. එක්කෝ ලෙප් එක නැහැ. තවත් දවසක පැමිණිලිකාරයා නැහැ. තවත් දවසක නීතිඥ මහත්මිය නැහැ. ඔවුහි විවිධ කාරණා නිසා නඩු විභාගවලට අවුරුදු හත අට නවය ගත වුණා. කාලයක් ගත වී යමී දවසක විනිශ්චයක් දුන් විට පැමිණිලිකාරයා මැරිලා! කල්පනා කර බලන්න මේ තත්ත්වය ගැන. මේක සුළු පටු දෙයක් නොවෙයි.

දිවයිනේ කම්කරු උසාවිවල නඩු විසිදුහසකින් පහ ළොස් දහසක්ම පාරිතෝෂික මුදල් ඉල්ලන නඩු නම් ඒ කම්කරුවන්ට මොන සහනයක් ලබා දිය යුතුදැයි අපි කල්පනා කර බලන්නට ඕනැ. අද මේ පනත් කෙටුම් පත තමුත් නාන්සේලා විසින් සම්මත කරනු ලැබූ විට අත්වන ප්‍රතිඵලය මෙකක්ද? “දැන් රජයේ කල්පනා කිරීම මෙහෙයයි, රජය ගන්නා ප්‍රතිපත්තිය මෙකයි. එම නිසා අපිත් මෙම කෝදුව දිගේ තීරණ ගත්තොත් මේ නඩු පික ඉක්මනින් විභාග කර නිම කර දැමිය හැකියි” කියා ඒ කම්කරු උසාවිවලට ක්‍රියා කරන්නට පුළුවන් වෙනවා. විශාල සහනයක් එතනිනුත් ඒ අහිංසක කම් කරුවන්ට ලැබෙනවා. මම බලාපොරොත්තු වෙනවා මේ පනත සම්මත වී ඉතා සුළු කාලයකදී ඔය නඩු පහළොස් දහ පන්දහට බිහි කියා. ඊට පසුව අපේ නීති ක්‍රියාවේ යෙදෙන විට නඩු යන්න වුවමනාවක් නැහැ, සෑම සේවකයෙකුටම ඔහු අස් වී යන අවස්ථාවේ තමන් අවු රුදු 5 ක සේවා කාලයක් නිම කර තිබුණා නම් ඒ අවස්ථාවේ පාරිතෝෂික දීමනා ලබා ගැනීමට ඒ කම්කරුවා හිමිකරයෙක් වෙනවා. එය කිසි කෙනෙකුට නාවන් වන්න බැහැ.

එක කරුණක් මෙහි තිබෙනවා, ඇත්ත වශයෙන්ම අපි ප්‍රකාශ කළ යුතු. 15 දෙනෙකුට අඩුවෙන් සේවය කරන ආයතනවල කම්කරුවන්ට මේ පනත බල පාන්නේ නැහැ. එයට හේතුව මෙයයි. අපේ රටේ ඇතැම් සුළු ව්‍යාපාර තිබෙනවා මෑතක සිට ආරම්භ කළ, එමෙන්ම බොහොම අමාරුවෙන් අත්හදා බැලීම සඳහා බැංකුවලින් ණය මුදල් අරගෙන ආරම්භ කළ. 15 දෙනෙ කුට අඩු සංඛ්‍යාවකින් යුක්ත වූ එවැනි සුළු ව්‍යාපාරයක් ලාභ සහිතව නොගෙනිවිවොත් ඒ ව්‍යාපාරයන් නැහැ; ව්‍යාපාරය හිමියාටත් පාඩුයි. වැඩ කළ අයටත් පාඩු වෙනවා, රක්ෂාව නැතිව ගියොත්, ඒ නිසා මේ පනතින් 15 දෙනෙකුගෙන් අඩු සේවක පිරිසක් සිටින ව්‍යාපාර වල වැඩ කරන කම්කරුවන්ට සහනයක් නොලැබුණත් ඒ කම්කරුවන්ට අද වගේම පුළුවන්කම ඉදිරියටත් තිබෙනවා කම්කරු උසාවිය ඉදිරියට යන්නට, අස් වී හය මාසයක් ඇතුළත, ඒ අයිතිය අපි නැති කර නැහැ. එයට අපි ඉඩ දී තිබෙනවා.

තවත් එකක් ප්‍රකාශ කරන්න කැමතියි. අපේ පර්යේෂණ අංශයෙන් ඔය 15 දෙනාට අඩුවෙන් සේවය කරන ආයතන ගැන සොයා බලා—විවිධ අංශ තිබෙනවා, විවිධ ආයතන තිබෙනවා—යම් යම් වැදගත් කරුණු නිසා ඒවාත් මේ පනතට අදාල කර ගන්නට පුළුවන්ද කියා

බලනවා එසේ පුවත් නම් අනාගතයේදී මේ මුල් පනතට අවශ්‍ය සංශෝධන වරින්වර අපි ඉදිරිපත් කරනවා.

ගරු කථා නායකතුමනි, නමුත් නාන්සේට පෙනෙනවා මේ පනත මම මේ ගරු සභාවට ඉදිරිපත් කළේ පසුගිය අවුරුද්දේ අගෝස්තු මාසයේ 27 වෙනිදා බව. පසුගිය එක්සත් ජාතික පක්ෂ රජයෙන් සම්මත කරන්නට බලාපොරොත්තු වූ පනතක් මේක. නමුත් නාන්සේ ලා අපි කවුරුත් දන්නා පරිදි මැතිවරණ නීතිම ආදී කරුණු රාශියක් නිසා එය ප්‍රමාද වුණා.

මේ පනත අපි කොටස් තුනකට බෙදා තිබෙනවා. එයින් 1 වැනි කොටස කියවා බැලුවොත් නමුත් නාන්සේට පෙනෙයි මෙන් නම් කරුණු වික. බොහොම වැදගත් කරණ.

"1 කොටස : පෙරළා සියරට යන ඉන්දියානුවන්ට පමණක් අදාළ වන 1978 අංක 34 දරන පනතේ ඇති පදනම හා සමාන පදනමක් වන, පවරාගත් සේ අත් කරගත් ඉඩම්වල සිටි ස්වදේශීය සේවක යන් වද පාරිතෝෂික ප්‍රජාලන ලබාදීමට විධිවිධාන සැලසේ."

මේක අපි විග්‍රහ කරන්න ඕනා. පසුගිය ආණ්ඩුව කලයේ ඉඩම් රජයට අත්පත් කර ගැනීමේදී උන්ගිටි හැටියේ ලක්ෂ තුන සමාරක් පමණ අහිංසක කම්කරුවන්ට පාරිතෝෂික දීමනා නැතිව ගියා. පසුගිය රජයේ වුවමනාවට වතු රජයට පවරා ගත්තා. ඉඩම් ප්‍රතිසංස්කරණ කොමිෂන් සභාවට වතු පවරා ගත්තා. නමුත් ඒ වාසේ වැඩ කළ කම්කරුවෝ දැන ගිටියේ නැහැ, මොකක්ද වුණේ කියා. 'අද' ජෝන් ඇන්ඩ් කම්පැණියේ' වැඩ කළ සේවකයා 'හෙට' වන විට 'ජේ. ඊ. ඩී. බී.' එක යටතට වැටුණා. එක රැයෙකුයි, මේ දේ වුණේ. එවකට බලපැවැත්වුණු නීතිය අනුව අර කම්කරුවන් සැලකුණේ 'ජෝන් ඇන්ඩ් කම්පැණියෙන්' අස් කළ අය හැටියටයි. එක රැයෙන් ඔවුන්ගේ සේවය කැඩුණා. එම නිසා තමන් සේවයට බැඳුණු දා සිට දිගටම ඒ වත්තේ, සේවය කළ අය හැටියට ඔප්පු කරන්න බැරි තත්ත්වයක් ඇති වුණා. ඒ අය කලින් කළ සේවය කැඩී අලුත් කම්කරුවන් හැටියට අලුත් ආයතනයක වැඩ කළ අය හැටියටයි, රජය පෙන් කුම් කළේ.

ඉඩම් ප්‍රතිසංස්කරණ කොමිෂන් සභාව මගින් හෝ රජය විසින් වෙන විධියකින් අත්පත් කර ගැනීමෙන් හෝ රජයට පවරා ගත් යම්කිසි වත්තක සේවය කළ සේවකයකුගේ සේවය එදා—1972 දී නැත්නම් 1975 දී—ඒ හේතුවෙන් කැඩුණ නම්, මේ පනත නිසා ඒ කැඩීම සම්පූර්ණයෙන්ම අහෝසි වී ඔවුන් එම වත්තේ මුල් ආයතනය යටතේ සේවයට බැඳුණු දා සිට අඛණ්ඩව සේවය කළ හැටියට සැලකෙනවා. මේ පනතේ බලපෑමෙන් එසේ සිදු වන අතර අවුරුදු 5 ක සේවයක් නිම කළ හැම කෙනෙකුටම තමා විශ්‍රාම යන අවස්ථාවේදී, සේවය කරන ලද අන්තිම මාසයේදී ගෙවන ලද පසියෙන් අඩක් ගණනේ මුදලක් සෑම සේවා වර්ෂයක් වෙනුවෙන්ම ගණන් බලා පාරිතෝෂික මුදලක් වශයෙන් ඔහුගේ ස්වාමියා විසින් ගෙවනු ලැබිය යුතු බවට මෙයින් නියම කෙරෙනවා. ඒ නීතියයි, අද සම්මත වන්නේ.

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මෙය වතු වල සේවකයන්ට පමණක් නොව කප්පාන්ත අංශයේ හා අනෙකුත් අංශවලත් සෑම සේවකයකුටම—දළ වශයෙන් තිස්පත් ලක්ෂයකට පමණ—බලපානවා.

එපමණක් නොවෙයි. නැවතත් මතක් නොකර බැරි තවත් කාරණයක් තිබෙනවා. තිබුණු වාතාවරණය යටතේ වුණු වරද නිවැරදි කර මේ පනත මේ විධියට සංශෝධනය කර කම්කරුවන්ට ඒ විධියේ සහනයක් ලබා දෙන්න පමණක් නොවෙයි, මම පියවර ගන්නේ. අපේ රජයට සිදු වුණා පසුගිය රජය කළ පවුල බොහෝ කරගන්න. We have got to carry the baby created by the last Government. ඉඩම් ප්‍රතිසංස්කරණ කොමිෂමෙන් කළ දේවලින් එකක්, ඒ. මම කලින් සඳහන් කළ විධියට ඒ වතු වල අයිතිය මාරු වී මාස 6 ක් ඇතුළත කම්කරු උසාවියක් ඉදිරියට යා යුතුව තිබුණා, නීතිය අනුව. නමුත් ඒ නීතිය දන්නේ නැති කම්කරුවන් ලක්ෂ 3 1/2 ක් පමණ ඉන්නවා. එම නිසා ඔවුන්ට කම්කරු උසාවිය ඉදිරියට යෑමට තිබුණා අවස්ථාව නැති වුණා. ඒ නීතිය නොදන්නා කම්කරුවන් අතර ඉන්දියානු කම්කරුවන් කොටසකුත් හිටියා. ඔවුන් පසි අරගෙන ඉන්දියාවට ගියා. ඔවුන්ට රු. 500 ක දීමනාවක් පසුගිය අණවුවෙන් දුන්නා.

නමුත් ලංකාවේ ඉතුරු වුණු, ලංකාවේ පුරවැසි භාවය ලබා ගත් උදවියට එවැනි පාරිතෝෂික මුදලක් ලැබුණේ නැහැ. ඒ විධියට ලංකාවේ පුරවැසි භාවය ලබා ගෙන ලංකාවේ වතු වල වැඩ කරන අය හුඟක් ඉන්නවා. ඒ අයටවත්, තිස්—හතළිස් දහස් පමණ සිංහල කම්කරුවන්ටත්, වෙනත් කිසිම ජාතික කම්කරුවකුටවත් ඒ පාරිතෝෂික මුදල ලැබුණේ නැහැ. අද ඒ අයට කිසිවක් නැහැ. නමුත් මේ පනත සම්මත වුණු හැටියේ ඒ අය, සේවයට බැඳුණු දවසේ සිට අස් වුණු දවස තෙක්, නිකමිම අර පාරිතෝෂික මුදලට හිමිකාරයෝ වෙනවා. එයින් විශාල සහනයක් ලැබෙනවා. මේ පිළිවෙලට බලන කොට අද අපේ ලංකාවේ කම්කරුවාට ඔහු ලබන මාසික වේතනයෙන් සියයට 28 බැගින් එකතු වූ මුදලක් ඔහු විශ්‍රාම යන විට—මම කියන්නේ නැහැ ඒක විශ්‍රාම වැටුපක්මය කියලා—පාරිතෝෂික මුදලක් හැටියට ලබා ගැනීමට අවකාශ සැලසෙනවා. මේ අනුව සියයට 28 ක මුදලක් සෑම මාසයක් සඳහාම එකතු වෙනවා. මේක පොඩි වැඩක් නොවෙයි. අර්ථසාධක අරමුදලෙන් සියයට විස්සක්, ඒ කියන්නේ 12 ක් සහ 8 ක්, ස්වාමි පක්ෂයෙන් සියයට 12කුත් කම්කරුවාගෙන් සියයට 3 කුත්, ඒ වගේම සේවක භාරකාර අරමුදලින්—'ට්‍රස්ට්පන්ඩ්'—සියයට 3 කුත් එතනොට සියයට 23 යි. අද සම්මත වන පාරිතෝෂික පනතින් දළ වශයෙන් සියයට 4 1/2ක් පමණ එහෙමනම් ගරු කථා නායකතුමනි, මේ රටේ වැඩ කරන තිස්පත් ලක්ෂයක් පමණ වන කම්කරුවන්ට ඔවුන්ට ලැබෙන සෑම දීමනාවක් සහිත වේතනයෙන්— මූලික වේතනයෙන් නොවෙයි, ඒකයි ඒකේ ඇති වැදගත්කම—සියයට 28 ක මුදලක් ඔවුන් වෙනුවෙන් ඔවුන්ගේ අනාගත ආරක්ෂාව සඳහා වෙන්වෙනවා නම් අපිට ආවේණිකයෙන් ප්‍රකාශ කළ හැකියි, දකුණු ආසියා වේ සිංගප්පූරුව හැරෙන්නට කම්කරුවාට විශාල ආරක්ෂාවක් දෙන රටක්ය කියා, අපේ කුඩා ලංකාව.

[පී. එ. ජේ. සෙනෙවිරත්න මහතා]

මම දන්නා හැටියට සිංගප්පූරුවේ සියයට 40 ක් ලැබෙනවාලු. ලංකාවේ සියයට 28 යි. දකුණු ආසියාවේ වෙනත් කිසිම රටක් ඒ මට්ටමට ඇවිත් නැහැ. මෙතනින් අපට නවතින්න වුවමනාවක් නැහැ. අපට පුළුවන්, කාලය අනුව, අවශ්‍යතාවන් අනුව ජනතා අපේක්ෂාවන් අනුව වැඩ කරන ජනතාවගේ වුවමනාවන් අනුව, අපේ රටේ ආර්ථික තත්ත්වය අනුව, වරින් වර මේ පනතට සංශෝධන ගෙනවිත් මෙය තවත් සම්පූර්ණ කරන්නට. මෙතනින් නවතින්න වුවමනාවක් නැහැ. මෙයට අමතරව, ඒ කම්කරුවන් සමග සාමූහික ගිවිසුම්වලට ඇතුළත් වී අපි ගෙවනවාට වඩා ගෙවන පෞද්ගලික අංශයේ ඇතැම් ආයතන තිබෙන බව අපි පිළිගන්න ඕනෑ. අපි ඒවාට අනුබල දෙනවා, ආශීර්වාද කරනවා. ඒවාට අපේ දෙපාර්තමේන්තුවෙන් උදව් දෙනවා. අද මේ නීතිය සංශෝධනය වුණට පස්සේ සියයට 28 කට වැඩිය තමන්ගේ කම්කරුවන්ට පාරිතෝෂික දීමනා ගෙවන ශොද ස්වාමිත් ඉන්න ආයතන ස්වල්පයක් මේ රටේ තිබෙනවා. අපි ඒ අයට අපේ සහයෝගය දෙනවා.

ගරු කථානායකතුමනි, තවත් කිව යුතු කාරණයක් තිබෙනවා. පසුගිය රජය කාලයේදී 1970 දී සේවක අර්ථ සාධක අරමුදලට දායක මුදල් ස්වාමියාගෙන් සියයට 9 ක් සහ කම්කරුවාගෙන් සියයට 6 ක් දක්වා වැඩි කරන තෙක් පමණක් පාරිතෝෂික මුදල් ගෙවන්නට ඉඩ දුන්නා. මේ අන්දමට 9 යි, 6 යි වුණට පස්සේ එවකට ශ්‍රී ලංකා නිදහස් පක්ෂයේ රජයේ හිටපු අධිකරණ ඇමතිවරයෙක් කම්කරු දඹාලියට නියෝගයක් දුන්නා, මින් ඉදිරියට අර්ථසාධක අරමුදලට 9 යි 6 යි යන ආකාර සව දායක මුදල් ගෙවන අය වෙනුවෙන් පාරිතෝෂික මුදල් ගෙවීම අවශ්‍ය නැත කියා. ඒක විශේෂයෙන්ම බලපෑවේ දුප්පත් වතු කම්කරුවන්ටයි. මොකද? ස්වාමි පක්ෂයෙන් වෙන් කරන ප්‍රමාණය 9 යි. 9 වරක් 12=108 යි. එතකොට සියයට 8 ක් වැඩි නිසා, ඒ අය තර්ක කළා—ඒ ගෝලීන්ගේ හදවත්වල ඇති වුණු ආකල්පය ඒකයි—සියයට සියයකට වැඩිය කම්කරුවන්ට දෙන්න ඕනෑ නැත. 108 ක් ස්වාමි පක්ෂයෙන් ගෙවා තාවත්කාලීන පාරිතෝෂික දීමනා හා වෙනත් තොයෙකුත් දීමනා ගෙවීම අවශ්‍ය නැත කියා. නමුත් ගරු කථානායක තුමනි, අපි අද මේ පාරිතෝෂික පනත මේ ගරු සභාවේ සාකච්ඡා කරන්නේ කම්කරුවා වෙනුවෙන් පාරිතෝෂික මුදල් 12 යි ; 8 යි නිවැරදි අවස්ථාවේ. 12 යි 8 යි එකතු වුනාම 20 යි. සමහර තැන්වල 25 යි. සංස්ථාවල 25 යි. නීතිය වශයෙන් පාරිතෝෂික මිම්ම 12 යි ; 8 යි. දෙලොස් වරක් දෙලඟ එකසිය හතලිස් හතරයි. සියයට එකසිය හතලිස් හතරක් ස්වාමි පක්ෂයෙන් ගෙවන අවස්ථාවකදීදී අද මේ පනත මේ ගරු සභාවේ සාකච්ඡා කරන්නේ.

ගරු කථානායකතුමනි, මම හිතන විධියට දැන් මේ අවස්ථාව අනුව සාමාන්‍ය වශයෙන් මෙහි විවිධාකමත්, මෙහි ආකල්පයත් කියා දුන්නා. කාරක සභා අවස්ථාවේදී මම සංශෝධන ස්වල්පයක් ඉදිරිපත් කරනවා. ඒ සංශෝධන වලත් එක වැදගත් කරුණක් මම මහාත්කරණය කරන්න ඕනෑ. ඉඩම් රජයට පවරා ගැනීමේ පනත යටතේ ඉඩම් ප්‍රතිසංස්කරණ කොමිෂන් සභාවෙන්

ඉඩම් පවරා ගන්න ඉස්සරවෙලා රජයට පවරාගත් ඉඩම්වල සේවය කළ කම්කරුවන් රාශියකටත් මේ පාරිතෝෂික පනතේ පළමුවැනි කොටසින් වාසියක් ලැබෙන පිළිවෙලට ඒ සංශෝධනයක් සහිතව කෙටුම්පත ඉදිරිපත් කිරීමට මම බලාපොරොත්තු වෙනවා. මීට වඩා කථා කිරීම අවශ්‍යයයි කියා මම හිතන්නේ නැහැ. ගරු කථානායකතුමනි, මගේ ස්තූතිය මේ අවස්ථාවේදී තමුන්තාත්සේට පුද කරමින් මම ගරු සභාවට මෙම කෙටුම්පත ඉදිරිපත් කරනවා.

සේනා සභාමුඛ කරන ලදී.  
 ඕලා ගිවිසුම් පිටපත්.  
 Question proposed.

සරත් මුත්තේවුටුවෙගම මහතා (කලවානා)  
 (ශ්‍රී. ෆාත් ආණ්ඩුක්‍රමලේඛන—කලවානා)  
 (Mr. Sarath Muttetuwegama—Kalawana)

Mr. Speaker, I will be as brief as possible. I think the Hon. Minister spoke with a certain amount of pleasure that he was able to present this Bill. Even though it is some time since he first got the Bill printed and presented to Parliament, I am sure that all of us welcome this Bill.

As I said, I wish to be brief. I would therefore confine myself to certain comments on certain matters where I think this Bill can be improved. I do not want to talk in the vein of an Oliver Twist who is always asking for something more. It is not in that spirit that I say this, but because I feel genuinely that there are certain areas which are covered by the Bill where the Bill can infact be strengthened.

First of all, the Hon. Minister took pride in the fact that it was he who after several years was able to present the Gratuity Bill and make the payment of Gratuity a matter of law. That is so. Gratuity has up to now been a matter of either convention or of court judgment except in the case of certain repatriates who are covered by another Act. The people have either to go to the labour tribunal or there have been certain agreements, conventions and understanding whereupon the gratuity was paid. In the case of those who went to the labour tribunal, although the labour tribunal followed generally the practice of paying two weeks' pay for each year of service, there have been cases which have been contested where the amount offered has been far short of that amount or where there has been no gratuity paid at all.

So the fact that there is legislation to the effect that gratuity payable will be such and such, as defined in the law, is a welcome innovation, and I think the Hon. Minister deserves congratulation on that matter.

First of all, I would like to say, by way of preamble to my remarks, that I am personally not at all very happy with the drafting of this Bill. I envisage a lot of

difficulties in the interpretation of this Bill. That is not something for which the blame lies at the door of the Hon. Minister. The Bill is drafted in such a way – I do not say that it was designedly so, but objectively the Bill is drafted in such a way – that it could lead to a lot of legal argumentation and quibbling which could cause certain drawbacks in the implementation of the Bill.

I think the Hon. Minister will admit that there are two sets of amendments which have been circulated with this Bill. One set was presented to us yesterday and on that occasion I asked the Hon. Minister for time to study the amendments vis-a-vis the original draft of the Bill, and he was gracious enough to put off this debate till today. When we came this morning we were given another set of amendments. In the light of the delay that had occurred, and because the Minister is at the moment not in the best of health, I do not want to put him into the trouble of asking for another postponement of this Bill.

All I can say is, if you take the original draft of this Bill, you will see that my point is readily made about the bad draft. For example, there is a definition clause in this Bill, and one of the most essential things that need to be defined, is the word “industry”. It was not defined in the original definition clause of this Bill. It is now defined in the amendment, but the amendment is a matter that came as an afterthought. The amendment came in after the Cabinet Sub-Committee was appointed, and a further drafting took place.

What I am saying is, the word “industry” cannot be defined by the Minister or by the Labour Department officials. It is a matter that should have been attended to while the drafters were at it. I am not trying to criticise anybody, but what I am saying is that if you went through with this Bill, where a lot of clauses cover the word ‘industry’, without the amendment, and went into court, there would have been endless arguments about whether a worker belonged to an industry because that word ‘industry’, was not defined in the original draft of the Bill. I say that kind of somewhat loose drafting, if I may use the word, tends to make the interpretation of this Bill rather confusing, and it continues through the draft and in spite of the amendment. I do not know what the Minister will have to say. It is too late now to do anything about that. It may be he will find it necessary in due course, when this Bill comes up again with some interpretation problem, to come here with amendments to clarify certain sections of the Bill.

**சி. பி. சீ. சேனேவிரத்ன**

(திரு. வி. பி. ஜே. செனேவிரத்ன)

(Mr. C. P. J. Seneviratne)

The latest piece of amendment. We have only changed something in regard to the Land Acquisition Section.

**சரத் முத்தேடுவேகமா**

(திரு. சரத் முத்தேடுவேகமா)

(Mr. Sarath Muttetuwegama)

I follow that. What I was saying is that until the amendments came, even the word ‘industry’ carried no definition in the definition clause of the Bill. But be it as it may!

First of all, I would like to refer to a matter which the Hon. Minister himself referred to in his opening remarks and that is the question of Labour Tribunal cases that are pending now. Now, Sir, this is a very tricky problem because as the Hon. Minister himself said there are about 15,000 Labour Tribunal cases which are now pending on the question of gratuity. I do not know the figure, but if we take the Hon. Minister’s figure, the matter is even more serious than I thought. What has happened is that this Bill, as the Hon. Minister said, was published in the gazette on 31st August, 1982; that is, 6 or 7 months ago. The Bill was announced as going to be presented even earlier, and throughout the last year, an applicant after applicant before those Labour Tribunals has been getting his case, where it affected the question of gratuity, laid by till this Bill was brought.

Mr. Speaker, now this Bill takes effect from the date it is published in the Gazette and your assent is given. This becomes law as from that date. Those Labour Tribunal cases which have been laid by pending this Bill will remain to be completely unaffected by this Bill. So that those 15,000 cases which the Hon. Minister mentioned, are back to square one, to *status quo ante*. They have to go to the Labour Tribunal and all those difficulties that the Hon. Minister outlined about the ledgers being missing, the plaintiff being missing, the defendant being missing, the lawyer being missing will continue, and those 15,000 people will be going from pillar to post hoping to get the gratuity, which ironical enough, has become law by the passage of this Bill.

There can be nothing done about that now unless the Hon. Minister, accepts an amendment to make this retrospective. I do not think he will do that. But he can do one thing to help them and that is to make his intention very clear in the course of this debate when he is summing up: that he is hopeful that Labour Tribunal Presidents and employers, particularly in the Government sector – when I say the Government sector, I mean the Corporation sector and so on – will, where there are pending Labour Tribunal cases, follow the rule of computation for gratuity laid down in this Bill, because, it will be helpful to applicants in the Labour Tribunal, if they are able to go with the HANSARD of this debate and show it to the President of the Labour Tribunal and say this was the intention of the legislature; whatever the Bill actually says in

[சுரன் இயற்கைப்பிழைகளைக் குறித்து]

law the Hon. Minister and the Government expected that those 15,000 cases which are now pending would be decided on the basis that the computation set out in this Bill will be followed. That is one matter which I wanted to raise.

There is another matter. There are a large number of enterprises recently taken over by the Government. Not recently, they have been taken over the last so many years. There is a peculiar body of enterprises which are known as - on notice boards you see them as GOBU - Government Owned Business Undertakings. They are in fact former private undertakings which have been taken over or vested for one reason or other and they now go as Government Owned Business Undertakings; some are big and some are small enterprises. But this Bill does not cover those Government Owned Business Undertakings because those GOBUs like IOU's are neither fish, flesh nor fowl. Some of them are fowl, but they are neither fish, flesh nor fowl as far as this Bill is concerned. They are neither private sector nor Corporation sector nor in fact really even Government sector because they do not enjoy what government servants enjoy by way of pension rights and so on. So I do not know what the Hon. Minister proposes to do about the body of people employed under those GOBUs, because the Hon. minister will find, when he goes on with the implementation of this Bill, that there is that kind of lacuna in the Bill.

தி. பி. சே. சேனேவிரத்ன குறித்து

(திரு. வி. பி. ஜே. செனேவிரத்ன)

(Mr. C. P. J. Seneviratne)

The Hon. minister of Finance has already moved in the matter. He is taking certain steps to create a certain type of Corporation out of those institutions, and very soon it will be done. Then they will also come under the same labour laws.

சுரன் இயற்கைப்பிழைகளைக் குறித்து

(திரு. சரத் முத்தேட்டிவேகம)

(Mr. Sarath Muttetuwegama)

Very well.

தி. பி. சே. சேனேவிரத்ன குறித்து

(திரு. வி. பி. ஜே. செனேவிரத்ன)

(Mr. C. P. J. Seneviratne)

Now, as you said, they are neither fish nor fowl.

சுரன் இயற்கைப்பிழைகளைக் குறித்து

(திரு. சரத் முத்தேட்டிவேகம)

(Mr. Sarath Muttetuwegama)

Yes. I will take the Hon. Minister's assurance. But the Hon. minister of Finance himself says that he is going to make a certain type of Corporation out of them. We hope that it will be the type of Corporation

which will enable them to come under the Gratuity Bill at least. That is one other matter, Sir, which I wanted to say with regard to this Bill.

Thirdly, there is another matter, and that is in respect of another kind of enterprise the status of which and how it will be covered in this Bill. I am not quite sure. The Hon. Minister can clarify it later on. There is a large body of people who work in these so-called power-loom. There were, I think, as far as I know, about 50,000 workers in the power-loom industry, all working in Government-owned power-loom enterprises. They were actually Government run. Now, within the last five years - that is why I say I am not quite sure of the position - and therefore within the period of operation of this bill, those government-owned - not GOBUs - hand-loom enterprises have been sold - sold or I do not know whether by some agreement handed over - to the private sector. (Interruption.) No. The problem arises in this way. They were originally run by the Department. (Interruption.) No. I am not at the moment on that matter. That is not the problem now. Whether you like to hand them over to the private sector or not is not my point.

My point is a different one. When they were being run by the Department, they were outside the question of gratuity because they were a government institution, the employees were Government servants. They ceased to be Government servants and they were handed over to private individuals or private companies. They have been handed over within the last five years. The entire work-force is about 50,000 people. Out of the 50,000 - I cannot say the amount - some of them are due to retire before the five-year period is over, or even after the five-year period is over. When the question of gratuity for them, comes up how would one interpret the period of service which they have put in, when they were in the Government sector, when they were in the Department? That is a peculiar problem because that is a problem that is limited to a particular industry, but it is nevertheless a problem that affects a wide range, a large number of people, and I think it is a matter that is worthy of the attention of the Hon. Minister.

Then there are also certain people, Sir, who come within the private sector, in certain private sector firms in Colombo. As far as we know, the number is about 6,000 to 7,000: but again it is a peculiar problem of people who are deemed to have vacated their posts as a result of the strike of July, 1980. (Interruption.) Some people say there was no strike. They are deemed to have vacated their posts in the private sector in July, 1980. Richard Pieris's is one, but there is a large number of industrial firms. Now some firms are paying them gratuity, Not some firms, I think one firm is paying them gratuity on the basis that they have

completed a period of service, but others are not. And that is another matter where there is a peculiar situation to which the Hon. Minister might pay some special attention and see whether he could not persuade the employers Federation to try to follow some uniform policy in respect of those people. That is in respect of those people who are working in the private sector outside the plantation sector.

Then, of course, we come to the question of the plantation workers. I know the Hon. Minister will forgive me if I say that it is the position of our party, not because of any personal animus on your part, that this Bill discriminates against the estate workers, in this sense: it discriminates against the estate workers as against other workers. And this is a situation which has continued down the years, not only under this Government, but under all previous Governments. When it comes to some benefit being given to the working class – the largest section of the working class the most deprived section of the working class, the most exploited and, in fact, the most productive, because they still produce something like 60 per cent of the foreign exchange earnings of this country – they are the people who ultimately find themselves being discriminated against.

This is a Government which has one of the leaders of the estate population in its Cabinet, right inside the Government. I saw in "The Island" yesterday a reply by the Union which the Hon. Minister leads, the Ceylon Worker's Congress, in reply to a letter by Mr. Velupillai. Mr. Velupillai has said that, even though you have a Minister there we have still got nothing. The CWC had replied that. I know what went on. In the last few weeks some lobbying went on in the Cabinet and all that kind of thing. But, in the end, every Government cannot help. I do not know, because of the class bias, or may be other biases, when it comes to dealing with the working class as a whole, if there is to be any discrimination, it falls at the door of this estate worker – the estate worker of Indian origin, whether he is an Indian citizen, Sri Lanka citizen or in that other nebulous state of being a stateless person.

Look at this Bill, Part I, which you are talking of. Look at the preamble to this Bill. In the preamble it says that Part I is designed to ring the indigenous worker up to the state of the repatriate worker. That is because of the other Act, Act No. 34 of 1978, the Payment of Gratuity to Indian Repatriates Law. But in the end both the Indian and Sinhalese plantation workers find that they are going to be in some difficulty under this Bill. Not some difficulty, they are going to be worse off than other workers. And the section, say, for example, workers in the packing industry will collapse, the tea packing firms, or any other worker in an industrial setup –

**කළානායකතුමා**

(*சபாநாயகர் அவர்கள்*)

(Mr. Speaker)

You are not heard. The microphone, please.

**සී. පී. ජේ. සෙනෙවිරත්න මහතා**

(*திரு. வி. பி. ஜே. செனேவிரத்தன்*)

(Mr. C. P. J. Seneviratne)

The rate of pay has nothing to do in this matter, because I have nothing to do with the problem of payments and salaries. I have only produced the law to pay the gratuity on the type of salary each person gets. As far as I can see, I thought that the Hon. Minister of Rural Industrial Development and I resolved the little differences we had during the last three or five weeks, but I do not think that there is any difference in that matter. We all have worked in that spirit.

**සරත් මුත්තේවිටුවෙලම මහතා**

(*திரு. சரத் முத்தேட்டுவெலகம்*)

(Mr. Sarath Muttetuwegama)

I do not know about your differences. The Hon. Minister has misunderstood me, Sir.

**කළානායකතුමා**

(*சபாநாயகர் அவர்கள்*)

(Mr. Speaker)

Order, please! The Deputy Speaker will now take the Chair.

**අනතුරුව කළානායකතුමා මූලාසනයෙන් ඉවත් වූයෙන්, නියෝජ්‍ය කළානායකතුමා [නේමන් වෛද්‍යරත්න මහතා] මූලාසනාදාය විය.**  
*அதன்பிறகு, சபாநாயகர் அவர்கள் அக்கிராசனத்தினின்றும் நீங்கவே, உப சபாநாயகர் அவர்கள் [திரு. நேரமன் வைத்யரத்தன்] தலைமை வகித்தார்கள்.*

*Whereupon MR. SPEAKER left the Chair and MR. DEPUTY SPEAKER (MR. NORMAN WAIDYARATNA) took the Chair.*

**සරත් මුත්තේවිටුවෙලම මහතා**

(*திரு. சரத் முத்தேட்டுவெலகம்*)

(Mr. Sarath Muttetuwegama)

I was on the point where, Sir, the Hon. minister made an explanation. I am not at the moment on the last take-home pay of the worker. That anomaly is not something within his power to adjust. That is an anomaly, that is a creation that has come down the years and that is something that every Government has to face. We have asked for monthly pay, this and that and the other. Nothing has happened.

That is not the point I was going to make. Under Clause 2 (a) of this Bill a certain category of workers are put into a special position. There are a few amendments which are not of much significance but what it says, basically, is that the worker will be entitled to payment of his gratuity under Clause 2 in a sum equivalent to 14 days wages for each year of completed service computed as at November 1959, and where the LRC has taken over land a certain period will be computed as at 1972, that is, the time at which estates changed hands.

[சுரன் இன்னைப்புவேலை மகனா]

What I say is - the Hon. Minister of Rural Industrial Development will bear me out on this - that there have been cases before where estates changed hands; where somebody bought and somebody sold a going concern. What happened there was that the trade unions intervened. The Labour Department summoned a tripartite conference of the vendor or seller, the intended purchaser and the union representing the workers and had a discussion on a number of matters, one of which was gratuity. By and large, those matters were resolved at the level of the Labour Department, but the purchaser agreed to take over the entire period of past service. The hon. District Minister for Kandy (Mr. W. M. P. B. Dissanayake) must have had considerable experience of such settlements. The man who was to be the beneficiary of the gratuity collected for the whole period of his service a gratuity at his terminal salary, the salary at the time of leaving, for the whole period of his service.

I do not know whether I am making myself clear or whether I am as confused as this Bill. If a man served 30 years, 15 of which were under, say, Whittall Bousteads, and then a local entrepreneur bought that estate from Whittall Bousteads, at the tripartite conference the local entrepreneur was made to agree to take that period of service under Whittall Bousteads into account for computation of the gratuity and to pay the worker at the terminal salary. (Interruption). So, if he had worked 30 years, he would get 14 days wages for each of the 30 years, the 14 days' wages being based on the salary at the point of his leaving. What happens under this Bill is that he will be paid up to 1972 at his salary as at 1972.

**சி. சி. சே. சேனேவிரத்ன மகனா**  
(திரு. வி. பி. ஜே. செனேவிரத்ன)  
(Mr. C. P. J. Seneviratne)

Every worker must be entitled to calculate his gratuity on the terminal salary.

**சுரன் இன்னைப்புவேலை மகனா**  
(திரு. சரத் முத்தெட்டுவெகம)  
(Mr. Sarath Muttetuwegama)

That is right, but correct me if I am wrong; in the case of land taken over by the LRC, they will not be responsible up to 1972 - not the LRC, the JEDB or the SLSPC, but the old owner.

**சி. சி. சே. சேனேவிரத்ன மகனா**  
(திரு. வி. பி. ஜே. செனேவிரத்ன)  
(Mr. C. P. J. Seneviratne)

I have explained in my speech that up to the date of vesting under the LRC that section of workers have been treated in a different manner and their salaries have been enhanced.

**சுரன் இன்னைப்புவேலை மகனா**  
(திரு. சரத் முத்தெட்டுவெகம)  
(Mr. Sarath Muttetuwegama)

That is exactly my point!

**சி. சி. சே. சேனேவிரத்ன மகனா**  
(திரு. வி. பி. ஜே. செனேவிரத்ன)  
(Mr. C. P. J. Seneviratne)

It is only after that that they will join the mainstream. After the take-over they will be treated as old workers in the industrial sector.

**சுரன் இன்னைப்புவேலை மகனா**  
(திரு. சரத் முத்தெட்டுவெகம)  
(Mr. Sarath Muttetuwegama)

I do not want to go into the Clause. I am confident that what I am saying is correct. The old employer will be liable to pay up to 1972 at the 1972 salary. That is my point.

Supposing a man starts working in 1955 and works till 1985, normally he would get 14 days' wages for each year of service, that is, for 30 years, at the 1985 terminal salary. Say an estate worker has worked under a company or a private owner in an estate which was taken over by the LRC, and has 30 years of service from 1955 to 1985. Under this Bill, from 1955 to 1972 he will be paid his gratuity on his 1972 salary, and from 1972 to 1985 he will be paid on the 1985 salary. Thereby you are taking away from the worker a very, very big amount, because you will see the big leap made in salaries due to inflation and so on by 1985. Look at the salary, the 1972 salary and the 1985 salary. If a man who joined in 1955 gets for 17 years from 1955 to 1972 at the 1972 salary and for 13 years from 1972 to 1985 at the 1985 salary, the amount he loses is very big. And, Sir, whom does this whole thing benefit? This whole thing benefits the Government and its agencies which are utterly inefficient. The two plantation corporations, utterly inefficient running down the plantations, making loss after loss and going in for loans to cover up their mess and ineptitude, have somehow prevailed upon the Government to rob the workers of their dues.

**சி. சி. சே. சேனேவிரத்ன மகனா**  
(திரு. வி. பி. ஜே. செனேவிரத்ன)  
(Mr. C. P. J. Seneviratne)

But you will see in the amendment -

**சுரன் இன்னைப்புவேலை மகனா**  
(திரு. சரத் முத்தெட்டுவெகம)  
(Mr. Sarath Muttetuwegama)

The amendment does not make any difference to that.

**சி. சி. சே. சேனேவிரத்ன மகனா**  
(திரு. வி. பி. ஜே. செனேவிரத்ன)  
(Mr. C. P. J. Seneviratne)

The matter you are referring to has been corrected.



**සරත් මුත්තේවුට්ටේ මහතා**

(திரு. சரத் முத்தேட்டுவேகம)  
(Mr. Sarath Muttetuwegama)

No, Sir; not that matter. What you are talking about is the terminal point. That has been corrected. At the terminal point he will get his salary. But this, up to the LRC take-over, is still there in the Bill. I would like to say that this is the position.

I worked out—I may be wrong—the comparative gratuity of a Colombo-based worker in a firm like Brooke Bonds and of an estate worker who started work in 1953 and retires in 1983 under this Bill. The difference in the gratuity that the two would get is very big. I worked this whole thing out. If you take the 1972 computation, the 1959 computation and all these things, a Brooke Bond worker is now getting—I just took it, not that it has any special meaning—Rs. 800.50 as his monthly salary. That is roughly what an average Brooke Bond worker gets. Now, if that man has worked from 1953 to 1983 he would get about Rs. 13,500 as gratuity. But if you take an estate worker who has worked in the places which are covered by the LRC, the JEDB and so on, doing the same period of service continuously, there is no problem of break of service, but because he is caught up by those other things his gratuity would be less. The amount that I have worked out is so small that I am beginning to wonder whether it is correct, but according to my computation it is something below Rs. 1,500.—(Interruption). No, I worked it out. I challenge the Labour Department to work it out.

**ඩී. பி. ஜே. சேனேவிரத்ன மஹா**

(திரு. வி. பி. ஜே. செனேவிரத்ன)  
(Mr. C. P. J. Seneviratne)

Even the case of workers affected by the LRC take-over has now been corrected, and they will get up to the day of vesting about Rs. 3,000 approximately. They were only getting Rs. 500. Now they will get about Rs. 2,700.

**සරත් මුත්තේවුට්ටේ මහතා**

(திரு. சரத் முத்தேட்டுவேகம)  
(Mr. Sarath Muttetuwegama)

I do not have what I worked out, unfortunately. I am saying this from memory. I am almost sure that I am correct. If you take the salary at 1972, then the Repatriate Law 1959, this Rs. 35 and all those things into consideration, up to 1972 he gets so much, from 1972 to 1983 he gets so much. I am saying that if he worked 30 years he would get 1/10th of what a Brooke Bond worker gets.

I am not trying in any way to minimize the efforts of the Hon. Minister in trying to do this. It is not something that you have deliberately tried to do. What I am saying is that this is the thinking that comes because these corporations have messed up these

estates. They are in dire financial difficulties, and the way they are trying to get out of their trouble is by minimizing the payment they have to make to the workers. This has continued down the years, we are having this discrimination, and now this Bill is going to legalize the discrimination against the estate workers.

That is all, Sir. I do not wish to take any more time. I am very grateful to you for allowing me this time. I am sorry that I have to leave the House because of another personal engagement which I cannot avoid. In spite of these difficulties, I wish to assure the Hon. Minister that we are for this Bill. We hope that he will come quickly with the necessary amendments which he promised to give flesh and body to this Bill. And with the reservations that I have mentioned, we also support this Bill.

**එස්. තොන්ඩමාන් මහතා (ඉංග්‍රීසි කථාමාන සංවිදි  
මත පිළිබඳ ඇමතිතුමා)**

(திரு. எஸ். தொண்டமான்—கிராமிய தொழில்துறை அபி  
விருத்தி அமைச்சர்)

(Mr. S. Thondaman—Minister of Rural Industrial  
Development)

Mr. Speaker, I full agree with the Hon. Minister when he says this is a very important Bill, and I welcome and support it. In fact, by this Bill, for the first time the concept of a gratuity payment is recognized by law. In the past it has been more or less an *ex gratia* payment, and I, as President of the Ceylon Workers' Congress, can claim credit to have entered into a collective agreement and legalized it through the collective agreement between the Ceylon Worker's Congress and the CEF. At that time the monthly salary was Rs. 70. On the basis of what is provided today, that is, two weeks' salary, a worker gets Rs. 35; it is Rs. 17.50 for women. This collective agreement was brought into effect by the last Government. They have more or less made it the maximum—not the two weeks' pay as a period, but they thought Rs. 35 was enough for the estate workers. They more or less legalized it, and even the labour tribunals were given instructions to this effect.

Unfortunately, in spite of my being in the Cabinet and in spite of His Excellency's favourable views on helping the estate workers, you will see that the original Bill as amended was more or less regularizing that Rs. 35. When I saw this I took it up seriously with the Cabinet. A sub-committee was appointed, and we tried our best to get the international standard accepted. All over the world the ILO standard is, as the hon. Member for Kalawana (Mr. Sarath Muttetuwegama) explained, that computation of gratuity is based on the terminal salary of the worker. For the period from the time the worker started working up to the time of his retirement, gratuity is calculated on his last monthly salary.

[**உள். தைன் டிமென்ட் தொழ.**]

Here the plantation workers are continuing to work under the same estate, whether land reform took place or land acquisitions were made, and they work without a break in their service. But what has happened is that Labour Department officials have advised the Hon. Minister that there is a legal interruption in employment and that there is no legal recognition for the gratuity. Therefore they insisted that they would not accept those periods.

Finally, the Cabinet and I were able to come to a compromise, and we have been able to place this Bill before you today as a compromise. The understanding of the hon. Member for Kalawana is quite correct. There is a discrimination as far as the estate workers are concerned in spite of our compromise.

Today any action by Government to effect land reforms or land acquisitions is an action of the Government and has nothing to do with the workers. The workers are continuing to work as usual. But while they continue to work, you say their services were interrupted in 1972 and therefore they will be paid on their salary as at 1972, and again they will be re-employed and paid subsequently when their services were next terminated. This is a concession, and although the sub-committee has now agreed to my representation, the discrimination is still there. That is a fact that we must accept. *(Interruption)*

The second matter is this. In the original Bill, according to the calculations of the Labour Department, estate workers, after working 30 or 40 years, would have got about Rs. 500. When I pressed for the calculation of their gratuity on the basis of their terminal salary, they were frightened that it would come to about Rs. 5,000 or at least Rs. 3,000. Now the Labour Department has come out with another figure, and the workers may get about Rs. 1,500 or Rs. 2,000. With the present cost of living, even with Rs. 2,500 or Rs. 3,000 they cannot meet the situation.

On the other hand, what are we doing? In the same Bill we are covering all the industrial workers. They might have changed from Commercial company to Walkers, but you do not concede that there is an interruption in service, and they are entitled to get gratuity based on their salary at the time of their termination. Take an estate called Delta which has 1,000 acres. Fifty acres have gone to the old owner. Those workers on the 50-acre estate will have continuity of service because there is no interruption at all to their service according to this Bill. Whereas workers on the 50-acre estate will be getting their gratuity calculated on their terminal salaries, the others on the other part of the estate which was taken by the Government will be denied the same concession.

This sort of anomaly is there, but anyway there is a sub-committee sitting on the subject and we have to find a formula and compromise. The only pitiable situation is, as the hon. Member for Kalawana said, that discrimination against workers has been worked into the system. You find it very difficult, because in spite of my being a Minister, in spite of the President being very favourable and sympathetic and a sub-committee being appointed after the Bill was drafted, yet we were unable to give real remedial measures in this Bill.

Subsequently there has been a new snag. When we have finished all these discussions they say that in respect of workers affected by land acquisition, although they are already covered by the original Bill, this provision will have to be deleted because the Attorney-General has advised that no retrospective laws can be brought before this Parliament. You now say it has been deleted because the Attorney-General says that no retrospective law can be brought before this Parliament, but my legal advisers ask, what is the clause which says that no retrospective legislation can be brought? According to my legal advisers, once the law is passed by this Parliament, nobody can challenge it. We are supreme. It does not say anything about retrospective law, but only that penal legislation cannot be introduced. Here it is not penal. Here you are depriving a person of something he is entitled to. It is an offence to deprive him of his right. A worker on 50 acres and a worker employed on a 950-acre land were together. You bring the land reform law and say they will be paid differently. This is not penal.

You have introduced land acquisition in this very Bill on your own, and there was no objection from anybody. I am told legally there is nothing to prevent this Parliament from introducing any law because there is no clause in the Constitution to prevent us from passing the law as introduced.

This was taken up in the sub-committee, and I took very strong objection to it. Then I was told that we would meet at the Committee stage and sort it out. Unfortunately all the other members of the sub-committee are not here today.

**டி. பி. சே. சேனேவிரத்ன தொழ.**

(**திரு. வி. பி. ஜே. செனேவிரத்ன**)  
(Mr. C. P. J. Seneviratne)

I agree.

**உள். தைன் டிமென்ட் தொழ.**

(**திரு. எஸ். தோண்டமான்**)  
(Mr. S. Thondaman)

You agree? Then you are not changing the original? This will go as it is in relation to the acquisition?



[එස්. තොන්ඩමන් මහතා]

concerned, if a trade union is strong, I am not interested about the law. I could by our strength evade the law. On Elverton Estate when they bought the estate, they refused to make any payment as past gratuity. On that estate we made two weeks' salary payable, that is Rs. 35, on a monthly salary of Rs. 70. Unfortunately, the Government—

**ආන්ද්‍ර දසනායක මහතා**

(திரு. ஆனந்த தஸநாயக்க)

(Mr. Ananda Dassanayake)

You find gratuities for the Indian repatriates. You can apply the same procedure.

**එස්. තොන්ඩමන් මහතා**

(திரு. எஸ். தொண்டமான்)

(Mr. S. Thondaman)

The only law today on the Statute book is the repatriation law. That is already there, and in addition they get Rs. 500 also. That is not taken into account. By negotiation we got it from the Government. Unfortunately one of the measures was that your Government had introduced certain provisions in the award of their gratuity, namely Rs. 35 had been regularized as the only payment that can be made. Even circulars have been sent to the labour tribunal as far as estate workes are concerned with the usual order that only Rs. 35, not two weeks' salary should be paid. Now this law is also patterned on that. Then I said, "Are you going to perpetuate the SLFP rule or law, or the new policy of our Government?". Then, on the basis of that we were able to get these things done.

As far as the amendments are concerned, I entirely agree with the hon. Member for Kalawana. At the same time, I do not want to suggest that we put this off. If it is convenient, if we can send this to a Standing Committee, we will be able to sort things out very well without any difficulty. I leave it at that.

**පර්සි සමරවීර මහතා (නියෝජ්‍ය ස්වදේශ කටයුතු ඇමතිතුමා)**

(திரு. பெலி சமரவீர—உள்நாட்டலுவல்கள் பிரதி அமைச்சர்)

(Mr. Percy Samaraweera—Deputy Minister of Home Affairs)

Mr. Deputy Speaker, before the Hon. Minister of Rural Industrial Development leaves the Chamber, we would like to clarify a small matter with regard to payment of gratuity after acquisition. They are supposed to have come to a compromise in regard to this Bill, but we would like to know whether gratuity is to be paid to those who worked on estates after acquisition, whether gratuity is to be paid to them from the time the estates were owned by either people of Indian origin or Europeans, whether the Bill contemplates payment to them from the time they were under companies, whether it is caught up here.

**එස්. තොන්ඩමන් මහතා**

(திரு. எஸ். தொண்டமான்)

(Mr. S. Thondaman)

The Government of Sri Lanka has accepted the obligation in relation to the workers' rights and other things when they paid a composite sum of Rs. 600 as valuation, and therefore it is included here. The law itself says that the employment continues without interruption.

**පර්සි සමරවීර මහතා**

(திரு. பேர்லி சமரவீர)

(Mr. Percy Samaraweera)

It is not there.

**එස්. තොන්ඩමන් මහතා**

(திரு. எஸ். தொண்டமான்)

(Mr. S. Thondaman)

It is covered.

**පර්සි සමරවීර මහතා**

(திரு. பேர்லி சமரவீர)

(Mr. Percy Samaraweera)

It is not.

**එස්. තොන්ඩමන් මහතා**

(திரு. எஸ். தொண்டமான்)

(Mr. S. Thondaman)

Earlier this was also covered. Unfortunately, I have not seen the latest amendment. They are trying to retract the earlier amendment because of the advice of the Attorney-General.

**පර්සි සමරවීර මහතා**

(திரு. பேர்லி சமரவீர)

(Mr. Percy Samaraweera)

That is why I say it is not clarified here.

ගරු නියෝජ්‍ය කළානායකතුමනි, ඒ ප්‍රශ්නයට ගරු ඇමතිතුමා උත්තර දෙයි. මේ ගැන වචන දෙකක් ප්‍රකාශ කරන්න මට තමුත්තාන්සේගේ අවසර තිබෙනවාද?

**නියෝජ්‍ය කළානායකතුමා**

(பிரதிச் சபாநாயகர் அவர்கள்)

(Mr. Deputy Speaker)

මව්.

**පර්සි සමරවීර මහතා**

(திரு. பேர்லி சமரவீர)

(Mr. Percy Samaraweera)

ගරු ඇමතිතුමාගේ අවධානය සඳහා මම කාරණයක් කියන්න කැමතියි. මේ පාර්ලිමේන්තු දීමනාව සම්බන්ධයෙන් අද ඉදිරිපත් වී තිබෙන පනත මේ ආකාරයෙන් තිබුණත්, එය ඉදිරිපත් කිරීමේදී සඳහන් වූණේ මේ පනත බලපාන්නේ පහළොස් දෙනකුට නොඅඩු සේවක පිරිසක් ඇති ආයතනවලට බවයි. මම හිතන හැටියට

තමුන් නැත්තේ එය එහෙම කර තිබෙන්නේ, බාගවිට, බැංකුවලින් හෝ වෙනත් ආයතනවලින් හෝ ණය ලබාගෙන ව්‍යාපාර පවත්වන උදවියට මේ පාරිතෝෂික දීමනාව ගෙවීම අමාරු වේය යන අදහස නිසායි. මගේ කල්පනාවේ හැටියට, බැංකුවලින් හෝ වෙනත් ආයතන වලින් හෝ ණය ලබාගෙන ව්‍යාපාර පවත්වන තත්ත්වය, මේ පාරිතෝෂික දීමනාව සේවකයන්ට ගෙවන්න වෙන්නේ අවුරුදු පහකින් පස්සේ සේවය අතහැර යන කාලයකදීයි. ඒ නිසා මෙය අවුරුදු පහකට සීමා නොකරන ලෙස මම ඇමතිතුමාගෙන් ඉල්ලා සිටිනවා.

ඒ වාගේම, සාමාන්‍ය නගරයක තේ පැන් සලකේ, හෝටලයක් පවත්වන ගෙන යන ව්‍යාපාරිකයෙක් ගැන අපි හිතමු. එවැනි තැනක එක් සේවකයෙක් වැඩ කළත් ඔහුට අද අර්ථසාධක අරමුදල ගෙවන්න ඕනෑ. එය ගෙවන සෑම ගකනෙකුටම මේ පාරිතෝෂික දීමනාවන් හිමි විය යුතුයි, සේවය අතහැර යන විට. මම ගරු ඇමතිතුමාගේ අවධානය සඳහා ඒ සංශෝධනය ඉදිරිපත් කරනවා.

අනෙක් කාරණය මෙයයි. මොනවා නිමුණත්, රජයේ මොනවා කළත් යම් යම් ව්‍යාපාරිකයන් මේවායින් මිදෙන්නට යම් යම් මාර්ග හොඳයවා. මේක රජයේ නොයෙක් ආයතනත් කරගෙන යන දෙයක් යම් යම් අවස්ථාවලදී යම් යම් සේවක පිරිස් බඳවා ගන්නවා. ඒ අයට පරිවාස කාලය කිසි එකක් තිබෙනවා. මේ කාලයේදී මේ සේවකයන්ට මේ දීමනාව බලපාන වද?

මේකෙන් මිදෙන්න ව්‍යාපාරිකයන් යොදන තවත් උපක්‍රමයක් තමයි, සේවකයන් ස්පිර නෙ.කර, ආදේශකයන් හැටියට තැත්වම් තාවකාලික සේවකයන් හැටියට ඒ අය සේවයේ යොදවා ගැනීම. ඒක රජයේ දෙපාර්තමේන්තුත් කරනවා. හොමාර්ටල දෙපාර්තමේන්තුව මොකද කරන්නේ? කම්කරුවන් බඳවා ගන්නවා. ඔවුන්ගේ සේවය කඩා, ස්පිර නොකර ඔවුන්ට මේ එක දීමනාවකටත් හිමිකම් නැති වන හැටියට කටයුතු කර තිබෙනවා. මේවායින් මිදෙන්නට යම් යම් සංශෝධන ඇති කිරීම හොඳ බව මම ගරු ඇමතිතුමාට මතක් කරනවා.

**එම්. හලීම් ඉෂාක් මහතා** (මැද කොළඹ තුන්වන)  
 (ஜனாப் எம். ஹலீம் இஷாக்—கொழும்பு மத்தி மூன்றாம் அங்கத்தவர்)  
 (Mr. M. Haleem Ishak—Third Colombo Central)

Mr. Deputy Speaker, this is a Bill which is going to benefit lakhs of working class people in this country and so we welcome it most whole-heartedly.

There have been a few memoranda submitted to me in this connection. The Sri Lanka United Federation of Trade Unions has raised a point which the hon. Deputy Minister of Home Affairs has just referred to in his speech. This Bill will not cover any establishment which has less than 15 employees in that organisation, but where E.P.F. is concerned, even if there is only one employee, an employer is compelled by law to provide E.P.F. contributions. It is unreasonable and unfair to

confine the payment of gratuity to establishments with 15 employees because today some of these organisations which are doing extremely well have a large turnover of business with just 5 to 10 employees. Gratuity is something which an employee gets when he goes on retirement. It will be very reasonable if you will consider this request.

The second matter raised by this union does not pertain to this Bill but they say that when matters go before the Magistrate's Court and awards are made, it sometimes takes 3 to 5 years for the employees to get these amounts because these moneys are not remitted by employers. I hope you will consider this matter and even departmentally see that the moneys are remitted to the parties concerned as soon as possible. I will table this memorandum \* in the House.

I have also received a memorandum from the C.M.U. Singer Branch. They say that there are certain categories of employees who are employed on a nominal salary plus commission. This Bill which is going to benefit lakhs of workers will not include this category of workers. I will table this memorandum \* also and request the Hon. Minister to take necessary action on it.

I have also received a memorandum from some co-operative employees. They say that this Bill is not going to cover them. I do not know whether this position is correct. If it is so, I would earnestly request the Hon. Minister to consider the fact that co-operative workers are also human beings and they too should get some gratuity at the time of their retirement.

**සී. පී. ජේ. සෙනෙවිරත්න මහතා**  
 (திரு. சி. பி. ஜே. செனெவிரத்னா)  
 (Mr. C. P. J. Seneviratne)

They have the Co-operative commissioner's fund.

**එම්. හලීම් ඉෂාක් මහතා**  
 (ஜனாப் எம். ஹலீம் இஷாக்)  
 (Mr. M. Haleem Ishak)

Yes, but I do not think they will be able to get these reliefs. If you can consider the possibility of including these workers even at some subsequent stage through some amendments, it would be greatly appreciated. This was a letter received by me from the Matara Co-operative Hospital Employees Limited.

The hon. Member for Kalawana (Mr. Sarath Muttettuwagama) and the Hon. Minister for rural Industrial Development raised the important matter of

\* කළුව අවසානයේ පද කර ඇත.  
 உகரயின் இறுதியில் தரப்பட்டுள்ளது.  
 Reproduced at the end of speech.

[එම්. හැලිම් ඉෂාක් මහතා]  
 estate workers. Sixty per cent of our economy is dependent on them. I do not see any reason why they should be discriminated where this Bill is concerned. You may have some difficulties but as the Hon. Minister explained, he has made representations at the level of the Cabinet and the sub-Committee. I only hope that the estate sector worker will be treated equally so that he would also get the benefits set out in this Bill, just as much as any other worker in the country.

සංකීර්ණය මත තබන ලද සංදේශ :  
 சபாபிட்டுத்து வைக்கப்பட்ட மகஜர்கள் :  
 Memoranda tabled :

Regd. No. 3594

Telephone : 26093, 91040

**SRI LANKA UNITED FEDERATION OF TRADE UNIONS**

No. 4-1/1, MALIBAN STREET, COLOMBO 11, SRI LANKA.

*President :* W. P. Botejue  
*General Secretary :* M. M. Seneviratne  
*Deputy General Secretary & Chief Organiser :* M. A. Haniffa  
 November 16, 1982.

M. Haleem Ishack, Esq., M.P.,  
Colombo.

Dear Sir,  
 We refer to the recent discussion that the undersigned had with your goodself and shall be grateful Sir, if you would please take up the following matters when Parliament meets on November 25, 1982.

- (1) *Gratuity Bill* : The proposed Gratuity Bill before Parliament envisages payment of two weeks' salary for each year of service as gratuity where 15 or more workers are employed in an establishment. We are opposed to this on humanitarian grounds. We suggest that, as in the case of contributions to the E.P.F., every individual worker, irrespective of the numbers employed in any single establishment, should benefit under this Bill. Frankly, we fail to understand why this bill seeks to make this invidious distinction. Therefore, we shall be grateful if you would please urge on the Honourable Minister of Labour to delete the offending qualifying clause.
- (2) *Delays in remitting monies from the Magistrate's Court to the Department of Labour* : We are only too painfully aware that monies deposited with the Magistrate's Court as the result of a successful prosecution by the Department of Labour, takes anywhere from three to five years, and even longer, to be remitted to the Commissioner of Labour. In the meanwhile the poor workmen have to endure considerable hardships the while they await the monies due to them. We are certain that your goodself would agree with us when we state that the apparent indifference on the part of the employees of the Court is immoral—if not exactly callous. Therefore, we seek your unstinted co-operation to remedy this situation by representing this matter to the Honourable Minister of Justice so that these unconscionable delays could be avoided in the future.

Thanking you, we remain, Dear Sir,

Yours Sincerely,

M. Seneviratne,  
 General Secretary.

**CEYLON MERCANTILE UNION-SINGER BRANCH**

*President :* D. WIJENDRA  
*Hony. Secretary :* K. P. NAGENDRAM  
*Treasurer :* Mrs. MALA ABEYSURIYA

Date 18th November 82.

The Hon'ble Minister of Labour,  
 Ministry of Labour,  
 Colombo.

Dear Sir,  
 Whilst thanking you for presenting the "Payment of Gratuity A Bill" in Parliament, which saves a large number of employees from having to go through the tedious process of the Labour Tribunal, District Courts and even the Supreme Court, at considerable expense and years of agony and deprivation, we appeal to you to be so kind as to include some of the other categories who have been left out.

There are a number of firms that pay their employees a minimum retainer salary and pay commission on the performance on sales. There are others who receive only commission. There are also full time employees receiving Provident Fund and also Employees Trust Fund on the entirety of their salary and commission or commission.

There are a number of cases pending in the Labour Tribunals and the Courts in respect of these categories and it would be unjust to leave them at the mercy of the employer who retains the most expensive counsel to deny the rights of employees.

We appeal to you to extend your consideration to the categories that have been left out by including them in the Gratuity Bill tabled in Parliament.

Yours faithfully,  
 D. Wijendra,  
 President.

බුනට් ගුණසේකර මහතා (මිනුවන්ගොඩ)  
 (திரு. பெனற் குணசேகரர்—மினுவாங்கோடா)  
 (Mr. Bennet Gunasekera—Minurwangoda)

නිවසණ කටයුතුකරුන්, මේ ඉතාම වැදගත් පනතක් ඉදිරිපත් කර ඇති අවස්ථාවේදී මටත් වචන යක් කියන්න ලැබීම ගැන සන්තෝෂ වෙතවා. විශේෂ යෙන්ම අද ගම්වල විශාල කොටසක් සිටිනවා සංවිධානය නොවූ කම්කරුවන් වශයෙන් ස්වයං රැකියා කරන අය. එසේත් නැත්නම් වෙනත් වෙනත් නොයෙකුත් පිළිවෙලට මාසෙ අන්තිමට හෝ දවස අන්තිමට හෝ යමක් සොයන අය. කුසුරු වැඩ කරන අය ගැන බැලුවොත් ඒ අයගේ කිසිම සංවිධානයක් නැහැ. වඩු බාස් උන්තැහේලා මේසෙන් බාස් උන්තැහේලා වැනි අය වයසට යන විට ඔවුන්ට සිදු වෙන්නේ ආණ්ඩුවේ ඝනනාධාරයක් නොහොත් "public assistance" මුදලක් ලබා ගැනීමටයි.

ඉස්සර අපේ සංස්කෘතියට තිබුණේ දරුවන් විසින් දෙමව්පියන් බලා ගැනීමයි. නමුත් අද තිබෙන ආර්ථිකය අනුව දෙමව්පියන් බලාගන්නවා තබා දරුවන්ට තමන්ගේ දරුවන්වත් බලා ගන්න බැව් තත්ත්වයක් තිබෙන්නේ. එම නිසා ගරු ඇමතිතුමා මෙපමණ වටිනා පනතක් ඉදිරිපත් කළ අවස්ථාවේදී ඒ සම්බන්ධවත් වැඩ පිළිවෙලක් සකස් කළාහි කියා අපි බලාපොරොත්තු වෙතවා.

දැන් එවැනි වැඩපිළිවෙළක් ඇති කර ගැනීමට පහසු කම් කීපයක් තිබෙනවා. හොඹි පිරිසගේ මුදල් එකතු කර ගැනීම සඳහා වගා නිලධාරීන් උදව් කරගන්න පුළුවන්. ඒ වාගේම ගමේ පාර්ලිමේන්තුව වාගේ දැන් සකස් වී තිබෙන ග්‍රාමෝදය මණ්ඩල මගින් අනික් සංවිධානය නොවූ කම්කරුවන්ගෙන් මුදල් ලබාගැනීමට උදව් ගන්න පුළුවනි. ඒ නිසා මෙය ඉතාමත් වැදගත් කරුණක් මේ අවස්ථාවේදී. ඒ මොකද? ජනගහණයෙන් තුනෙන් එකක් පමණ නොහොත් 55,00,000 ක් පමණ වූ සංවිධානය වූ කම්කරු පිරිසක් සිටින බවයි ගරු ඇමතිතුමාගේ කථාවෙන් පෙනෙන්නේ. එසේ නම් 55,00,000 ක් පමණ ඉන්නවා, සංවිධානය නොවූ කම්කරු පිරිස. ඔවුන්ට අර්ථසාධක මුදල් හෝ වෙනත් මේ වාගේ පාරිතෝෂික මුදලක් හෝ ලබාගැනීමට කිසිම අවස්ථාවක් සැලසී නැහැ. ඒ අය තමයි මා කී තත්ත්වයට වැටෙන කොටස. එම නිසා මම බලපොරොත්තු වෙනවා ගරු ඇමතිතුමා ඒ සඳහා වැඩ පිළිවෙළක් සකස් කරවී කියා.

ඒ වාගේම වැද කොළඹ තුන්වෙනි මත්තීතුමා, (එම්. හැරිම ඉෂාක් මහතා) සමුපකාර සමිති සේවකයන් ගැන කීවා. සෑම අසනයකම වාගේ සමුපකාර සේවකයන් 500 ක් පමණ බැගින් ඉන්නවා. ඒ පිරිසත් මේ පනතට අසුවෙලා නැහැ. කොමිසම තිබෙන එක ඇත්ත. නමුත් එ කොමිසම ඉදිරියට ගමන් අර කම්කරු උසාවියට යනවා වාගේ වැඩක්. ඒකෙන් සහනයක් ලබා ගන්න අවුරුදු ගණන් ගත වෙනවා. ඒ නිසා ඒ කාරණයන් ගරු ඇමතිතුමාගේ හිතට ගන්නවා ඇත කියා මම කල්පනා කරනවා.

තුන්වෙනි කාරණය. මෙහි කියා තිබෙනවා 15 දෙනෙකුට වැඩි ගණනක් සේවකයින් සිටිනවා නම් තමයි මෙය බලපවත්වන්නේ කියා. මම හිතන්නේ නැහැ. එසේ කිරීම සුදුසුය කියා. දැන් බලමු පිටකොටුවේ කඩයක 15 දෙනෙකු ඉන්නවාද කියා. මම හිතන්නේ නැහැ, එපමණ සංඛ්‍යාවක් ඉන්නවාය කියා. නමුත් විශාල වශයෙන් මුදල් ආයෝජනය කරනවා. විශාල වශයෙන් ලාබ ගන්නවා. අනික් කර්මාන්ත වාගේ නොවෙයි ඒ ව්‍යාපාරය. අද රටේ වැඩි කොටසක් ව්‍යාපාරිකයන් ලැගැස්ති වී සිටින්නේ අපනයනය කිරීමට නොව ආනයනය කිරීමටයි. ඒ මොකද? ඒක පහසුයි. කරදරයක් නැහැ. මුදල් එපමණ අවශ්‍යත් නැහැ. සොයන්න කෙනෙකුත් නැහැ. රේගුවට ගියාමත් ඒ වැඩ කරගන්න ලෙහෙසියි. අපනයනය කරනවා නම් පුශ්ක රාශියකට මුහුණ පාන්න වෙනවා. ඒවා ගැන කථා කරන්න මෙය වෙලාව නොවෙයි. ඒ නිසා ඒ පිළිබඳ විස්තර මම කියන්න යන්නේ නැහැ. අවසාන වශයෙන් මම ගරු ඇමතිතුමාගෙන් ඉල්ලනවා මා ඉදිරිපත් කළ කරුණු තුනට එතුමාගේ අවධානය යොමු කරන්න ය කියා.

**ආනන්ද දසනායක මහතා (කොත්මලේ)**  
(*සි.රු. ආණන්ද තණනායක—කොත්මලේ*)  
(Mr. Ananda Dassanayake—Kotmale)

ගරු නියෝජ්‍ය කථානායකතුමනි, මම හිතනවා මෙම පනත ගැන ඒ තරම් දීර්ඝ වශයෙන් විවේචනයක් කරන්න අවශ්‍යකමක් නැත කියා. මම විශේෂයෙන් නැගිටිවෙ ගරු ඇමතිතුමා අසනීප තත්ත්වයෙන් ඉදගෙනත් මේ රටේ කම්කරු ජනතාව වෙනුවෙන් අනුකම්

පාව දක්වා මේ පනත ඉදිරිපත් කිරීමට පියවර ගැනීම ගැන එතුමාට ස්තූති කිරීමටයි. මෙය ඉතාමත් වැදගත් පනතක් හැටියට අපි සලකනවා. හැබැයි පාර්ලිමේන්තුවේ පසුගිය සැසි වාරවලදී අපි තීරණය කා කෝ ගැහැව්වා ඇයි මේ පනත ඉදිරිපත් කිරීම ප්‍රමාද කරන්නේ කියා [බාධා කිරීමක්] අපේ ගරු සමාජසේවා නියෝජ්‍ය ඇමතිතුමා කතා කරන්න දෙයක් නැතිව කතා කරනවා කියන එකයි මගේ හැඟීම. හිතලා තිබුණත් කරලා තිබුණත්, ආණ්ඩුවකට සමහර කොටස් සම්පූර්ණ කරන්න පුළුවන්කමක් නැහැ. එක ආණ්ඩුවකට පුළුවනකමක් නැහැ තිබෙන සියළුම පුස්ත විසඳන්න.

මේ ගරු ඇමතිතුමා අද ඉදිරිපත් කරන පනත මීට බඩා හොඳ විධියට ඉදිරිපත් කර මීට වඩා වැඩි සහන දෙන්න, තවත් ගරු කම්කරු ඇමතිවරයෙක් ඉදිරිපත් වේවි. ඒක ක්‍රමානුකූලව වර්ධනය වෙලා තිබෙනවා. අපේ ආණ්ඩු කාලයේදී—1956 සිට 1960 දක්වා තිබුණු ශ්‍රී ලංකා නිදහස් පක්ෂ ආණ්ඩු කාලයේ දී—'රීපිඑප්' එක නැත්නම් 'එම්ප්ලොයිස් ප්‍රොවිඩන්ට් ෆන්ඩ්' එක, සේවක අර්ථසාධක අරමුදල ඇති කළා. ඊට ඉස්සර එහෙම එකක් තිබුණේ නැහැ. මම ගරු සමාජසේවා නියෝජ්‍ය ඇමතිතුමාට, කියන්නේ, එක එක අණ්ඩු එක එක විධියට එක එක කාලවලදී ක්‍රියා කළ බවයි. දැන් මේ ආණ්ඩුව යටතේ වෙනස් ස්වරූපයක් ගෙන තිබෙනවා. අර්ථ සාධක අරමුදලේ ප්‍රමාණය වැඩිකර තිබෙනවා. ගරු ඇමතිතුමා කීවා ඒක. අපි පිළිගන්නවා ඒක. නැතැයි කියන්නේ නැහැ. එහෙම තමයි. ඒ සේවකයන්ට දෙන සහන ටිකෙන් ටික වැඩි කරනවා.

ඒවාගේම 'එම්ප්ලොයිස් ප්‍රොවිඩන්ට් ෆන්ඩ්' එකත් ඉතාම වැදගත් එකක්. එයින් සියයට තුනහමාරක ප්‍රමාණයක් සේවකයන්ට ලැබෙනවා. ඒ මුදලත් ඒ සේවකයන්ට එකතු වෙනවා, වෙනත් විධියකට—

**සී. පී. ජේ. සෙනෙවිරත්න මහතා**  
(*සි.රු. බී. ජී. ජේ. සෙනෙවිරත්න*)  
(Mr. C. P. J. Seneviratne)

සියයට තුනක් ස්වාමියාගෙන් පමණයි.

**ආනන්ද දසනායක මහතා**  
(*සි.රු. ආණන්ද තණනායක*)  
(Mr. Ananda Dassanayake)

සියයට තුනක් ස්වාමියාගෙන් පමණයි? එනකොට සේවකයාගෙන් ගන්නේ නැහැ. ඒ විධියේ හොඳ යෝජනාවලට කවදාවත් අපි විරුද්ධවෙලා නැහැ. විරුද්ධ වෙන්නෙන් නැහැ. විරුද්ධ වෙන්නේ සේවක ඇත්තෙන් නැහැ. ඒ වගේම මේක මේ රටේ කම්කරු ට්‍රන් කාලයක් තිස්සේ බලාපොරොත්තු වූණ දෙයක්. මේ මෙහි ඒ බලාපොරොත්තුව තරමක් දුරට ඉෂ්ට වෙනවා. නමුත් මෙහි අඩුපාඩු රැසක් තිබෙනවා. පනතක් ආරම්භ කරනකොටම ඒක අංග සම්පූර්ණ කරන්න මොනම අවස්ථාවකදීවත් පුළුවන්කමක් නැහැ. රටේ වරින්වර ගැන නගින පුස්ත උඩ හැම පනතක්ම වරින්වර වෙනස් කරන්න සිද්ධවෙනවා. ඒ නිසා ගරු ඇමතිතුමා ගත් මේ පියවර ඉතා පුශ්භන එකක් හැටියට අපි සලකනවා. හැබැයි එකක් තිබෙනවා, ගරු ග්‍රාමීය කර්මාන්ත සංවර්ධන ඇමතිතුමාත් කීවා වාගේ.

[ஈழத்துக்குரிய உரிமைகள்]

I think the Hon. Minister says that in the Cabinet he fought for this matter but he is not satisfied with whatever decision they have come to. Therefore, he is prepared to fight even in the future to get real redress for the estate workers especially.

එක හරි. පොරබදා තිබෙනවා. අපි නැතැයි කියන්නේ නැහැ. ඒ කළ වැඩපිළිවෙල ගැන අපි සන්තෝෂ වෙනවා. හැබැයි මෙහි තිබෙන්නේ—මම පුස්තකයක් ඇනුවේ ඒකයි—'රිපැබ්ලිකේෂන්' එහෙම නැත්නම් මේ රටෙන් පිට යවන ඉන්දියානුවන් සමහරවිට 1935 හෝ 1945 කාලයේ සිට මෙහි වැඩ කළා නම්, ඒ යැවීම ඉන්දියානුවන්ට ඔහු අත්තිමට වැඩ කළ අවුරුද්දේ ඉදලා ඒ පාරිතෝෂික මුදල ගෙවනවාද ඒ වැඩ පටන් ගත් අවසේ සිට? අන්න ඒ පුස්තකය තිබෙනවා.

සමහරවිට ඒ කාලය තුළ රජයට පවරාගෙන තැන් නම් ඒ කොමිෂනරිය, රජයට පවරාගන්නා අවස්ථාවේ ඒ පාරිතෝෂික මුදල් දිය යුතු ප්‍රමාණය සකස් කර අර ගන්නේ නැත්නම් මම හිතනවා රජයට ඒ පුස්තකය විස දන්න අමාරුවෙයි කියා. මේ පුස්තකය දැන් පැන නැගී තිබෙනවා. 1972 දක්වා කාලයත්, 1972 න් පසුව රජයට පවරාගැනීමේ කාලයත්, ඊට පසුව ඇතිවුණු 1982 හෝ 1983 දක්වා කාලයත් අතරයි පුස්තකය තිබෙන්නේ. මේ 1972 දක්වා කාලයේදී, විශේෂයෙන්ම මේ කොමිෂනරිය රජයට අයිති නැහැ. ඒ කොමිෂනරිය වලින් වතු රජයට පවරා ගන්නා කියන එක අපි දන්නවා. නමුත් වැඩි දෙනෙක් දන්නේ නැහැ රජයට පවරාගන්නේ මොන නීතිරීති යටතේද කියන එක. අපි දන්නේ නැහැ මොන විධියට 'වෙස්ට්' කර ගන්නාද කියලා, සමහර කොමිෂනරිය. රජය ඒ වෙලාවේ—පවරා ගන්නා විට— ඇති කර ගන්න කොන්දේසි මතයි අපට පසුගිය කාලය අවසානවත් සටන් කරන්න වෙලා තිබෙන්නේ. ඒ 1972 න් ඇත අතීතය.

I think you will have to go into that matter. Prior to 1972 means that you will have to find out what were the laws that were framed when you acquired the estates. So, you will have to go into this matter in detail. I want to request the Hon. Minister to study the matter and fight for these rights, the rights of your workers. We are supporting you. Our trade union, the Sri Lanka Independent Estate Workers' Union, is always prepared to support you.—(Interruption.) No doubt, we have now come down. The nature of the workers is such that when they find facilities are provided by any Government or any trade union they cross over to them. They are crossing over without thinking of their policies and so on. They are not worried. Even if we form a Government, the following day they will cross over; no doubt, they will join our trade unions. Because of that I am not going to praise or give credit to you for increasing the numbers of your trade union units.—(Interruption.) No, that is not correct. Because of your power, because you are now in the Cabinet, you are getting members into your union. That is the truth. Even the Government trade unions say that. Not because of that but because of your power they are crossing over from our trade unions to

your trade unions.—(Interruption.) That is not correct. When any other Government comes into power they will cross over; they will leave your party or trade union and join that particular Government's trade union.

එස්. තොන්ඩමන් මහතා  
(திரு. எஸ். தொண்டமான்)  
(Mr. S. Thondaman)

I have never been in the Cabinet except for the last five years

ஈழத்துக்குரிய உரிமைகள்  
(திரு. ஆனந்த தலைநாயக்க)  
(Mr. Ananda Dassanayake)

I am not going to have any dispute with the Hon. Minister because he is a friend of mine. We are from the same area. There is no dispute. He is asking what is our number. Our number is about 50,000 at the moment. That is more than enough. You can come and see our books. You can refer to them if you are interested.—(Interruption.) No, we have got. In certain sections we have come down very badly. I accept it; you cannot help it. You cannot stop men leaving our trade unions because of Government activities. The Government is harassing our trade union units.—(Interruption.) You are the Minister who is adopting all these tactics. It does not matter; you are giving them this and that and some benefits. Therefore, they are crossing over to you.

එන්. ඩෙන්සිල් ප්‍රනාන්දු මහතා (කර්මාන්ත සං විද්‍යා කටයුතු නියෝජ්‍ය ඇමතිතුමා)  
(திரு. என். டென்சில் பெர்னான்டோ—கைத்தொழில், விநியோக அலுவல்கள் பிரதி அமைச்சர்)  
(Mr. N. Denzil Fernando—Deputy Minister of Industries and Scientific Affairs)

If you would come out with the amount that you collect for a month as mutti kasi, then we can know how many members you have.

ஈழத்துக்குரிய உரிமைகள்  
(திரு. ஆனந்த தலைநாயக்க)  
(Mr. Ananda Dassanayake)

I am not prepared to answer you because you are not a trade unionist.

நியோජ்‍ය கல்யாணகரும  
(பிரதிச் சபாநாயகர் அவர்கள்)  
(Mr. Deputy Speaker)

Order, please! Address the Chair. I am sure that if you were not interrupted you would have finished your speech.

ஈழத்துக்குரிய உரிமைகள்  
(திரு. ஆனந்த தலைநாயக்க)  
(Mr. Ananda Dassanayake)

That is right. I wanted to thank the Hon. Minister for bringing this Bill after a long, long time. it is a matter that had been neglected. You have now brought up this Bill and therefore I want to congratulate you.



ගරු නියෝජ්‍ය කථානායකතුමනි, අපි මේ ගැන කතා කරන්න ඕනෑ අපේ භාෂාවෙන්. එයට හේතුව, අපේ කමිකරුවන් කතා කරන්නේ ඉංග්‍රීසියෙන් නොවෙයි. මෙතැන කතා කරන විට වචන දෙක තුනක් ඉංග්‍රීසියෙන් හුවමාරු කරගන්නට අපට බැරිකමක් නැහැ. කොහොම වුණත්, අපේ ග්‍රාමීය කර්මාන්ත සංවර්ධන ඇමතිතුමා සිංහල කෙනෙක් නොවන නිසයි මම ඒ වචන දෙක තුන ඉංග්‍රීසියෙන් කතා කළේ. ග්‍රාමීය කර්මාන්ත සංවර්ධන ඇමතිතුමාට මම කියන්න කැමතියි, ඇත්ත වශයෙන්ම එතුමා කමිකරු නායකයෙක් බව මම පිළිගන්නවා. ඒ නායකත්වයට ඔබ්බ විධියට වැඩ කරන්න ඕනෑ කියන එකක් අපි පිළිගන්නවා. මම එතුමාට කිව්වේ ඉස්සෙල්ලාම මේ ප්‍රශ්නය ගැන පැහැදිලි අවබෝධයක් ලබාගන්න ඕනෑ කියලයි. 1972 දක්වා තිබුණු ඒ අයිතියෙන් ඊට පසුව අයිතිය රජයට පවරා ගැනීමත් අතරේ තිබෙන පරතරය තමයි සොයා ගන්න ඕනෑ. මොන විධියේ "ලීගල් බොකියුමන්ට්ස්" ඊට මේ වතු පවරා ගත්තාද—

**එන්. ඩෙන්සිල් ප්‍රනාන්දු මහතා (නියෝජ්‍ය කර්මාන්ත හා විද්‍යා කටයුතු ඇමතිතුමා)**  
 (ශ්‍රී. ආණ්. ධ. ධ. සේනාරත්නපුර—කෘතීන්ද්‍රාමය, බිහිවූ ආණ්ඩුවේ අමාත්‍යවරයා)  
 (Mr. N. Denzil Fernando—Deputy Minister of Industries and Scientific Affairs)  
 ඒ වචන දෙකක් සිංහලෙන්ම කියන්න.

**ආනන්ද දසනායක මහතා**  
 (ශ්‍රී. ආණ්. ධ. ධ. සේනාරත්නපුර)  
 (Mr. Ananda Dassanayake)  
 තිත්‍යානුකූල ලිපිලේඛන මොනවාද කියන එකයි මම ඇහුවෙ. අපේ මිනමුව ගරු මන්ත්‍රීතුමා—නියෝජ්‍ය ඇමතිතුමා—මට සිංහල උගන්වන්න එනවා. එය නම් ඉතා මත්ම බොළඳ ක්‍රියාවක්ය කියා මට කියන්නට සිදු වෙනවා.

ගරු නියෝජ්‍ය කථානායකතුමනි, මෙහි තිබෙන ප්‍රශ්නය මෙයයි: වතු කමිකරුවන්ට මේ රජය මේ විධියට සැලකිලි කර තිබෙනවා. අපි ඒවා ගැන පැහැදිලි කිරීමක් කරන්න ඕනෑ. එකක් මොකක්ද? ග්‍රාමීය කර්මාන්ත සංවර්ධන ඇමතිතුමා ඇයි ඒ අවස්ථාවේදී නිහඬ වුණේ? මම එතුමාට මේ ප්‍රශ්නය ගැන කිව්වා. ආණ්ඩුව පසුගිය කාලයේ අනිකි සියලුම සේවකයන්ට පඩි වැඩි කිරීම කරන විට 1980 දී වතු කමිකරුවන්ටත් රුපියල් ගැන්තාවක් ගෙවිය යුතුව තිබුණා. රජයට පවරාගෙන තිබෙන සමහර වතු වල කමිකරුවන්ට ඒ. රු. 70/- මේ දක්වා ගෙවා නැහැ. ඒ පිළිබඳව පොරයක් තිබෙනවා. සටනක් තිබෙනවා. ග්‍රාමීය කර්මාන්ත ඇමතිතුමා ඇයි කැබිනට් මණ්ඩලයේදී ඒ සම්බන්ධව සටන් නොකරන්නේ?

**ආර්. පී. විජේසිරි මහතා**  
 (ශ්‍රී. ආණ්. ධ. ධ. සේනාරත්නපුර)  
 (Mr. R. P. Wijesiri)  
 මේ පනත් කෙටුම්පත ඉදිරිපත් කර තිබෙන්නේ ග්‍රාමීය කර්මාන්ත ඇමතිතුමා නොවෙයි, කමිකරු ඇමතිතුමා.

**ආනන්ද දසනායක මහතා**  
 (ශ්‍රී. ආණ්. ධ. ධ. සේනාරත්නපුර)  
 (Mr. Ananda Dassanayake)  
 අපි කියන්නේ මෙයයි: ග්‍රාමීය කර්මාන්ත ඇමතිතුමා වෘත්තීය සමිති නායකයෙක්. එතුමා කැබිනට් මණ්ඩලයේ ඉන්නවා. මෙම රුපියල් 70/- ගෙවීම සම්බන්ධව ඇයි එතැන යම්කිසි සටනක් කරල ඒක දිනා ගන්නට උත්සාහ නොකළේ? ඒක විශාල පාඩුවක්. ඒක හැම කමිකරුවෙකුටම ලැබිය යුතු ලොකු වරප්‍රසාදයක් බව අපි කියනවා.

**එස්. තොන්ඩමන් මහතා**  
 (ශ්‍රී. ආණ්. ධ. ධ. සේනාරත්නපුර)  
 (Mr. S. Thondaman)  
 How did you get an increase of Rs. 2/- per day ?

**ආනන්ද දසනායක මහතා**  
 (ශ්‍රී. ආණ්. ධ. ධ. සේනාරත්නපුර)  
 (Mr. Ananda Dassanayake)  
 That is a separate matter. You, I and all trade unionists fought for it and got it.

**එස්. තොන්ඩමන් මහතා**  
 (ශ්‍රී. ආණ්. ධ. ධ. සේනාරත්නපුර)  
 (Mr. S. Thondaman)  
 No, I got it for you.

**ආනන්ද දසනායක මහතා**  
 (ශ්‍රී. ආණ්. ධ. ධ. සේනාරත්නපුර)  
 (Mr. Ananda Dassanayake)  
 No doubt, I agree with you. All trade unions fought for it and got it. Therefore, do not try to get credit for that.

මම කිව්වේ ඒ ප්‍රශ්නය ගන්නය කියන එකයි. ඒ ප්‍රශ්නය ගන්නට ඕනෑ. පසුගිය වතාවේ "ස්ට්‍රයික්" එකක් කරලත් ඒ ඉල්ලීම ඉදිරිපත් කළා. ශ්‍රී ලංකා නිදහස් වතු කමිකරු සංගමය, නිදහස් වතු කමිකරු සංගමය, ප්‍රජා තන්ත්‍රවාදී වතු කමිකරු සංගමය, සී. ඩබ්ලිව්. සී වතු කමිකරු සංගමය, ඒ වැනිම අනෙකුත් වතු කමිකරු සංගමද ඇතුළු ඔක්කොම එකතු වී ඒ සම්බන්ධව සටනක් ගෙන ගියා. වතු කමිකරුවන් අසරණ පිරිසක්. ඒ අයට වපුරන්ට කුඩුරු නැහැ. ඒ අයට වෙනත් "බිස්නස්" එහෙම කරන්නට බැහැ. ඒ අය දිගටම වතු වලට වැඩකල යුතුයි. වතු වලට ඉදිගෙන රටේ ධනය නිපදවන පිරිසක් හැටියට ඒ අයට යම් වරප්‍රසාදයක් ලැබෙන්නට තිබෙනවා නම් ඇයි ඒ වරප්‍රසාදය දෙන්නේ නැත්තේ? ඒ වරප්‍රසාදය දිය යුතුයි. රජය කර තිබෙන ඒ අසාධාරණය කෙසේ නමුත් නැති කරන්නට ඕනෑ. මම ඒක විශේෂයෙන් කියනවා. මම මේ ගරු සභාවේදී ඒ ගැන කිප වතාවකදීම කිව්වා. අපට ඒ කමිකරුවන් කියනවා ඒක ලබා දෙන්නය කියල. තවමත් ඒ ඉල්ලීම ක්‍රියාත්මක වුණේ නැහැ.

ඊළඟට, දෙවන වතාවට වැඩි කළ දීමනාවෙන් ඒ කමිකරුවන්ට ලැබෙන්නේ නැහැ; නමුත් අනිකි අයට දෙනවා. කාගෙන් ජීවන වියදම එකයි. වතු කමිකරු වන්ටය කියල පොලී ගෙවිය සහ භාවට ලැබෙන්නේ

[ආනන්ද දසනායක මහතා]

කැහැ. අපි පොල් ගෙඩියක් රු. 2.50 කට මිලදී ගන්නවා නම් ඒ අය පොල් ගෙඩියක් ගන්නෙන් ඒ මිලටමයි. සමහර විට ඔහු පොල් ගෙඩියකට රු. 2.60 ක් ගෙවනවා ඇති. අපට හාල් සේරුව රු. 6 කට ලැබෙනවා නම් ඒ අයත් හාල් සේරුවකට රු. 6 ක් ගෙවන්න ඕනෑ. සමහර විට ඒ අයට හාල් සේරුවක් ලැබෙන්නේ රු. 7 ක පමණ මිලකටයි. එහෙම නම් ඒ අයගේත් ජීවන වියදම වැඩි වෙනවා. එසේ නම් ඒ වැඩි වන ජීවන වියදමට සරිලන විධියට ස්වාමි පක්ෂය වතු කම්කරුවන්ට පඩි ගෙවිය යුතුයි. එය නොකරන නිසයි අපි මේ විධියට කථා කරන්නේ.

මම මේ ගරු ඇමතිතුමාට චෝදනාවක් කරනවා නොවෙයි. මම මේ කථා කරන්නේ ආණ්ඩුවට. ඇත්ත වශයෙන්ම වතුවල ඉතාම වැදගත් ප්‍රශ්නයක්, මේ රටේ බන්‍ය උපදවන්නේ වතුවලින්ය කියා සමහරු කියනවා. ඒක හරි. ඒ වතුවලින් අපට විදේශ විනිමය විශාල වශයෙන් උපදවනවා නම් ඒ වතුවල වැඩ කරන කම්කරු වා—වැඩ කරන තැනැත්තාට—ඇයි අනිත් අයට දෙන වරප්‍රසාද නොදෙන්නේ? ඒ වරප්‍රසාද නොදෙන නිසා තමයි අපි මෙතැන කථා කරන්නේ

අපේ කම්කරු ඇමතිතුමාගේ දැනගැනීම පිණිස ඊයේ පෙරේදා වූ දෙයක් මම කියන්නම්. “වේජස් බෝඩ්” හෙවත් පඩි පාලක සභා තිබෙන්නේ මොකටද? කම්කරුවන්ගේ පඩිය ගැන සලකා බලන්නටයි. ඒකත් අවුරුදු එකහමාරක පමණ කාලයක් තිස්සේ රැස් කරන්නට බැරිව—ඇයි? එක දවසකට කම්කරු නියෝජිතයන් එන කොට ස්වාමි පක්ෂයේ නියෝජිතයන් එන්නේ නැහැ; ස්වාමි පක්ෂයේ නියෝජිතයන් එන නොව කම්කරු නියෝජිතයන් නැහැ. ඒ දෙගොල්ලම එන කොට සමහර වෙලාවට ආණ්ඩු පක්ෂයේ නියෝජිතයා ලෙඩ වෙනවා. ඔහොම කාලයක් ගෙවී—ගොස් ඊයේ පෙරේදා මීට දින තුනකට පමණ උඩදී—පඩි පාලක සභාව රැස් වුණා. සාකච්ඡාවක් ඇති වුණා. කම්කරු නියෝජිතයන් කීව්වා ජීවන තත්වය අනුව දිනක වැටුප සහ 11 කින් වැඩි කරන්න ය කියල. සහ 11 ක් කියන්නේ ඉතාම සුළු මුදලක්. තමුත් ඒ ඉල්ලීමට එකඟ වුණේ නැහැ. දැන් අවුරුදු දෙකක දෙක හමාරක පමණ කාලය ඇතුළත කම්කරු වැටුප සහයකින්වත් වැඩි කර නැහැ. ඒ අය “බැහැ” කීව්වා. ඊට පසුව කම්කරු පිරිස් නියෝජිතයන්—ශ්‍රී ලංකා නිදහස් වතු කම්කරු සංගමයේ නියෝජිතයන් සිටිය—කීව්වා සහ 11 ක් බැරි නම් සහ 6 ක් දෙන්නට සලකා බලන්න කියා. දවසකට සහ 6 ක් වැඩි කරන්නත් කැමති නැහැ, ජීවන වියදම මේ තරම් නැගලා තිබියදී. ඉතින් කොහොමද ඒ වේජස් බෝඩ් ගැන අපි සැනසීමක් ඇති කර ගන්නේ.

මා එක වරක් කීව්ව වගේ එහෙම නම්, ඒ වේජස් බෝඩ් ක්‍රියාත්මක වෙන්නේ නැත්නම්, ඒ වේජස් බෝඩ් අවශ්‍ය නැහැ, රජය හෝ ගරු ඇමතිතුමා ඒ බල තල අතට අරගෙන එය ක්‍රියාත්මක කළ යුතුයි. ඒකයි මා කියන්නේ ඒ නීති වෙනස් කළ යුතුව තිබෙනවා කියා. ඒවා ක්‍රියාත්මක වෙන්නේ නැත්නම්, කම්කරුවන්ට සහ 6 ක් වැඩි කරන්නට ඒ ජනතා වතු සංවර්ධන මණ්ඩලය රාජ්‍ය වැවිලි සංස්ථාව අදියට අපහසු නම්, ඒ නීති වෙනස් කර ඒ බලතල අරගන්නට සිදු වෙනවා.

ඒවා දැන් පෞද්ගලික ආයතන නොවෙයි. ඒවා දැන් රජයේ ආයතන; රාජ්‍ය සංස්ථා ඒ ආයතනවල සේවය කරන අය රජයේ සේවකයෝ. එහෙනම් ඒ රජයේ සේවකයින්ට ලැබිය යුතු දීමනාව ඔවුන්ගේ ජීවන වියදමට සරිලන අන්දමට දෙන්න ඕනෑ. වැඩියෙන් ඉල්ලන්නේ නැහැ. සහ 6 ක් ඉල්ල විට එයත් දෙන්නට බැහැ කියා පැහැර ගරිතවා නම් මේ හිතන්නේ නැහැ ඒ නිලධාරී මහත්වරුන්ට අනුකම්පාවක් තිබෙනවා කියා.

ඒ අය එනතු දී කියන්නේ මොකක්ද? වතුවලින් පාවුලු, වතුවලින් පාවු වෙන්නේ ඇයි කියන එක අපි කවුරුත් දන්නවා. මෙහිදී එක අවස්ථාවක අපේ කල වාන ගරු මන්ත්‍රීතුමාත් (සරත් මුත්තෙට්ටුවෙම මහතා) කීව්වා, වතුවල කෙරෙන හොරකම් හා දූෂණ ගැන. සමහරවිට නිලධාරීන්, සමහර විට ඒ අය හඳුණන අය කරන හොරකම් ගැන බැලුවොත්— [බාඩා කීර්මක්] Doragala Estate has been given over to somebody. It is now run by a superintendent who has been appointed by the hon. Member for Gampola. He is running that estate.

**එස්. තොන්ඩමන් මහතා**  
(*திரு. எஸ். தொண்டமான்*)  
**(Mr. S. Thondaman)**  
It is in your electorate.

**ආනන්ද දසනායක මහතා**  
(*திரு. ஆனந்த தஸநாயக்க*)  
**(Mr. Ananda Dassanayake)**  
No, not at all. You have misunderstood.

**එස්. තොන්ඩමන් මහතා**  
(*திரு. எஸ். தொண்டமான்*)  
**(Mr. S. Thondaman)**  
You wanted to take over Mahawala. Everywhere you were—

**ආනන්ද දසනායක මහතා**  
(*திரு. ஆனந்த தஸநாயக்க*)  
**(Mr. Ananda Dassanayake)**  
I have not taken over—not even our Government.

**එස්. තොන්ඩමන් මහතා**  
(*திரு. எஸ். தொண்டமான்*)  
**(Mr. S. Thondaman)**  
Arangala ?

**ආනන්ද දසනායක මහතා**  
(*திரு. ஆனந்த தஸநாயக்க*)  
**(Mr. Ananda Dassanayake)**  
No, it is run by a superintendent who has been appointed by the hon. Member for Gampola.

**මන්ත්‍රීවරයෙක්**  
(*அங்கத்தவர் ஒருவர்*)  
**(A Member)**  
How can he appoint him ?



[ආර්. එම්. කරුණාරත්න මහතා]

නමුත් අද හුඟක්ම තිබෙන්නේ, වෙළෙඳ ව්‍යාපාරයි බෙදා හැරීම් කරන ආයතනයයි; පිටරටින් බහු ගෙන්වන ආයතනයයි; වෙළෙඳසලයි; රෙදි සාප්පුයි; කඩයි; හෝටලයි. ඒ සෑම ආයතනයකටම මේ පනතින් නියම කෙරෙන ගෙවීම් කරන්න පුළුවන්කම තිබෙනවා, සේවක සංඛ්‍යාව 15 කට අඩු වුණත්. එක සේවකයකු සඳහා අවුරුද්දකට පුමාන දෙකක පඩියකුයි, පාරිතෝෂික මුදල් වශයෙන් ගෙවන්න සිදු වන්නේ. එම නිසා එවැනි ආයතනවල සේවය කරන සේවක සංඛ්‍යාව 15 ට අඩු වුණත් ඔවුන්ටත් ගෙවීම් ලැබෙන විධියට කටයුතු කර නවා නම් ඒ සේවකයන්ගේත් සුරක්ෂිත භාවය තහවුරු වෙනවා. [බාධා කිරීම්]

ඩී. පී. ජේ. සෙනෙවිරත්න මහතා  
(ති.රු. බී. ඒ. ජේ. ජෙනෙරාල්)  
(Mr. C. P. J. Seneviratne)

මේ පනතින් ඒ විධියේ නියමයක් කෙරුණත් සේවකයන්ට කම්කරු උසාවි ඉදිරියට යෑමට තිබෙන අයිතිය තහර කර නැහැ. ඒ නීතිය තවමත් එසේම තිබෙනවා.

ආර්. එම්. කරුණාරත්න මහතා  
(ති.රු. ආර්. එම්. කරුණාරත්න)  
(Mr. R. M. Karunaratne)

ගරු නියෝජ්‍ය කථානායකතුමනි, මා යෝජනා කළ විධියට විධිවිධාන සැලැස්වෙනවා නම් දැනට කම්කරු උසාවිවල පැවරී තිබෙන නඩු 15,000 ක් පමණ අස් කර ගන්න පුළුවන් වාතාවරණයක් ඇති වෙනවා. එවිට ඒ නඩු දිගින්-දිගට ඇඟිලි සඳහා කාලය නාස්ති කරන්න සිදු වන්නේ නැහැ. අද සමීමන වන මේ පනත කෙටුම්පතේ සඳහන් විධිවිධාන අනුව ඒ වැඩ කරන ජනතාවට පාරිතෝෂික මුදල් ගෙවා ඒ නඩු සමඵයකට පත් කර ගන්න පුළුවන්කම ලැබෙනවා. එය ඉතා වැදගත් දෙයක් හැටියට සලකන්න පුළුවනි.

කලවාතේ ගරු මත්තිතුමා (සරත් මුත්තෙට්ටුවේ මම මහතා) එක්තරා අංශයක් කෙරෙහි මේ ගරු සභාවේ අවධානය යොමු කෙරෙව්වා. ඒ, බලවේග පේෂකර්ම ආයතනයයි. පේෂකර්ම දෙපාර්තමේන්තුව යටතේ බලවේග පේෂකර්ම ආයතන 100 ක් පමණ තිබුණය කියා මා හිතනවා. පත්‍රවල දැන්වීම් පළ කොට යම්-යම් කොන්දේසි පිට ඒ ආයතන 100 හර දුන්නා, නොයෙකුත් ආයතනවලට. ඒ එක බලවේග පේෂකර්ම ආයතනයක වැඩ කරනවා, 150 ක පමණ සේවක පිරිසක්. ඒ අනුව බලන විට ඒ බලවේග පේෂකර්ම ආයතන 100 යේ වැඩ කරනවා, 15,000 ක් පමණ. ඒවායේ වැඩ කරමින් සිටි ඒ 15,00 පිරිසෙන් සාහෙන කොටසක් දුන් අයිති වී තිබෙන්නේ පෞද්ගලික අංශයටයි. ඒ පෞද්ගලික අංශයේ ආයතනවල නොයෙකුත් විධියේ අසාධාරණකම් කෙරෙනවා. එම පේෂකර්ම ආයතන ඒ පෞද්ගලික ආයතනවලට හාර දීම සඳහා කැඳවුණු ටෙන්ඩර් පත්‍රවල යම්-යම් කොන්දේසි දක්වා තිබුණා. ඒ අනුව බැඳුණු ගිවිසුම්වල සඳහන් එක කොන්දේසියක් තමයි, කම්කරු නීති-රීති උල්ලංඝනය නොකරන බව.

නමුත් ඒ ගිවිසුම් උල්ලංඝනය කරමින් අද ඒවායේ සේවකයන්ට නොයෙකුත් වද-හිංසා පමුණුවනවා. ඒ එක හිංසාවක් ගැන මම කියන්නම්. මගේ ඡන්ද කොට

යාශයේත් තිබෙනවා, ඒ වගේ ආයතනයක්. එහි සේවය කරන, කම්කරුවන් වශයෙන් සේවයට බැඳුණු අයට ස්වාමි පක්ෂය කියනවා, සනීපාරක්ෂක වැඩ කරන්නය කියා. අපි කවුරුත් දන්නවා, සනීපාරක්ෂක වැඩ කරන්න හුඟ දෙනෙක් කැමැති නැති බව. ඒ විධියට සනීපාරක්ෂක වැඩ කරන්න නොපැමිණියාම 'වැකේෂන් ඔෆ් පෝස්ට්' කියන 'නෝටිස්' එක යවා ඒ අය සේවය අත්හැර ගිය අය හැටියට සලකා ඔවුන්ගේ සේවය නතර කර දැමීමට පාලක පක්ෂය කටයුතු කරනවා. මේ විධියේ අසාධාරණකම් ගොඩක් එම ආයතනයේ කෙරෙනවා.

රජය වරින්-වර ගත් තීරණ අනුව ඒ සේවකයන්ට නොයෙකුත් විධියේ දීමනා ගෙවිය යුතු වුවත් ඒ දීමනාත් සේවකයන්ට ගෙවන්නේ නැහැ. මේ විධියේ හුඟක් දුර්වලකම් තිබෙනවා, මේ ආයතනවල. එම නිසා ඒ සම්බන්ධයෙන් කම්කරු අමාත්‍යාංශයේ විශේෂ සැලකිල්ල යොමු වුණොත් හොඳය කියා මා හිතනවා.

රජයෙන් පැනවෙන මේ අණ-පනත් ක්‍රියාත්මක කිරීමේදී, පෞද්ගලික අංශය නිතරම ඒ ගේවට්ටුවලින් පනින බලාපොරොත්තුවෙනුයි කටයුතු කරන්නේ. පනින්න හුඟක් ගේවට්ටු තිබෙනවා, දොරවල් තිබෙනවා, කමිසි වැටවල් තිබෙනවා. එවායින් පැන යන්න පුළුවනි. එම නිසා අසනීපයෙන් සිටිද්දී පවා මෙවැනි පනතක් ඉදිරිපත් කිරීම ගැන ස්තුතිවන්ත වන අතර මේ පනත කම්කරු ජනතාවගේ ආරක්ෂාව සඳහා පෞද්ගලික අංශය මෙල්ල කිරීමට කටයුතු කරන ලෙස එතුමගෙන් ඉල්ලා සිටින්න කැමැතියි. මොකද, පෞද්ගලික අංශය අරභට-මෙහට ගිණුම මාර කර බංකොලොත් වුණය කියා කොමිෂනර් වසා දමන තුන්ත්වයක් තිබෙනවා. කොමිෂනරිය බංකොලොත් තත්ත්වයට පත් වුණය කියා පෙන්වනවා. වික දවසකින් තම කොමිෂනරියක් ආරම්භ කරනවා. අද කොළඹ ඒ වගේ කොමිෂනරි තියෙනවා. මම නම් වශයෙන් කියන්න කැමති නැහැ.

1979 දී සියයට 30 ක ලාභ ගෙවූ සමාගමක් 1980 වන කොට පාඩු ලැබුවා. එහෙම පාඩු කියා මොකද කර තිබෙන්නේ. කම්කරු දෙපාර්තමේන්තුව ඉදිරියට ගිනිත් සේවකයෝ සිය ගණනක් අස් කළා. ඊළඟට මොකක්ද කර තිබෙන්නේ? ඒකේ මුදල් අරගෙන ප්‍රයෝජනයට ගෙන තවත් සමාගමක් අලුතෙන් පටන් ගෙන, එකෙන් 'එල්. එස්. ඩී' එකක් ලබා ගෙන තිබෙනවා. මේ 'එල්. එස්. ඩී.' එක යටතේ රුපියල් ලක්ෂ දහස් ගණනක වාහන-ලොරි, කාර්, වෑන්-ගෙන්වනවා. ගෙවල් දෙරවල් හදා ගන්නවා. මම හිතනවා, 'එල් එස්. ඩී.' එක යටතේ අධ්‍යක්ෂවරුන්ට හෙලිකොප්ටර් වුණත් ගන්න පුළුවනි, වාහන ගන්න පුළුවනි, සෑම දෙයක්ම ගන්න පුළුවනි. ගන්න බැරි දෙයක් නැහැ. ටෙලිවිෂන් මේ ආදී හැම දෙයක්ම ගන්න පුළුවනි. ඒ සෑම දෙයක්ම අරගෙන ඒ ආයතන බංකොලොත් වුණය කියා වසා දමා තවත් ආයතනයක් පටන් ගන්නවා. මේ විධියේ ආයතන කොළඹ තිබෙනවා. නම් වශයෙන් කියන්න කැමති නැහැ, ඒ අයතනවලට අගෞරවයක් වන නිසා එහෙම නැති නම් මේ සභාවේ ගෞරවයට හානියක් වන නිසා. මේ අන්දමට නීතිවලින් පැන යන ආයතන තිබෙනවා. මේ අවුරුද්දේ ලාභ තිබෙනවා. ලබන අවුරුද්දේ පාඩු කියා

වසා දමනවා. මුදල් දෙන ආයතන, ප්‍රංචි ප්‍රංචි f මිනුන්ස් කොමිෂනි, පොලියට දෙන ආයතන තිබෙනවා. මේවා යෙන් විශාල වශයෙන් ලාභ ලබනවා. සුමන දෙකක පඩි නොවෙයි, අවුරුද්දක පඩි ගෙවන්න පුළුවන් ආයතන තත් තිබෙනවා. මේ ආයතන කෝටි සංඛ්‍යාත මුදල් සොයනවා. එම නිසා මේ පෞද්ගලික ආයතන කරන අසා ඩාරණය නැවත්වීම සඳහා විශේෂයෙන්ම අණපනත් සකස් කරන ලෙස කමිකරු ඇමතිතුමාගෙන් ඉල්ලා සිටිමින් මගේ කතාව අවසන් කරනවා.

**ජේ. එල්. සිරිසේන මහතා** (සමාජ සේවා නියෝජ්‍ය ඇමතිතුමා)

(**කිරු. ජ්‍යෙ. ශ්‍රී. ආච. හිඹිජෙන—ජ්‍යෙ. ජෙනෙසන් පිරාහි අයුමස්ජාර්**)

(**Mr. J. L. Sirisena—Deputy Minister of Social Services**)

ගරු නියෝජ්‍ය කථානායකතුමනි, රජයටත්, ගරු ඇමතිතුමාටත් අප කවුරුත් විශේෂයෙන්ම ස්තූතිවන්ත විය යුතුයි, පාරිතෝෂික ගෙවීම් පිළිබඳ මේ පනත ඉදිරිපත් කිරීම ගැන. මේ පනත ඉදිරිපත් කිරීමට සාහේනා කලක් ප්‍රමාද වුණා. මීට ඉස්සර 1970—77 කාලයේ තිබුණු සමාජවාදී අණවුව කොමිසුනිස්ට් හා සමසමාජ මැති ඇමතිවරු සිටියත්, මෙම පනතින් දක්වෙන ආකාරයේ අදහස් ඉදිරිපත් කර කමිකරුවන්ගේ කරපිටින් පාර්ලිමේන්තුවට ආ එ මැති ඇමතිවරුන්ට වුවමනාවක් තිබුණේ නැහැ, කමිකරුවන්ගේ යහපත සඳහා මෙවැනි පනතක් ඉදිරිපත් කරන්නට. එම නිසා, එක්සත් ජාතික පක්ෂ රජයටත් කමිකරු ඇමතිතුමාටත් අප කවුරුත් මේ පිළිබඳව ස්තූතිවන්ත විය යුතුයි.

ගරු නියෝජ්‍ය කථානායකතුමනි, මෙම පනතේ පෙඩි අඩුපාඩුකම් දෙක—තුනක් තිබෙනවා. සේවකයන් 15 දෙනෙකුට අඩු සංඛ්‍යාවක් ඉන්න තැන්වලට මේ පනත බලපාන්නේ නැහැ. පොල් වතු තිබෙන වයඹ පළාත ගැන කල්පනා කර බැලුවොත් එම පළාතේ ඇති දිස්ත්‍රික්ක දෙකෙන් එකක්වත් කමිකරුවන්ට මේ පනතින් ප්‍රයෝජනයක් අත් වෙයි කියා මම හිතන්නේ නැහැ. අක්කර සියයක පොල් වත්තක වුණත්, කමිකරු වන් 15 දෙනෙක් සේවය කරන්නේ නැහැ. එම නිසා, මේ පනතින් විශාල පිරිසකට පහසුවෙන් ලබා ගන්න පුළුවන් යම් යම් දේ, පාරිතෝෂික ගෙවීම් වැනි දේ ලබා ගැනීම සඳහා කමිකරු උසාවියට යන්න පිළිබඳ වෙයි කියා ඇමතිතුමා ප්‍රකාශ කරන්න පුළුවනි. මේ නීතිය එන්නට ඉස්සර සමහර කමිකරු උසාවිවල සහපති වරුන් පාරිතෝෂික ගෙවීම් ගැන ඉල්ලීමක් කළාම

—“This is not the forum for gratuity” කියලා තිබෙනවා. අවුරුදු 30-40 ක් සේවය කළ අය කමිකරු උසාවිවලට ගිහිත් පාරිතෝෂිකය ලබා දෙන ලෙස ඉල්ලා සිටියාම මේ ගැන කතා කරන්න තිබෙන්නේ මෙතන නොවෙයි—“This is not the forum for gratuity” කියනවා, මමත් අවුරුදු 31 ක් වැඩ කරලා ගියා කමිකරු උසාවිය ඉදිරියට. කමිකරු උසාවියට ගියාම මොන තරම් ප්‍රමාද වෙනවද කියා සමහර විට ඇමතිතුමා නොදන්නවා වෙන්න පුළුවනි. 1974 අගෝස්තු මාසයේ මම පාවරු නඩුව ඉවර වුනේ 1982 අවසානයේදී. මෙම කාලයේත් අවුරුද්දක් පමණ මම කල් ගන්නා අසනීපය තිසා. අනික් අවුරුදු හතම මම පාඩුවට ගියා. අත්තමේදී මටත් අහන්න ලැබුණේ

—“This is not the forum for gratuity” කියන වචනයි. මෙන්න මේ විධියේ තත්ත්වයකුයි තිබෙන්නේ. එම නිසා මේ 15 සීමාව අස් කර, සීමාවක් නැතුව ඒ කියන්නේ, එක කමිකරුවාගේ ඉදලම මෙය බලපාන විධියට මෙම පනත සංශෝධනය කිරීමට ඇමති තුමාගේ සැලකිල්ල යොමු කරන්න කැමතියි. එහෙම නොවුණොත්, හුඟක් කමිකරුවන්ට දුෂ්කරතාවලට මුහුණ දෙන්න වෙනවා. බලන්න, උසස්වීමක් ලබා ගන්න කීප තැනකට යන්න ඕනා.

**නියෝජ්‍ය කථානායකතුමා**  
(**පිරාහිස් ජපාතායකර් අවාර්කන්**)

(**Mr. Deputy Speaker**)

**Order please ? Mr. Speaker will now take the Chair.**

**අනතුරුව නියෝජ්‍ය කථානායකතුමා මූලාසනයෙන් ඉවත් වූයේත් කථානායකතුමා මූලාසනාරූඪ විය.**

**අතර් පිරාත, පිරාහිස් ජපාතායකර් අවාර්කන් අක්ෂිරාජනත්ති බීන්හු අකලවෙ, ජපාතායකර් අවාර්කන් තබාමය බඩත්තාර්කන්.**

**Whereupon MR. DEPUTY SPEAKER left the Chair, and MR. SPEAKER took the Chair.**

**ජේ. එල්. සිරිසේන මහතා**  
(**කිරු. ජ්‍යෙ. ශ්‍රී. ආච. හිඹිජෙන**)

(**Mr. J. L. Sirisena**)

ගරු කථානායකතුමනි, මම පාරිතෝෂික ගෙවීමේ පනත ගැන කතා කරමින් සිටියෙ. මා පැහැදිලි කළ තත්ත්වය නිසා, මේ සීමාව ඉවත් කරන්න කියා මම ගරු ඇමතිතුමාගෙන් ඉල්ලීමක් කරන්න කැමතියි. ඒ වාගේම අවුරුදු පහේ කාල සීමාවක් වැඩ කරන කමිකරු වාට සාහේනා බාධාවක් වෙයි. අවුරුදු තුනක් වැඩ කරලා තමන්ගේ දියුණුව සඳහා, උසස් වීමක් ලබා ගැනීම සඳහා වෙන තැනකට යන්න සමහර කෙනෙකුට අවශ්‍ය වෙයි. මේ විධියට තිබුණොත් අර අවුරුදු තුනක් වැඩ කරපු තැන ගෙවිය යුතු පාරිතෝෂිකය එකතු වෙන්නේ නැහැ.

කලවානේ ගරු මන්ත්‍රීතුමා (සරත් මුත්තෙවිටුවෙගම මහතා) කිව්වා වගේ මේ පනතේ පොඩි පොඩි අඩුපාඩු කම් සාහේනා දුරට තිබෙනවා. එල්. අ. ජී. එකට පවරා ගත් ඉඩම්වලට වන්දි ගෙවන කොට හිටපු කමිකරුවන්ට ඒ ගොල්ලන්ගේ පාරිතෝෂිකය ගෙවන්නට ඕනාය කියා පනතින් කියනවා. නමුත් ගරු කථානායකතුමනි, දැනටමත් සියයට හැත්තෑපහක් පමණ වන්දි ලබා ගෙන ඉවරයි. එම නිසා මේ පනත එනකොට අවුරුදු විස්ස, තිහ, හතලිය එකම වන්නේ කමිකරුවන් හැටියට සේවය කළ අයට මේ පනතින් ප්‍රයෝජනයක් ලැබෙන්නේ නැහැ. ඒ මොකද අතීතයට බලපාන විධියට මේ පනත ක්‍රියාත්මක වෙන්නේ නැහැ. අතීතයට බලපාන විධියට ක්‍රියාත්මක කළත් ඉඩම් හිමියා වන්දි ලබාගෙන ඉවර නිසා 1972 අගෝස්තු මාසය වන තුරු අවුරුදු විස්සක් තිහක් සේවය කළ දුප්පත් කමිකරුවාට මේ පනතින් ප්‍රයෝජනයක් වෙන්කෙන්නේ නැහැ. මෙන්න මේවාගේ අඩුපාඩුකම් රාශියක් මේ පනතේ තිබෙනවා. මේ පනත අඩුපාඩුකම් මැද්දේ හෝ පහුවෙලා හෝ මෙය ඉදිරිපත් කිරීම ගැන අපි සන්තෝෂ වෙනවා.

අනික් එක කමිකරු උසාවි මේ පනතෙන් පසුව නම් පාරිතෝෂික ගෙවීම මේ පනතට අනුව ක්‍රියාත්මක කරන්නට ඉදිරිපත් වෙයි. ඒ නිසා කමිකරු උසාවියට යන අර පහළෙවට අඩු ආයතනවල ඉන්න උදවියට

[பே. பி. சி. சி. சி. சி. சி.]

එනරම් අපහසුවක් නොවෙන්න ඉඩ තිබෙනවා. නමුත් දුප්පත් කම්කරුවෙක් කම්කරු උසාවියට යන්න ගියාම ඔහුට ලැබෙන පාරිභෝගිකයෙන් ප්‍රයෝජනයක් වෙන්නේ නැහැ. පෙරකදෝරු මහත්වරුන්ටත් ගමන් ගස්තුත් ගෙවා ඉවර වෙනකොට ඔහුට අතින් පාඩු වෙනවා. එම නිසා කරුණාකර පහළොවේ සීමාව ඉවත් කරන්නයි කියා මම නැවතත් ගරු ඇමතිතුමාගෙන් ඉල්ලීමක් කරන්න කැමතියි. අවුරුදු පහේ සීමාවත් ඉවත් කරලා සේවා කාලය අවුරුද්දකට සීමා කරන්න. මොකද? එහෙම නැත්නම් මීට කලින් ගරු මන්ත්‍රී තුමෙක් කිව්වා වගේ පරිවාස කාලය කියා එහෙම නැත් නම් ත.ව.කාලීක හෝ "කැසුවල්" කියා ඒ විධියට තැබූ ගැනීම නිසා කවදාවත් මේ පනතින් අදහස් කරන ප්‍රයෝජනය සාමාන්‍ය කම්කරුවන්ට ලබා ගන්නට බැරි වීමට ඉඩ තිබෙනවා. ස්තූතියි.

සී. පී. ජේ. සෙනෙවිරත්න මහතා (කම්කරු ඇමතිතුමා)  
(திரு. வி. பி. ஜே. செனெவிரத்ன—தொழில் அமைச்சர்)  
(Mr. C. P. J. Seneviratne—Minister of Labour)

ගරු කථානායකතුමනි, මෙම වැදගත් විවාදයේදී ඉතාම වැදගත් අදහස් රැසක් මට ලබා ගන්නට පුළු වන් විම ගැන මම සන්තෝෂ වෙනවා. ගරු මන්ත්‍රීවරු හොඳ අදහස් ස්වල්පයක් ඉදිරිපත් කළා. එයින් වැද ගත්ම කරුණ තමයි පහළොස් දෙනාගේ සීමාව. ඒ ගැන මම නැවත වරක් කල්පනා කර බලනවා. මම මගේ කථාවේදීත් කිව්වා, මම මේක මෙතැනින් නවත්වන්නේ නැහැ කියල. ඒ ගැන පර්යේෂණයක් කරලා මොන පිළිවෙළේ පහළොස් දෙනා ඉන්න ආයතන හෝ ඉන් අඩු ආයතන හෝ මේකට ඇතුළත් කරමුද කියා අපි කල්පනා කර බලනවා. අන්න ඒ පිළිවෙළට ශ්‍රේණිගත කිරීම වගේ එකක් ඇති කරලා ඒ සංශෝධනයන් තුළුර ආනාගනයේදීම ගෙනෙන්නට මම බලාපොරොත්තු වෙනවා. අනික් කාරණය මම කියන්නට කැමතියි ;

For the benefit of my good friend the Hon. Minister of Rural Industrial Development, I must point out that the specific request he made regarding the land acquisition matter is now fully included in this new amendment. He need not worry about it. I will be responsible for that.

And in regard to the other matters pointed out by hon. Members I am thankful to them and, in due course, from time to time we will take them into account and do whatever is beneficial by amending this original Bill, wherever necessary.

I commend this Bill to the House.

ප්‍රශ්නය විමසන ලදීත්, සහා සම්මත විය.  
පනත් කෙටුම්පත ඊට අනුකූලව දෙවන වර කියවන ලදී.  
භීෂා භීෂුණ්ඩු, ආණ්ඩුකොමිෂන් සභාවට පැමිණි.  
අනුපාදි, ස්ථානාධිපති මුහුණතක මතීප්පිඨ පෙර්තන.  
Question put, and agreed to.  
Bill accordingly read a Second time.

මතු පළවන යෝජනාව සහා සම්මත විය :  
"පනත් කෙටුම්පත පූර්ණ පාර්ලිමේන්තු කාරක සභාවකට පැවරිය යුතුය."—[සී. පී. ජේ. සෙනෙවිරත්න මහතා.]  
நீர்மானிக்கப்பட்டது :  
"சட்டமூலம் முழுப் பாராளுமன்றக் குழுவுக்குச் சாட்டப்படுமாக." [திரு. சி. பி. ஜே. செனெவிரத்ன]

Resolved :  
"That the Bill be referred to a Committee of the Whole Parliament."—(Mr. C. P. J. Seneviratne.)

කාරක සභාවෙහි දී සලකා බලන ලදී.  
[සාමාන්‍යකතම මූලාශ්‍රයක් විය.]  
குழுவில் ஆராயப்பட்டது.  
[சபாநாயகர் அவர்கள் தலைமை வகித்தார்கள்.]  
Considered in Committee.  
(MR SPEAKER in the Chair.)

1 වන වගන්තිය පනත් කෙටුම්පතෙහි කොටසක් හැටියට තිබිය යුතුයයි නිශේෂ කරන ලදී.  
1 ஆம் வாசகம் சட்டமூலத்தின் பகுதியாக இருக்கவேண்டுமென கட்டளையிடப்பட்டது.  
Clause 1 ordered to stand part of the Bill.

2 වන වගන්තිය.—(මේ පනත ක්‍රියාත්මක වීමට පෙර තුළ සේවය අවසන් කිරීම සඳහා තම කම්කරු වන්ට පාරිභෝගික ගෙවීම් සම්බන්ධයෙන් සේවා යෝජකයන්ගේ බැඳීම)  
வாசகம் 2.—(இச்சட்டம் நடைமுறைக்கு வருமுன்னரான முடிவுறுத்துகைகளுக்காக தொழில்துறநர் வேலையாட்களுக்குப் பணிக்கொடை செலுத்துவதற்கான பொறுப்பு)  
CLAUSE 2.—(Employers' liability to pay gratuity to workmen for termination prior to the coming into operation of this Act)

සී. පී. ජේ. සෙනෙවිරත්න මහතා  
(திரு. வி. பி. ஜே. செனெவிரத்ன)  
(Mr. C. P. J. Seneviratne)  
I move,  
" In page 1, leave out all words in lines 8 to 28 and insert :

" 2. (1) Every employer who has employed a workman on any agricultural land or estate land that vested in the Land Reform Commission by the operation of the Land Reform Law or on any land acquired under the Land Acquisition Act on or after May 29, 1971, and deemed to have been vested in the Land Reform Commission in terms of subsection (1) of section 21 of the Land Reform (Special Provisions) Act, No. 39 of 1981, for a period of not less than five completed years immediately prior to such vesting or such acquisition as the case may be, shall pay to that workman in respect of his services, or in the event of the death of that workman to his heirs, a gratuity computed in accordance with the provisions of this Part, within a period of thirty days of the coming into operation of this Act :

Provided however, that the preceding provisions shall not apply in respect of the portion or portions of the agricultural land such employer is allowed to retain in terms of subsection (1) of section 19 of the Land Reform Law, No. 1 of 1972."

එස්. தோண்டமன் மஹதா  
(திரு. எஸ். தொண்டமான்)  
(Mr. S. Thondaman)  
Sir, the Hon. Minister said he is agreeing to the acquisition to continue, but now they are deleting it !

**கலிநாயகர்**

(சபாநாயகர் அவர்கள்)

(Mr. Speaker)

You cannot be heard.

Is your microphone switched on ?

**பி. ச. தண்டமன்**

(திரு. எஸ். தொண்டமான்)

(Mr. S. Thondaman)

Here it says, Land Acquisition Act. You are deleting that. You were saying something different earlier.

**கலிநாயகர்**

(சபாநாயகர் அவர்கள்)

(Mr. Speaker)

In line 9 there is provision of section 21 of the Land Reform (Special Provisions) Act, No. 39 of 1981 for a period of not less than five completed years immediately prior to such vesting or such acquisition as the case may be.

Are you satisfied ?

**பி. ச. தண்டமன்**

(திரு. எஸ். தொண்டமான்)

(Mr. S. Thondaman)

Yes.

சென்னை சட்டமன்ற சபை உறுப்பினர் திரு. என். சி. சேனாவிரத்ன, உறுப்பினர்

திருத்தம் விடுக்கப்பட்டு ஏற்றுக்கொள்ளப்பட்டது.

*Amendment put, and agreed to.*

**பி. சி. சே. சேனாவிரத்ன**

(திரு. வி. பி. ஜே. செனாவிரத்ன)

(Mr. C. P. J. Seneviratne)

I move,

"In page 1 in the marginal note to leave out : 'for terminations prior to the coming into operation of this Act' and insert : 'employed on lands that vested in the Land Reform Commission'".

சென்னை சட்டமன்ற சபை உறுப்பினர் திரு. என். சி. சேனாவிரத்ன, உறுப்பினர்

திருத்தம் விடுக்கப்பட்டு ஏற்றுக்கொள்ளப்பட்டது.

*Amendment put, and agreed to.*

2 வது உத்தரவு, சென்னை மாவட்டம், கைப்பிழைக்காத தொழிலாளர் சட்டம்

2 ஆம் வாசகம், திருத்தப்பட்டவாறு சட்டமன்றத்தின் பகுதியாக திருக்கவேண்டுமென கட்டளையிடப்பட்டது.

*Clause 2, as amended, ordered to stand part of the Bill.*

3 வது உத்தரவு.—(பார்வையாளர் சட்டம்)

வாசகம் 3.—(பணிக்குறைவுக் கொடுப்பனவின் வீதவரி)

CLAUSE 3.—(RATE OF PAYMENT OF GRATUITY)

**பி. சி. சே. சேனாவிரத்ன**

(திரு. வி. பி. ஜே. செனாவிரத்ன)

(Mr. C. P. J. Seneviratne)

I move,

"In page 2 in lines 6 to 7 leave out : 'on any agricultural land or estate land'";

சென்னை சட்டமன்ற சபை உறுப்பினர் திரு. என். சி. சேனாவிரத்ன, உறுப்பினர்

திருத்தம் விடுக்கப்பட்டு ஏற்றுக்கொள்ளப்பட்டது.

*Amendment put, and agreed to.*

**பி. சி. சே. சேனாவிரத்ன**

(திரு. வி. பி. ஜே. செனாவிரத்ன)

(Mr. C. P. J. Seneviratne)

I move,

"In page 2 in lines 22 and 23 leave out : 'on any agricultural land or estate land'";

சென்னை சட்டமன்ற சபை உறுப்பினர் திரு. என். சி. சேனாவிரத்ன, உறுப்பினர்

திருத்தம் விடுக்கப்பட்டு ஏற்றுக்கொள்ளப்பட்டது.

*Amendment put, and agreed to.*

**பி. சி. சே. சேனாவிரத்ன**

(திரு. வி. பி. ஜே. செனாவிரத்ன)

(Mr. C. P. J. Seneviratne)

I move,

"In page 2 in line 28 ; leave out : 'on a land' and insert 'on any agricultural land'";

சென்னை சட்டமன்ற சபை உறுப்பினர் திரு. என். சி. சேனாவிரத்ன, உறுப்பினர்

திருத்தம் விடுக்கப்பட்டு ஏற்றுக்கொள்ளப்பட்டது.

*Amendment put, and agreed to.*

**பி. சி. சே. சேனாவிரத்ன**

(திரு. வி. பி. ஜே. செனாவிரத்ன)

(Mr. C. P. J. Seneviratne)

I move.

"In page 2 in lines 33 and 34 leave out : 'on any estate land vested' and insert 'on any estate land that vested'";

சென்னை சட்டமன்ற சபை உறுப்பினர் திரு. என். சி. சேனாவிரத்ன, உறுப்பினர்

திருத்தம் விடுக்கப்பட்டு ஏற்றுக்கொள்ளப்பட்டது.

*Amendment put, and agreed to.*

**பி. சி. சே. சேனாவிரத்ன**

(திரு. வி. பி. ஜே. செனாவிரத்ன)

(Mr. C. P. J. Seneviratne)

I move,

"In page 2 immediately after line 37, insert :

'(iii) If that workman was employed on any land that was acquired under the Land Acquisition Act, based on the rate of wage or salary that would have been paid for the month in which such land was acquired, if he had worked for the whole of the month'";

சென்னை சட்டமன்ற சபை உறுப்பினர் திரு. என். சி. சேனாவிரத்ன, உறுப்பினர்

திருத்தம் விடுக்கப்பட்டு ஏற்றுக்கொள்ளப்பட்டது.

*Amendment put, and agreed to.*

**பி. சி. சே. சேனாவிரத்ன**

(திரு. வி. பி. ஜே. செனாவிரத்ன)

(Mr. C. P. J. Seneviratne)

I move,

"In page 2 leave out all words in line 44 and insert : 'paragraph (ii) of this sub-section, or up to the date of such acquisition where that workman is a workman referred to in paragraph (iii) of this sub-section'";

[**பி. பி. சே. சேனேவிரத்ன மஹா]**

ஈ-ஸேமனய பிலிண ஸுதுய ஸந ப்ரஹய விஸந லேந, ஈஸ  
ஈமீண வி.

திருத்தம் விடுக்கப்பட்டு ஏற்றுக்கொள்ளப்பட்டது.

*Amendment put, and agreed to.*

**பி. பி. சே. சேனேவிரத்ன மஹா**

(திரு. வி. பி. ஜே. செனேவிரத்ன)

(Mr. C. P. J. Seneviratne)

I move,

"In page 3 leave out all words in lines 2 to 5 and insert : 'of the services of a workman' " ;

ஈ-ஸேமனய பிலிண ஸுதுய ஸந ப்ரஹய விஸந லேந, ஈஸ  
ஈமீண வி.

திருத்தம் விடுக்கப்பட்டு ஏற்றுக்கொள்ளப்பட்டது

*Amendment put, and agreed to.*

**பி. பி. சே. சேனேவிரத்ன மஹா**

(திரு. வி. பி. ஜே. செனேவிரத்ன)

(Mr. C. P. J. Seneviratne)

I move,

"In page 3 in line 9 leave out : 'this Act' and insert 'this Part' " ;

ஈ-ஸேமனய பிலிண ஸுதுய ஸந ப்ரஹய விஸந லேந, ஈஸ  
ஈமீண வி.

திருத்தம் விடுக்கப்பட்டு ஏற்றுக்கொள்ளப்பட்டது.

*Amendment put, and agreed to.*

3 |வந வணயி, ஈ-ஸேமனயகரணெந் பநந் கெடுமீபநைடி  
கெடுமண ஈடுமெடு திஸி ஸுதுயகி திஸேக கரந லே.

3 ஆம் வாசகம், திருத்தப்பட்டவாறு சட்டமூலத்தின் பகுதியாக  
இருக்கவேண்டுமென கட்டளையிடப்பட்டது.

Clause 3, as amended, ordered to stand part of the Bill.

4 வந வணயி.—(ஓவமி ப்ரதிஈஈஈகரண கெடுமீபந்  
ஈஸ வ வெந ஈது கரந லே ஈஓ ஓவமி ஈந் கர ஈநி  
மே பநந ஈடுவெந் ஈந் கர ஈந் து லே ஓவமிவல  
ஈவுமேகி திஈகந் கமீகரவுதவ் லுமிஸ ஸுது  
ஈடுவெந்மேகி)

வாசகம் 4.—(காணிச்சீர்திருத்த ஆணைக்குழுவுக்கு உரித்தாக்கப்  
பட்ட அல்லது காணி கொள்ளுதற் சட்டத்தின்கீழ் கொள்ளப்  
பட்ட காணிகளில் தொழிலுக்கு அமர்த்தப்பட்டிருக்கும் வேலை  
யாளருக்கு கொடுக்கும்தியாகவுள்ள பணிக்கொடை)

CLAUSE 4.—(Gratuity due to workman employed on lands  
vested in the Land Reform Commission or Acquired under the Land  
Acquisition Act)

**பி. பி. சே. சேனேவிரத்ன மஹா**

(திரு. வி. பி. ஜே. செனேவிரத்ன)

(Mr. C. P. J. Seneviratne)

I move,

"In page 3 leave out the marginal note and insert :  
'Commissioner to issue certificate to the Land Reform Commission  
specifying the sum due as gratuity to a workman' " .

ஈ-ஸேமனய பிலிண ஸுதுய ஸந ப்ரஹய விஸந லேந, ஈஸ  
ஈமீண வி.

திருத்தம் விடுக்கப்பட்டு ஏற்றுக்கொள்ளப்பட்டது.

*Amendment put, and agreed to.*

**பி. பி. சே. சேனேவிரத்ன மஹா**

(திரு. வி. பி. ஜே. செனேவிரத்ன)

(Mr. C. P. J. Seneviratne)

I move,

"In page 3 in line 12 leave out : 'this Act' and insert : 'this Part' " .

ஈ-ஸேமனய பிலிண ஸுதுய ஸந ப்ரஹய விஸந லேந, ஈஸ  
ஈமீண வி.

திருத்தம் விடுக்கப்பட்டு ஏற்றுக்கொள்ளப்பட்டது.

*Amendment put, and agreed to.*

**பி. பி. சே. சேனேவிரத்ன மஹா**

(திரு. வி. பி. ஜே. செனேவிரத்ன)

(Mr. C. P. J. Seneviratne)

I move,

"In page 3, leave out all words in lines 13 to 15 and insert : 'Land  
Reform Commission under the Land Reform Law, the  
Commissioner shall, after such inquiry as he may deem' " .

ஈ-ஸேமனய பிலிண ஸுதுய ஸந ப்ரஹய விஸந லேந, ஈஸ  
ஈமீண வி.

திருத்தம் விடுக்கப்பட்டு ஏற்றுக்கொள்ளப்பட்டது.

*Amendment put, and agreed to.*

**பி. பி. சே. சேனேவிரத்ன மஹா**

(திரு. வி. பி. ஜே. செனேவிரத்ன)

(Mr. C. P. J. Seneviratne)

I move,

"In page 3, leave out all words in line 23 and insert :

'shall, subject to the provisions of subsection (1) of section, 6,  
make' " .

ஈ-ஸேமனய பிலிண ஸுதுய ஸந ப்ரஹய விஸந லேந, ஈஸ  
ஈமீண வி.

திருத்தம் விடுக்கப்பட்டு ஏற்றுக்கொள்ளப்பட்டது.

*Amendment put, and agreed to.*

**பி. பி. சே. சேனேவிரத்ன மஹா**

(திரு. வி. பி. ஜே. செனேவிரத்ன)

(Mr. C. P. J. Seneviratne)

I move.

"In page 3, leave out all words in lines 29 and 30 and insert :

'(4) The sum paid by the Land Reform Commission to a  
workman under this section or the sum remitted in accordance with  
the provisions of subsection (1) of section 6 shall' " .

ஈ-ஸேமனய பிலிண ஸுதுய ஸந ப்ரஹய விஸந லேந, ஈஸ  
ஈமீண வி.

திருத்தம் விடுக்கப்பட்டு ஏற்றுக்கொள்ளப்பட்டது.

*Amendment put, and agreed to.*

**பி. பி. சே. சேனேவிரத்ன மஹா**

(திரு. வி. பி. ஜே. செனேவிரத்ன)

(Mr. C. P. J. Seneviratne)

I move,

"In page 3, leave out all words in lines 33 and 34 and insert :  
'of the Land Reform Law, and that sum shall' " .

ஈ-ஸேமனய பிலிண ஸுதுய ஸந ப்ரஹய விஸந லேந, ஈஸ  
ஈமீண வி.

திருத்தம் விடுக்கப்பட்டு ஏற்றுக்கொள்ளப்பட்டது.

*Amendment put, and agreed to.*



4 வன வளநீயி, ஊனெயினாகரணேன் பனந் கெடுமெனெரி  
கெடுமென் ஊடுமெ திநிடி யுதுடி திணென் கரந ரே.

4 ஆம் வாசகம் திருத்தப்பட்டவாறு சட்டமூலத்தின் பகுதியாக  
இருக்கவேண்டுமென கட்டளையிடப்பட்டது.

Clause 4, as amended, ordered to stand part of the Bill.

5 வன வளநீயி.—(தே பனந கிணந்மக விமெந் பஃபு  
வூ ஃவெய ஃபவந் கிரீம ஃபடிந நம் கமீகரவந்  
பாரிணெகிக கெவிம ஃபமிந்மிணெந் ஃபவாணெகிக  
கெ ருடிம)

வாசகம் 5.—(இச்சட்டம் நடைமுறைக்கு வந்தபின்னர் முடிவுறுதல்  
தல்களுக்கென தமது வேலையாட்களுக்கு பணிக்கொடை  
செலுத்துவதற்கான தொழில்தருநரின் பொறுப்பு)

CLAUSE 5.—(Employers' liability to pay gratuity to his workmen  
for terminations after the coming into operation of this Act.)

ஃ. பி. ஃபே. ஃபெனெவிரந்ந மஃநா  
(திரு. ணி. பி. ஜே. செனெவிரந்ந)  
(Mr. C. P. J. Seneviratne)

I move,

"In page 3, leave out 'in the plantation sector or the industrial  
sector' and insert 'in any industry'."

ஊனெயினடி பிடுகெ ஃபுதுடி ஃபந ப்ரணடி விமஃபந ரேந், ஃபஃ  
ஃபமிநெ விடி.

திருத்தம் விடுக்கப்பட்டு ஏற்றுக்கொள்ளப்பட்டது.  
Amendment put, and agreed to.

ஃ. பி. ஃபே. ஃபெனெவிரந்ந மஃநா  
(திரு. ணி. பி. ஜே. செனெவிரந்ந)  
(Mr. C. P. J. Seneviratne)

I move,

"In page 4, leave out all words in lines 13 to 19 and insert :

'(3) Notwithstanding the provisions of the payment of Gratuities  
and other Monetary Benefits to Indian Repatriates (Special  
Provisions) Law, No. 34 of 1978, if an Indian repatriate as defined  
in such law is a workman failing within the category mentioned in  
subsection (1) of this section, such repatriate shall not be entitled to  
receive a gratuity under the provisions of the said Law, in respect of  
a period of service for which a gratuity is payable under this Part.' "

ஊனெயினடி பிடுகெ ஃபுதுடி ஃபந ப்ரணடி விமஃபந ரேந், ஃபஃ  
ஃபமிநெ விடி.

திருத்தம் விடுக்கப்பட்டு ஏற்றுக்கொள்ளப்பட்டது.  
Amendment put, and agreed to.

ஃ. பி. ஃபே. ஃபெனெவிரந்ந மஃநா  
(திரு. ணி. பி. ஜே. செனெவிரந்ந)  
(Mr. C. P. J. Seneviratne)

I move,

" In page 4, leave out all words in lines 20 and 21. "

ஊனெயினடி பிடுகெ ஃபுதுடி ஃபந ப்ரணடி விமஃபந ரேந், ஃபஃ  
ஃபமிநெ விடி.

வினா விடுக்கப்பட்டு, ஏற்றுக்கொள்ளப்பட்டது.  
Amendment put, and agreed to.

5 வன வளநீயி, ஊனெயினாகரணென், பனந் கெடுமெனெரி  
கெடுமென் ஊடுமெ திநிடி யுதுடி திணென் கரந ரே.

5 ஆம் வாசகம் திருத்தப்பட்டவாறு சட்டமூலத்தின் பகுதியாக  
இருக்க வேண்டுமென கட்டளையிடப்பட்டது.

Clause 5, as amended, ordered to stand part of the Bill.

6 வன வளநீயி.—(பாரிணெகிக கெவிமெ ஃபுதுபுமணெடி)

வாசகம் 6.—(பணிக்கொடைக் கொடுப்பவரது வீதம்)

CLAUSE 6.—(Rate of payment of gratuity)

ஃ. பி. ஃபே. ஃபெனெவிரந்ந மஃநா  
(திரு. ணி. பி. ஜே. செனெவிரந்ந)  
(Mr. C. P. J. Seneviratne)

I move,

"In page 4, leave out all words in lines 22 to 25 and insert :

'(1) The provisions of this Part shall apply to and in relation to a  
workman employed in any industry in respect of the entire period of  
service under an employer.

Provided, however that, where a workman who is entitled to a  
gratuity under Part I of this Act continues in employment after the  
agricultural land or estate land on which he was employed vested in  
the Land Reform Commission by the operation of the Land Reform  
Law, or the land on which he was employed was acquired under the  
Land Acquisition Act and is entitled to a gratuity under Part II of  
this Act, the period of service of such workman shall include the  
period of service in respect of which he is entitled to a gratuity  
under Part I of this Act, and, the gratuity in respect of the  
aggregate period of service shall be paid by the employer who is  
liable in terms of subsection (1) of section 5.

Provided further that, notwithstanding anything to the contrary  
in Part I of this Act, the amount of the gratuity to which such  
workman is entitled under that Part shall be remitted to the said  
employer who shall be liable to pay a gratuity in respect of the  
aggregate period of service of such workman'."

ஊனெயினடி பிடுகெ ஃபுதுடி ஃபந ப்ரணடி விமஃபந ரேந், ஃபஃ  
ஃபமிநெ விடி.

திருத்தம் விடுக்கப்பட்டு ஏற்றுக்கொள்ளப்பட்டது.  
Amendment put, and agreed to.

ஃ. பி. ஃபே. ஃபெனெவிரந்ந மஃநா  
(திரு. ணி. பி. ஜே. செனெவிரந்ந)  
(Mr. C. P. J. Seneviratne)

I move,

" In page 4, line 43, at end add :

'(3) Notwithstanding the provisions contained in subsection (2),  
the gratuity payable to a workman referred to in the proviso to  
subsection (1) in respect of the period of service for which he is  
entitled to a gratuity under Part I of this Act, shall be computed at  
the rate of a sum equivalent to fourteen days' wage or salary of that  
workman for each year of completed service based on the rate of  
wage or salary payable in the month in which such land vested in the  
Land Reform Commission acquired under the Land Acquisition  
Act.'

ஊனெயினடி பிடுகெ ஃபுதுடி ஃபந ப்ரணடி விமஃபந ரேந், ஃபஃ  
ஃபமிநெ விடி.

திருத்தம் விடுக்கப்பட்டு ஏற்றுக்கொள்ளப்பட்டது.  
Amendment put, and agreed to.

6 வன வளநீயி, ஊனெயினாகரணென், பனந் கெடுமெனெரி  
கெடுமென் ஊடுமெ திநிடி யுதுடி திணென் கரந ரே.

6 ஆம் வாசகம் திருத்தப்பட்டவாறு சட்டமூலத்தின் பகுதியாக  
இருக்கவேண்டுமென கட்டளையிடப்பட்டது.

Clause 6, as amended, ordered to stand part of the Bill.

**7 வன வளநீயி.—**(5 வன வளநீயி அடிக்கீழ் கீழ்க்கீழ் பிழிவிட  
பிழிவிட)

வாசகம் 7.—(5 ஆம் பிரிவில் ஏற்புடைமை மீதான வரையறைகள்)

**CLAUSE 7.—(Limits on applicability of Section 5)**

பி. பி. சே. சேனேவிரத்ன மஹா

(திரு. ஸி. பி. ஜே. செனேவிரத்ன)

(Mr. C. P. J. Seneviratne)

I move,

“In page 5, leave out all words in lines 3 to 5, and insert :

‘(a) employed as a domestic servant or as a personal chauffeur in a private household ; or.’”

ஊழல்தொழில் பிழிவிட சூழல்தொழில் பிழிவிட ஊழல்தொழில் பிழிவிட பிழிவிட

திருத்தம் விடுக்கப்பட்டு ஏற்றுக்கொள்ளப்பட்டது.

*Amendment put, and agreed to.*

7 வன வளநீயி. ஊழல்தொழில் பிழிவிட, பிழிவிட ஊழல்தொழில் பிழிவிட ஊழல்தொழில் பிழிவிட

7 ஆம் வாசகம், திருத்தப்பட்டவாறு சட்டமூலத்தின் பகுதியாக இருக்கவேண்டுமென கட்டளையிடப்பட்டது.

*Clause 7, as amended, ordered to stand part of the Bill.*

**8 வன வளநீயி.—**(புறநகர் ஊழல்தொழில் பிழிவிட ஊழல்தொழில் பிழிவிட)

வாசகம் 8.—(செலுத்தத் தவறியவர் செலுத்த தவறுகையின்மீது பணிக்குடைய அறவிடுதல்)

**CLAUSE 8.—(Recovery of gratuity on defaulter's failure to pay.)**

பி. பி. சே. சேனேவிரத்ன மஹா

(திரு. ஸி. பி. ஜே. செனேவிரத்ன)

(Mr. C. P. J. Seneviratne)

I move.

“In page 5, leave out all words in line 13 and insert :

‘of section 40r under the provisions of subsection (5) of section 17 of the Land Acquisition Act the Commissioner may issue a certificate after.’”

ஊழல்தொழில் பிழிவிட சூழல்தொழில் பிழிவிட ஊழல்தொழில் பிழிவிட ஊழல்தொழில் பிழிவிட

திருத்தம் விடுக்கப்பட்டு ஏற்றுக்கொள்ளப்பட்டது.

*Amendment put, and agreed to.*

8 வன வளநீயி. ஊழல்தொழில் பிழிவிட, பிழிவிட ஊழல்தொழில் பிழிவிட ஊழல்தொழில் பிழிவிட

8 ஆம் வாசகம், திருத்தப்பட்டவாறு சட்டமூலத்தின் பகுதியாக இருக்கவேண்டுமென கட்டளையிடப்பட்டது.

*Clause 8, as amended, ordered to stand part of the Bill.*

9 பிழிவிட 16 வன வளநீயி பிழிவிட பிழிவிட ஊழல்தொழில் பிழிவிட ஊழல்தொழில் பிழிவிட

9 ஆம் வாசகத்திலிருந்து 16 ஆம் வாசகம் வரை சட்டமூலத்தின் பகுதியாக இருக்கவேண்டுமென கட்டளையிடப்பட்டது.

*Clauses 9 to 16 ordered to stand part of the Bill.*

**17 வன வளநீயி.—**(131 வன அடிக்கீழ் கீழ்க்கீழ் பிழிவிட)

வாசகம் 17.—(131 ஆம் அத்தியாயத்தைத் திருத்துதல்)

**CLAUSE 17.—(Amendment of Chapter 131.)**

பி. பி. சே. சேனேவிரத்ன மஹா

(திரு. ஸி. பி. ஜே. செனேவிரத்ன)

(Mr. C. P. J. Seneviratne)

I move.

“In page 8, lines 36 and 37, leave out ‘on any land or in any establishment’ and insert ‘in any industry.’”

ஊழல்தொழில் பிழிவிட சூழல்தொழில் பிழிவிட ஊழல்தொழில் பிழிவிட ஊழல்தொழில் பிழிவிட

திருத்தம் விடுக்கப்பட்டு ஏற்றுக்கொள்ளப்பட்டது.

*Amendment put, and agreed to.*

பி. பி. சே. சேனேவிரத்ன மஹா

(திரு. ஸி. பி. ஜே. செனேவிரத்ன)

(Mr. C. P. J. Seneviratne)

I move,

“In page 9, lines 23 and 24, leave out ‘on my land or in any establishment’ and insert ‘in any industry.’”

ஊழல்தொழில் பிழிவிட சூழல்தொழில் பிழிவிட ஊழல்தொழில் பிழிவிட ஊழல்தொழில் பிழிவிட

திருத்தம் விடுக்கப்பட்டு ஏற்றுக்கொள்ளப்பட்டது.

*Amendment put, and agreed to.*

பி. பி. சே. சேனேவிரத்ன மஹா

(திரு. ஸி. பி. ஜே. செனேவிரத்ன)

(Mr. C. P. J. Seneviratne)

I move,

“In page 9, leave out all words in lines 32 to 34 and insert : (except where a gratuity is payable under the Payment of Gratuity Act, 1982) or pension or bonus to any workmen, the amount of such gratuity or pension or bonus and the method of computing such’.”

ஊழல்தொழில் பிழிவிட சூழல்தொழில் பிழிவிட ஊழல்தொழில் பிழிவிட ஊழல்தொழில் பிழிவிட

திருத்தம் விடுக்கப்பட்டு ஏற்றுக்கொள்ளப்பட்டது.

*Amendment put, and agreed to.*

17 வன வளநீயி. ஊழல்தொழில் பிழிவிட, பிழிவிட ஊழல்தொழில் பிழிவிட ஊழல்தொழில் பிழிவிட

17 ஆம் வாசகம், திருத்தப்பட்டவாறு சட்டமூலத்தின் பகுதியாக இருக்கவேண்டுமென கட்டளையிடப்பட்டது.

*Clause 17, as amended, ordered to stand part of the Bill.*

18 வன வளநீயி பிழிவிட பிழிவிட ஊழல்தொழில் பிழிவிட ஊழல்தொழில் பிழிவிட

18 ஆம் வாசகம் சட்டமூலத்தின் பகுதியாக இருக்கவேண்டுமென கட்டளையிடப்பட்டது.

*Clause 18 ordered to stand part of the Bill.*

**19 வன வளநீயி.—**(460 வன அடிக்கீழ் கீழ்க்கீழ் பிழிவிட)

வாசகம் 19.—(460 ஆம் அத்தியாயத்தைத் திருத்துதல்)

**CLAUSE 19.—(Amendment of Chapter 460.)**

பி. பி. சே. சேனேவிரத்ன மஹா

(திரு. ஸி. பி. ஜே. செனேவிரத்ன)

(Mr. C. P. J. Seneviratne)

I move,

“In page 10, leave out all words in lines 34 to 36.”

ஊழல்தொழில் பிழிவிட சூழல்தொழில் பிழிவிட ஊழல்தொழில் பிழிவிட ஊழல்தொழில் பிழிவிட

திருத்தம் விடுக்கப்பட்டு ஏற்றுக்கொள்ளப்பட்டது.

*Amendment put, and agreed to.*

19 வன வளநீயி. ஊழல்தொழில் பிழிவிட, பிழிவிட ஊழல்தொழில் பிழிவிட ஊழல்தொழில் பிழிவிட

19 ஆம் வாசகம், திருத்தப்பட்டவாறு சட்டமூலத்தின் பகுதியாக இருக்கவேண்டுமென கட்டளையிடப்பட்டது.

*Clause 19, as amended, ordered to stand part of the Bill.*

20 வது உத்தரவு.—(டிபீட் கிரேட்டிங்)  
 வாசகம் 20.—(பொருள் கோடல்)

CLAUSE 20—(Interpretation.)

பி. பி. சே. சேனேவிரத்ன மஹா  
 (திரு. வி. பி. ஜே. செனேவிரத்ன)  
 (Mr. C. P. J. Seneviratne)  
 I move,

“ In page 11. leave out all words in lines 5 to 19.”

உள்ளொதுகை தொடர்ச்சியான பணியை விடாமல் செய்தல், என்று  
 எழுதியிருக்கிறது. திருத்தம் விடுக்கப்பட்டு ஏற்றுக்கொள்ளப்பட்டது.  
 Amendment put, and agreed to.

பி. பி. சே. சேனேவிரத்ன மஹா  
 (திரு. வி. பி. ஜே. செனேவிரத்ன)  
 (Mr. C. P. J. Seneviratne)  
 I move,

“ In page 11, leave out ‘continuous service’ and insert  
 ‘completed service’.”

உள்ளொதுகை தொடர்ச்சியான பணியை விடாமல் செய்தல், என்று  
 எழுதியிருக்கிறது. திருத்தம் விடுக்கப்பட்டு ஏற்றுக்கொள்ளப்பட்டது.  
 Amendment put, and agreed to.

பி. பி. சே. சேனேவிரத்ன மஹா  
 (திரு. வி. பி. ஜே. செனேவிரத்ன)  
 (Mr. C. P. J. Seneviratne)  
 I move,

“ In page 12, leave out all words in lines 8 to 10 and insert :

“ Industries includes –

(a) trade, business, manufacture and agriculture, any  
 undertaking or occupation by way of trade, business,  
 manufacture or agriculture, and any branch or section of  
 trade, business, manufacture or agriculture ;

(b) service, work or labour of any description whatsoever  
 performed by persons in the employment of a local authority,  
 or of a Corporation established by or under any written law  
 for carrying on an undertaking whether for the purpose of  
 trade or otherwise ;

(c) every occupation, calling or service of workmen ; and

(d) every undertaking of employers’.”

உள்ளொதுகை தொடர்ச்சியான பணியை விடாமல் செய்தல், என்று  
 எழுதியிருக்கிறது. திருத்தம் விடுக்கப்பட்டு ஏற்றுக்கொள்ளப்பட்டது.

Amendment put, and agreed to.

20 வது உத்தரவு, உள்நாட்டுத்துறைகள், பணக் கட்டுப்பாடு  
 கமிஷன் ஆகியவை சம்பந்தம் இல்லாதவை என்று உத்தரவு  
 செய்துள்ளது.

20 ஆம் வாசகம், திருத்தப்பட்டவாறு சட்டமன்றத்தின் பகுதியாக  
 இருக்கவேண்டுமென கட்டளையிடப்பட்டது.

Clause 20, as amended, ordered to stand part of the Bill.

முடிபதி உத்தரவுகள் பற்றி உத்தரவு பணக் கட்டுப்பாடு கமிஷன்  
 ஆகியவை சம்பந்தம் இல்லாதவை என்று உத்தரவு  
 செய்துள்ளது.

பணக் கட்டுப்பாடு, உள்நாட்டுத்துறைகள், உத்தரவு  
 செய்துள்ளது.

சட்டமன்ற வாசகமும் தலைப்பும் சட்டமன்றத்தின் பகுதியாக  
 இருக்கவேண்டுமென கட்டளையிடப்பட்டது.

சட்டமன்றம் திருத்தங்களுடன் அறிக்கை செய்யப்பட்டது.

Enacting Clause and Title ordered to stand part of the Bill.  
 Bill reported with Amendments.

பி. பி. சே. சேனேவிரத்ன மஹா  
 (திரு. வி. பி. ஜே. செனேவிரத்ன)  
 (Mr. C. P. J. Seneviratne)  
 I move,

“ That the Bill, as amended, be now read the Third time.”

முத்திரை விடாமல் செய்தல், என்று  
 உத்தரவு செய்துள்ளது.

பணக் கட்டுப்பாடு சட்டம் அறிவிக்க உள்நாட்டுத்துறைகள்  
 உத்தரவு செய்துள்ளது.

வினா விடுக்கப்பட்டு ஏற்றுக்கொள்ளப்பட்டது.

அதன்படி, சட்டமன்றம் திருத்தப்பட்டவாறு மூன்றாம் முறையாக  
 மதிப்பிடப்பெற்று நிறைவேற்றப்பெற்றது.

Question put, and agreed to.

Bill, as amended, accordingly read the Third time, and passed.

### கலந்துரையின்

### ஒத்திவைப்பு

### ADJOURNMENT

கலந்துரையின் 5 மணிக்கு நிறுத்தி வைக்கப்பட்டது. இன்று  
 முத்திரை விடாமல் செய்தல், என்று உத்தரவு செய்துள்ளது.

சட்டமன்றத்தின் 5 மணிக்கு நிறுத்தி வைக்கப்பட்டது. இன்று  
 முத்திரை விடாமல் செய்தல், என்று உத்தரவு செய்துள்ளது.

அப்பொழுது நேரம் பி. பி. 5 மணிக்குப் பித்திவிட்டமையால்  
 உள்நாட்டுத்துறைகள் அமைச்சர் வினாவின்றி பாராளுமன்றத்தை ஒத்திவைத்  
 தார்கள்.

இதன்படி பி. பி. 8.26 க்கு, பாராளுமன்றம் அத  
 னது இன்றைய தீர்மானத்திற்கிணங்க, 1983 மார்ச்  
 8, செவ்வாய்க்கிழமை 2 மணிவரை ஒத்திவைக்கப்  
 பட்டது.

And it being past 5 p.m. MR SPEAKER adjourned  
 Parliament without Question put.

Adjourned accordingly at 8.26 p.m. until 2.00  
 p.m. on Tuesday, 8th March 1983, pursuant to the  
 Resolution of the Parliament this Day.

CLASS 20 - (Amendment)  
The Bill, as amended, is now ready for the third time.

Mr. C. P. J. Seneviratne  
(Mr. C. P. J. Seneviratne)  
I move.

In page 11, leave out all words in lines 2 to 19.

Amendment put, and agreed to.

Mr. C. P. J. Seneviratne  
(Mr. C. P. J. Seneviratne)  
I move.

In page 11, leave out 'continuous service' and insert 'continuous service'.

Amendment put, and agreed to.

Mr. C. P. J. Seneviratne  
(Mr. C. P. J. Seneviratne)  
I move.

In page 13, leave out all words in lines 2 to 10 and insert:

- Industries include -
- (a) trade, business, manufacture and agriculture, any undertaking or occupation by way of trade, business, manufacture or agriculture, and any branch or section of trade, business, manufacture or agriculture;
- (b) service, work or labour of any description whatsoever performed by persons in the employment of a local authority, or of a Corporation established by or under any written law for carrying on an undertaking whether for the purpose of trade or otherwise;
- (c) every occupation, calling or service of workmen; and
- (d) every undertaking of employers.

Amendment put, and agreed to.

අදායම්

ADJOURNMENT

The Bill, as amended, is now ready for the third time.

Mr. C. P. J. Seneviratne  
(Mr. C. P. J. Seneviratne)  
I move.

In page 11, leave out all words in lines 2 to 10 and insert:

௯. ௫.

மேலதிக உட்கையெழுத்துகளை அளிக்கும் உறுப்பினர் எல்லோரும் கருத்துக்கள் சேர்த்துக் கொடுக்கவேண்டுகிறோம். மீளும் காலத்தில் உறுப்பினர்கள் கருத்துக்களை விரிவாகவும் தெரிவிக்கவேண்டுகிறோம்.

1983 மார்ச் 11 வன கிழமை

தொகுப்பினை அளிக்கும் உறுப்பினர்.

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குறிப்பு

அங்கத்தினர்கள் இறுதிப் பதிப்பிற்கு உரியதும்படி கருத்துக்களை அறிக்கையிற்றெளிவாகக் குறித்து அளித்துக் கொள்ள வேண்டுகிறோம்.

1983 மார்ச் 11, வெள்ளிக்கிழமைக்குப் பிந்தாமல்

கிடைக்கக்கூடியதாக அனுப்புவதல் வேண்டும்.

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NOTE

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not later than

Friday, 11th March, 1983

**දයක මුදල් :** පාර්ලිමේන්තු විවාද වාර්තාවල වාර්ෂික දයක මිල රු. 200/- කි. (අශේෂිත පිටපත් සඳහා නම් රු. 175/- කි). පිටපතක් ගෙන්වා ගැනීම අවශ්‍ය නම් ගාස්තුව රු. 2.50 කි. තැපැල් ගාස්තුව ගත 90 කි. කොළඹ 1, තැ. පෙ. 500, රජයේ ප්‍රකාශන කාර්යාංශයේ අධිකාරී වෙත සෑම වර්ෂයකම නොවැම්බර් 30 දින ප්‍රථම දයක මුදල් ගෙවා ඉදිරි වර්ෂයේ දයකත්වය ලබාගෙන විවාද වාර්තා ලබාගත හැකිය. නියමිත දිනෙන් පසුව එවනු ලබන දයක ඉල්ලුම්පත් භාරගනු නොලැබේ.

**சந்தா :** ஹன்சார்ட் அதிகார அறிக்கையின் வருடாந்த சந்தா ரூபா 200/- (திருத்தப்படாத பிரதிகள் ரூபா 175/-) ஹன்சார்ட் தனிப்பிரதி ரூபா 2-50. தபாற் செலவு 90 சதம். வருடாந்த சந்தா முற்பணமாக அத்தியட்சர், அரசாங்க வெளியிட்டலுவலகம், த. பெ. இல. 500, கொழும்பு 1 என்ற விலாசத்திற்கு அனுப்பி பிரதிகளைப் பெற்றுக்கொள்ளலாம். ஒவ்வொரண்டும் நவம்பர் 30 ந் தேதிக்குமுன் சந்தாப் பணம் அனுப்பப்படவேண்டும். பிந்திக் கிடைக்கும் சந்தா விண்ணப்பங்கள் ஏற்றுக்கொள்ளப்படமாட்டா.

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