

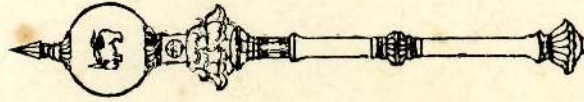
24 වන කාණ්ඩය

4 වන කලාපය

මහජනවිකල්ප

1983 ජූනි 9

*June*



# පාර්ලිමේන්තු විවාද

(හැන්සාඩ්)

## නිල වාර්තාව

(අශෝධිත පිටපත)

### අන්තර්ගත ප්‍රධාන කරුණු

නිවේදන :

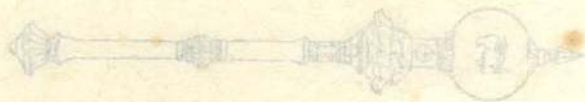
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"බී" ස්ථාවර කාරක සභාවට නම් කිරීම

ප්‍රශ්නවලට වාචික පිළිතුරු

මහර මැතිවරණය පිළිබඳ විශේෂ කාරක සභාවක්

ප්‍රශ්නවලට ලිඛිත පිළිතුරු



# മുദ്രണ ശാസ്ത്രം

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മുദ്രണം

# பாராளுமன்ற விவாதங்கள்

(ஹன்சர்ட்)

அதிகார அறிக்கை

(பிழை திருத்தப்படாதது)

பிரதான உள்ளடக்கம்

அறிவிப்புகள் :

யாழ்ப்பாணப் பல்கலைக்கழக மன்றத்துக்கு நேமகம்

நிலைக்குழு "பி"க்கு நேமகங்கள்

வினாக்களுக்கு வாய்மூல விடைகள்

மஹா இடைத்தேர்தல் மீதான தெரிவு

வினாக்களுக்கு எழுத்துமூல விடைகள்

Volume 24  
No. 4

Thursday  
9th June 1983

## PARLIAMENTARY DEBATES

(HANSARD)

OFFICIAL REPORT

(Uncorrected)

### PRINCIPAL CONTENTS

ANNOUNCEMENTS :

Nomination to Jaffna University Court

Nominations to Standing Committee "B"

ORAL ANSWERS TO QUESTIONS

SELECT COMMITTEE ON MAHARA BY-ELECTION

WRITTEN ANSWERS TO QUESTIONS

# நாடுகளின் விவாதங்கள்

(முதல்)

முதல் பகுதி

(முதல் பகுதி)

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முதல் பகுதி

Thursday  
9th June 1983

Volume 11  
No. 1

# புதிதாய்ந்து பகுதி

(முதல்)

முதல் பகுதி

(முதல்)

# புதிதாய்ந்து பகுதி

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முதல் பகுதி



පාර්ලිමේන්තුව  
பாராளுமன்றம்  
PARLIAMENT

1983 ජූනි 9 වන මුහුදුපතින්ද  
வியாழக்கிழமை, 9 ஜூன் 1983  
Thursday, 9th June 1983

අ. හා. 3 ට පාර්ලිමේන්තුව රැස් විය. [නියෝජ්‍ය කථානායකතුමා තෝමන් වෛද්‍යරත්න මහතා] මුලාසනයැයි විය.

பாராளுமன்றம் பி. ப. 3 மணிக்குக் கூடியது. பிரதிச் சபாநாயகர் அவர்கள் [பி. பி. நோமன் வைத்தியரத்ன] தலைமை வகித்தார்கள்.  
The Parliament met at 3 p.m. MR. DEPUTY SPEAKER [MR. NORMAN WAIDYARATNA] in the Chair.

නිවේදන  
அறிவிப்புகள்  
ANNOUNCEMENTS

I

යාපනය විශ්ව විද්‍යාලයේ උත්තර මණ්ඩලයට තමා කිරීම  
யாழ்ப்பாணப் பல்கலைக்கழக மன்றாக்கு நேமகம்  
NOMINATION TO JAFFNA UNIVERSITY COURT

නියෝජ්‍ය කථානායකතුමා  
(பிரதிச் சபாநாயகர், அவர்கள்)  
(Mr. Deputy Speaker)

Mr. U. B. Wijekoon, Member of Parliament, has been nominated to the Court of the University of Jaffna.

As the only nomination received is that of Mr. U. B. Wijekoon, I declare him duly elected to the Court of the University of Jaffna.

II

“බී” ස්ථාවර කාරක සභාවට තමා කිරීම  
நிலைக்குழு “பி” க்கு நேமகங்கள்  
NOMINATIONS TO STANDING COMMITTEE “B”

නියෝජ්‍ය කථානායකතුමා  
(பிரதிச் சபாநாயகர் அவர்கள்)  
(Mr. Deputy Speaker)

I have nominated the following additional Members to serve on Standing Committee “B” for the consideration of the Young Men’s Buddhist Association, Minuwangoda (Incorporation) Bill under my Chairmanship :-

- Mr. Mahinda Yapa Abeywardana
- Mr. Merril Kariyawasam
- Dr. Leonard Kiriella
- Mr. A. Ananda Kularatna
- Mr. Dinesh Gunawardena
- Mr. Kamal Jayakody
- Mr. Lakshman Jayakody
- Miss Sriyani Daniel

- Mr. Sarath Muttetuwegama
- Mr. Gamini Lokuge
- Mr. Asoka Wadigamangawa
- Mr. Jinadasa Weerasinghe
- Mr. P. S. Soosaithasan
- Mrs. Daya Sepali Senadheera
- Mr. Asoka W. Somaratne

ලිපි ලේඛනාදිය පිළිගැන්වීම  
சமர்ப்பிக்கப்பட்ட பத்திரங்கள்  
PAPERS PRESENTED

- (1) An Order made under Section 20(4)(b) of the Universities Act, No. 16 of 1978.
- (2) A By-Law made under Sections 267 and 272 and a By-Law made under Section 184(1) of the Municipal Councils Ordinance (Chapter 252).-[ Mr. M. Vincent Perera, on behalf of the Prime Minister and Minister of Local Government, Housing and Construction and Minister of Highways. ]

1989 අංක 1 දරණ ආනයන හා අපනයන (පාලන) පනතේ 4 (3), 14 සහ 20 වගන්ති යටතේ කැඳන ලද නියෝග මාලාවක් මෙ ඉදිරිපත් කරමි—[එම්. එස්. අමරසිරි මහතා]

Annual Report of the Udarata Co-operative Estates Development Board for 1977. [ Mr. M. Vincent Perera, on behalf of the Minister of Public Administration and Minister of Plantation Industries. ]

Annual Report of the Ceylon Leather Products Corporation for 1980. [ Mr. M. Vincent Perera, on behalf of the Minister of Industries and Scientific Affairs. ]

සභාමණ්ඩප මත තිබිය යුතුයයි නියෝග කරන ලදී.  
சபாநிலைத்தலை இரூக்கக் கட்டளையிடப்பட்டது.  
Ordered to lie upon the Table.

පෙත්සම්  
மனுக்கள்

PETITIONS

නියෝජ්‍ය කථානායකතුමා  
(பிரதிச் சபாநாயகர் அவர்கள்)  
(Mr. Deputy Speaker)

The Member for Katugampola – [Pause]. He is not here.

The Member for Ratnapura-[Pause]. He is not here.

යූ. බී. විජේකෝන් මහතා (යාපනයේ දිසා ඇමතිතුමා)  
(திரு. யூ. பி. விஜேகோன்—யாழ்ப்பாண மாவட்ட அமைச்சர்)  
(Mr. U. B. Wijekoon-District Minister, Jaffna)

අලව්ව, කපුවරාල, “තිමල්ගිරි” පදිංචි ඩබ්ලිව්. පී. සයිමන් මහතාගේ 1983.05.09. දිනැති පෙත්සමක් මෙ පිළිගැන්වමි.

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



















adopts this ninth day of July of the Year one thousand nine hundred and forty-eight the following Convention, which may be cited as the Night Work (Women) Convention (Revised), 1948 :

## PART I—GENERAL PROVISIONS

### Article 1

1. For the purpose of this Convention, the term "industrial undertakings" includes particularly—

- (a) mines, quarries, and other works for the extraction of minerals from the earth ;
- (b) undertakings in which articles are manufactured, altered, cleaned, repaired, ornamented, finished, adapted for sale, broken up or demolished, or in which materials are transformed, including undertakings engaged in shipbuilding or in the generation, transformation or transmission of electricity or motive power of any kind ;
- (c) undertakings engaged in building and civil engineering work, including constructional, repair, maintenance, alteration and demolition work.

2. The competent authority shall define the line of division which separates industry from agriculture, commerce and other non-industrial occupations.

### Article 2

For the purpose of this Convention the term "night" signifies a period of at least eleven consecutive hours, including an interval prescribed by the competent authority of at least seven consecutive hours falling between ten o'clock in the evening and seven o'clock in the morning ; the competent authority may prescribe different intervals for different areas, industries, undertakings or branches of industries or undertakings, but shall consult the employers's and workers' organisations concerned before prescribing an interval beginning after eleven o'clock in the evening.

### Article 3

Women without distinction of age shall not be employed during the night in any public or private industrial undertaking, or in any branch thereof, other than an undertaking in which only members of the same family are employed.

### Article 4

Article 3 shall not apply—

- (a) in case of *force majeure*, when in any undertaking there occurs an interruption of work which it was impossible to foresee, and which is not of a recurring character ;
- (b) in cases where the work has to do with raw materials or materials in course of treatment which are subject to rapid deterioration when such night work is necessary to preserve the said materials from certain loss.

### Article 5

1. The prohibition of night work for women may be suspended by the government, after consultation with the employers' and workers' organisations concerned, when in case of serious emergency the national interest demands it.

2. Such suspension shall be notified by the government concerned to the Director-General of the International Labour Office in its annual report on the application of the Convention.

### Article 6

In industrial undertakings which are influenced by the seasons and in all cases where exceptional circumstances demand it, the night period may be reduced to ten hours on sixty days of the year.

### Article 7

In countries where the climate renders work by day particularly trying, the night period may be shorter than that prescribed in the above Articles if compensatory rest is accorded during the day.

### Article 8

This convention does not apply to—

- (a) women holding responsible positions of a managerial or technical character ;
- (b) women employed in health and welfare services who are not ordinarily engaged in manual work.

## PART II—SPECIAL PROVISIONS FOR CERTAIN COUNTRIES

### Article 9

In those countries where no government regulation as yet applies to the employment of women in industrial undertakings during the night, the term "night" may provisionally, and for a maximum period of three years, be declared by the government to signify a period of only ten hours, including an interval prescribed by the competent authority of at least seven consecutive hours falling between ten o'clock in the evening and seven o'clock in the morning.

### Article 10

1. The provisions of this convention shall apply to India subject to the modifications set forth in this Article.

2. The said provisions shall apply to all territories in respect of which the Indian legislature has jurisdiction to apply them.

3. The term "industrial undertaking" shall include—

- (a) factories as defined in the Indian Factories Act ; and
- (b) mines to which the Indian Mines Act applies.

### Article 11

1. The provisions of this Convention shall apply to Pakistan subject to the modifications set forth in this Article.

2. The said provisions shall apply to all territories in respect of which the Pakistan legislature has jurisdiction to apply them.

3. The term "industrial undertaking" shall include—

- (a) factories as defined in the Factories Act ;
- (b) mines to which the Mines Act applies.

### Article 12

1. The International Labour Conference may, at any session at which the matter is included in its agenda, adopt by a two-thirds majority draft amendments to any one or more of the preceding Articles of Part II of this Convention.

2. Any such draft amendment shall state the Member or Members to which it applies, and shall, within the period of one year or, in exceptional circumstances, of eighteen months from the closing of the session of the Conference, be submitted by the Member or Members which it applies to the authority or authorities within whose competence the matter lies, for the enactment of legislation or other action.

3. Each such Member will, if it obtains the consent of the authority or authorities within whose competence the matter lies, communicate the formal ratification of the amendment to the Director-General of the International Labour Office for registration.











It has been alleged that a person named R. P. Ranatunga and others have threatened W. A. Somapala and others at the UNP office at Malwathuhipitiya and engaged in other unlawful activities with the knowledge or consent of Mr. Kumaranatunga during the election campaign at Mahara.

It has also been alleged that at Udathuhipitiya Mr. Kumaranatunga and his supporters had pointed a pistol at V. P. Gunasoma and threatened to kill him for voting at the by-election held on May 18, 1983".

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

What is the Standing Order you quoted ?

ලක්ෂමන් ජයකොඩි මහතා  
(திரு. லக்ஷ்மன் ஜயக்கொடி.)  
(Mr. Lakshman Jayakody)

Standing Order 79. I would like to say categorically that this is the first time that the subject matter of an election petition is—

ආර්.ප්‍රේමදාස මහතා (අග්‍රාමාත්‍යතුමා, පළාත් පාලන, නිවාස හා දිනිකර්ම ඇමතිතුමා, මහාමාර්ග කටයුතු පිළිබඳ ඇමතිතුමා සහ පාර්ලිමේන්තුවේ සභානායකතුමා)

(திரு. ஆர். பிரேமதாச — பிரதம அமைச்சரும் உள்ளு ராட்சி, வீடமைப்பு, நிர்மாண அமைச்சரும் நெடுஞ்சாலைகள் அமைச்சரும் பாசாளுமன்றச் சபை முகவரும்)

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

Standing Order 79 is regarding the rules of debate and it says that no Member shall speak more than once on a proposition except under certain circumstances.

ලක්ෂමන් ජයකොඩි මහතා  
(திரு. லக்ஷ்மன் ஜயக்கொடி.)  
(Mr. Lakshman Jayakody)

This is *sub-judice* and similar instances have been thrashed out here before this.

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

Mr. Deputy Speaker, the Hon. Member for Kalawana (Mr. Sarath Muttetuwegama) who is supposed to be a lawyer tells us that there need not be a Standing Order to raise a point of Order. If you do not know the Standing Orders, ask me ! Do not try to mislead the House. If you are raising a point of Order on a matter of procedure, please tell us under what Standing Order you are raising the point of Order. Please do so, so that we can participate in the discussion.

ලක්ෂමන් ජයකොඩි මහතා  
(திரு. லக்ஷ்மன் ஜயக்கொடி.)  
(Mr. Lakshman Jayakody)

For a point of Order there is no Standing Order.

නියෝජ්‍ය කථානායකතුමා  
(பிரதிச் சபாநாயகர் அவர்கள்)  
(Mr. Deputy Speaker)

Every point of Order should be raised on a Standing Order. Otherwise it is the Common Law.

ලක්ෂමන් ජයකොඩි මහතා  
(திரு. லக்ஷ்மன் ஜயக்கொடி.)  
(Mr. Lakshman Jayakody)

This is under Standing Order 79.

නියෝජ්‍ය කථානායකතුමා  
(பிரதிச் சபாநாயகர் அவர்கள்)  
(Mr. Deputy Speaker)

I grant you the right to speak and raise a point of Order. Is that point of Order based on any of the Standing Orders of this Parliament ?

ලක්ෂමන් ජයකොඩි මහතා  
(திரு. லக்ஷ்மன் ஜயக்கொடி.)  
(Mr. Lakshman Jayakody)

I refer to Standing Order 79.

නියෝජ්‍ය කථානායකතුමා  
(பிரதிச் சபாநாயகர் அவர்கள்)  
(Mr. Deputy Speaker)

That refers to a Member being allowed to speak twice, but under certain exceptions. But what is your Point of Order ?

ලක්ෂමන් ජයකොඩි මහතා  
(திரு. லக்ஷ்மன் ஜயக்கொடி.)  
(Mr. Lakshman Jayakody)

I can speak on a point of Order.

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

I would like to know under what Standing Order you are raising this point of Order.

ලක්ෂමන් ජයකොඩි මහතා  
(திரு. லக்ஷ்மன் ஜயக்கொடி.)  
(Mr. Lakshman Jayakody)

Because this is *sub-judice*.

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

What is the Standing Order you referred to ?

සරත් මුත්තේවිටුවෙම මහතා (කලවාන)  
(திரு. சரத் முத்தேவிடுவெம—கலவான)  
(Mr. Sarath Muttetuwegama—Kalawana)

There is no Standing Order on a point of Order.



லக்ஷ்மன் ஜயக்கொடி  
(திரு. லக்ஷ்மன் ஜயக்கொடி)  
(Lakshman Jayakody)

I was coming to that. Therefore, what I say is that this matter is *sub-judice*.

சியேர்சு கபாநாயகர்  
(பிரதீச் சபாநாயகர் அவர்கள்)  
(Mr. Deputy Speaker)

Is '*sub-judice*' referred to in the Standing Orders ?

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

There are so many laws about *sub-judice*, like this Article 130 :

"The Supreme court shall have the power to hear determine and make such orders as provided for by law—"

All that covers our Standing Orders.

சாரத் முத்தேவெகாமி  
(திரு. சாரத் முத்தேவெகாமி)  
(Mr. Sarath Muttetuwegama)

Section 84 (vi) of the Standing Orders.

சியேர்சு கபாநாயகர்  
(பிரதீச் சபாநாயகர் அவர்கள்)  
(Mr. Deputy Speaker)

Is that the Standing Order you are referring to ?

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

Yes, I thought that was well known because—[*Interruption*]

ராம. ப்ரேமடாசு  
(திரு. ஆர். பிரமதாசு)  
(Mr. R. Premadasa)

My God ! What is happening to you, I do not know.

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

—because whenever we rise to a point of Order on a matter of procedure, it is very well known. I think the Prime Minister also should know that. These are rules for members speaking, rules governing us for the last so many years. I shall read Section 84 (vi) :

"No member shall refer to any matter which is under adjudication by a court of law or to any matter on which a judicial decision is pending."

This is elementary and very clear. I myself was wondering what you were driving at !

சியேர்சு கபாநாயகர்  
(பிரதீச் சபாநாயகர் அவர்கள்)  
(Mr. Deputy Speaker)

Now proceed.

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

I stated that two cases have been filed already ; (1) an election Petition to which a number has been given ; (2) Mr. Kamalawarna Jayakoddy, himself had made as allegation before the Magistrate in Gampaha. Therefore, Sir, I say that it is *sub-judice*. I would like to know whether it is so or not. If not, I shall proceed.

சியேர்சு கபாநாயகர்  
(பிரதீச் சபாநாயகர் அவர்கள்)  
(Mr. Deputy Speaker)

Any comments on it ?

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

May I enlarge on it ?

சியேர்சு கபாநாயகர்  
(பிரதீச் சபாநாயகர் அவர்கள்)  
(Mr. Deputy Speaker)

Certainly !

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

Under the 1978 Constitution, Article 4(c) very clearly states :

"(c) the judicial power of the people shall be exercised by Parliament through courts, tribunals and institutions created and established, or recognized, by the constitution, or created and established by law, except in regard to matters relating to the privileges, immunities and powers of Parliament and of its members, wherein the judicial power of the People may be exercised directly by Parliament according to law :"

In other words, we have given the full authority, full power to the courts to decide on matters, except certain matters where Members of Parliament and Parliament are concerned. I feel that the Select Committee you are going to appoint now is going to contravene such powers that have been given, and we all know that the judicial powers given should not lie in this House but should lie with the judiciary. This is specially stated in the Constitution of 1978.

சியேர்சு கபாநாயகர்  
(பிரதீச் சபாநாயகர் அவர்கள்)  
(Mr. Deputy Speaker)

Order, please ! The submissions you are making now have nothing to do with the point of Order you have raised. Your point of Order is with regard to—



உணர்ச்சிப் பேரவைத் தலைவர்  
(திரு. லக்ஷ்மன் ஜயக்கொடி)  
(Mr. Lakshman Jayakody)

Whether we are interfering with what the Courts should do.

நினைவுப் பேரவைத் தலைவர்  
(பிரதிச் சபாநாயகர் அவர்கள்)  
(Mr. Deputy Speaker)

What the Courts should do? Your point of Order is that no Member shall refer to any matter which is under adjudication by a Court of Law, or to a matter on which a judicial decision is pending. Is that the point of Order you have raised?

உணர்ச்சிப் பேரவைத் தலைவர்  
(திரு. லக்ஷ்மன் ஜயக்கொடி)  
(Mr. Lakshman Jayakody)

Yes; it is the identical submission which has been made in the Court of Law and which is embodied in this particular resolution—the charges.

நினைவுப் பேரவைத் தலைவர்  
(பிரதிச் சபாநாயகர் அவர்கள்)  
(Mr. Deputy Speaker)

That is what you have to say?

உணர்ச்சிப் பேரவைத் தலைவர்  
(திரு. லக்ஷ்மன் ஜயக்கொடி)  
(Mr. Lakshman Jayakody)

Yes.

சார்.பிரேமதாசு  
(திரு. ஆர். பிரேமதாசு)  
(Mr. R. Premadasa)

Mr. Deputy Speaker, my submission is that this Standing Order is not relevant to the point he is trying to make out. The Hon. Minister has not yet moved the Motion and a debate has not been initiated. The point of Order you are referring to relates to the rules for Members speaking in Parliament. I do not think the hon. Minister has spoken a single word on the Motion. How are you going to impose this? First allow him to move the Motion and allow a debate, and in the course of the debate if you find that a Member is referring to any matter which is under adjudication by a Court of Law, or to any matter on which a judicial decision is pending, then raise a point of Order under this Standing Order. At that point, please bring to this House a certified copy from that Court to say that this matter is being adjudicated. That is all. I think you should rule out this point of Order.

சார்.பிரேமதாசு  
(திரு. சரத் முத்தேடுவேகம)  
(Mr. Sarath Muttetuwegama)

May I ask a point of clarification from the Hon. Prime Minister?

சார்.பிரேமதாசு  
(திரு. ஆர். பிரேமதாசு)  
(Mr. R. Premadasa)

I am not prepared to clarify these matters in this House; if he wants me to do so, he could come to my Chambers. I can give him a lesson in parliamentary procedure. He is asking a question from me and I have said that I cannot answer that question. Sir, a point of Order has been raised, and I have made my submissions. Let the hon. Member make his own submissions to you. I am not prepared to answer questions.

சார்.பிரேமதாசு  
(திரு. சரத் முத்தேடுவேகம)  
(Mr. Sarath Muttetuwegama)

He cannot answer; that is why he says this. I want to say one thing to begin with. In the proceedings of this House the *sub-judice* rule has been invoked many times and this is the first time I have heard any hon. Member of this House asking that a certified copy of the proceedings be brought before a decision on the *sub-judice* rule can be made. I am not at the moment on the merits of the point of Order, I am not even on the point whether all these matters are being adjudicated on in the Courts—I do not know. My Friend says that there are cases filed, but if there are cases filed and it is brought to your notice by a Member of this house, your experience, Mr. Deputy Speaker, and the experience of all Members of this House, as far as I am aware, is that never has that Member been asked to bring a certified copy of the proceedings of the Court.

நினைவுப் பேரவைத் தலைவர்  
(பிரதிச் சபாநாயகர் அவர்கள்)  
(Mr. Deputy Speaker)

Order, please!

சார்.பிரேமதாசு  
(திரு. ஆர். பிரேமதாசு)  
(Mr. R. Premadasa)

Excuse me, Sir.—(Interruption). I am speaking to the Deputy Speaker. The point of *sub-judice* has not been taken up as yet. The point that has been taken up is under Section 84(6). That is in regard to rules for Members speaking in Parliament. I took up the position that nobody has spoken on this motion as yet. The Motion has not been moved and my contention was that the Member for Attanagalla should take up that point at the appropriate time. That is all. The question of *sub-judice* has not been taken up.

நினைவுப் பேரவைத் தலைவர்  
(பிரதிச் சபாநாயகர் அவர்கள்)  
(Mr. Deputy Speaker)

The reference to the certified copy is the best form of proof, not that it is the only form.



சார், ப்ரேமடாசா மஹா  
(திரு. ஆர். பிரமதாசா)  
(Mr. R. Premadasa)

Otherwise, how do we know ?

சியேர்ஸ் கபாநாயகர்  
(பிரதிச் சபாநாயகர் அவர்கள்)  
(Mr. Deputy Speaker)

Order, please !

சார், மூனசிங்ஹே மஹா  
(திரு. அனில் முனசிங்ஹே)  
(Mr. Anil Moonesinghe)

Sir, Section 84(vi) says :

“No member shall refer to any matter which is under adjudication by a court of law or to any matter on which a judicial decision is pending”.

சியேர்ஸ் கபாநாயகர்  
(பிரதிச் சபாநாயகர் அவர்கள்)  
(Mr. Deputy Speaker)

May I help all hon. Gentlemen. It is too premature at this stage. We are now theorizing. Let us wait until this Motion is moved and if any Member in the debate was to refer to any matter before Court, certainly I shall not allow it.

சார், மூனசிங்ஹே மஹா  
(திரு. அனில் முனசிங்ஹே)  
(Mr. Anil Moonesinghe)

No, Sir, my point is taken precisely before that. That is, that the Minister of Parliamentary Affairs in reading out, in placing this Motion before the House, contravenes Section 84(iv).

சியேர்ஸ் கபாநாயகர்  
(பிரதிச் சபாநாயகர் அவர்கள்)  
(Mr. Deputy Speaker)

Is that by asking that the Standing Order should be suspended ?

சார், மூனசிங்ஹே மஹா  
(திரு. அனில் முனசிங்ஹே)  
(Mr. Anil Moonesinghe)

No.

சியேர்ஸ் கபாநாயகர்  
(பிரதிச் சபாநாயகர் அவர்கள்)  
(Mr. Deputy Speaker)

Then—

சார், மூனசிங்ஹே மஹா  
(திரு. அனில் முனசிங்ஹே)  
(Mr. Anil Moonesinghe)

The Hon. Minister was going to move this Motion.

சியேர்ஸ் கபாநாயகர்  
(பிரதிச் சபாநாயகர் அவர்கள்)  
(Mr. Deputy Speaker)

He has not yet moved it.

சார், மூனசிங்ஹே மஹா  
(திரு. அனில் முனசிங்ஹே)  
(Mr. Anil Moonesinghe)

That is why I say the Hon. Minister cannot move it. Sir, my submission to you is that the whole subject matter of the Motion deals with some allegations which are themselves now before a Court of Law.

சியேர்ஸ் கபாநாயகர்  
(பிரதிச் சபாநாயகர் அவர்கள்)  
(Mr. Deputy Speaker)

Order, please ! Standing Order 84 clearly states that in speaking to any proposition under consideration of Parliament, the following rules shall be strictly observed. So let us wait until that is done. I call upon the Hon. Minister of Parliamentary Affairs and Sports to move his Motion.

பி.வினசன்டி பரேரா மஹா  
(திரு. எம். வினசன்ட் பெரேரா)  
(Mr. M. Vincent Perera)

சார், ரிசை.  
எழுந்தார்.  
rose.

சியேர்ஸ் கபாநாயகர்  
(பிரதிச் சபாநாயகர் அவர்கள்)  
(Mr. Deputy Speaker)

Order, please !

Have we suspended the Standing Order ?

பி.வினசன்டி பரேரா மஹா  
(திரு. எம். வினசன்ட் பெரேரா)  
(Mr. M. Vincent Perera)

Yes.

சியேர்ஸ் கபாநாயகர்  
(பிரதிச் சபாநாயகர் அவர்கள்)  
(Mr. Deputy Speaker)

Yes, carry on.

மஹா சபாநாயகர் மூலியர்சுவாமி பிள்ளை வினாக்கள்  
பதில்கள்

மஹா இடைத்தேர்தல் மீதான தெரிவு  
SELECT COMMITTEE ON MAHARA  
BY-ELECTION

பி.வினசன்டி பரேரா மஹா  
(திரு. எம். வினசன்ட் பெரேரா)  
(Mr. M. Vincent Perera)

I move,

“That whereas at the By-election held in the Mahara Constituency on the 18th May, 1983 during the period of the said By-election campaign—

(1) commencing from nomination day the Sri Lanka Freedom Party candidate and his agents made several provocative statements in public which included threats and abuse against the United National Party, its organisers and supporters in the By-election ;



- (a) at Malwathu-Hiripitiya on 23.04.1983 and 07.05.1983,
- (b) at Buthpitiya public meeting on 15.05.1983,
- (c) at Enderamulla on 16.05.1983.

(2) the S.L.F.P. candidate committed a series of acts which were violations of the law of the land and breaches of the election law such as holding of several meetings in the Uruwalperuwa of the Mahara Electorate, in particular in the Malwathu-Hiripitiya Gramsevaka Division, Warapalana Ambagaspitiya Gramasevaka Division, and using loud speakers without permits from the police

(3) agents of the S.L.F.P. candidate abused and threatened to make use of violence and intimidate U.N.P. supporters inter alia—

- (a) on 04.05.1983 in the Malwathu-Hiripitiya Gramasevaka Division one Reggie Ranatunga and three others of the S.L.F.P. abused and threatened violence on one W. S. Sumanapala.

- (b) on 05.05.1983 the same Reggie Ranatunga intimidated one Dayapala of Hiripitiya with a pistol and the Police upon a complaint produced the said Reggie Ranatunga before the Magistrate Attanagalla in M.C. Case No. 3031/B. The learned Magistrate, Attanagalla, ordered the said Reggie Ranatunga not to enter that part of the Mahara Electorate falling within the jurisdiction of the Weerangula Police,

- (c) on 15.05.1983 supporters of the S.L.F.P. assaulted the brother of S. D. Tennyson Wimalaratne, Gampaha D.D.C. Member, which resulted in his death.

(4) the S.L.F.P. candidate, his wife and agents made false allegations against Public Officers with a view to intimidating them from performing their duties impartially—

- (a) on 06.05.1983 Mrs. Chandrika Kumaranatunga, wife of the S.L.F.P. candidate, complained to the Police suspecting the impartiality of O.I.C. Weerangula and Superintendent of Police, Gampaha.

(b) on 07.05.1983 the S.L.F.P. candidate made a false complaint against O.I.C. Weerangula Police Station, for having taken action regarding the incident referred to at para. (2) herein.

(c) to S.L.F.P. candidate on 17.05.1983 made a false complaint against Sub-Inspector Indran of the Nittambuwa Police for having conducted a search for offensive weapons in certain houses ;

(5) the S.L.F.P. candidate, his wife, and his agents made false complaints against the principal organisers of the United National Party in Mahara on 06.05.1983 with a view to intimidating the said organisers from participating in the Mahara By-election. The said complaint was fully investigated by D.I.G. Mr. S. D. E. S. Gunawardena who reported that the allegations made against the principal UNP organisers were without foundation ;

(6) the S.L.F.P. candidate and his agents brought into the Mahara Electorate during the election campaign and in particular on 17.05.1983 and on polling day outsiders for the purpose of committing elected offences such as impersonation and intimidation of voters and other acts of undue influence.—

- (a) on 13.05.1983 the United National Party candidate complained to the Gampaha Police that the S.L.F.P. candidate and his agents had brought thugs into a the Mahara Electorate .

- (b) on 17.05.1983 the Nittambuwa Police detected large numbers of persons coming in vehicles to the Horagolla residence of the S.L.F.P. candidate and on 18.05.1983 at about 4.00 a.m. the Police took these persons for questioning and found that they were going to Mahara allegedly to act as Polling Agents. On further investigation the Police found that they were neither voters nor residents of Mahara and the so called Polling Agents' appointment letters were blank forms signed by the candidate without the names of the Polling Agents or the polling booth ;

- (c) on 18.05.1983 a convoy of vehicles in charge of one U.S. Alahakone, agent of the S.L.F.P. candidate, consisting of persons neither voters nor residents of Mahara and including a group of persons from Narahenpita led by one Chandre was stopped by Meegahawatta Police. When the Officer-in-Charge of the Meegahawatta Police Station wanted to search these vehicles for weapons the vehicles evaded the search by driving away.

(7) on polling day 18.05.1983 the U.N.P. candidate, his agents and supporters, were harassed and intimidated by the agents and supporters of the S.L.F.P. candidate.—

- (a) stones were thrown at the jeep of the U.N.P. candidate while travelling along the Ragama Road ;

(b) at Ambagaspitiya one 110208 Wickremanayake, Special Services Officer, was assaulted by supporters and agents of the S.L.F.P. and the outsiders brought into the Electorate by the S.L.F.P. candidate.

(8) a journalist of the Dinakara Newspaper, managed by the wife of the S.L.F.P. candidate, travelled with the convoy of vehicles (mentioned in para. 6 (c) above) carrying dangerous weapons for the purpose of intimidating voters and with the intention of misreporting and thereby misleading the public in breach of journalistic ethics.,

- (9) the S.L.F.P. candidate on polling day 18.05.1983 made an oral complaint to the Senior Superintendent of Police, Gampaha Mr. Jim Bandaranaike, implicating Mr. Paul Perera of the United National Party with the objective of securing his arrest and thereby disorganising the U.N.P. in the Uruwalperuwa of the Mahara Electorate. An extract of the Officer's Visiting Book of the Gampaha Police Station of 18.05.1983 made by Mr. S. D. E. S. Gunawardena, D.I.G. Metropolitan, states as follows :—

“At about 12.10 p.m. Mr. Kumaranatunga who was making his statement came up to me with another person, when I was in the corridor and complained that barely half hour back Mr. Paul Perera and a party of thugs who had come in Mr. Paul Perera's jeep had attacked and caused damage to the S.L.F.P. Office at Kadawata. this complaint had been made by the person who was with Mr. Kumaranatunga. I immediately told Mr. Kumaranatunga that such a complaint could not be true as Mr. Paul Perera had been in the H.Q.I.'s Office from about 11 a.m. and that Mr. Paul Perera has not left this office from the time Mr. Kumaranatunga first saw him (Mr. Paul Perera) at about 11.10 a.m. As he showed signs of disbelief I called Mr. Kumaranatunga to the H.Q.I.'s Office and showed Mr. Paul Perera seated talking to Attorney-at-Law Mr. Dunstan de Alwis. Mr. Paul Perera was waiting at the Station until the complaint of the person who was assaulted at Ambagaspitiya was fully attended to and also to make arrangements for the surrender of Jayantha Rajapaksa after he came to know of the complaint against the latter.



When I subsequently requested S.S.P., Gampaha to look for the person who had been with Mr. Kumaranatunga with the information that Mr. Paul Perera had led an attack on the Kadawata S.L.F.P. Office, he was found missing. When I asked Mr. Kumaranatunga who this person was he was unable to give any details. As this person was not available I ordered S.S.P., Gampaha to obtain a statement from Mr. Kumaranatunga re. this episode, but Mr. Kumaranatunga refused to make a statement.

As Jayantha Rajapaksa, the suspect in the alleged shooting case had not turned up by 3.15 p.m. Mr. Paul Perera left the Station giving an undertaking that he would be produced at the Gampaha Police Station by Mr. Dunstan de Alwis, Attorney-at-Law.”;

- (10) the S.L.F.P. candidate and his agents made false complaints against the U.N.P. candidate and his chief organisers on 18.05.1983 ;
- (11) 36 complaints of assault, intimidation, harassment of voters and supporters of the United National Party, and damage to their property, were made by supporters of the U.N.P. candidate to the Police and recorded by them, and

whereas if these tendencies to make provocative and irresponsible public statements, false complaints against opponents and public officers, intimidation and assaults on voters and supporters of the opponents by outsiders brought into the Electorate, are not checked and stopped completely, the Democratic election process would be rendered valueless and of no meaning ; this Parliament is of opinion that a Select Committee be appointed to inquire and report on the above allegations and to make general recommendations with regard to the changes necessary to be made to the law governing elections.

- (12) That the Committee and its Chairman shall be nominated by Mr. Speaker.
- (13) That the Committee shall—
  - (a) have the power to fix its quorum ;
  - (b) have the power to summon any person to appear before it, to require any person to produce any document or record, to procure and receive all such evidence, written or oral, as the Committee may think it necessary for the fullest consideration of the matters referred to above ;
  - (c) have the power to report from time to time and to sit notwithstanding any adjournment of Parliament.”

I do not wish to say anything more than that, Sir, I commend the Motion to the House.

රනිල් වික්‍රමසිංහ මහතා (සෞචන කටයුතු හා රැකී රක්ෂා ඇමතිතුමා සහ සේවාසහ ඇමතිතුමා)  
 (සි.ප්‍ර. රනිල් වික්‍රමසිංහ—இளைஞர் அலுவல்கள், தொழில் வாய்ப்பு அமைச்சரும் கல்வி அமைச்சரும்)  
 (Mr. Ranil Wickremasinghe—Minister of Youth Affairs & Employment and Minister of Education)

Mr. Speaker, I formally second the Motion and reserve my right to speak later.

ප්‍රශ්නය සහතික කිරීමේ දී.  
 සි.ප්‍ර. ඇමතිතුමාට පිටපත්.  
 Question proposed.

සරත් මුත්තේවිටෙම මහතා  
 (සි.ප්‍ර. சரத் முத்தேவிடுவெகம)  
 (Mr. Sarath Muttetuwegama)

I rise to a point of Order, Sir, Not the same point that my Friend for Attanagalla raised, but another matter. Under Section 136 of the Standing Order the Section reads, Sir, that—

“Mr. Speaker shall have power to regulate the conduct of business in Parliament in all matters not provided for in these Standing Orders”

Now, Sir, the point I wish to make is this. First of all to ask you to use your powers under that Section to rule this Motion out of Order for the reasons which I will enumerate, and which I will try to convince you, are in fact valid points.

You will see, Sir, from the way that this Motion has been framed that it is, if I may say so, a Motion based on the presumption that certain things are true. It is based on the presumption that certain things are true and that certain things are false. It is based on the assurance given to this House by the people who bring this Motion that certain things happened and that certain things did not happen.

Now, Sir, you will see that it is a very dangerous thing to allow a Motion like this, for this reason. Look at ground (1) or the first paragraph of the Motion only, because it is the same thing right down the line—

“Commencing from nomination day the Sri Lanka Freedom Party candidate and his agents made several provocative statements in public which included threats and abuse against the United National Party, its organisers, and supporters in the By-election ;”

Then it specifies the particular dates and the places and I presume there are people who are included in the jaunt of UNP supporters and agents and so on. There must be individuals. Now what is the position ? Each one of those acts constitutes an offence under our Penal Code. Each one of those acts, of abuse, threats intended to cause a breach of the public peace is an offence under the Penal Code, that is, Sections 484, 486 and 487. As you know, Sir, there are number of sections under which they would constitute offences under the Penal Code. They have to, therefore, they would normally, in the normal course of events involve prosecution in the appropriate Magistrate’s Courts of those people who are alleged to have committed those offences, proper complaints being filed, their cases being heard and either the Magistrate holding that the offences were made out, or that the accused had been found not guilty because the offences are not made out. After that I say, such a Motion could have been brought because there is judicial proof that such a thing had happened. Now, Sir, will you entertain a Motion, I am asking you—I am not asking you rhetorically, I am asking you, could it be possible that you would entertain a Motion signed by 50 of us on



this side of the House, saying that in view of the fact that on the 10th of January 1983, A, B, C, D, E, F committed the following offences, none of which have gone to Court, none of which have been judicially tried, none of which have been judicially proved, but just allegations in the air and we bring a Motion saying that this happened, therefore a Select Committee be appointed ?

You cannot do that, Sir, because you will be taking away from one branch of our three-tier government of this country its appropriate functions and arrogating to ourselves those functions which belong to the judiciary. How can the Mover of this Motion say that these things happened ? I will go down the line of that Motion. How can you say, for example,

"on polling day 18.05.1983 the UNP candidate, his agents and supporters, were harassed and intimidated by the agents and supporters of the SLFP candidate"?

In some instance a false complaint is supposed to have been made, and then a long passage is quoted from the statement of one Mr. Edward Gunawardena, the DIG.

I am not for a moment saying that Mr. Edward Gunawardena has made some false entries. What I am saying is that this is not enough. Surely there are a large number of people in this House with experience in elections. There are some others who are lawyers. All have experience in elections. How can you presume that an entry made by the Deputy Inspector-General of Police is something like holy scripture and bring a Motion based upon that ? You cannot do it. And I am saying you will do very grave violence to the entire structure of the separation of powers if you allow this Motion to go in this form, because we will be arrogating to ourselves functions which do not belong to us. We have taken allegations, we are going to presume that they are true, and upon the truth of those allegations we are going to devise some other election laws, to pass other election laws and so on.

The point is, the moment you allow this Resolution in this form to be passed – in fact, supposing it is passed – what has the House passed ? It has passed a Resolution without any evidence. I am saying, even if there is evidence it is not admissible here. We would have passed a Resolution which says that we presume, on the basis of that Resolution, that commencing from the nomination day, according to the terms of paragraph one, that at Malwathu-Hiripitiya on the 23rd of April and on the 7th of May, at Buthpitiya on the 15th of May and at Enderamulla on the 16th of May the SLFP candidate and his agents made speeches abusing people, threatening people and provoking a public breach of the peace. That is what the House will be passing at the end of this Resolution. How can you pass that now ? It is not a matter for this House. There is no evidence before this House. In any

case, this House cannot suddenly turn itself into a body that is going to hear evidence and then pass it. Just because some framers of a Resolution say that something is false or that there is a breach of the peace or that provocative statements were made, can we pass a Resolution like that ? Can we bring a resolution and say, "Because on the 10th of May 1983 a murder was committed in broad daylight at the Eye Hospital junction, I propose that a Select Committee be appointed"? What is the position ? Supposing there are people who are accused of that murder in court, what is their plight ? And are you going to allow it ?

Sir, I appeal to you, in the interests of this House at large, in the interests of the whole electoral process at large – that is a matter we will refer to later, but at the moment on this point of Order, I say, "Do not allow this Motion to be moved, or if it is moved, reject it and say that it cannot be debated because it is based on a series of presumptions which it is not our function to presume and they are all matters which require judicial proof before a Motion can be framed in these words ; that "it happened", it happened, it happened." Who says that it happened ?

දා.ප්‍ර.ම.ද. සභා (අග්‍රාමාත්‍යතුමා, පළාත් පාලන, නිවාස හා දේශීය ඇමතිතුමා, මහාමාර්ග කටයුතු පිළිබඳ ඇමතිතුමා සහ පාර්ලිමේන්තුවේ සහනායකතුමා)

(*මු. ආර්. ප්‍රිමොදාසා* — පිරිනම අමාත්‍යවරයාද සහ ඉන්ද්‍රාණි, වි.ස.ම.ප.ප., නිර්මාණ අමාත්‍යවරයාද බෙදුම්කරුවන් අමාත්‍යවරයාද පාලන මණ්ඩලයේ සභාපතිවරයාද)

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

Sir, I am happy that the hon. Member for Kalawana (Mr. Sarath Muttetuwegama) has given up the point that was taken up by the hon. Member for Attanagalla.—(*Interruption*). I know you both have different points. That is what I am saying. Both are not similar. That is well understood. What I am saying is exactly what he was just saying, that you are not embracing his point, that you have given it up, and I am very happy about it.

Sir, the hon. Member quoted Standing Order 136. It is very important. You must read that.

"136, Mr. Speaker shall have power to regulate the conduct of business in Parliament in all matters not provided for in these Standing Orders."

When he seeks the remedy under this Standing Order it clearly shows that this Motion is not out of order on the basis of the Standing Orders. He wants you to arrogate extra Standing Order powers.—(*Interruption*.) You know, you have just accepted the position that this Motion is quite in order. On the basis of the Standing Orders governing the conduct of business in this House the Motion is in



[கா. சேனாபதி அவர்கள்]

order. Therefore, he is appealing to you on other reasons which he spelled out just now. Those reasons are things that we should adduce when the actual debate takes place – about Parliamentary procedure, about arrogating judicial functions – all things that can come up in the actual debate.

Let us now take up the point of Order. What is he asking you to do? He says, in simple words; “Mr. Deputy Speaker, under the Standing Orders I cannot take up the position that this Motion is out of order. Please take upon yourself the privilege given to you”–

கா. சேனாபதி அவர்கள்  
(திரு. சரத் முத்தேவகம)  
(Mr. Sarath Muttetuwegama)

Powers given to you.

கா. சேனாபதி அவர்கள்  
(திரு. ஆர். பிரேமதாசு)  
(Mr. R. Premadasa)

All right. Privilege and powers.

கா. சேனாபதி அவர்கள்  
(திரு. சரத் முத்தேவகம)  
(Mr. Sarath Muttetuwegama)

Not privilege; powers given under Standing Order 136.

கா. சேனாபதி அவர்கள்  
(திரு. ஆர். பிரேமதாசு)  
(Mr. R. Premadasa)

All right—powers given to you to regulate the conduct of business, not to regulate Motions. There are other sections governing Motions. Then, what is the purpose of having separate sections for motions, Amendments, rules of debate, for which provision is made in the Standing Orders? The hon. Member for Kalawana knows very well there is a section governing Motions, there is a section governing amendments, there is a section governing Questions, there is a section governing business of Parliament. He does not want you to give a Ruling on this Motion under those sections, because under those sections this Motion is quite in order. Sir, let the hon. Member turn the pages of HANSARD. He will see numerous Motions of this nature being debated in this House. Even while cases were being heard in the courts we have debated Bills and Motions. Parliament is supreme, Sir. To them Parliament is supreme for their own purposes. Now, here they want to make other bodies supreme over Parliament.

Let me come back to the real point. You can only rule a Motion out of order if that Motion does not conform to the Standing Orders governing Motions.

But what does he want you to do? he wants you to go to the general authority of Mr. Speaker. General authority for what? To regulate the conduct of business, not to regulate the formulation of Motions, not to regulate the submission of Motions, not to regulate the moving of Motions. But what is this section?

“Mr. Speaker shall have power to regulate the conduct of business in Parliament in all matters not provided for in these Standing Orders.”

My position is that, as far as Motions are concerned, there are provisions in these Standing Orders. So, why should you, Sir, go to Standing Order 136, because there is provision to regulate Motions separately in the Standing Orders?

Then, Sir, the other point. He was asking this House: what is the type of Motion you are going to pass today? he says, “Look at this Motion. Every matter is a presumption.” Exactly so. It is because it is a presumption, that the Hon. Minister of Parliamentary Affairs is asking this House to inquire and report on the above allegations. Please note this fact. This House is not called upon today, hon. Member for Kalawana, to pass judgment on these matters. Today this House is called upon to inquire and report on the above allegations and to make general recommendations. And this House is called upon to look into these allegations. They are presumptions. Quite right. The hon. Member says it is not fair to ask the House to pass judgment on presumptions. I fully agree. We are not fools. I do not think any hon. Member who has any sense of responsibility will pass judgment on presumptions, especially when there are great lawyers like the hon. Member for Kalawana. Surely you would like to hear both sides? That is why, because this House cannot sit in judgment, this House is following a very salutary procedure that this House has been adopting over the years. When presumptions are brought forth, when allegations are made, what did we do? At every instance we appointed a Select Committee to go into and report, and then the report comes here with a record of the evidence, the findings and recommendations. It is at that point that you will have to examine whether this House is called upon to pass judgment on presumptions. What are you called upon to do today? The Hon. Minister of Parliamentary Affairs, under whose jurisdiction Parliamentary Affairs come, who is concerned with Parliamentary elections, comes into this House and says that there are presumptions of this nature, allegations of this nature, let us not pass judgment, let us appoint a Select Committee to inquire and report. I think the hon. Member for Kalawana has strengthened the Hon. Minister’s position. We are not asking this House to pass judgment. We do not know actually whether these



things have taken place, whether they are true or not. This Select Committee will have to sit and go into these things, summon people. Here it says :

—“will have the power to summon any person to appear before it, to require any person to produce any document or record, to procure and receive all such evidence, written or oral, as the Committee may think it necessary for the fullest consideration of the matters referred to above ;

—have the power to report from time to time and to sit notwithstanding any adjournment of Parliament.”

What does that mean, Sir ? It is quite clear that we are not going to pass judgment on presumptions. We as a responsible body are called upon to appoint a Select Committee to inquire and report to this House from time to time, hear evidence, find out the facts as to what has happened, whether these things have happened, whether they more presumptions or allegations or wild allegations. Surely, Sir, this is quite clear ? Why is he saying that we are arrogating unto ourselves powers of some other organ ? We are not doing that. We have done this right through.

Therefore, Sir, I like to request you to overrule his point of Order.

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

I should like to say something in answer to what the Hon. Prime Minister said. He read to you, Sir, the last lines of the Resolution about the allegations. In that event i think that this Government will be well advised to amend this Motion, because the beginning of the Motion and the end of the Motion are different. This is what the beginning of the Motion says : “That whereas” – This is like one of those ‘உணர்வு பகுதி’  
—(Interruption)

“That whereas at the By-election held in the Mahara Constituency on the 18th may 1983, during the period of the said By-election campaign—

(1) commencing”

Not that it is alleged that these things happened. That they happened—that is the tenor of the Motion. Can the Hon. Prime Minister or anybody say—(Interruption.) You are going to amend it ?

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

If I am to amend, then you have to accept the Motion. Without a Motion I cannot make an amendment.

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

No ! No ! You have to bring a new Motion.

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

What are you talking ? Now, Sir, he has taken another step. He is now advising me to amend the Motion.

සරත් මුත්තේවෙගම මහතා  
(திரு. சரத் முத்தேட்டுவெகம்)  
(Mr. Sarath Muttetuwegama)

I am ver sorry. I withdraw what I said. It was a mistake. What the Government should do is to withdraw this Motion and introduce a new Motion properly, saying “whereas allegations have been made that these things and these things happened, a Select Committee be appointed to inquire.” That would be another matter altogether. This Motion says, “whereas these things happened, whereas provocative statements were made, whereas false complaints were made, whereas Mr. Dunstan de Alwis was keeping one person”—

தீவிரக் கட்டுப்பாடு  
(பிரதீச் சபாநாயகர் அவர்கள்)  
(Mr. Deputy Speaker)

Order, please ! Now we are really debating the Motion.

සරත් මුත්තේවෙගම මහතා  
(திரு. சரத் முத்தேட்டுவெகம்)  
(Mr. Sarath Muttetuwegama)

No. I am asking you, therefore to rule out this Motion.

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

Mr. Deputy Speaker, the hon. Member was replying to my submission. Therefore, I am entitled to make my further submissions to you.

In the first instance, the hon. Member must realize that under Standing Order 23 (3), you, Sir, as Deputy Speaker, have allowed this Motion. This Motion is now before the House. It has been moved and it has been seconded. That is why you went to the extent of going to Standing Order 136. You also accept that this is a Motion which has been duly accepted, duly moved and seconded. You went to Standing Order 136 asking the Chair to use extraordinary powers. Thereby your sole purpose was lost, because you were asking the Chair to rule this out. But that stage has passed. When the hon. Member for Attanagalla took up the point under Standing Order 84 (vi), I told him that was not the appropriate time and that the hon. Member must take up that point at the appropriate time. However, when the appropriate time came he kept quiet. He allowed the Hon. Minister of Parliamentary Affairs to



[ஈ. ப்ரேமடாச ம஠தா]

move the Motion. If I were he, I would have got up at every clause and protested ; but he allowed it to go. So the hon. Member went by default. But I can understand all that. (*Interruption.*) As for for the hon. Member for Matugama, I do not know what point he is going to take. I do not think he will take your point.

தலவர்டர் க஠தாசகனுவலும

(பிரதலசு சபாநாயகர் அவர்கள்)

(Mr. Deputy Speaker)

We will hear him.

ஈ. ப்ரேமடாச ம஠தா

(தலரு. ஆர். பரேமடாச)

(Mr. R. Premadasa)

Therefore, without wasting time we would like to have your Ruling on this matter, unless he brings to the notice of the House any other matters.

ஈதலர் மூனலல஠ ம஠தா

(தலரு. அனலல் முனலலல஠)

(Mr. Anil Moonesinghe)

I took the point, and the hon. Deputy Speaker told me to allow him to read it when I took the point. That is why I am now coming to Standing Order 136, because of the position taken by the hon. Deputy Speaker.

ஈ. ப்ரேமடாச ம஠தா

(தலரு. ஆர். பரேமடாச)

(Mr. R. Premadasa)

Because the Deputy Speaker had already allowed the Motion under Standing order 23 (3).

ஈதலர் மூனலல஠ ம஠தா

(தலரு. அனலல் முனலலல஠)

(Mr. Anil Moonesinghe)

I will come to that.

ஈ. ப்ரேமடாச ம஠தா

(தலரு. ஆர். பரேமடாச)

(Mr. R. Premadasa)

Have you got the Standing Order ?

ஈதலர் மூனலல஠ ம஠தா

(தலரு. அனலல் முனலலல஠)

(Mr. Anil Moonesinghe)

I have it.

ஈ. ப்ரேமடாச ம஠தா

(தலரு. ஆர். பரேமடாச)

(Mr. R. Premadasa)

Read the Standing Order.

ஈதலர் மூனலல஠ ம஠தா

(தலரு. அனலல் முனலலல஠)

(Mr. Anil Moonesinghe)

I will come to that.

ஈ. ப்ரேமடாச ம஠தா

(தலரு. ஆர். பரேமடாச)

(Mr. R. Premadasa)

Right. You come to that.

ஈதலர் மூனலல஠ ம஠தா

(தலரு. அனலல் முனலலல஠)

(Mr. Anil Moonesinghe)

With your permission, Mr. Deputy Speaker, first of all my hon. Friend the Member for Kalawana raised an objection under Standing Order 136 because there is a lacuna in the Standing Order. The lacuna was taken by you, Sir, because when I raised the objection under Standing Order 84(vi), you Sir, ruled asking me to wait till the proposition was put, because there is a lacuna in Standing Order 84, the lacuna being, "in speaking to any proposition". Therefore, the proposition had to be put. That is why I sat down. The proposition had to be put. So we waited till the proposition was put for us to take an objection. Now the lacuna is this.

தலவர்டர் க஠தாசகனுவலும

(பிரதலசு சபாநாயகர் அவர்கள்)

(Mr. Deputy Speaker)

Now do you accept the proposition ?

ஈதலர் மூனலல஠ ம஠தா

(தலரு. அனலல் முனலலல஠)

(Mr. Anil Moonesinghe)

Accept ?

தலவர்டர் க஠தாசகனுவலும

(பிரதலசு சபாநாயகர் அவர்கள்)

(Mr. Deputy Speaker)

Yes. Now you are only showing a defect in it ?

ஈதலர் மூனலல஠ ம஠தா

(தலரு. அனலல் முனலலல஠)

(Mr. Anil Moonesinghe)

No, Sir. What I am trying to say is this.

தலவர்டர் க஠தாசகனுவலும

(பிரதலசு சபாநாயகர் அவர்கள்)

(Mr. Deputy Speaker)

There is a defect ?

ஈதலர் மூனலல஠ ம஠தா

(தலரு. அனலல் முனலலல஠)

(Mr. Anil Moonesinghe)

Sir, you requested me to wait till the proposition was put—

தலவர்டர் க஠தாசகனுவலும

(பிரதலசு சபாநாயகர் அவர்கள்)

(Mr. Deputy Speaker)

Perfectly correct.



தமிழ் இன்டீம் மெம்பர்  
(திரு. அனில் முனிசிங்ஹ)  
(Mr. Anil Moonesinghe)

—because until the proposition is put, under Standing Order 84(vi) I cannot raise it. That is the lacuna I am referring to. Therefore, my good Friend the Member for Kalawana raised it under Standing Order 136 which gives you the right to regulate the conduct of business in Parliament, which includes what has happened now.

Now, Sir, what I want to emphasize is this. The lacuna being that the proposition had to be put, there has been no previous case of a proposition which involved a case being put which is *sub judice*. The proposition of any *sub judice* matter is not governed by this. That is why we have to go to Standing Order 136.—(Interruption). That is right, I will come to that. The Hon. Prime Minister has already said that.—

சார். பேரமேலம் மெம்பர்  
(திரு. ஆர். பிரேமதாச)  
(Mr. R. Premadasa)

You are speaking of rules governing the Speaker.

தமிழ் இன்டீம் மெம்பர்  
(திரு. அனில் முனிசிங்ஹ)  
(Mr. Anil Moonesinghe)

Now I will come to the other point. That is, you will see, Sir, that no member shall refer to any matter which is under adjudication by a court of law. The whole subject matter of the Motion is under adjudication.—(Interruption) I will come to that. First of all let us rule on this. If it is under adjudication by any court of law, then it is that no Member can speak. If that is accepted, we are very happy. Is that the position, Sir?

நினைவுரை கலாநாயகர்  
(பிரதீப சபாநாயகர் அவர்கள்)  
(Mr. Deputy Speaker)

I shall strictly adhere to the requirements of Standing Order 84(vi).

தமிழ் இன்டீம் மெம்பர்  
(திரு. அனில் முனிசிங்ஹ)  
(Mr. Anil Moonesinghe)

Now, Sir, nobody can speak on this Motion without relying on the subject matter of the Motion. How can you speak of a Motion without relying on the subject matter of the Motion? The Motion completely refers to matters which are, according to its own language, matters which arose during the period of the by-election in Mahara commencing on the 18th of May 1983. Now, all that is covered by cases that have been placed before the election court.

மன்திரைமேல்  
(அங்கத்தவர் ஒருவர்)  
(A Member)

How do we know?

தமிழ் இன்டீம் மெம்பர்  
(திரு. அனில் முனிசிங்ஹ)  
(Mr. Anil Moonesinghe)

That is a point that we have to prove. The Hon. Prime Minister knows, with his experience, that this is the first time that you have brought the subject matter of election cases, before the election cases are decided, into this forum.

சார். பேரமேலம் மெம்பர்  
(திரு. ஆர். பிரேமதாச)  
(Mr. R. Premadasa)

I deny that, because notice of this Motion had been given long before election cases had been filed. You will have to accept that position. Simply because there are courts and cases you cannot hold up the proceedings of Parliament. The problem is that the hon. Member is not aware of the true details of this matter. Do you know when notice of this Motion had been given?

தமிழ் இன்டீம் மெம்பர்  
(திரு. அனில் முனிசிங்ஹ)  
(Mr. Anil Moonesinghe)

That is not the point, I took. You have misunderstood me.

சார். பேரமேலம் மெம்பர்  
(திரு. ஆர். பிரேமதாச)  
(Mr. R. Premadasa)

Please answer if you know. Do you know when notice of this Motion had been given? Do you know when the Deputy Speaker had ruled this Motion in order under Standing Order 23 (3)? Do you know when these so-called cases were filed? I do not know. I have not seen any cases. Nobody has told me about any cases. I have not seen any case records. I do not think the hon. Member himself has seen any papers with regard to these cases.

தமிழ் இன்டீம் மெம்பர்  
(திரு. அனில் முனிசிங்ஹ)  
(Mr. Anil Moonesinghe)

The Hon. Prime Minister has misunderstood my point.

சார். பேரமேலம் மெம்பர்  
(திரு. ஆர். பிரேமதாச)  
(Mr. R. Premadasa)

I do not think any matter has gone before the courts. But that is immaterial to me. We are a Parliament. If our Motions are in order and if they are accepted by the Hon. Speaker under the Standing Orders, we have a right to debate them. That is my position.



ஊர்ஜித் மூன்சிங்ஹ  
(திரு. அனில் மூன்சிங்ஹ)  
(Mr. Anil Moonesinghe)

Sir, the Hon. Prime Minister has not understood my point. The point I was making was not that. The point I was making was that this is the first occasion that the subject matter of an election petition—I am not concerned with when the subject matter came into this Order Paper—

ஊர். ப்ரேமடாசா மஹா  
(திரு. ஆர். பிரேமடாசா)  
(Mr. R. Premadasa)

But hon. Member, my position is, where is the election petition? That is my point.

ஊர்ஜித் மூன்சிங்ஹ  
(திரு. அனில் மூன்சிங்ஹ)  
(Mr. Anil Moonesinghe)

I am only trying to tell you that this is the first time in the history of this Parliament or any other Parliament that a subject matter of an election petition is brought into a debate of this House.

ஊர். ப்ரேமடாசா மஹா  
(ஆர். பிரேமடாசா)  
(Mr. R. Premadasa)

Is it your position that a Member of Parliament cannot give notice of a Motion because he has a suspicion that an election petition will be filed in the near future?

ஊர்ஜித் மூன்சிங்ஹ  
(திரு. அனில் மூன்சிங்ஹ)  
(Mr. Anil Moonesinghe)

No, Sir, that is not my point.

ஊர். ப்ரேமடாசா மஹா  
(திரு. ஆர். பிரேமடாசா)  
(Mr. R. Premadasa)

I am putting that construction before this House.

ஊர்ஜித் மூன்சிங்ஹ  
(திரு. அனில் மூன்சிங்ஹ)  
(Mr. Anil Moonesinghe)

If the Hon. Prime Minister permits me to speak without interrupting, Sir—

ஊர். ப்ரேமடாசா மஹா  
(திரு. ஆர். பிரேமடாசா)  
(Mr. R. Premadasa)

Surely, Sir, a Member of Parliament—for that matter, a Minister—must be in a position to submit any Motion to the House irrespective of what is going to happen tomorrow, the day after or next month.

ஊர்ஜித் மூன்சிங்ஹ  
(திரு. அனில் மூன்சிங்ஹ)  
(Mr. Anil Moonesinghe)

I am trying to have a legal argument, Sir. Sir, you are very well versed in this, which of course is not known to the other side, not even to the Hon. Prime Minister.

ஊர். ப்ரேமடாசா மஹா  
(திரு. ஆர். பிரேமடாசா)  
(Mr. R. Premadasa)

I fully agree about my ignorance as a lawyer. People never elected me here as a lawyer.

ஊர்ஜித் மூன்சிங்ஹ  
(திரு. அனில் மூன்சிங்ஹ)  
(Mr. Anil Moonesinghe)

Please let me carry on.

ஊர். ப்ரேமடாசா மஹா  
(திரு. ஆர். பிரேமடாசா)  
(Mr. R. Premadasa)

I have come to a Parliament. This is not a court-house.

ஊர்ஜித் மூன்சிங்ஹ  
(திரு. அனில் மூன்சிங்ஹ)  
(Mr. Anil Moonesinghe)

The Prime Minister is very upset. I am trying to make a point.

சி. டீப்யூ. சபாநாயகர் அவர்கள்  
(பிரதீச் சபாநாயகர் அவர்கள்)  
(Mr. Deputy Speaker)

Please make your point, because this appears to be different to the point that the hon. Member for Kalawana has made.

ஊர்ஜித் மூன்சிங்ஹ  
(திரு. அனில் மூன்சிங்ஹ)  
(Mr. Anil Moonesinghe)

I am making this point under the same Section—Section 136. What I am trying to say is that you have the right, Sir, to regulate the business of this House, basing yourself on certain known propositions: one is that in our Constitution and in our practice there is what is known as the 'due process of law'. Nobody can ignore that. Even the other day, His Excellency the President referred over and over again to the due process of law.

Now, somebody has made allegations, Sir, and these are allegations according to the penultimate paragraph of the Motion: "this Parliament is of opinion that a Select Committee be appointed to inquire and report



on the above allegations. " What are these allegations? They are all covered as criminal offences under the Penal Code. Therefore, if anybody wanted to make these complaints, he should have gone and made those complaints in the due process of law to the Magistrate's Court or to an Election Court. These are all available remedies.

Now, Sir, what this Motion seeks to do is to exercise its special judicial authority in a region which, as you know, is the special prerogative under our Constitution of certain courts or certain due processes of law. Now before those due processes are gone into, if somebody says that a murder has taken place or three murders have taken place, before the Court can inquire into those murders, we in Parliament want to go into these facts, we want to inquire how did these take place, how did these murders come by and to report on, if these murders have taken place in the way they have been reported whether we should amend the law. This is unheard of, not only in this Parliament, but in any Parliament.-(*Interruption*). Please do not interrupt.

ආර.ප්‍රේමදාස මහතා  
(*කී.ප්‍ර. ජ්‍ය. පිරොමනාස*)  
(Mr. R. Premadasa)

You did not wait for the legal process to take place, but you came before Parliament and moved motion after motion when Kandaswamy was shot. You forgot all that. What about the Bracegirdle incident? You never allowed the legal process to take place because you said this House has the right to debate any matter.

අනිල් මුණසිංහ මහතා  
(*කී.ප්‍ර. අනිල් මුණසිංහ*)  
(Mr. Anil Moonesinghe)

This is a very very clever Motion, because somebody who looked at the Standing Orders saw that under Section 84 (6) you can bring a Motion into this Chamber about matters which are *sub judice* but you cannot speak about it. You have brought a Motion about a matter which you really cannot speak about. Therefore, Sir, I urge you as the custodian of the privileges of Parliament and as the person who has to keep the traditions of Parliament going not to permit this Motion because *ab initio* this Motion is one that cannot be debated because you have to refer to these facts which are all part of cases that are before the courts of our country. Sir, if you say that we should bring before you some evidence or certified copy or so on, that is a different matter. That we can do. But normally, Sir, it is the practice when an hon. Member says that a matter is *sub-judice* you take cognizance of that fact and you never asked for certified copies. Otherwise, we, in this Chamber would provide certified copies. That is the point I want to make.

ලක්ෂ්මන් ජයකොඩි මහතා  
(*කී.ප්‍ර. ලක්ෂ්මන් ජයකොඩි*)  
(Mr. Lakshman Jayakody)

This has been signed as certified by the petitioner himself and the number of the Election Petition is 3/83; it is in the Registry. I wish to table it.

\* යනාදිය මත නවන ලද පෙන්සම  
\* *சபாநிதத்து வைக்கப்பட்ட மனு :*  
Petition tabled :

ශ්‍රී ලංකා ප්‍රජාතාන්ත්‍රික සමාජවාදී ජනරජයේ අභියාචනාධිකරණයේදී ය.

1946 ලංකා (පාර්ලිමේන්තු මැතිවරණ) රාජ්‍යභාෂා ආඥාව

1983 මැයි මස 18 වන දින පවත්වන ලද ලංකා 17. මහර මැතිවරණ කොට්ඨාශය සඳහා වූ මැතිවරණය

විජයමුණි දේවගේ කිමලසිරි ජයසිංහ,  
අංක 210, ගෝතනේන,  
කඩවත.

පෙන්සමකරු

පදිපව

මැතිවරණ  
පෙන්සම  
අංක 3/83

1. කිමලසිරි කුමාරසිංහ ජයකොඩි, ජයකොඩි වලව්ව, වැලිපිල්ලැව, ගණේමුල්ල.
2. සරත්චන්ද්‍ර රාජකරුණ, මිල්ලනේ, කීර්දිවෙල.
3. රනිල් වික්‍රමසිංහ, 115, 5 වන පටුමහ, කොළඹ 3.
4. මුණේච්ඡර් සී. කේ. ඩී. ජේ. ඊ. රොඩ්විගේ, තේරම් භාර කිලට්ටයා, දිසාපති, කව්වේරිය, ගම්පහ.

විමලචන්ද්‍රකරුවන්.

ගරු මැතිවරණ විනිශ්චයකාරවරයා වෙත.

මෙහි පහත අත්සන් කරන කඩවත, ගෝතනේනේ අංක 210 දරන ස්ථානයේ පදිංචි විජයමුණි දේවගේ කිමලසිරි ජයසිංහගේ පෙන්සම.

1. මාගේ පෙන්සමකරු වූ විජයමුණි දේවගේ කිමලසිරි ජයසිංහ ඉහත සඳහන් මැතිවරණයේ දී ඡන්දය දුන් තැනැත්තකු වූ අතර, ඡන්දය, දීමේ අයිතියක් ඇති වී තිබූ තැනැත්තකු විය.

2. එකී මැතිවරණය 1983 මැයි මස 18 වන දින පවත්වන ලද බවත්, එකී කිමලසිරි කුමාරසිංහ ජයකොඩි, විජය කුමාරණතුංග, එස්. කේ. කේ. සුරියආචාරිච්චි, එල්. පී. ප්‍රේමදාස සහ ගාමිණී රාජපක්ෂ ඡන්ද අපේක්ෂකයන් වූ බවත්, කිමලසිරි කුමාරසිංහ ජයකොඩි විධිමත් පරිදි තෝරා පත්කර ගෙන ඇති බව තේරම් භාර කිලට්ටයා විසින් ප්‍රකාශයට පත්වූවකු ලැබූ බවත් මාගේ පෙන්සමකරු පවසා සිටී.

කිමලසිරි කුමාරසිංහ ජයකොඩි  
එක්සත් ජාතික පක්ෂයේ  
අපේක්ෂකයා වශයෙන් තරඟ කර  
ඡන්ද 24,944 ලබා ගන්නා ලදී.

විජය කුමාරණතුංග  
ශ්‍රී ලංකා නිදහස් පක්ෂයේ  
අපේක්ෂකයා වශයෙන් තරඟ කර  
ඡන්ද 24,899 ලබා ගන්නා ලදී.

එස්. කේ. කේ. සුරියආචාරිච්චි  
ස්වාධීන අපේක්ෂකයකු වශයෙන් තරඟ කර  
ඡන්ද 1,837 ලබා ගන්නා ලදී.

ගාමිණී රාජපක්ෂ  
ස්වාධීන අපේක්ෂකයකු වශයෙන් තරඟ කර  
ඡන්ද 76 ලබා ගන්නා ලදී.



එල්. පී. ජයවර්ධන  
ස්වාධීන අපේක්ෂකයකු වශයෙන් තරඟ කර  
ඡන්ද 48 ලබා ගන්නා ලදී.

තරඟ වූ ඡන්ද 177 කි.

3. 1 වන වගඋත්තරකරුගේ තෝරා පත් කර ගැනීම පහත සඳහන් හේතු මත අවලංගු බව මමගේ පෙත්සම්කරු පවසා සිටී.

(අ) 1 වන වගඋත්තරකරුගේ නියෝජිතයකු වූ ඉහත තම සඳහන් 2 වන වගඋත්තරකාර සරත්චන්ද්‍ර රාජකරුණා විසින්, පහත සඳහන් අයුතු බලපෑමේ දූෂණ ක්‍රියා කර ඇති බව.

(I)

1983.5.18 වන දින පෙරවරු  
8.30 මහර බුන්පිටිය  
ඡන්දපොළ අසල දී—

බුන්පිටිය ඡන්ද පොළෙහි දී ඡන්දදායකයකු වූ බබලිච්චි. ඒ. වන්දසේන විරසුරිය ඡන්දය දීමෙන් වැළකී සිටීමට සහ එම ස්ථානයෙන් ආපසු යෑමට පෙළඹවීම සඳහා ගාර්ථික පීඩා සිදු කරන බවට තර්ජනය කිරීමෙන් බිය ගැන්වීම, පසු අවස්ථාවක දී ඔහු ඡන්දය දීම සඳහා එහි ගිය විටදී තොර ඡන්දය දෙන්නකු විසින් ඔහුගේ ඡන්දය දී තිබීමෙන්;

(II)

1983.5.18 වන දින පෙරවරු  
7.30 පමණ බුන්පිටිය ඡන්ද  
පොළ අසල දී—

ඡන්දදායකයකු වූ ජී. එස්. කුමාරපතිරණ ඡන්දය දීමෙන් වැළකී සිටීමට බලකිරීම සඳහා සහ ඡන්දය නොදී ආපසු යාමට ඔහුට බලකිරීම සඳහා එකී කුමාර පතිරණට මුහුරුවලින් සහ යකඩ පොළුවලින් පහර දෙන බවට තර්ජනය කිරීමෙන් බියගැන්වීමෙන්;

(III)

1983.5.18 වන දින පෙරවරු  
10.00 පමණ බුන්පිටිය ඡන්ද  
පොළ අසල දී—

මහර ඡන්ද කොට්ඨාශයේ ඡන්දදායකයෙකු වූ ඩී. කේ. පියසේන ඡන්දය දීමෙන් වැළකී සිටීමට බල කිරීම සඳහා සහ ඡන්දය නොදී ආපසු යාමට ඔහුට බලකිරීම ඔහුට මුහුරුවලින් සහ යකඩ පොළුවලින් පහර දෙන බවට තර්ජනය කිරීමෙන් බිය වැද්දිම.

පසු අවස්ථාවක දී ඔහු ඡන්ද පොළට පැමිණ ඔහුගේ ඡන්දය දී ඇත.

(ආ) 1 වන වගඋත්තරකරුගේ නියෝජිතයකු වූ ඉහත තම සඳහන් 3 වන වගඋත්තරකාර රනිල් වික්‍රමසිංහ තමාගේ විසින්, පහත සඳහන් අයුතු බලපෑමේ දූෂණ ක්‍රියා කර ඇති බව.

(I)

1983.5.18 වන දින පස්වරු  
2.30 ට පමණ වෑබඩ උතුරු  
ඡන්ද පොළ අසල වෑබඩදී—

තමා සමග සිටි නැතැත්තන් නිසදෙනකුගෙන් පමණ වූ කණ්ඩායමක් පහරදීමට, මැරීමට වසර කපා දැමීමට සහ කාරාචෙලපෙරුණේ ශ්‍රී.ල.කි.ප.යේ ප්‍රධාන සංවිධායක වූ අලහකෝන් අප්පුහාමිලාගේ සෝමසිරි ගැන සඳහන් කරමින්, හිල් වි කමිසයක් ඇඳ සිටි එකා අල්ලා ගැනීමට සහ උරාට යාමට ඉඩ නොදීමට, දිර ගැන්වීමට, 3 වන වගඋත්තරකරුගේ ඉහත සඳහන් ක්‍රියා හේතුකොට ගෙන එකී සිද්ධිය බලා සිටි ඡන්දදායකයන් බොහෝදෙනෙකු උත්තර්ජනයෙහි පිහිටුවා එමගින් ඔවුන්ගේ ඡන්ද බලය නිදහසේ භාවිතා කිරීම වළක්වාලීමට අදහස් කිරීමෙන්;

(II)

1983.5.18 වන දින පස්වරු  
3.30 ට පමණ කුටුර පාපේ  
කඩවන පොලිය ස්ථානය  
අසල දී—

(මහර ඡන්ද කොට්ඨාශයේ) ශ්‍රී.ල.කි.ප. කාරාචෙලපෙරුණේ ප්‍රධාන සංවිධායක වූ අලහකෝන් අප්පුහාමිලාගේ සෝමසිරි හට නීතිවිරෝධී ලෙස බලහත්කාරකම් කිරීමෙන් සහ

අලහකෝන්ගේ අත වැදී ගනිමින්, "අඩෝ පරයා, දහගහින් තොට්ට දේශපාලන උගන්වන තමයි ගදන්තේ". යයි කියමින්, ඔහු ඇදගෙන යාමෙන්; 3 වන වගඋත්තරකරුගේ ඉහත සඳහන් ක්‍රියා හේතු කොටගෙන එකී සිද්ධිය බලා සිටි ඡන්දදායකයන් බොහෝදෙනෙකු උත්තර්ජනයෙහි පිහිටුවා එමගින් ඔවුන්ගේ ඡන්ද බලය නිදහසේ භාවිතා කිරීම වළක්වාලීමට අදහස් කිරීමෙන්; තවද, එකී අලහකෝන් අප්පුහාමිලාගේ සෝමසිරි කඩවන පොලිය ස්ථානයට පැමිණිලි කර සිටිවිට, පොලිය ස්ථානයක එකී පැමිණිල්ල යාවදා ලෙස වෙනස් කල අතර, ඇත්ත වශයෙන්ම "අඩෝ පරයා" යන වචන කපා දමන ලද අතර, 3 (ආ) (1) ඡේදයෙහි සඳහන් පැමිණිල්ල බාර ගැනීම ප්‍රතික්ෂේප කර අලහකෝන් අප්පුහාමිලාගේ සෝමසිරිට වහාම මහර ඡන්ද කොට්ඨාශයෙන් පිටවන ලෙස නියෝග කිරීම.

4. සාමාන්‍ය බිය ගැන්වීම නැතහොත් වෙනත් විෂමචාරයක් හෝ ඒවා වැඩිවූ හෝ නොවූ වෙනත් කරුණු හේතුකොට ගෙන ඡන්ද හිමියන්ගෙන් වැඩිදෙනෙකු වඩා කැමැත්ත දක්වූ අපේක්ෂකයා තෝරා ගැනීමෙන් ඔවුහු වැළැක්වුණු හෝ වැළැක්වෙන්නට ඇති බවට වූ හේතුව මත කමලවරුණ කුමාරසිංහ ජයකොඩ්ගේ තෝරා පත්වීම අවලංගු බව මමගේ පෙත්සම්කරු කියා සිටී. සාමාන්‍ය බිය වැද්දීම, පහත සඳහන් පහරදීම්වලින් සහ තර්ජනවලින් සිදුවූ බව පෙත්සම්කරු පවසා සිටී.—

(I)

1 වන වගඋත්තරකරුගේ ආධාරකරුවන් කීපදෙනෙකු 1983.5.18 වන දිනදී පස්වරු 2.30 ට පමණ වෑබඩ උතුරු ඡන්දපොළ ඉතා අසලින් වූ වෑබඩ උතුරේ දී—

ශ්‍රී ලංකා නිදහස් පක්ෂයේ සංවිධායකයෙක් වූ අලහකෝන් අප්පුහාමිලාගේ සෝමසිරි සහ ඡන්දදායකයින් කීහිපදෙනෙක් සමග සිටි ඡන්දදායකයින් කීපදෙනෙකුට අහිත් සහ මුහුරුවලින් පහර දී, ශ්‍රී ලංකා නිදහස් පක්ෂයේ ආධාරකරුවන් ලෙස දන්නාවූ අතිකුත් නැතැත්තන්ට එම සංග්‍රහයම කරන බවට බිය ගැන්වීම;

(II)

ඉහත තම සඳහන් රනිල් වික්‍රමසිංහ විසින්ම, 1983.5.18 වන දින පස්වරු 3.30 ට පමණ කඩවන පොලිය ස්ථානය අසල කුටුර පාපේ කඩවන දී—

ශ්‍රී ලංකා නිදහස් පක්ෂයේ සංවිධායක අලහකෝන් අප්පුහාමිලාගේ සෝමසිරි ඡන්දදායකයින් කීප දෙනෙකු සමග සිටින විටදී, ඔහු අහිත් අල්ලා බලහත්කාරයෙන් ඇදගෙන යාම;

(III)

රනිල් වික්‍රමසිංහ සහ වෙනත් නැතැත්තන් විසින් 1983.5.18 වන දින පස්වරු 2.30 ට පමණ වෑබඩ උතුරු ඡන්දපොළ අසල වෑබඩ දී—

එහි සිටි ඡන්දදායකයන් කීපදෙනෙකුගේ සිත් තුල බිය ඇති කරලීම සඳහා සහ ඔවුන් උත්තර්ජනයෙහි පිහිටුවීමට සංවිධානය කරන ලද කණ්ඩායමක් පහරදීමට, මැරීමට සහ වසර කපා දැමීමට සහ වි-කමිසයක් ඇඳ සිටි එකා ඇදගෙන ඒමට දිර ගැන්වීම;

(IV)

සුරකීමල රාජපක්ෂ විසින්, 1983.5.18 වන දිනදී ප.ව. 2.30 ට පමණ වෑබඩ උතුරු ඡන්දපොළ අසල වෑබඩ දී—

එහි සිටි ඡන්දදායකයන් කීපදෙනෙකුගේ සිත් තුල බිය ඇති කරලීම සඳහා සහ ඔවුන් උත්තර්ජනයෙහි පිහිටුවීමට ශ්‍රී ලංකා නිදහස් පක්ෂයේ සංවිධායක වූ අලහකෝන් අප්පුහාමිලාගේ සෝමසිරිට පහරදීම.



(V)

ඉහත තම සඳහන 2 වන වගඋත්තරකරු වූ සරත්චන්ද්‍ර රාජකරුණා සහ ඔහු වෙනුවෙන් සහ ඔහුගේ පෙළඹවීම මත වෙනත් කීපදෙනෙකු විසින්, 1983.5.18 වන දින දී, බුක්ච්චිය ජනද පොලෙහිදී, -

ජනද පොල වෙත ගමන් කරමින් සිටි ඩබ්ලිව් ඒ වන්දසේන විරසුරිය සහ තවත් ජනදයකයන් කීප දෙනෙකු හට තර්ජනය කිරීමෙන් සහ මුහුරුවලින් සහ යකඩ පොළුවලින් පහර දෙන බවට තර්ජනය කරමින් සහ ජනදය නොදැමා ආපසු යන ලෙසට බලකිරීමෙන් ඔවුන් බිය ගැන්වීම හා ඔවුන් ජනදය දීමෙන් වැළැක්වීම.

(VI)

ඉහත තම සඳහන 2 වන වගඋත්තරකරු වූ සරත්චන්ද්‍ර රාජකරුණා සහ ඔහු වෙනුවෙන් සහ ඔහුගේ පෙළඹවීමෙන් වෙනත් තැනැත්තන් විසින්, 1983.5.18 වන දින, බුක්ච්චිය ජනද පොලෙහිදී, -

ජනදයකයකු වූ යූ. එස්. කුමාර පතිරණ සහ වෙනත් ජනදයකයන් කීහිප දෙනෙකුට ශාරීරික පීඩාවක් කිරීමට තර්ජනය කිරීමෙන් සහ මුහුරුවලින් සහ යකඩ පොළුවලින් පහර දෙන බවට තර්ජනය කරමින් ජනදය දීමෙන් වැළැක්වීමේ සහ ජනදය නොදී ආපසු යන ලෙස බලකිරීමෙන් බිය ගැන්වීම.

(VII)

ඉහත තම සඳහන 2 වන වගඋත්තරකරු වූ සරත්චන්ද්‍ර රාජකරුණා සහ ඔහු වෙනුවෙන් සහ ඔහුගේ පෙළඹවීමෙන් වෙනත් තැනැත්තන් විසින්, 1983.5.18 වන දින, බුක්ච්චිය ජනද පොලෙහිදී, -

ජනදයකයකු වූ ඩී.කේ. පියසේන සහ වෙනත් ජනදයකයන් කීහිප දෙනෙකුට ශාරීරික පීඩාවක් කිරීමට මුහුරුවලින් සහ යකඩ පොළුවලින් පහර දෙන බවට තර්ජනය කිරීමෙන් සහ ජනදය නොදී ආපසු යන ලෙස බලකර බිය ගැන්වීමෙන්, ඉහත කී තර්ජනය කිරීමේ ප්‍රතිඵලයක් වශයෙන් ජනදයකයින් කීපදෙනෙකුම ජනදය නොදී ආපසු ගියේය.

(VIII)

එ. ඡා. ප. ආධාරකරුවකු වූ එස්. ඩී. වෙතිසන් විමලරත්න සහ වෙනත් එ. ඡා. ප. ආධාරකරුවකු 1983.5.18 වන දින, එඬේරමුල්ලේ දී -

ශ්‍රී. ලං. කී. ප. සේ ආධාරකරුවකු වූ රත්නසේන තැනැත්තෙකුට බලහත්කාරකම් කළ අතර, එකී රත්නසේනට පහර දෙනු ලැබුවේ ශ්‍රී. ලං. කී. ප. ට පක්ෂව ජනදයකයින්ට ජනදය දීමෙන් වැළැකී සිටීමට බියගැන්වීමක් ලෙස සහ පෙළඹවීමක් ලෙස ය.

(IX)

ජයන්ත රාජපක්ෂ සහ 1 වන වගඋත්තරකරුගේ ආධාර කරුවන් කීපදෙනෙකු විසින්, 1983.5.18 වන දින මල්වතු-හිරිපිටිය ප්‍රධාන මාර්ගයේ බුක්ච්චියේ දී -

එහි සිටි ජනදයකයින් කීපදෙනාගේ සිත් තුළ බිය ජනිත කරවීම සඳහා සහ ඔවුන් වෙත උත්තර්ජනය ඇති කිරීමෙන් ජනදය දීමෙන් වැළැක්වීම සඳහා, ජයන්ත රාජපක්ෂ විසින් දෙවරක් වෙඩි තැබීමෙන් ශ්‍රී ලංකා නිදහස් පක්ෂයේ ජනද අපේක්ෂක විජය කුමාරණතුංග අසලින් ම සිටි ශ්‍රී. ලං. කී. ප. සේ ආධාරකරුවකු වූ නිමල් ප්‍රේමසිරි මරණයට පත් කරන ලදී. ජයන්ත රාජපක්ෂ සමඟ පැමිණී 1 වන

(X)

1 වන වගඋත්තරකරුගේ ආධාරකරුවන් විසින් 1983. 5. 18 වන දින කෑගෙනහිර කැන්දලියද්ද පාලුවේ ජයකොඩි මහා විදහාලයේ දී -

වගඋත්තරකරුගේ අනිකුත් ආධාරකරුවන්, ශ්‍රී. ලං. කී. ප. සේ ආධාරකරුවන් කීහිප දෙනාගේ සිත් තුළ බිය ජනිත කරවීම සඳහා සහ ඔවුන් වෙත උත්තර්ජනය ඇති කිරීමෙන් ජනදය දීම වැළැක්වීම සඳහා එකී ශ්‍රී. ලං. කී. ප. සේ ආධාරකරුවන්ට මුහුරු සහ කඩුවලින් පහර දෙන බවට තර්ජනය කරන ලදී.

1 වන වගඋත්තරකරුගේ ආධාර කරුවන් 150 ක් පමණ කැන්දලියද්ද පාලුව කෑගෙනහිර, ජයකොඩි මහා විදහාලයේ ජනද පොළට බලහත්කාරයෙන් ඇතුළු වී ජනද පොළ තුළ හට නගා කෑගසමින් සහ කලහකාරී ලෙස හැසිරීමෙන් ජනදයකයින් වෙත උත්තර්ජනයක් ඇති කරන ලදී.

(XI)

1 වන වගඋත්තරකරු සහ ඔහුගේ ආධාරකරුවන් විසින් 1983.5.18 වන දින, මහර-නුගේගොඩ ජනදපොළට පැනපුම් 1/4 පමණ දුර දී -

1 වන වගඋත්තරකරු සහ ඔහුගේ ආධාරකරුවන් විසින් ශ්‍රී. ලං. කී. ප. සේ ආධාරකරුවකු වූ කේ. ඒ. සිරිසේනට පහර දෙන ලදී. 1 වන වගඋත්තරකරු සහ ඔහුගේ ආධාරකරුවන් 1 වන වගඋත්තරකරුගේ ජීප් රථයට ඔහු ඇදගෙන ගොස් එකී කේ. ඒ. සිරිසේන බලහත්කාරයෙන් 1 වන වගඋත්තරකරුගේ නිවසට රැගෙන ගොස් තැවතත් ඔහුට පහර දී ඔහුගේ ඇඳුම් ද ගලවා ගැනීමෙන් පසු එලවා දමා ඇත. 1 වන වගඋත්තරකරුගේ සහ ඔහුගේ ආධාර කරුවන්ගේ එකී ක්‍රියාව, එකී සිද්ධිය දුටු ජනදදායකයින් කීහිපදෙනා තුළ උත්තර්ජනය ඇති කොට ජනද බලය නිදහසේ පාවිච්චි කිරීම වළක්වාලීම සඳහා විය.

(XII)

1 වන වගඋත්තරකරු සහ ඔහුගේ ආධාරකරුවන් විසින් 1983.5.18 වන දින කැන්දලියද්ද ජනද පොළට පැනපුම් 1/4 පමණ දුරදී -

1 වන වගඋත්තරකරු සහ ඔහුගේ ආධාර කරුවන් විසින් ශ්‍රී. ලං. කී. ප. සේ ආධාර කරුවකු වූ සුනිල් වැන්නාවට පහර දී 1 වන වගඋත්තරකරුගේ ජීප් රථයට ඔහු ඇදගෙන ගොස් දමා ගන්නා ලදී. ජීප් රථය 1 වන වගඋත්තරකරුගේ නිවස දෙසට පදවා ගෙන ගිය අතර, ජීප් රථයේ සිටි තැනැත්තන් වැන්නාව මහත්මයාට නොකඩවාම පහර දුනි. 1 වන වගඋත්තරකරුගේ සහ ඔහුගේ ආධාර කරුවන්ගේ එකී ක්‍රියාව, එකී සිද්ධිය දුටු ජනදදායකයින් කීහිප දෙනා තුළ උත්තර්ජනය ඇති කොට ජනද බලය නිදහසේ පාවිච්චි කිරීම වළක්වාලීම සඳහා විය.

(XIII)

1 වන වගඋත්තරකරු සහ ඔහුගේ ආධාරකරුවන් විසින්, 1983.5.18 වන දින දී කඩවත-රාගම පාරේ ශ්‍රී. ලං. කී. ප. සේ ප්‍රධාන ජනද කාර්යාලයේ දී -

1 වන වගඋත්තරකරු සහ ඔහුගේ ආධාර කරුවන් විසින් ශ්‍රී. ලං. කී. ප. සේ ආධාරකරුවකු වූ ලලිත් වනිගරත්න හට පහර දී, 1 වන වගඋත්තරකරුගේ ජීප් රථයට ඇද දමා ගැනීමට උත්සාහ කර ඇත. 1 වන වගඋත්තරකරුගේ සහ ඔහුගේ සහකරුවන්ගේ එකී ක්‍රියාව, එකී සිද්ධිය දුටු ජනදදායකයින් කීහිපදෙනා තුළ උත්තර්ජනය ඇති කොට ඔවුන්ගේ ජනද බලය නිදහසේ පාවිච්චි කිරීම වළක්වාලීම සඳහා විය.







4 අ. II. පොලීසි පක්ෂයට, එනම් එක්සත් ජාතික පක්ෂයට පාර්ලිමේන්තුවේ කාර්ය මණ්ඩලයට වන පොලීසි නිලධාරීන් විසින් ශ්‍රී ලංකා නිදහස් පක්ෂයේ මහජන රැස්වීම් පැවැත්වීම සඳහා බාධා කිරීමේ අරමුණින් පොලීසි නිලධාරීන් විසින් සිදුකරනු ලැබූ අධිකාරී ක්‍රියා සම්බන්ධ විස්තර පහත සඳහන් වේ :-

| ඉල්ලීම කරන ලද දිනය | පොලීසි ස්ථානය | රැස්වීම පවත්වන ස්ථානය | ප්‍රතික්ෂේප කරන ලද්දේ |
|--------------------|---------------|-----------------------|-----------------------|
| (අ) 29.4.83        | වීරතුල        | මල්වතු-හිරිපිටිය      | 7.5.1983              |
| (ආ) 3.5.83         | කඩවත          | එවේරමුල්ල             | 7.5.1983              |
| (ඇ) 3.5.83         | කඩවත          | කඩවත                  | 7.5.1983              |

4 අ. III. ඡන්ද කොට්ඨාසය මුළුල්ලේ ම සිටි පොලීසි නිලධාරීන් විසින් -

- (අ) ඡන්ද ව්‍යාපාරය මුළුල්ලේ සහ ඡන්ද විමසන දිනයේ ශ්‍රී ලංකා නිදහස් පක්ෂයේ සංවිධායකයන් හට සහ ආධාරකරුවන් හට හිරිහැර සහ නර්ථනය කරන ලදී.
- (ආ) ඡන්දපොල තුළට අවසර නොලත් තැනැත්තන් හට ඇතුළුවීමට සහ ඡන්ද පොලීම්වල සිටි ඡන්දදායකයන් බිය ගැන්වීමට ඉඩහරන ලදී.
- (ඇ) 1983 මැයි මස 5 වන දින රජයේ රජයේ නීති විරෝධී ලෙස සිරගත කර ගැනීම සහ උරුමයේ ප්‍රදේශයේ ශ්‍රී ලංකා නිදහස් පක්ෂයේ ප්‍රධාන සංවිධායක වශයෙන් කමිසන් කටයුතු ඉටු කිරීමට වළක්වාලීම සඳහා ඔහු නීතිවිරෝධී අත් අඩංගුවේ තබා ගන්නා ලදී.

5. මැතිවරණවලට අදාළ 1946 ලංකා (පාර්ලිමේන්තු මැතිවරණ) රාජසභා ආඥාවේ විධිවිධානවලට අනුකූලව කටයුතු කොකිරීමේ හේතුව මත, සහ එකී අනනුකූලවම ප්‍රතිඵලයක් වශයෙන් ඡන්ද ප්‍රතිඵලවලට බලපාන ලද්දේ එකී විධිවිධානවල මුලධර්මවලට අනුව මැතිවරණය පැවැත්වීමට අපොහොසත්වීමේ හේතුව මත, ඉහත කී 1 වන වගන්තිකරුගේ තෝරා පත් කර ගැනීම අවලංගු බව පෙන්වමින්, ප්‍රකාශ කර සිටී. තව ද,

- (අ) කානුදුටු ඡන්ද පොලේහි ඡන්ද ස්ථානාධිපතිවරයා විසින් එවන ලද වාර්තාව පරිදි සහ එකී ඡන්ද පොලේහිදී ඔහු විසින් ප්‍රකාශයට පත්කරන ලද පරිදි, එකී කානුදුටු ඡන්ද පොලේහි ඡන්ද පෙට්ටිය තුළ තිබුණු ඡන්ද පත්‍රිකාවලට වඩා ඡන්ද පත්‍රිකා 49 ක් වැඩියෙන් අඩංගු බව ;
- (ආ) ඉහළකරගනු ලැබූ ඡන්ද පොලේහි ඡන්ද ස්ථානාධිපතිවරයාගේ ප්‍රකාශය අනුව සහ ඔහු විසින් ඉදිරිපත් කරන ලද වාර්තාව අනුව, එකී ඡන්ද පොලේහි ඡන්ද පෙට්ටිය තුළ තිබුණු ඡන්ද පත්‍රිකාවලට වඩා, එක් ඡන්ද පත්‍රිකාවක් අඩුවෙන් වූ බව ; සහ
- (ඇ) කහවත ඡන්ද පොලේහි ඡන්ද ස්ථානාධිපතිවරයාගේ ප්‍රකාශය අනුව සහ ඔහු විසින් ඉදිරිපත් කරන ලද වාර්තාව අනුව, එකී ඡන්ද පොලේහි ඡන්ද පෙට්ටිය තුළ තිබුණු ඡන්ද පත්‍රිකාවලට වඩා එක් ඡන්ද පත්‍රිකාවක් අඩුවෙන් වූ බව

පෙන්වමින්, පවසා සිටී.

එසේ හෙයින්,

- (අ) ඉහත සඳහන් හේතු මත අංක 17 මහර ඡන්ද කොට්ඨාසය වෙනුවෙන් කමලවර්ණ කුමාරසිංහ ජයකොඩිගේ තෝරා පත්කර ගැනීම අවලංගු බවට ඔබතුමන් විසින් ප්‍රකාශයක් කරනු ලැබීම සඳහා ;
- (ආ) කඩු ගාස්තුව සහ ගරු ඔබතුමන්ගේ අධිකාරණයට සුදුසු යයි හැඟී සහ සහන සහ වැඩිමනක් සහන සඳහා මෙම පෙන්වමින්, අයදා සිටී.

(අත්සන) පෙන්වමින්,

සහ පිටපත  
.....  
පෙන්වමින්,

රජිල් වික්‍රමසිංහ මහතා (සෞචන කටයුතු හා රැකී රක්ෂා ඇමතිතුමා සහ අධ්‍යාපන ඇමතිතුමා)  
(කි.ල. ආභාසි බිඤ්ඤාමානු—බ්‍රිතාන්‍ය-ඉන්දියානු ආයතන සභා, බ්‍රිතාන්‍ය ආයතන සභා)  
(Mr. Ranil Wickremasinghe—Minister of Youth Affairs & Employment and Minister of Education)

I hope you will give me the indulgence to help you in this matter. As you know, the House can appoint a Select Committee for two purposes: one, to go into

Bills and report on them and, the other, to inquire into matters. If you look at this Motion you will see that this is a Select Committee of inquiry. You begin the Motion with various incidents and then you ask the Select Committee to inquire and report on the allegations.

The hon. Member for Kalawana says it has raised presumptions; that if we pass it we accept it. The Hon. Member for Matugama says, "No it is a Committee of Inquiry," but he has other reasons why he thinks it should be ruled out of order. They cannot find a single Standing Order other than Standing Order 136 to base this on.

I heard another funny argument which says that if this Select Committee is appointed they would go into matters which can later on lead to penal action. May be; the first time, I would like to remind the Members of the Opposition, when you all moved a Select Committee in regard to the Minister of Industries and Scientific Affairs if he was found guilty, would he not have been liable to penal punishment under the Penal Code? Yes. If those charges were proved against him, what were the consequences? He would have been subjected to various measures under the penal law of this country. That does not prohibit us from going into any matters and this is not exercise of judicial power. The Parliament has the power and the right to inquire into matters from time immemorial. I think the Select Committees of Parliament goes back to the Stuarts times, and that has been kept. It has been the Sanding Committees of the whole House which have come subsequently. I fail to understand why the hon. Member says that we cannot go into this matter. This is not judicial power. The judicial power is the right to impose penalties. There is no penalty. It is a matter to inquire into and report on. It is a Committee of inquiry. You had better study what judicial power is. This is not judicial power. This is a matter to be inquired into.—[*Interruption*]. This is no quasi Judicial inquiry. Go and learn your law and come. You have come into this House and are trying to prove to the Members of the SLFP that you are fit to be its General Secretary.—[*Interruption*].

The prime principle which governs this House, Mr. Deputy Speaker, is the absolute privilege of the legislature and members thereof to discuss and deliberate upon all matters pertaining to the governance of the country and its people. Freedom of speech on the floor of the House is the essence of Parliamentary democracy. What they want us to do now is to do away with it.

There have been times when matters have gone before courts. It has come up here. It has been raised from time to time and the Parliament—I think either



[*ரகிர் வினாவினா*]

you, Mr. Deputy Speaker or anyone else who presided—has said that this matter should not be discussed but it was relevant to what was there. This is quite different. First and foremost I am told there is a copy— [*Interruption.*]

*காசு ப்ரேமடாசா*

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

We are not going to recognise this document.

*லக்ஷ்மன் ஜயகோதி*

(*திரு. லக்ஷ்மன் ஜயகோதி*)  
(Mr. Lakshman Jayakody)

It also says 'இருவரின் பைன்மென்ட் 3/81.'

*ரகிர் வினாவினா*

(*திரு. ரணில் விக்ரமசிங்ஹ*)  
(Mr. Ranil Wickremasinghe)

More than the Member for Attanagalla. I would like to say this, that I have read in the papers that I am supposed to be a respondent. Up to date I have received no notice. So I do not know whether there is a case.— [*Interruption.*] It is only in the papers. How can we take notice of it because we must remember one matter in regard to it.

Mr. Deputy Speaker, in regard to the rule of sub-judice, whether a Motion relates to a matter which is under adjudication before a court or not, has to be strictly interpreted and unless it is strictly interpreted, on any occasion when we want discuss a Motion an hon. Member can get up and say that this is sub-judice, there is a case in this court and the proceedings of this House would come to a grinding halt.

If the hon. Member for Attanagalla (Mr. Lakshman Jayakody) says that the matters given in this Motion before the House are a part of the so-called petition filed by one Nimal Jayasinghe against some others, it will only result in Vijaya Kumaranatunga losing his civic rights because all these are allegations against him. I do not know whether they want to let him down now itself ! If this petition is one which they say is filed 'against others'—the papers say we are 'all respondents—I do not know how this is relevant. If that is the case, then it is going to end with Vijaya Kumaranatunga going out. This is an inquiry against Kumaranatunga.—I presume. At least if they have filed a petition it is not against their own man ! I know there is a lot of in-fighting going on but this takes the cake ! This is what they have done.

If you look at this petition there is one matter under adjudication which has been left out. There is a death that has taken place but I see no reference to that here.

There has been an inquiry. A person from Walapalana was buried but this has not been referred to, but there is a reference to a court order made against one Ranatunga and that case is now over.

This is the first time in the history of this country that this matter has come up in this manner. When they say that election matters were not taken up before in any Parliament before this, I would like to mention that matters regarding the Dedigama election were moved by way of a Motion and the Opposition was not even given a chance to discuss this. I think it was in 1973. They did not even want to discuss it. They did not say it was out of order.

But in this instance we must remember that first and foremost notice of Motion was given to this House. We were subsequently informed that a case had been filed. It is unlike any other case. I remember that in the Dodampe Mudalali case they wanted to discuss it in the House after the case had been filed. The hon. Members seem to have conveniently forgotten that. That is another matter. But no case was filed when a notice of Motion was given.

*சரத் மூத்தேவகம*

(*திரு. சரத் மூத்தேவகம*)  
(Mr. Sarath Muttetuwegama)

In the Dodampe Mudalali case only a verdict of suicide was entered and no case was filed. It was you who raised the *sub-judice* matter and got Labrooy or Jonklaas—

*ரகிர் வினாவினா*

(*திரு. ரணில் விக்ரமசிங்ஹ*)  
(Mr. Ranil Wickremasinghe)

We must also be careful that we do not allow people to file cases for the purpose of stopping discussions in this House. There is one other matter which I would like to bring to your notice and this is something I referred to earlier. I am not going into the facts or merits of it. There was a coroner's inquiry into a death which took place at Buthpitiya. On the first day the inquiry had to be put off because the first person who made the complaint to the Gampaha Police, Vijaya Kumaranatunga, had not turned up. The inquiry was held on the second day only after the inquiring officer had warned him to be present. When the identification parade was held on the first occasion, again Vijaya Kumaranatunga was not present. The Magistrate had to warn him and he came on the second occasion. These are people who treat the courts lightly and we do not know if this is also being done for the same purpose.

Let us take the facts as they are here. If anyone wanted to object they could have sent a certified copy of the petition here and we could have gone into it but







[ලක්ෂමන් ජයකොඩි මහතා]

Now that is in the Motion. I wonder, Sir, whether you have a copy of the petition. If the Hon. Prime Minister had the copy he would have given it to you. it is in Sinhala :-

මහවරුන් පෙන්වූ අංක 3/83.  
4 වන පිටුවේ (ආ) ඡේදය :

"1වන වගන්තියකරුගේ නියෝජිතයෙකු වූ ඉහත නම සඳහන් 3 වන වගන්තියකරු රනිල් වික්‍රමසිංහ නමැත්තා විසින්."

මට බොහෝ කණගාටුයි මේක කියන්නට සිද්ධ වීම ගැන.

"පහත සඳහන් අයුතු බලපෑමේ දූෂණ ක්‍රියා කර ඇති බව."

මොකක්ද කරලා තිබෙනවාය කියන්නේ ?

හරින්ද්‍ර කොරයා මහතා  
(*ශ්‍රී. ඩබ්ලිව්. හරින්ද්‍ර කොරයා*)

(Mr. Harindra Corea)

I would like to raise point of Order, Please ! A Member's name has been mentioned.

ලක්ෂමන් ජයකොඩි මහතා  
(*ශ්‍රී. ලක්ෂ්මන් ජයාචාර්ය*)

(Mr. Lakshman Jayakody)

මම මිත්‍රවශයෙන් එවමට කපා කරන්නේ නැහැ. මම ඒ නම පමණක් ඉල්ලා අස් කර ගන්නට කැමතියි. අපි "එක්ස්" කියමු.

නියෝජ්‍ය කථානායකතුමා  
(*පී. ඩබ්ලිව්. ජයාචාර්ය ආචාර්ය*)

(Mr. Deputy Speaker)

Order, please ! You are referring to a case pending in court ?

ලක්ෂමන් ජයකොඩි මහතා  
(*ශ්‍රී. ලක්ෂ්මන් ජයාචාර්ය*)

(Mr. Lakshman Jayakody)

අර යු. එස්. අලුතකෝන් මහත්මයාගේ චෝදනාවක් මේ උසාවියට නැහැ කියන එක සම්බන්ධවයි මම කථා කරන්නේ.

රනිල් වික්‍රමසිංහ මහතා  
(*ශ්‍රී. ඩබ්ලිව්. රනිල් වික්‍රමසිංහ*)

(Mr. Ranil Wickremasinghe)

Mr. Deputy Speaker, reference has been made to me-

ලක්ෂමන් ජයකොඩි මහතා  
(*ශ්‍රී. ලක්ෂ්මන් ජයාචාර්ය*)

(Mr. Lakshman Jayakody)

I withdraw that. You can expunge that.

රනිල් වික්‍රමසිංහ මහතා  
(*ශ්‍රී. ඩබ්ලිව්. රනිල් වික්‍රමසිංහ*)

(Mr. Ranil Wickremasinghe)

First I must say that it is incorrect and false, and secondly, if they are going into this, they must see that I am also given a chance to reply to what has been said. It is better for him to have a Select Committee then !

ලක්ෂමන් ජයකොඩි මහතා  
(*ශ්‍රී. ලක්ෂ්මන් ජයාචාර්ය*)

(Mr. Lakshman Jayakody)

(අ) (i) (ආ) (ii) මගේ කියන තැනැත්තා සම්බන්ධවයි. අලුතකෝන් අප්‍රධාන මාලාගේ සෝමසිරි ගැනයි. එයට වෙලා තිබෙන අතවර ගැනයි.

නියෝජ්‍ය කථානායකතුමා  
(*පී. ඩබ්ලිව්. ජයාචාර්ය ආචාර්ය*)

(Mr. Deputy Speaker)

Order, please ! Now you are doing what should not be done.

ලක්ෂමන් ජයකොඩි මහතා  
(*ශ්‍රී. ලක්ෂ්මන් ජයාචාර්ය*)

(Mr. Lakshman Jayakody)

මොකද මට ඒක කියන්නට සිද්ධ වුණේ?

නියෝජ්‍ය කථානායකතුමා  
(*පී. ඩබ්ලිව්. ජයාචාර්ය ආචාර්ය*)

(Mr. Deputy Speaker)

Now you are referring to a matter pending in court.

ලක්ෂමන් ජයකොඩි මහතා  
(*ශ්‍රී. ලක්ෂ්මන් ජයාචාර්ය*)

(Mr. Lakshman Jayakody)

I am sorry, Sir, you know why ?

නියෝජ්‍ය කථානායකතුමා  
(*පී. ඩබ්ලිව්. ජයාචාර්ය ආචාර්ය*)

(Mr. Deputy Speaker)

That is exactly what I want to prohibit.

ලක්ෂමන් ජයකොඩි මහතා  
(*ශ්‍රී. ලක්ෂ්මන් ජයාචාර්ය*)

(Mr. Lakshman Jayakody)

I am sorry, Sir. Because the Prime Minister challenged me to say what is-

නියෝජ්‍ය කථානායකතුමා  
(*පී. ඩබ්ලිව්. ජයාචාර්ය ආචාර්ය*)

(Mr. Deputy Speaker)

Challenging is one thing, but in the proceedings of this House-

ලක්ෂමන් ජයකොඩි මහතා  
(*ශ්‍රී. ලක්ෂ්මන් ජයාචාර්ය*)

(Mr. Lakshman Jayakody)

Sir, I hope you are convinced now that what the Hon. Prime Minister said was not correct. What is referred to in the Motion is the subject matter of this petition.

නියෝජ්‍ය කථානායකතුමා  
(*පී. ඩබ්ලිව්. ජයාචාර්ය ආචාර්ය*)

(Mr. Deputy Speaker)

I am sure the Prime Minister did not mention any name.



ලක්ෂමන් ජයකොඩි මහතා  
(*ශ්‍රී. ල. ලක්ෂ්මන් ඉයාකොඩි*)  
(Mr. Lakshman Jayakody)  
Precisely, Sir.

නියෝජ්‍ය කථානායකතුමා  
(*පී. ඩී. ජයානායකර් අමරසිංහ*)  
(Mr. Deputy Speaker)

Now you have tabled the draft of a petition ?

ලක්ෂමන් ජයකොඩි මහතා  
(*ශ්‍රී. ල. ලක්ෂ්මන් ඉයාකොඩි*)  
(Mr. Lakshman Jayakody)

No. The petitioner's certified copy which he had submitted to the Registry for registration, and the registered number is : "මැතිවරණ පෙත්සම් අංක 3"-

රනිල් වික්‍රමසිංහ මහතා  
(*ශ්‍රී. ල. රනිල් වික්‍රමසිංහ*)  
(Mr. Ranil Wickremasinghe)

My first point is, whether it is certified by the court ? Secondly, I do not know whether this is-

නියෝජ්‍ය කථානායකතුමා  
(*පී. ඩී. ජයානායකර් අමරසිංහ*)  
(Mr. Deputy Speaker)

Order, please ! What are you trying to prove with that document ?

ලක්ෂමන් ජයකොඩි මහතා  
(*ශ්‍රී. ල. ලක්ෂ්මන් ඉයාකොඩි*)  
(Mr. Lakshman Jayakody)

I want to prove that what is in the Motion is the subject matter that has to go before the Election Court.

නියෝජ්‍ය කථානායකතුමා  
(*පී. ඩී. ජයානායකර් අමරසිංහ*)  
(Mr. Deputy Speaker)

That is only one item.

ලක්ෂමන් ජයකොඩි මහතා  
(*ශ්‍රී. ල. ලක්ෂ්මන් ඉයාකොඩි*)  
(Mr. Lakshman Jayakody)

Not one, I will read the whole lot. Everything is based on that. This is my point. (*Interruption*)

(අ) (i) ඒකමයි. (ආ) (ii) ඒකමයි. චෝදනා 4 (i) ඒ තැනැත්තා ගැනයි. චෝදනා 4 (ii) ඒ තැනැත්තා ගැනයි. චෝදනා 4 (iii) ඒ තැනැත්තා ගැනයි. චෝදනා 4 (iv) ඒ තැනැත්තා ගැනයි. මට ඕනෑ තම තවත් කියවන්නට පුළුවනි. අනන්ත අප්‍රමාණව තිබෙනවා. ඒ නිසා තමයි මේ යෝජනාවේ තිබෙන දෙයක් මේ ඉදිරිපත් කර තිබෙන පෙත්සමට අන්තර්ගත වී තිබෙනවාය කියා මම කියන්නේ. අන්ත ඒක පැහැදිලි කිරීමටයි මම තැනී සිටියේ. ඒක හේතුවක් ගැටියට සලකා මේ සම්බන්ධව තීරණයක් ගැනීමට තමුන්නාන්සේට පහසුවක් වේය කියා මම විශ්වාස කරනවා. ගරු අගමැතිතුමාත් මම භීතක ගැටියට එතුමාගේ කාමරයේ ඉදගෙන මේ සාකච්ඡාව අහගෙන ඉන්නවා දැනී. මම මේ ස්ථානයට ආවේ තැනෑ එවැනි දෙයක් ඔප්පු කරන්නට බැර වන විටියේ චෝදනාවක්වත් කථාවක්වත් කරන්නට.

රනිල් වික්‍රමසිංහ මහතා  
(*ශ්‍රී. ල. රනිල් වික්‍රමසිංහ*)  
(Mr. Ranil Wickremasinghe)

Mr. Deputy Speaker, since reference has been made to me I wish to say a few words. Firstly, I would like to say that the Hon. Prime Minister is at the moment at the funeral house of the late Minister of Food & Co-operatives. That is the reason why he is not here ; he should be in this House at any moment. First and foremost a reference has been made to me. I have not yet seen any copy of the plaint. I have been made a respondent, but I have not yet been served notice. I have not yet seen any copy certified by the court. Various documents are flying around. They say the petitioners have signed it. These are the same people who printed that famous ration book, and now we are being asked to take notice of this document.

As far as 6 (c) is concerned, it refers to an incident between the police and a gentleman by the name of Mr. Alahakone. If he says there is some other incident referred to here, between Mr. Alahakone and myself, then obviously there are two different incidents. There is no reference to me in this Motion. As I said, if at any time in any of these matters there is something that comes up which is also the subject matter of court, despite the fact that this Motion was moved first, I am sure any Select Committee will not go into it. On the other hand, we must also know, what is said in the Select Committee, whether this case is not being filed, whether it has been filed for the purpose of blocking a Select Committee inquiry. That is also a matter which should be there. But this concerns a matter which the Meegahawatta Police acted on. If there was some other incident which he says has taken place, then that is a matter for the inquiry of the Election Court.

සරත් මුත්තේවුවෙගම මහතා  
(*ශ්‍රී. ල. සරත් මුත්තේවුවෙගම*)  
(Mr. Sarath Muttetuwegama)

I do not want to take very much time with this matter because perhaps we have already taken too long with it. In order to help you to come to a decision on this matter, I raised a point under section 136 of the Standing Orders not because everything else has failed, not that Section 136 is the last refuge of every Member of Parliament who asks you to invoke your powers. Section 136 is a substantive part of the Standing Orders. It is a Standing Order and that is a Standing Order which enables you to act in a broad sense when you feel that something is being violated.

Therefore, my submission on that matter was that when you frame a Resolution on the basis, as it has been done, saying "whereas such a thing happened, whereas such a thing happened, whereas such a thing happened, and so on, you are presuming that those things happened, and you are coming and asking the



[සරත් මුන්හේවිටුවේගම මහතා]

House to appoint a Select Committee upon that presumption, which is a violation of the Constitution, if nothing else. Because the Constitution says that there are three branches of the administration, the legislature, the executive and the judiciary, and these are matters which are within the functions of the judiciary, and I beg to defer with the Hon. Prime Minister when he says that we are supreme and we can do anything. We are supreme within the Constitution, within the ambit of the Constitution, and we cannot go outside it. The judiciary has set functions and they must be allowed to perform those functions.

That is one point. I would like to say another thing because this *sub judice* matter has also been raised, and that is to remind you or to bring to your notice an earlier precedent. That was, Sir, in August 1981. There was pending before the house a Resolution in the name of sixteen members of this House, a Motion of No Confidence in the Government. Among the matters contained in that Motion, Sir, were these. This is how that Motion starts :

"That inasmuch as, with its record of misgovernment of 3 1/2 years, this U.N.P. Government has—

- (a) placed intolerable burdens, on the people of this country ;
- (b) while prating about democracy increasingly robbed the people of their democratic rights ;
- (c) repressed the working class action and any genuine political protest aimed at securing better living conditions and the protection of basic rights."

Those were the first three matters in that Motion of No Confidence. It also went on to deal with certain instances that occurred during the District Development Council Elections at Jaffna. That was the No Confidence Motion that was pending at that time. The hon. Deputy Minister of Justice raised a point of Order based on Standing Order 84(6). He briefly argued the case that because there was a case in respect of the D.D.C. Elections that Motion should be ruled out of Order. We argued from this side of the House that even if there were certain matters which you were going to rule out because of the case, there were other matters in that motion such as what I have read out to you, namely, the cost of living, repression of the working class, deprivation of democratic norms and rights which were not covered by any case pending before court. You will see that I am trying to make the point that that Motion was of such a large compass that, while there were matters which related to the D.D.C. elections in Jaffna and while it was true that a case regarding the District Development Council was in fact before court, the Motion was so large that it was possible to excise portions of that Motion if need be and leave the rest of the Motion which dealt with such matters as the working class rights, democracy and the cost of living and so on which had not come

before any court and could not come before any court. But what was the Ruling of the Hon. Speaker. I will read it out. It is in HANSARD of 5th August 1981, at Columns 169-70. It took him a day to consider the matter. He says :

"At yesterday's sitting when the hon. Leader of the Opposition rose to move the Vote of No Confidence standing in his name and that of 16 other Members of Parliament, the hon. Deputy Minister of Justice rose to a Point of Order and objected to the Motion being moved on the ground that the Motion in its present form violated the provisions of Standing Order 84(vi). I am grateful to him and the hon. Leader of the Opposition, the Hon. Minister of Trade and other hon. Members who spoke on the Point of Order and expressed their point of view.

I reserved my Ruling for today and took the opportunity of perusing carefully a copy of the petition."

This is the petition in the D.D.C. case that was before court.

"As the Hon. Minister of Trade pointed out, many of the points urged in the petition"—

not the whole thing—

—"filed before Court are contained in the body of the Motion."

Then he goes on to quote Erskine May. He says that May, at page 427 (19th edition), very clearly states thus :

"The resolution of 23rd July 1963 also applies to the civil courts and in general it bears reference to matters awaiting or under adjudication in a civil court from the time that the case has been set down for trial or otherwise brought before the court, as for example by notice of motion or an injunction."

"I am satisfied beyond all doubt that the Motion deals with matter awaiting adjudication by a court of law.

The Hon. Leader of the Opposition argued that Standing Order 84 dealt with only rules for members speaking in Parliament."

The argument that has been raised here by the Hon. Prime Minister is identical.

—"that reference to matters before Court was all that was not permitted,"—

Again, the same thing that has been argued here.

—"and that the Motion of No Confidence contained other points unconnected with the matters before Court.

I feel this is too narrow an interpretation of the Standing Order"—

That is what the Hon. Speaker felt.

—"since the crux of the Motion is the conduct of the Development Council Elections . . . . ."

This is the thing.

"since the crux of the Motion is the conduct of the Development Council Elections. . . . ."



That is how we understood the Motion. I do not agree with the Ruling, I say it with respect. I beg to disagree with him. He says, "The crux of the Motion is the conduct of the Development Council Elections" even though—I might remind you, Mr. Deputy Speaker—the Motion contained matters about the cost of living, about democracy and about the repression of the working class, he interpreted the Motion to say that the crux of the Motion is the conduct of the Development Council Elections in Jaffna. I say that it is very important when you come to consider this matter.

Then he refers to the ruling given by a predecessor in the Dodampe Mudadali case, in the case of L. V. Podi Appuhamy, where there was a Vote of No Confidence moved on the Government. He quotes that. He says :

"A discussion of the Motion in the House may, in the words of a Speaker of the House of Commons 'take it too near to the subject to be safe.'"

In the Dodampe Mudadali case the Speaker quoted another Speaker, the Speaker of the House of Commons and said the discussion in the House may take it too close to the area which is before court. It goes on :

—"It is because there is a likelihood that if this were to happen the holding of a free and fair trial would be prejudiced that I disallow a discussion of the motion before the House."

Then he goes on to say how he agrees with that and disallows the Motion.

May I be permitted to say first of all, Sir, that when that matter was raised neither the Hon. Speaker nor any hon. Member of the House wanted a certified copy of the proceedings of the District Development Council case. They were satisfied when an assurance was given by the Member who took responsibility for the matter that there is such a case, and I think that is a tradition which we must stick to in this House. On that matter, at least, I ask you to hold that it is unnecessary for a Member who comes with a sense of responsibility and states Election Petition No. 3 of 1983 is before the Court of Appeal, that this is a matter before trial, to produce a certified copy. Sir, I say with the greatest respect that all the traditions of this House bind you to accept that statement and to accept the position that there is such a case. I think it is utterly unfair for Members to come here and ask all of a sudden, violating all the traditions of this House, that a certified copy be produced. They did not do it when they raised the point of Order on the same Standing Order when the Leader of the Opposition moved that Motion.

4—ச 70821 (83/06)

செல்வன் ரணாராஜ் மஹா  
(திரு. ஷெல்டன் ரணாராஜ்)  
(Mr. Shelton Ranaraja)

A certified copy was produced.

சரத் இளங்கைவேலம் மஹா  
(திரு. சரத் முத்தெட்டுவேகம்)  
(Mr. Sarath Muttetuwegama)

It was not a certified copy.

பி. அமிர்தலிங்கம் மஹா  
(திரு. ஏ. அமிர்தலிங்கம்)  
(Mr. A. Amirhalingam)

There was no reference to a certified copy.

செல்வன் ரணாராஜ் மஹா  
(திரு. ஷெல்டன் ரணாராஜ்)  
(Mr. Shelton Ranaraja)

I cannot remember whether it was a certified copy or not.

சரத் இளங்கைவேலம் மஹா  
(திரு. சரத் முத்தெட்டுவேகம்)  
(Mr. Sarath Muttetuwegama)

The hon. Deputy Minister's speech is here. If he wants I can send the HANSARD to him. He is the last person I want to quarrel with.

செல்வன் ரணாராஜ் மஹா  
(திரு. ஷெல்டன் ரணாராஜ்)  
(Mr. Shelton Ranaraja)

There is no quarrel. I cannot remember whether it was a certified copy or not.

சரத் இளங்கைவேலம் மஹா  
(திரு. சரத் முத்தெட்டுவேகம்)  
(Mr. Sarath Muttetuwegama)

Then he cannot remember whether it was a certified copy or not. I can remember that it was not.

Now, Sir, the position is this. Look at this situation. Here is a Motion which is directly concerned with the conduct of certain aspects of the Mahara by-election. There is an election petition which has been filed. You know, Mr. Deputy Speaker, the wide powers an election judge has. In the course of the trial in an election petition, if it transpires in court that people who are not even named in the election petition have committed offences, it is open to the judge to make them parties, to issue notice to them and to call upon them to show cause why their civic rights should not be removed for a period of seven years for committing election offences. You see the position. The election court is not bound by that petition alone. In the course of that petition if the court discovers that certain people have committed election offences, corrupt practices, illegal practices, he can summon those people and ask them to show cause why they should



[பாடல்களின் குறிப்பு]

not be dealt with by them. So, Sir, the election petition is a very comprehensive proceeding set up under a very elaborate procedure giving guarantees of all kinds to the parties concerned, requiring proof beyond reasonable doubt, and carrying with it heavy penalties. I know, very well about that, because at the moment also I am a respondent in one. So, I talk out of experience. It is a very elaborate procedure, very carefully set up.

Now what would be the effect of this Motion? First of all it is because of the reason which I pointed out under 136. Secondly, here are certain specific instances which are not alleged, which this Motion says has been done. If you allow this to be passed, I ask you, Sir, can a judge who will be nominated in due course to hear this case, freely hear that case? Here the Parliament is saying that all the corrupt practices, all the undue influences, all the false statements, all this has been done by Mr. Vijaya Kumaranatunga and his supporters, and that same man or his agent is coming to challenge the election of another man. So, I say what the Speaker of the House of Commons whom Mr. Baker Markar, the Speaker of this House quoted, and what another Speaker of this House quoted in the Dodampe Mudalali *sub judice* matter is that if you are coming too close to the matter which is before court, it is wise to keep it out. So, I say when you are interpreting this matter, you will interpret it in such a way as to give the fullest freedom to the courts of this land, to inquire into the grievance that has been placed before it. You will not, Sir, with respect, interpret it in such a way that it will shackle the courts of this land to inquire into a grievance which has been placed before it. And I say, Sir, in the traditions of the Speakers of this House, in the traditions of the Speaker who ruled in the Dodampe Mudalali case, in the traditions of the Speaker who is now the Speaker of this House who ruled in the case of the No Confidence Motion of the Leader of the Opposition, I say with the greatest respect, that you are in a sense bound by those precedents to interpret it in the spirit of the interpretation which they have given to this same matter when they had matters to adjudicate on. Thank you.

சிறிதே விசுவாசம் மிகா (கொடுக்கப்பட்டது ன் ருக்கீ ரதம்  
செய்திருக்கிறார் என அறியாத செய்தி)

(திரு. ராணில் விக்ரமசிங்கே—இளைஞர் அலுவல்கள், தொழில்  
வாய்ப்பு அமைச்சரும் கல்வி அமைச்சரும்)

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

Firstly, if I remember rightly, I am subject to correction, I think the copy is with the Deputy Minister of Justice who brought at that time the certified copy in case objection was taken. Leaving that aside, I think that case by that time had been

reported in the papers. In this instance there was a report in the papers that an election petition has been filed. If it was so filed a certified copy certainly should be with the members of the party. I do not know, I am supposed to be a respondent and I read things which for the first time the hon. Member for Attanagalla has come out with. I have received no notice and I would like to say the conduct of Mr. Kumaranatunga in regard to courts in the last month is such that I have no confidence in him. If someone says the Member for Attanagalla or the Member for Kotmale has filed a petition, whether it is true or not I will accept it. When there is a coroner's inquest and the person who made a complaint to the police does not turn up on the first day of the identification parade, and when the Magistrate calls upon him to be present on the second day and again he is not there, from such a person can we accept the statement that a case has been filed? At least then in fairness to the Government, give us a certified copy. I am myself anxious to know. I am made a party. I do not know anything. So we cannot accept that, firstly.

Secondly, the main matter which came up in that debate was, if you had left aside the matters pertaining to the DDC elections, could you take up the other matters. The question of the DDC elections being discussed while the case was being heard was never taken up. I think the Hon. Leader of the Opposition said, "Well, in that case we can discuss the other matters," and certain other points were taken up, and the Ruling was given in that context.

This is in a quite different context. First, a motion was presented to the House. Now you say a case is filed. We want to know the matters contained in it, a certified copy. Otherwise, at this rate we will come to a position where nothing can be discussed in the House. Certainly I would say that even if a case is filed and even if, which I doubt at the moment, the matters which are referred to here are taken up there, I am sure the Select Committee, even with all its rights and privileges, will stop hearing. I have no doubt about that. Election courts may have wide powers. When has it ever been the practice that an election court has given a verdict or imposed a punishment on a person who was not made a party to it? (*Interruption*) Opponent on the other side?

பாடல்களின் குறிப்பு

(திரு. சரத் முத்தேவகம)

(Mr. Sarath Muttetuwagama)

They noticed people in the Agalawatta petition, which the Hon. Prime Minister quoted.



சகில வினாக்கள் மறுபார்வை

(திரு. ரணில் விக்ரமசிங்ஹ)

(Mr. Ranil Wickremasinghe)

I am putting forward the instance where, in the Agalawatta petition, the people who were called, the petitioners, were from the UNP, and the respondents were from the LSSP. I do not know whether in the Agalawatta petition the members of the UNP were sent out.

மேலும் இன்னொரு வினா

(திரு. சரத் முத்தேட்டுவெகமா)

(Mr. Sarath Muttetuwegama)

But this is on a principle.

சகில வினாக்கள் மறுபார்வை

(திரு. ரணில் விக்ரமசிங்ஹ)

(Mr. Ranil Wickremasinghe)

I do not know. You are going on a different footing.

மேலும் இன்னொரு வினா

(திரு. சரத் முத்தேட்டுவெகமா)

(Mr. Sarath Muttetuwegama)

No.

சகில வினாக்கள் மறுபார்வை

(திரு. ரணில் விக்ரமசிங்ஹ)

(Mr. Ranil Wickremasinghe)

It certainly becomes necessary for the other members to be called. But what we are saying is, this is an inquiry about Mr. Vijaya Kumaranatunga. All these matters form the substance of this so-called petition, and that petition is not against the MP for Mahara; it is against their own candidate. That is why we say these are two different matters. What is most necessary here is to see what are the amendments that are necessary to the law. (Interruption.) Someone says we can go to court. I know. He is very anxious because if Mr. Kumaranatunga is knocked out, then he will be the Member for (Interruption.) no, not for Mathugama – he may be very happy. But that is another matter which he must pursue on his own. We are only interested in seeing that changes are made to the law. The hon. Member's vendetta with Mr. Kumaranatunga, he can settle it. If he wants us to go to court to knock him out, he can tell us so.

This shows, Mr. Deputy Speaker, that only the Members of the Government Group, but obviously a Member like the hon. Member for Matugama is also in favour of this petition, but for other reasons. They want to knock him out; we want to change the law. That is all. I knew the hon. Member will come out with this. Why does he want to go to Court? This is the difference here.

Where is this certified copy? (Interruption.) We do not know. Bring the one that has been certified by the court. (Interruption.) Bring the certified copy.

மேலும் இன்னொரு வினா

(திரு. லக்ஷ்மன் ஜயக்கொடி)

(Mr. Lakshman Jayakody)

Sir, that specific question has been asked from me. I take full responsibility, because I got this document – not one, but two documents – from a very senior lawyer of this country, I am, therefore, quite sure that it is genuine. The case number is given. Furthermore, the Hon. Prime Minister was not here. – I showed that there was overlapping in some of the charges that have been made; what is in the Motion is in the document which has been submitted.

சகில வினாக்கள் மறுபார்வை

(திரு. ரணில் விக்ரமசிங்ஹ)

(Mr. Ranil Wickremasinghe)

Can I finish my speech?

மேலும் இன்னொரு வினா

(திரு. லக்ஷ்மன் ஜயக்கொடி)

(Mr. Lakshman Jayakody)

I do not want to refer to that case alone. I will just leave that aside. But there is one other matter.

சகில வினாக்கள் மறுபார்வை

(திரு. ரணில் விக்ரமசிங்ஹ)

(Mr. Ranil Wickremasinghe)

I am on my feet.

மேலும் இன்னொரு வினா

(திரு. லக்ஷ்மன் ஜயக்கொடி)

(Mr. Lakshman Jayakody)

If you take 6(b) – I want to bring another matter to his notice. But he has not finished I think. I will let the Hon. Minister know.

சகில வினாக்கள் மறுபார்வை

(திரு. ரணில் விக்ரமசிங்ஹ)

(Mr. Ranil Wickremasinghe)

The other matter is the way they are treating this doctrine of *sub judice*, even if as they say, it applies. It does not rule out discussions forever. Once the court case is over it can be taken up. You take a hypothetical instance where nine out of ten matters are not matters before court, and the tenth one is. Cannot a Select Committee give an order on nine and hold up the tenth, even if that is the position? I am not accepting that position; I am putting forward a hypothetical question. They say this cannot be discussed at all; it will take away the powers of the court; nothing else can be done. Now they are changing the argument when we pointed out the limitations, even on the *sub*



[රජයේ විකුමසිත මහතා]

judice rule. But even taking their argument, which I do not say applies to this, it is not correct, it was never taken up.

In the earlier instance the Leader of the Opposition said, "All right, let us not discuss the DDC elections but discuss certain other matters." But it was pointed out that that discussion would have implications on the question of the conduct of the DDC election as a whole. In the case that was filed there, who were the parties to it? Was the Attorney-General or the Election Commissioner a party?

Here there is one matter I think which refers to the District Secretary. That is not even referred to in this Motion, regarding what they claim are some errors in the count. All the other matters are dealt with. There are no references to any of us in it. I do not know how you can take the points that are given in this Motion and say they are the same as those in the election petition. If that is so, if the items that are given here form a part of their election petition, it must be against Mr. Kumaranatunga, not against anyone else. And some of these matters that are referred to - I do not think there is reference to them in the police statements. I just saw this. I do not think all these things are referred to even in the statements which their people have made to the police. That is another matter, but I do not want to take it up here.

I do not know how genuine this is - whether this petition has been even presented with the purpose of preventing this Motion being taken up, because certain things which might be very unfavourable to certain parties will come out. If they say that this petition has been filed, in what faith has it been done? Some one told me just now, "We have been saying from the very beginning that we are bringing a petition" or something to that effect. I do not know. If that is so he should have put it long ago. If that was so he would have given a certified copy. I doubt very much the genuineness of this application even if it had been made. We do not know whether it was made for the purpose of having an election petition or for the purpose of blocking this inquiry.

ලක්ෂ්මන් ජයකොඩි මහතා  
(කි.ප්‍ර. ලක්ෂ්මන් ඉයාකොඩි)  
(Mr. Lakshman Jayakody)

අද ඉදිරිපත් කර තිබෙන යෝජනාවේ නිබන්ධන දේවල් ඡන්ද පෙත්සමේ අන්තර්ගතව තැනී බවට මේ ගරු සභාවේදී කියැවුණු ප්‍රකාශය ගැන ගරු අග්‍රාමාත්‍යතුමා තැනී වෙලාවේ මම කරුණු පැහැදිලි කර දුන්නා. ඇත්ත වශයෙන්ම අර ප්‍රකාශය නිසා මම තවත් විකක් ඒ ගැන සොයා බැලුවා. ඒ අනුව මට මේ කරුණු පෙන්වා දෙන්න

පුළුවන්. Paragraph 6(b) of the Motion says :

"(b) on 17.05.1983 the Nittambuwa Police detected large numbers of persons coming in vehicles to the Horagolla residence of the S.L.F.P. candidate and on 18.05.1983 at about 4.00 a.m. the Police took these persons for questioning and found that they were going to Mahara allegedly to act as Polling Agents. On further investigation the Police found that they were neither voters nor residents of Mahara and the so-called Polling Agents appointment letters were blank forms signed by the candidate without the names of the Polling Agents or the polling booth,"

ඒකම මේ ඡන්ද පෙත්සමේ 4 (අ) කොටසේ මේ විධියට සඳහන් වෙතො :

4. (අ) ඉහත සඳහන් අනිකුත් අවස්ථා පහත සඳහන් ක්‍රියා මගින් සිදුවූ බව පෙන්වීමකරු පවසා සිටී.

1. ශ්‍රී ලංකා නිදහස් පක්ෂ ඡන්ද අපේක්ෂකයාගේ පහත සඳහන් ඡන්ද විමසීමේ නියෝජිතයන්, 1983 මැයි මස 18 වන දින පෙරවරු 4.00 ට පමණ වේගයෙන් සහ නිවැරදිව පොලීසි ස්ථානවල නිලධාරීන් විසින් අත්අඩංගුවට ගෙන ඡන්ද විමසීම ආරම්භ වූ පසු පැය කීපයක් පසුවන තෙක් පොලීසි ඡන්ද අඩංගුවේ තබා ගත් අතර, ඒ නිසාම පහත දක්වා සිටින වෙලාව තෙක් ඔවුන්ගේ කටයුතු ඉටු කිරීමට ඔවුන්ට නොහැකි වූහ :

අනික් තම පවා තිබෙනවා. මෙකන් වෙලා තිබෙන්නේ එද-18 වැනි ද-උදේ 4 ටයි. අනෙක් වෙලා තිබෙන්නේ එද උදේ 4 ටයි. It is the same thing, Sir. I do not know whether the Hon. Prime Minister says that they are two different things. It is the same thing. On the face of it, it is the same thing.

මට තව එකක් පෙන්වන්න පුළුවන්. අර මිනි මැරුම ගැන සඳහන් කළේ තැනැ කියා මේ ස්ථානයේදී ප්‍රකාශ කර තිබුණා. ඒක ප්‍රකාශ වෙලා තිබෙනවාය කියා මම හිතනවා, මේ යෝජනාවේ.

In the Motion it is stated in paragraph 9 :

"As Jayantha Rajapaksa, the suspect in the alleged shooting case, had not turned up by 3.15 p.m., Mr. Paul Perera left the Station giving an undertaking that he would be produced at the Gampaha Police Station by Mr. Dunstan de Alwis, Attorney-at-Law."

ඒ සම්බන්ධවම මේ ඡන්ද පෙත්සමේ 4 (ix) හි මේ විධියට සඳහන් වෙතො :

(ix)

ජයන්ත රාජපක්ෂ සහ 1 වන විගලන්තරකරුගේ පාධාර කරුවන් කීපදෙනෙකු විසින්, 1983.5.18 වන දින මල්වතු-නුරපිටිය ප්‍රධාන මාර්ගයේ වූන්විටියේ දි-

එහි සිටි ඡන්දදායකයින් කීපදෙනාගේ සිත් තුළ මිය ජනිත කරවීම සඳහා සහ ඔවුන් වෙත උත්තරජනය ඇති කිරීමෙන් ඡන්දය දීමෙන් වැළැක්වීම සඳහා, ජයන්ත රාජපක්ෂ විසින් දෙවරක් වෙඩි තැබීමෙන් ශ්‍රී ලංකා නිදහස් පක්ෂයේ ඡන්ද අපේක්ෂක විජය කුමාරණතුංග අසලින් ම සිටි ශ්‍රී.ල.නි.ප.යේ ආධාරකරුවකු වූ නිමල් ප්‍රේමසිරි මරණයට පත් කරන ලදී.

මේකම තිබෙනවා, [බාධා කිරීම] ඒ කියන්නේ එම ස්ථානයේදීම 'ඇලේජඩ් ජුට්' - [බාධා කිරීම]

So, what I want to submit to you is, there are allegations on both sides which are identical. One does not look into the Resolution and then draw up a petition. There may be little differences here and











two matters – two election petitions have been filed in the Courts. How can you omit or ignore them? I do not think we could ignore them. So, please go into these matters and give your Ruling.

නියෝජ්‍ය කථානායකතුමා

(பிரதீப சபாநாயகர் அவர்கள்)

(Mr. Deputy Speaker)

Order, please! Let me at the very outset thank all hon. Members for taking part in this Debate with regard to the points of Order raised.

The first point of Order was raised by the hon. Member for Kalawana (Mr. Sarath Muttetuwegama) where he requested me to act in terms of Standing Order 136 and reject this Motion. Then there were other points of Order raised requesting me to act under Standing Order 84 (vi) and various past decisions of this House.

Standing Orders, we know, are the law that governs the debates in this House. I shall confine myself to the interpretation of the Standing Order that are relevant to this matter. We have now before us a Motion duly proposed and seconded. As to how it is to be disposed of is a matter for this House.

When this Motion was first tendered under Standing Order 23 (3) all the requirements had been compiled with. There was no Standing Order or decision of this House that debarred this Motion from being placed on the Order Paper.

Notice was given and we have come here today to dispose of this Motion. To make a very long debate short, I must say that Standing Order 84 (vi) deals, and only deals, with material that transpires in debate.

The Motion is to appoint a Select Committee and the Hon. Minister of Parliamentary Affairs, who has moved the Motion has given the reasons for this in the Motion itself. All the facts he mentions in the Motion, I am sure, he has placed before this House with a due sense of responsibility. It is only if we debate those reasons that we will be confronted with this Standing Order 84 (vi) which deals with matters that are under adjudication by a court of law or on which a judicial decision is pending.

We have been given by the hon. Member for Attanagalla a copy of a petition alleged to have been filed in court. We accept his word that he has been given this copy by some interested party and that it is a genuine document.

What we have been debating all this time are the two points of Order that have been raised. There is nothing in the Standing Orders specifically preventing

any Motion which is even *subjudice* being placed on the Order Paper. That is the lacuna the hon. Member for Matugama referred to. It is not an omission. This House should be concerned about cases filed in courts when they are referred to in the course of debate. Nothing is found in the Standing Orders to suggest that a Motion cannot refer to any matter that is before court. At the time this Motion was placed on the Order Paper there was nothing before court which referred to any matter which had been mentioned in the Motion. To make myself clear, only Standing Order 23 (3) guides us with regard to Motions that can be brought up in this House; it reads:

"All Motions of which notice has been received by the Secretary-General, shall, unless Mr. Speaker rules the Motion out of order, be included in the Order Book".

The grounds on which a Motion can be ruled out by the Speaker are not spelt out in the Standing Orders. The Speaker exercises his discretion in doing so.

*Sub judice* matters are specifically referred to only in Standing Orders 31 and 84 and apply in relation to questions to be asked in Parliament and when Members speak in Parliament. Standing Order 84 (vi) does not apply to a Motion before the stage of discussion or debate is reached. The only stage at which matters *subjudice* cannot be referred to is when the actual debate takes place. That is why Standing Order 84 starts by saying that –

"In speaking to any proposition under consideration of Parliament the following rules shall be strictly observed."

The rules for Members speaking in Parliament are all stated in Standing Order 84. The Motion itself is not invalidated by the prohibition in Standing Order 84 (vi).

Now, we have heard at length arguments to stop this debate and arguments to continue it.

This Motion is for the purpose of appointing a Select Committee. The reasons – the falsity or the truth of these reasons are not a matter for discussion – We need not go into. We have to accept them in the same way that we accept them when an hon. Member states that there is a case. We normally accept it as a true statement. What does the Motion say:

"...whereas if these tendencies to make provocative and irresponsible public statements,..."

Now, this is a generalization.

– "false complaints against opponents..."

It does not say who has made them and against whom they have been made. You have to accept that these instances have taken place. The Select Committee is being appointed to go into those facts. It further says:

"...false complaints against opponents and public officers, intimidation and assaults on voters..."







this particular instance, we have had a situation where there have been 18 by-elections ; not one by-election in Mahara but 18 by-elections held in different provinces of the country, in different parts of the country ; in the South, in the deep South in the Hambantota District in the Matara District, in the Galle District, In the Colombo District, in the Gampaha District, in the Ratnapura District and in the Kalutara District. If it is the intention of the Government to see from the experience of these 18 elections whether any change in the electoral law is necessary, how should it set about. Because the last part, the prayer as it were, of this Motion is—

“That the Committee shall—”

The Committee that is to appointed if this Motion is passed—

“have the power to fix its quorum ; have the power to summon any person to appear before it. . . . have the power to report from time to time and to sit notwithstanding any adjournment of Parliament.”

For what purpose, Sir ? It says that—

“this Parliament is of opinion that a Select Committee be appointed to inquire and report on the above allegations and to make general recommendations with regard to the changes necessary to be made to the law governing elections”.

Now, Sir, if that is the honest purpose of this Motion, how should the Government have set about it ? They could have said that there were 18 by-elections in 18 different electorates in the country, that complaints and counter complaints have been made, because not only in Mahara but in all 18 electorates complaints and counter complaints have been made by the contending parties that there are certain matters which the present election law does not cover, if there are such things, and that the government intends to appoint a Select Committee to go into all the elections, by-elections in all the 18 electorates, to see, from that experience of the 18 by-elections, whether the Government can formulate new election laws. Now, Sir, this is a very peculiar situation. Because we have under the present Constitution the new electoral process altogether for the future. That is the system of Proportional representation. These 18 by-elections are probaly among the last few elections which we held under the, now old “first past the post” system. We are now going into an era if the Government sticks by its present law where there will be elections held on a proportional representation basis. But even if that is so, the Government is certainly entitled to say, “Well, we want to see the experience of these 18 elections, because these are the elections that have been held after a long time—maybe even the Presidential Election, the Referendum, and all these thing—and see whether new laws should be framed, whether any gaps in the law should be filled, whether any lacuna

should be closed. But what has the Government done instead ? If the Government has honestly brought such a Resolution we might have been able to agree with the Government. We would have said yes. If the Government had said, “There are 18 electorates where elections were held. There have been complaints, counter compaints and various instances which have been brought to the notice of this House. Therefore, we want to go into all this by appointing a Select Committee,” we would have participated and made our representations on what changes should be there. But what is this ? It seems as if the spectre of Wijaya Kumaranatunga is haunting this Government, because this is entirely a Wijaya Kumaranatunga Select Committee, only a Mahara election Select Committee, and only a one-sided Select Committee. Surely, Sir, in the Mahara electorate alone can anybody tell us how many complaints have been made against the supporters of the United National Party candidate ? Can the Hon. Prime Minister tell us how many complaints have been made against the candidate of United National Party and its supporters ?

ஈர். ப்ரேமடாசா (ஈஸ்தாபனாது, பல்வக வரண, திவாச வ லுக்கிரி ஈஸ்தாபனா, மையார்வ கபலுது பிபிவ ஈஸ்தாபனா வ பார்லிமேன்துவீ வணாசகனது)

(திரு. ஆர். பிரேமடாசா—பிரதம அமைச்சரும் உன்னதராத், விடமையு, நிர்மான அமைச்சரும் தென்னாங்கைகள் அமைச்சரும், பாராளுமன்றச் சபை முத்தவரும்)

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

You should have given notice.

வரன் இக்கேடுவெம மணா

(திரு. சரத் முத்தவட்டுவெகம)

(Mr. Sarath Muttetuwegama)

No, no ; what is there to give notice ? You are coming for a debate. I have never seen a better research department than the Prime Minister. If he wants within two minutes he will get down various books and records and all these things. When he does not want to answer, he asks for notice.

ஈர். ப்ரேமடாசா மணா

(திரு. ஆர். பிரேமடாசா)

(Mr. R. Premadasa)

I must thank him for his compliment. But it is by the way. The point is this. Hon. Member, if you want to know certain details, please give notice to me because we have to ascertain them from the departments concerned. And also I can give you this assurance. That the government intends to appoint a Select Committee to go into the election law as such.

வரன் இக்கேடுவெம மணா

(திரு. சரத் முத்தவட்டுவெகம)

(Mr. Sarath Muttetuwegama)

We will discuss that when that Motion comes up.



கா. ப்ரேமடாசா மஹா

(திரு. ஆர். பிரேமடாசா)

(Mr. R. Premadasa)

No, no; you asked me and I replied for your benefit.

சரத் முத்தேவகம

(திரு. சரத் முத்தேவகம)

(Mr. Sarath Muttetuwegama)

There is a Select Committee that is to be appointed on specific terms of reference, and what does it show? It shows that everything that is evil, everything that is bad, everything that is corrupt, and everything that is illegal has been done by the supporters of Wijaya Kumaranatunga in Mahara, whereas nothing has been done by the supporters of the UNP. I do not want to go into the incidents that have happened about which there are cases, as your ruling is that. But surely, we know, the Government knows, the country knows, and above all, Mahara knows, the people of Mahara know that there were incidents on both sides. It is natural, it is normal, it happens in an election. So that, even in regard to the specific electorate of Mahara, this is a one-side Motion, and I do not know really what has come on this Government? Why are you so worried about it? There were seventeen other elections, four of which were won by anti-UNP candidates. Nothing has been moved about them. Mahara!

I heard a story – there was, of course, this business at Mahara – this candidate Vijaya Kumaranatunga was going to act in a film as Jesus Christ, to play the role of Jesus Christ. One of the leaders of our country had asked, “What are you going to do about Mahara?” The leader had said, “Well, I have placed Jesus Christ in the hands of St. Paul and St. Mathew.”

சிரில் மதேவ் (கட்சித் தலைவர் கமிட்டி உறுப்பினர்)

(திரு. சிரில் மதேவ்—கைத்தொழில், விஞ்ஞான அலுவல் உள்ள அமைச்சர்)

(Mr. Cyril Mathew—Minister of Industries & Scientific Affairs)

He is in good hands. You can be assured of that.

சரத் முத்தேவகம

(திரு. சரத் முத்தேவகம)

(Mr. Sarath Muttetuwegama)

Yes, in very good hands. He was in good hands. So, that is the position. that is one aspect of the matter which I want to say.

This is a one-sided Motion, this is confined to 1/18th of the area in which there were elections, and, therefore, this is not genuinely an effort to search for ways and means in which the election laws should be changed. That is one.

Second, there is the other point which I made in the point of Order debate. I do not want to take too much time on this matter, for it is the same thing.

What I say is, if the Hon. Prime Minister said at the end of this Motion that it is to inquire into allegations, that can be understood. I do not know whether I can impress upon him and upon this House that the framing of this Motion, the wording of this Motion is not on that basis. It is not on that basis that allegations have been made. It is on the basis that these things have happened, that they are true, that they are presumed to be true, and that is the entire basis of this Motion, that is the rationale of this Motion, and that is why I say it is a very, very dangerous precedent we are starting. What is going to happen when areas which are within the functions of the Court, which are within the purview of the Court are being taken away from them and handed over to this Parliament to inquire and report?

Sir, I want to tell you another thing. In the case of election petitions under the 1970 Amendment, it is open to anybody to file an election petition not necessarily against the winning candidate. If any of the losing candidates have committed any corrupt practice or illegal practice, it is open to the side that won the election to file an election petition against the man who lost the election, prove the charges, and have him disqualified for seven years. That is a very important matter. Under the 1970 Amendment to the Elections Order in Council, it is possible for anybody, for Mr. Kamalawarna Jayakody if he wants, or any other supporter of his in the Mahara Electorate, to file a case against Vijaya Kumaranatunga to prove that he committed corrupt practices and illegal practices and have him disqualified for seven years. Instead of that, which is something that is open to them, –I do not know whether it is instead of or in addition to, because, I do not know whether such a petition has been filed. I presume it is instead, because today is the last day for election petitions.

Select Committee seems to be the panacea for all other evils—for Judges—(Interruption)—not to talk about them? All right. We will not talk about it, because the Select Committee is sitting. For anything you appoint a Select Committee. That is why I say that I oppose this, that I stayed in this House in spite of the fact that the Members of the Sri Lanka Freedom Party decided to walk out – I do not know why – because by this we are entering a very very dangerous area. We all are people who are involved in elections, we are partisan people. We are people who have to take the verdict at the hustings. We lose, we win, this happens to all of us. This has happened practically to all of us in this House. There are occasions when we have won elections, there are occasions when we have lost elections. Sometimes we have had to go to Court after elections. We have gone to Courts and we have taken the verdict of those Courts.



What are you doing now instead of going there when you have the opportunity? Even against the losing candidate you are using your steam-roller majority in this House. Because when Select Committees are appointed, they will proportionally reflect the political situation in this House and therefore your Select Committee will have a preponderance of members of your party. Your Party contested Mr. Wijaya Kumaranatunga. You won the election by 45 votes. In racing terms you won it "by a neck". In that situation for this House to convert itself into an assembly which is going to judge the wrong doings of the loser and propose laws also is not a thing that is in the best interests of the parliamentary process of this country. I do not want to refer to things which I have referred to many times in this House. What I say is, this is a continuance of a trend which has gone on for the last two or three years. I say it only to mark my protest on this matter.

There was the Kalawana by-election. We had the most curious situation where a by-election was held when a Member for Kalawana was sitting in this House, where you brought a resolution; where the Government brought a resolution to make Kalawana suddenly into a multi-member seat; where the Supreme Court said hold a referendum if you want to do it; where you knew that it was going to be suicidal to hold that referendum and where you got the Member who was sitting here under a Ruling of the Speaker to resign from a seat which I say he never legally held.

Then Sir, at the DDC elections in Jaffna - How many? I forget the number now. (Interruption.) - Seven ballot boxes are still missing. One ballot box turned up at the Subash Cafe, a hotel. After that we have had election after election.

மன்றத்தினர்  
(அங்கத்தவர் ஒருவர்)

(A Member)  
What happened?

மன்றத்தினர்  
(திரு. சரத் முத்தேவகம)

(Mr. Sarath Muttetuwegama)

That is what I am going to say. You won the Referendum in Kalawana. Everybody knows it. I take all those verdicts.

மன்றத்தினர்  
(அங்கத்தவர் ஒருவர்)

(A Member)  
Why do you not resign?

மன்றத்தினர்  
(திரு. சரத் முத்தேவகம)

(Mr. Sarath Muttetuwegama)

Why should I resign? The people of Kalawana voted to extend the life of this Parliament with the Member for Kalawana also in it. Why should I

resign? I told this House on an earlier occasion that their speakers used to go to distant, remote villages in the Kalawana Electorate and say "if you want to keep this man Sarath Muttetuwegama as the Member for Parliament vote for "சரத்", and he will be there"

That is beside the point. What happened at the Referendum? Mr. Hector Kobbekaduwa who was the Presidential candidate went to vote and found his vote had been cast.

மன்றத்தினர்  
(அங்கத்தவர் ஒருவர்)

(A Member)

By whom?

மன்றத்தினர்  
(திரு. சரத் முத்தேவகம)

(Mr. Sarath Muttetuwegama)

I will tell you. I know the man. I do not want to mention his name here under the privileges of the House.

மன்றத்தினர்  
(அங்கத்தவர் ஒருவர்)

(A Member)

Members of your Party.

மன்றத்தினர்  
(திரு. சரத் முத்தேவகம)

(Mr. Sarath Muttetuwegama)

Members of our party? Sometimes I feel that it is the District Minister for Colombo. Then Sir, the Municipal election was even worse. Of all people whose votes were cast, not like Mr. Hector Kobbekaduwa because Mr. Kobbekaduwa is alive and people might have thought that it was he who came to vote. This time no less a person than Mr. Upali Wijewardene whose disappearance was world news, also voted. Some man had the temerity, not the temerity, I say the strength that comes from the fact that the powers that be are behind it, to say "I want to vote, I am Mr. Upali Wijewardena" Then, Sir the SLFP agent got up and said: "this is not Upali Wejewardene". Then the UNP polling agent at the Ladies' College booth said, "just shut up man. Even if it was Upali Wijewardene, he would have voted for us". Then Sir, the Presiding Officer, I say the Presiding Officer allowed that man to vote under the name of Upali Wijewardene. On an earlier occasion....

மன்றத்தினர்  
(அங்கத்தவர் ஒருவர்)

(A Member)

Were you there?

மன்றத்தினர்  
(திரு. சரத் முத்தேவகம)

(Mr. Sarath Muttetuwegama)

If I was there, I would not have allowed.



ஈர். ப்ரேமடாசா மஹா  
(திரு. ஆர். பிரேமதாசா)  
(Mr. R. Premadasa)

Unless you want to impersonate.

சிரில் மாதேவ் மஹா  
(திரு. சிநில் மட்தேவ்)  
(Mr. Cyril Mathew)

Then that would have been noted down.

ஈரன் இன்னைப்புவேளை மஹா  
(திரு. சாரத் முத்தேட்டுவேகம)  
(Mr. Sarath Muttetuwegama)

That was his complaint. Surely, Sir, the Minister of Industries and Scientific Affairs knows that some people are frightened to do their duty. I asked the Hon. Prime Minister on an earlier occasion to table in this House the confidential reports made by Presiding Officers.

ரனில் விக்கிரமசிங்ஹை மஹா  
(திரு. ரனில் விக்கிரமசிங்ஹை)  
(Mr. Ranil Wickremasinghe)

Mr. Upali Wijewardena was not a voter at the Ladies' College booth.

ஈரன் இன்னைப்புவேளை மஹா  
(திரு. சாரத் முத்தேட்டுவேகம)  
(Mr. Sarath Muttetuwegama)

Or some booth there.

ஈர். ப்ரேமடாசா மஹா  
(திரு. ஆர். பிரேமதாசா)  
(Mr. R. Premadasa)

The hon. Member for Kalawana just now referred to me and said that he requested me to table the records made at polling booths.

ஈரன் இன்னைப்புவேளை மஹா  
(திரு. சாரத் முத்தேட்டுவேகம)  
(Mr. Sarath Muttetuwegama)

Sent by Presiding Officers at the Referendum sent to the Commissioner of Elections.

ஈர். ப்ரேமடாசா மஹா  
(திரு. ஆர். பிரேமதாசா)  
(Mr. R. Premadasa)

These are privileged documents which you know very well how you can obtain. You have to make an application to Court and the judge will have to make a ruling whether to make it available or not. This law is very well known to you. Why are you just trying to mislead this House ?

ஈரன் இன்னைப்புவேளை மஹா  
(திரு. சாரத் முத்தேட்டுவேகம)  
(Mr. Sarath Muttetuwegama)

There is no law in the country.

ஈர். ப்ரேமடாசா மஹா  
(திரு. ஆர். பிரேமதாசா)  
(Mr. R. Premadasa)

Do you think I can bring these documents here including ballot boxes and throw open these things here without a Court order ? Ridiculous.

ஈரன் இன்னைப்புவேளை மஹா  
(திரு. சாரத் முத்தேட்டுவேகம)  
(Mr. Sarath Muttetuwegama)

Did I ask you to bring ballot boxes and throw them open here ?

ஈர். ப்ரேமடாசா மஹா  
(திரு. ஆர். பிரேமதாசா)  
(Mr. R. Premadasa)

Surely, it is something similar to that. You are asking about records, minutes and confidential reports.

ஈரன் இன்னைப்புவேளை மஹா  
(திரு. சாரத் முத்தேட்டுவேகம)  
(Mr. Sarath Muttetuwegama)

The Hon. Prime Minister is a past master at diverting the argument that is going on to some channel he wants it to be diverted to.

மன்றத்தினர்  
(அங்கத்தவர் ஒருவர்)  
(A Member)

Are you jealous of that ?

ஈரன் இன்னைப்புவேளை மஹா  
(திரு. சாரத் முத்தேட்டுவேகம)  
(Mr. Sarath Muttetuwegama)

No, I admire it ; as a debator I admire it. The point is this. I never asked him to bring ballot boxes and fling them open here. I asked him to something quite different - not to go to Courts and get orders ; - to table here the reports of the Presiding Officers sent to the Commissioner of Elections who is the head of the department for that purpose.

ஈர். ப்ரேமடாசா மஹா  
(திரு. ஆர். பிரேமதாசா)  
(Mr. R. Premadasa)

What are you insinuating ? Are you insinuating that these confidential documents are available to Government ? Is it proper I am asking ? Even if I am asked to do, I will not do it, because the Commissioner of Elections must possess these things. If any applications are made to Court he will have to produce them, not otherwise, not even to the Executives.

ஈரன் இன்னைப்புவேளை மஹா  
(திரு. சாரத் முத்தேட்டுவேகம)  
(Mr. Sarath Muttetuwegama)

In his own interest it will be better that he does not produce them.



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

We have nothing to do with the elections.

ஈ. சரத் முத்தேவகம  
(திரு. சரத் முத்தேவகம)  
(Mr. Sarath Muttetuwegama)

That is the position. That is why I say I am not using the word in a derogatory sense. This is a hypocritical motion; because if you want to change the laws, you must encompass all the elections that were held at least in the 18 by-elections. Take all the complaints made by both sides – complaints to Police, complaints to various people by both sides and see whether in that context there is any need for any new changes in the law. That is something that we can support. But, to bring this motion in respect of one electorate to choose one candidate and try to pass this Motion here which will have wide ranging effects on all sorts of institutions, is in my view a deliberate attempt to divert the attention to what transpired in some other proceedings.

Therefore, Sir, the least the Government can do is to get up and have the grace to say, all right, you say that an election petition has been filed; you say that other cases have been filed by Mr. Jayakody against Vijaya Kumaranatunga, if that is the position, we will let this motion be laid by and take it up at an appropriate moment when all these things are finished. Then we might be able to support the Government. But, if you are trying to steam-roller this motion through, all I can now say is that I am very sorry, as far as we are concerned, we cannot support his Motion.

ஈ. அமிர்தலிங்கம்  
(திரு. ஏ. அமிர்தலிங்கம்—எதிர்க்கட்சி முதுவர்)  
(Mr. A. Amirthalingam—Leader of the Opposition)

Mr. Deputy Speaker, the various points of order with regard to this Motion have been debated for nearly three hours and you have given your Ruling and we accept your Ruling. In fact, I feel sorry, Sir, that you were not in that Chair when I sought to move my Motion in 1981. If Daniel had come to judgment at that time, I would have been allowed to move my Motion and say what I had to say.

ஈ. சிவசிதம்பரம்  
(திரு. எம். சிவசிதம்பரம்)  
(Mr. M. Sivasithamparam)

He would have said a few things !

ஈ. அமிர்தலிங்கம்  
(திரு. ஏ. அமிர்தலிங்கம்)  
(Mr. A. Amirthalingam)

Anyhow, Sir, we accept your Ruling on the matter and we proceed to debate this Motion.

The by-election to the Mahara Constituency was held under the Ceylon Parliamentary Elections Order in Council of 1946, Chapter 381 of the Legislative Enactments. Eight General Elections have been held under the Parliamentary Elections Order in Council, and several hundreds of by-elections have also been held under the same law. I should say that this is the first time that a Motion of this type to set up a Select Committee to go into the conduct of any candidate, whether winner or loser, has been moved in this honourable House. I think this shows, as the hon. Member for Kalawana (Mr. Sarath Muttetuwegama) pointed out, a very dangerous trend in the development of parliamentary procedure and an encroachment into the judicial sphere.

Sir, the Parliamentary Elections Order in Council has laid down specific provisions for dealing with any violations of the election law, any corrupt or illegal practice committed in the course of the conduct of elections. That applies not only to the winning candidate but even to the losing candidate.

Actually the procedure where you want to proceed against the losing candidate is simpler than that against the winning candidate. Under Section 58(b) of the Parliamentary Elections Order in Council “where a corrupt practice is committed in connection with any election under this order by any candidate who was not elected as a member at the election or with his knowledge or consent or by any of his agents, such candidate shall on conviction by a District Court be liable, in the case of an offence of impersonation, to imprisonment” and it goes on like that. So, in the case of a losing candidate the procedure that is laid down is that you file a prosecution against him and if he is convicted by a District Court of a corrupt practice he is disqualified for seven years and various other consequences flow.

In the case of the winning candidate, there are specific provisions in the law. Under Section 78 the court which has the power to try the election petition is prescribed, the venue of the trial of that case is set down and who is qualified to present a petition is stated. Under Section 79 it is said that he should be either a voter or a candidate. then the contents of the petition, what are the facts that the petition should disclose—all these are laid down in the law.

In fact, Sir, I know this from personal experience because in 1970 I myself filed an election petition—or at least one of my supporters filed an election petition on what our lawyers had advised us was a fool-proof case, but it got knocked off on a technical point relating to the furnishing of particulars to the winning candidate. Since full particulars as required by the law were not furnished, on a preliminary objection the case



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was thrown out. These are provisions of the law, and any candidate, whether winner or loser, is entitled to avail himself of the benefit of those provisions of the law. As a senior practitioner, Mr. Deputy Speaker, you know that election petition proceedings are very cumbersome affairs and involve a great volume of evidence and lengthy arguments on questions of law.

What is sought to be done by this Motion is to set up a Select Committee. It is to convert a Select Committee of this House into a forum to try certain allegations and certain charges against the losing candidate. As appears from the Motion, there are ten grounds which have been specifically urged, and the eleventh refers to 36 complaints of assault, intimidation and harassment of voters and supporters of the UNP.

We who have appeared in election petitions know the volume of evidence in an election case. For instance, on a charge of intimidation, a great volume of evidence has to be led. I had the misfortune to appear with the late Mr. Tiruchelvam, Queen's Counsel, in an election petition in Batticaloa. I think it was the Paddirippu election petition case, and I was in charge of leading the evidence. It took me three weeks, sitting day after day, to deal with the charges of general intimidation, and thereafter to sum up the evidence and to make submissions on the law it took another week on that one charge alone.

Is this House going to set up a Select Committee that will convert itself into a tribunal, sitting and hearing evidence of witnesses relating to the various allegations? Will cross-examination of witnesses take place and will there be opportunity for evidence in rebuttal? If that is the case, is not this House seeking to arrogate to itself functions which have been specifically assigned by the election law to certain judicial tribunals? I think the House is stultifying in itself in proceeding with this Motion.

I know that on the day this Motion was introduced it served a certain purpose. It prevented the members of the SLFP from coming out with various things they may have wanted to say during the Debate on the Emergency, especially relating to what happened in this particular constituency on the day of the elections and the day prior to the elections. that purpose was served. The best thing for the Government to do now is to gracefully drop this Motion, which is, on all principles, to be condemned and rejected by everybody who values the fundamental principles of the Constitution, the principle of the separation of powers, the principle whereby certain functions are assigned to specific institutions. The functions of Parliament are defined, the functions of the Executive are defined, and the functions of the Judiciary are specifically laid down. Our election law specifically states how and by whom offences relating to elections shall be tried. If

you allow this procedure to go on, tomorrow another Government may come in and say, when certain Opposition Members have been elected, that a Select Committee be appointed to go into the validity of the election of those Opposition Members. And the Select Committee, as the hon. Member for Kalawana pointed out, will have a majority of Members of the majority party. That majority party in effect will want to try and pass judgments on the validity of the election of the minority members. This will become a precedent for that sort of action in the future. Here you are going into the conduct of the election of an Opposition party member who lost. Tomorrow you can invoke the same procedure to contest the validity of an election when an Opposition party member won the election. You will set at nought the entire provisions of the Parliamentary Elections Order in Council relating to election petitions by invalidating or declaring to be null and void certain elections.

So, I would appeal to the Government: this is a very very dangerous precedent and they should not go ahead with it. The Select Committee has neither the infrastructure nor the evidentiary procedure to ensure a proper hearing of these matters. Incidents of violence which require the calling of witnesses and the taking of affidavits by their very nature require a judicial process, and either the courts of law, or if it was thought that the courts of law may not be able to do it in certain matters, commissions of inquiry have been appointed. But to ask that it be done by a Select Committee of the House without any judicial training, without any background knowledge of the degree of proof and the various niceties which you as a senior lawyer will be only too familiar with, Mr. Deputy Speaker, I think will be to just enable the majority in Parliament to destroy the Opposition, to destroy the minority altogether, using the procedure, the method of appointing Select Committees to go into various matters.

Sir, we are not concerned, and in fact that is why we did not want to participate in the discussion on the points of order that were raised. But on principle my party is opposed to this Motion, and we shall not participate in the Select Committee that is sought to be set up. That is all I want to say.

අසෝක බඩලිවි, සෝමරත්න මහතා (රත්ගම)  
(திரு. அசோக டபிள்யூ. சோமரத்ன—ரத்தகம)  
(Mr. Asoka W. Somaratne-Rathgama)

ගරු නියෝජ්‍ය කථානායකතුමනි, මහර අතුරු මැතිවරණය පිළිබඳව විශේෂ කරක සභාවක් පත් කිරීමේ යෝජනාවේ අත්කරගත අවස්ථාවක් 13 ක් තිබෙනවා. ඒ අවස්ථාවක් 13 සඳහන් කර තිබෙනවා. මේ අවස්ථාවක් 13 මහර දී පමණක් නොවෙයි. අනාගතයේ ඕනෑම මැතිවරණයකදී, ඕනෑම ආසනයකදී උද්ගත වෙන්න පුළුවන්. පළමුවැනි අවස්ථාව මම පොඩ්ඩක් කියවන්න කැමතියි. ඒකේ සත්‍ය අසත්‍යතාව ගැන නොවෙයි මම කථා කරන්නේ.

"(1) තාම යෝජනා භාර දුන් දිනයෙන් ආරම්භව, ශ්‍රී ලංකා නිදහස් පක්ෂයේ ඡන්දපේක්ෂකයා..."



නියෝජ්‍ය කථානායකතුමා

(*பிரதிச் சபாநாயகர் அவர்கள்*)

(Mr. Deputy Speaker)

I think you agreed not to refer to any of these incidents.

අයෝක ධබලිච්චි. සෝමරත්න මහතා

(*சுரு. அசோக டபிள்யூ. சோமரத்ன*)

(Mr. Asoka W. Somaratne)

හොදයි. ගරු නියෝජ්‍ය කථානායකතුමා, මම මෙහෙම තර්කය ඉදිරිපත් කරන්නම් මේක ඇත්ත සිද්ධියක් නොවුණත් වෛද්‍යික අවස්ථාවක්—තර්ජන සහ පරිහච ඇතුළත් ප්‍රකෝපකාරී ප්‍රකාශ කිරීමක්—උදගත වුණේ—අද අපේ රටේ තිබෙන තීරිය දිහා බැලුවාම, මේ අවස්ථාව 1981 අංක 1 දරන පාර්ලිමේන්තු මැතිවරණ පනතේ 79 (1) වගන්තිය යටතේ ‘අයථා බලපෑම්’ යටතේ යන නීතියට අයත් වන බව පැහැදිලිව පෙනෙනවා. ඒ වාගේම තුන්වැනි අවස්ථාව බැලුවොත් එවැනි තත්ත්වයක් ඇති වෙනවා. ඒ අවස්ථාව කියා තිබෙන්නේ මෙහෙමයි. මම එහි තිබෙන නම් සඳහන් කරන්නේ තැනිව් වෙතත් නම් සඳහන් කරන්නම්. රෙජි රණතුංග කියා තමන් තිබෙනවා. මම ඒ වෙනුවට වෙන තමක් එකතු කරනවා. ඒ වෙනුවට අපි ‘අ’ කියන මනුෂ්‍යයා ගනිමු. ‘අ’ නමැති තවත් මනුෂ්‍යයෙකුට මේ ‘අ’ කියන මනුෂ්‍යයා පිස්තෝලයක් අරගෙන ගිහින් පෙන්න බය ගැනනුවොත් ජන්දය දීමෙන් වැලැක්වුවොත්, ජන්දයට යෑම වැලැක්වුවොත් එහෙම නම් ඒකත් 79 (1) වගන්තිය යටතට එනවා. මම ඉදිරිපත් කරන තර්කය මේකයි. 79 (1) වගන්තිය යටතේ යම්කිසි ක්‍රියාවක් කරන්න ඕනෑ ඒ වගන්තියේ ආවරණය ලබා ගන්න. එහෙම තැන්නම් ඒ ක්‍රියාව ඔහු වෙනුවෙන් වෙත කෙනෙක් කළොත් පමණයි 79 (1) වගන්තිය යටතට අයත් වෙන්නේ. මම එය තවදුරටත් පහද දෙන්නම්. මම ඒ වගන්තිය කියවන්නම්. මා ලඟ තිබෙන්නේ ඉංග්‍රීසි පිටපතක්. එහි තිබෙන්නේ මෙහෙමයි:

“Every person who directly or indirectly, by himself or by any other person on his behalf, makes use of or threatens to make use of any force, violence, or restraint, or inflicts or threatens to inflict, by himself or by any other person, any temporal or spiritual injury, damage, harm, or loss upon or against any person in order to induce or compel such person to vote or refrain from voting, or on account of such person having voted. . . .”

කෙටියෙන් කියනවා නම් ගරු නියෝජ්‍ය කථානායකතුමා, මම ඉදිරිපත් කරන තර්කය මේකී. මම ජන්ද අපේක්ෂකයෙක් නම්, මම පිස්තෝලයක් අරගෙන යම්කිසි පුද්ගලයෙකුට ජන්දයට යෑමට බාධා වන පිළිවෙලට තර්ජනයක් කළොත් මේ නීතියේ ආවරණය යටතේ අයථා බලපෑමක් කළාය කියන එකට මම අහු වෙනවා. ඒ වාගේම මේ නීතියේ සඳහන් කර තිබෙන අන්දමට මා වෙනුවෙන් වෙතත් පුද්ගලයෙක් පිස්තෝලයක් අරගෙන, එහෙම තැනිතම් ඒ මනුෂ්‍යයාට මම දීපු පිස්තෝලයක්, අරගෙන ගිහින් මා වෙනුවෙන් එවැනි වැරද්දක් කළොත් නැවත වරක් ගරු නියෝජ්‍ය කථානායකතුමා, අර 79 (1) වගන්තියට යටත් වෙනවා. නමුත් අපි කවුරුත් දන්නවා මේ රටේ ජන්දයක් පැවැත්වෙන අවස්ථාවකදී නොයෙක් විධියේ අක්‍රමිකතා සිදුවන බව. මිනිසුන් හය ගත්වනවා. මම නොවෙයි ඒකට උපකාර කර තිබෙන්නේ. මම කරන්නේ තැහැ ඒක. මම ඒක මා වෙනුවෙන් කරවන්නේ තැහැ. මම දන්නවා ඒක සිද්ධි වන බව. මම දන්නවා ඒ සිද්ධිය නිසා යම්කිසි කෙනෙකුට හමුත්තේ ජන්දය පාවිච්චි කරන්නට බාධාවක් සිද්ධි වන බව. නමුත් ගරු නියෝජ්‍ය කථානායකතුමා, කවදවත් තමන්ගේ දුනුම ඇතුළු වන සිද්ධියක් මේ නීතිය යටතේ ආවරණය නොවන බවයි මම ඉදිරිපත් කරන තර්කය.

ගරු නියෝජ්‍ය කථානායකතුමා, ඔබතුමා මට කියනවා, මේ යෝජනාවට අදාළ කරුණු ගැන කථා කරන්න එපාය කියා. නමුත් මේ යෝජනාව දක්නාම ඉතා පැහැදිලියි. මගේ මිත්‍ර උගත් කලවාන මත්තීතුමා කීවා, මේක අවස්ථාවන් 13 ක් නොවෙයි, මේක සත්‍යයක්ය කියා විශ්වාස කර ඉදිරිපත් කර තිබෙන බව. අපි උසාවියට ගියාම අපට පෙනෙනවා වෝදනා පත්‍රයක් වූදිනෙකුට දෙන්නේ ඒ අන්දමට

බව. එහෙත් එයින් අපි විශ්වාස කරන්නේ තැහැ, එපමණකින්ම ඒ වෝදනා පත්‍රයේ සඳහන් කරුණු ඔප්පු වී ඉවරය කියා. එහෙම නම් ගරු නියෝජ්‍ය කථානායකතුමා, මම ඉදිරිපත් කරන ප්‍රධාන තර්කය මේකයි, පවත්නා නීතිය වෙනස් කළ යුතුද, එසේ නම් වෙනස් කළ යුතු කොයි ආකාරයකටද, මේ නීතියෙන් මේ ජන්දවලදී ප්‍රජාතන්ත්‍රවාදී ක්‍රමය ධාර්ථකව ගෙනයෑමට අපහසු වන කරුණු ඇති වෙනවාද තුද්ද කියන එක ගැන කල්පනා කරන්නට තුඩුදුන්නේ මේ අවස්ථාවත් තමයි. ඒ නිසා ඒක තීරණය කරන්නට මේ කරුණු අවශ්‍යයි. එය කරන්නට පුළුවන් වන්නේ මෙන්න මේ යෝජනාව ක්‍රියාත්මක වීම උඩයි කියන එකයි ගරු නියෝජ්‍ය කථානායකතුමා, මම ප්‍රකාශ කරන්නේ.

මම කැමතියි, මෙහි තවත් එක්තරා අවස්ථාවක් සඳහන් කරන්නට. මේ අවස්ථාවක් ගැන කථා නොකර තර්කයක් ඉදිරිපත් කිරීම ඉතාමත් අමාරු දෙයක්. නමුත් මම උත්සාහ කරන්නම් උදහරණයක්වත් නොගෙන 9 වැනි වෝදනාව ගැන කියන්නට. ඒ නඩුව සම්බන්ධව මම කථා කරන්නේ තැහැ. එහි සටහන් කර තිබෙන්නේ පෝල් පෙරේරා මහතා සම්බන්ධව එක්තරා වෝදනා වගයක් ඉදිරිපත් කළා කියන එකයි. පෙරේරා මහතා එක්සත් ජාතික පක්ෂයේ කෘත්‍යාධිකාරී සභාවේ සමාජිකයෙක්. එමෙන්ම මහ කොළඹ ආර්ථික කොමිෂන් සභාවේ සභාපති.

ගරු නියෝජ්‍ය කථානායකතුමා, මම හිතන්නේ මේක ගැන මට කථා කරන්න පුළුවන්ය කියලයි. මොකද, මම කල්පනා කරන හැටියට මෙය උසාවියකට ගෙනෙන්නට තීරියක් තැහැ. ඒ නිසා මම 9 වැනි නග ගැන කථා කරනවා. එය නීතියක් යටතේ උසාවියකට ඉදිරිපත් කරන්න බැහැ. මොකද 9 ක් කියන්නේ? පෝල් පෙරේරා මහත්මයා පොලීසිය ඇතුළු සිටින විට මහර ජන්ද අපේක්ෂකයා ඇවිත් 12.10 ට පමණ ජීම් බණ්ඩාරනායක කියන ඉන්ස්පෙක්ටර් මහත්මයාට පැමිණිල්ලක් කලාලු. පැය බාගයකට කලින් පෝල් පෙරේරා මහතා ඇවිත් ශ්‍රී ලංකා නිදහස් පක්ෂයේ කාර්යාලයකට පහර දුන්නා, ඒ අනුව සාමය කඩ කලා කියා. ඒ අනුව ඉන්ස්පෙක්ටර් මහත්මයා කළ සටහනක් වගාම පොලීසිය ඇතුළට ගෙන ගොස් පෙන්නුවාලු. පෝල් පෙරේරා මහත්මයා 11 ට පොලීසියට පැමිණි ගමන් ඒ වන විටත් පැමිණිල්ලක් ගැන කථා කරමින් සිටිනවාලු. ඒ විධියට එහි සඳහන් වී තිබෙනවා.

මොකක්ද මෙහි තිබෙන තත්ත්වය? යම්ගෙයකින් ඒ අවස්ථාවේ පෝල් පෙරේරා මහත්මයා හිරහාරයට ගන්නා නම්, ඔහුගෙන් මේ ජන්ද ගැන ප්‍රශ්න කලා නම්, එක්සත් ජාතික පක්ෂය වෙනුවෙන් වැඩ කරන්නට තිබුණු අවස්ථාව ඒ නිසා ඔහුට අහිමි වුණා නම්, එහෙමම ගරු නියෝජ්‍ය කථානායකතුමා, එය ප්‍රජාතන්ත්‍රවාදයට විරුද්ධ දෙයක්. මහර ජීවත්වන ජනතාවට අයිතියක් තිබෙනවා තමන්ගේ ජන්දය පාවිච්චි කරන්න ඕනෑ කාටද කියා ඕනෑම කෙනෙකුගෙන් කරුණු දැනගන්නට. පෝල් පෙරේරා මහත්මයාගෙන් වුණත් එය අසා ගන්නට පුළුවන්. ඒ අවස්ථාව ප්‍රජාතන්ත්‍රවාදයට වැදගත්. එහෙම නම් යම් කෙනෙක් පෝල් පෙරේරා මහත්මයාට විරුද්ධ වෝදනාවක් ඇති කර යම් කිසි විධියකින් මහර ජනතාවට ඒ මහත්මයාගෙන් දැනගන්නට අවශ්‍ය කරන කරුණු ඉදිරිපත් කරන්නට ඒ මහත්මයාට අවස්ථාව නොදෙනවා නම් මම කියන්නේ ගරු නියෝජ්‍ය කථානායකතුමා, මේ රටේ දැනට පවතින ජන්ද නීතිය යටතේ එවැනි අවස්ථාවක් සම්බන්ධයෙන් කිසිම ආවරණයක් නොමැති බවයි.

79 (i) වන වගන්තිය යටතේ එක කාරණයක් උඩ පමණයි—අයුතු බලපෑම් කියා සඳහන් කරන විට ජන්දය දීමට යෑම වැලැක්වීම, පෙළඹවීම යන කරුණු උඩ—ජන්ද දයකයෙකු වන පුද්ගලයෙකුට පමණක් බල පවත්වන නීතියක්ය කියන එකයි මම ඉදිරිපත් කරන තර්කය. ආවරණය වනවා ඇති සමහර විට ඉතාමත් දළ වශයෙන්. මෙන්න මේකයි මම කියන්නේ. කාරක සභාවක් සොයල බලන්න ඕනෑ මේ ජන්ද නීතියෙන් කොයි තරම් දුරට ප්‍රජාතන්ත්‍රවාදය ආරක්ෂා වනවාද නොවනවාද කියා. එය ආරක්ෂා නොවනා නම් මේ යෝජනාවේ කියා තිබෙන හැටියට සොයා බලා ප්‍රජාතන්ත්‍රවාදයේ ප්‍රතිපත්තිවල විවිධාකම අඩු වෙනවා නම් මේ නීතිය වෙනස් කරන්න ඕනෑ.







exercise, that the 1978 Constitution has abridged the powers of the Parliament; that the Parliament should be and is sovereign, but with the separation of powers brought in the powers of the Parliament have been abridged. But today they come and tell us that the Parliament has no power to appoint a Select Committee like this! I am not going on the question of whether the matters mentioned in this Motion have to do with the petition before Court or otherwise, but I am addressing myself to this fundamental question of what the power of this Parliament is to address its mind to matters like this.

I would like to draw the attention of the House to some of the fundamental statutory provisions which many people fail to cite. Article 3 quite clear:

"In the Republic of Sri Lanka sovereignty is in the People and is inalienable. Sovereignty includes the powers of government, fundamental rights and the franchise".

Now what are the powers of the Government? How are the powers of the Government exercised? They are exercised either by the Government coming into the House and passing Legislation, or by the executive powers, that is, by the President exercising the powers that have been given to him. The sovereignty of the people is inalienable, and so is the sovereignty of this House. Any powers that this House has ceded have been ceded under the Constitution by this House.

Now Sir, with regard to this particular Motion, the hon. Leader of the Opposition spoke about certain tendency. Now he is opposed to this tendency and said that one should not go into this matter. But one of the fundamental aspects of the exercise of our sovereignty is stated in Article 4(e):

(e) the franchise shall be exercisable at the election of the President of the Republic and of the Members of Parliament. . . . ."

Now this House cannot exist unless the franchise has been exercised. It has been exercised by the electoral process. One of the powers that this House has is to supervise the electoral process used by the franchise, how it is used and whether in its use certain abuses have crept in or not.

Now I would like to draw the attention of this House to this Motion. In fact, it is expressly declared that the crucial point about this Motion is, having inquired into certain matters stated, the basic purpose is to find out whether the democratic election process would be rendered valueless and of no meaning if those matters are not attended to. Sir, now this leads to the fundamental question of the franchise. If these matters that this Motion seeks to inquire into are allowed, if these procedures that are engaged in by various candidates are allowed to be proceeded with during the time of an election, then the franchise itself is being

abused, and because of its sovereignty this House has a fundamental right, when it is exercising its sovereignty to go into the question of the franchise.

Sir, the hon. Members of the Opposition cannot still grasp what powers this House has and that is why they go into this frenzy of opposition whenever the House tries to seize itself of a certain question. We are sovereign we can address our minds to various matters. Are we at any moment of time saying we cannot look into these matters? Now, this House can look into any of these matters provided it is not unconstitutional.

Now Sir, there is another provision in the Constitution that is quoted quite often. It was quoted and cited today. That is the question of the judicial power.

"The judicial power of the people shall be exercised by Parliament through courts, through tribunals and institutions created and established, or recognized, by the Constitution."

But what is important in this Constitutional provision created and established by law? In other words, this house can create judicial institutions by law. This House is not estopped from only allowing courts of law recognized by the Constitution or enumerated in the Constitution to exist. This house can create tribunals. This House can create institutions of law at any moment. (*Interruption*). I will get to that. This House has that power. The Constitution of course enunciates certain types of court which the Constitution creates, but by law we can create any number of courts, tribunals, institutions. Now if the House has that power certainly the house has the power to create a Select Committee which is a Committee of its members to go into these matters.

So what we are left with in dispute with the Leader of the Opposition's point of view is whether we can look into these matters. Now the point taken up by the hon. Leader of the Opposition was that these matters should ordinarily come up in an election petition. And what is the House doing with matters which in the ordinary course of events should only be taken up by an election petition? Sir, the election petition has as its objective the unseating of a Member of Parliament once elected. Or, when that election petition is presented against a losing candidate the ultimate result is to deprive that losing candidate of putting himself forward for election for a period of seven years or so. That is the reason or that is the expectation of an election petition, to unseat the winning candidate or to deprive the losing candidate of the right to seek re-election after a period of time. This Motion does not do that. With this Motion no candidate or the Member of Parliament for Mahara can be unseated. The losing candidate in the Mahara by-election cannot have a penalty imposed. This Motion seeks through the means



[හරිත්ව කොරො මහතා]

of a Select Committee to have these instances of abuse of the electoral process inquired into and a formula or suggestion from the Committee to be made to this House with regard to the stopping of these abuses. Now, Sir, what would happen ? let us take it that this Committee reports back to the house— I am not going to preach about what they are going to say about these incidents. The Select Committee may report back to this House that these incidents reveal that the election laws that we have in this country today lead to these abuses and that, new electoral laws should be promulgated ? They may in point of fact tell us what is needed. In any case that Report will be before us.

The hon. leader of the opposition himself acknowledged and in fact read out the Orders in Council and the Election Laws. The election laws, he knows, have been amended from time to time. I think it has been done after 1977 also ; this house has amended the elections laws. There is no reason why this House cannot amend the election laws again but what is the basis on which our election laws are to be amended ?

Let us say we appoint a Select Committee to go into question of election laws and the electoral process without these instances. Now, is not an hon. Member entitled at that point of time, when that Select Committee is sitting to say to that Select Committee " I want to give evidence." ? is he not entitled, as the hon. Member for Ratgama (Mr. Asoka Somaratne) mentioned in his speech certain instances that happened, to come before the Select Committee and mention those instances ? Is not the hon. Member for Mahara (Mr. Kamal Jayakody) entitled, supposing it was an ordinary Select Committee to go into the electoral process, to come before it and say that these things happened in Mahara ? Is he not entitled to do that ? Therefore this house has the power to appoint that type of Select Committee and the hon. members of this house have the right, as do the members of the public, to write to that Select Committee, to come before that Select Committee and say that in this instance, in this particular election, as a citizen of this country, as a voter of this country or even as a candidate, these are the things that took place and therefore that something has to be done ?

I think the Hon. Member of the opposition are really in a dilemma ; they cannot come and say that this House is all powerful because then they would have to admit that we have the right to appoint a Select Committee. If they say that this House is not all powerful then they are saying that the sovereignty of this House is not what it should be or what it was. So they do not know what to say. They take this question and say that you are doing something which has never been done before. Now that argument is ridiculous

because Parliament is not bound by what has happened in the past. A Parliament can never be bound by what has happened in he past.

I think that many lawyers are under the impression or they are trained to believe in precedents. The House of Lords made a decision in 1886. That is cited in a case in 1983 and sometimes a judge will say "Well, the 1886 case is binding and therefore we will follow that". A judge is not bound to do that neither is this House bound to follow the precedents of the past. Many years have gone by and new ground must be broken, but as long as it is within the ambit of the Constitution, within the powers given in the Consitution and the separation of powers doctrine, then this House has the power. I believe that is the real meaning of this Motion and the real meaning of the opposition to this Motion is based on what power this House has.

I think that the hon. member for Maharagama will say that this house is all powerful, this is a House that represents the people and therefore it is sovereign. He cannot therefore say that a Select Committee like this cannot be appointed because then we will be restricting the power that he wants this house to have, to exercise, to deal with the demands and interests of the people. Hence, I would say that the decision that is being taken today is a most wholesome and welcome decision because we have among other things defended the sovereignty of this Parliament, the right that we have as members of Parliament, to appoint a Select Committee, to serve in a Select Committee, to deal with matters which are fundamental to the future of this country.

I thank you.

එස්. ඩී. බණ්ඩාරනායක මහතා (ගම්පහ)  
(ශ්‍රී ලං. ආණ. දී., පණ්ඩාරනායක—කැඹුණ)  
(Mr. S. D. Bandaranayake—Gampaha)

ගරු නියෝජ්‍ය සභාපතිතුමනි, මේ යෝජනාව පිළිබඳව නීති ප්‍රශ්න රාශියක් මේ ගරු සභාවට ඉදිරිපත් කර තිබෙනවා. මෙම යෝජනාවේ දේශපාලන පැත්ත සම්බන්ධයෙන් කරුණු විකක් මේ ගරු සභාවට ඉදිරිපත් කරන්නට මා බලාපොරොත්තු වෙමිනි. අද රටේ උද්ගත වී තිබෙන තත්ත්වය ගැන යමක් කියන්න මා කැමතියි.

ගරු නියෝජ්‍ය සභාපතිතුමනි, උතුරේ පවතින තත්ත්වය මැඩලීම සඳහා රජය දැඩි පියවර ගැනීම ගැන මගේ සතුට ප්‍රකාශ කරමි. ගරු ජනාධිපතිතුමා ගත් මේ තීරණය මේ ගරු සභාවත් රටේ මුළු මහ ජනතාවත් අනුමත කරනවාට කිසි සැකයක් නැත. අද රටේ පවතින කලබලකාරී තත්ත්වයට හේතුව පක්ෂ දේශපාලනය බව කැවන වරක් මම සඳහන් කරන්නට සතුටු වෙමි. මේ මෑතක සිට ශ්‍රී ලංකා නිදහස් පක්ෂය තුළ ඉතා හයාතක අර්ථ තත්ත්වයක් වැඩිගෙන යයි. [බාධා කිරීමක්] ජන නමයි, නමුත්තාත්සේලා අසාගෙන සිටියොත්— If you just listen to my submission, you will know that all these are relevant to the Select Committee.

මැරවරයන් අතලොස්සක් අද පක්ෂ මූලස්ථානය අල්ලා ගෙන සිටියි. නමුත්තාත්සේලාගේ කොටින් ජ පැත්තේ. පක්ෂය තුළ ඇති මේ තත්ත්වයට කොමියුනිස්ට් පක්ෂය වගකිවයුතු බව පක්ෂ නායිකාව මේ මැතදී කීවාය. කොමියුනිස්ට්, සමසමාජ හා ජනතා විමුක්ති පෙරමුණ



වැනි පක්ෂ මාක්ස්-ලෙනින්වාදී පක්ෂ වෙයි. මේ පක්ෂවලට ඒ අනුව පැහැදිලි දේශපාලන ආකල්ප තිබේ. ඒවා හරි හෝ වැරදි හෝ ඒ පක්ෂ ඒ ආකල්ප අනුගමනය කරයි.

නමුත් අතින් අනට, දිවංගත අග්‍රාමාත්‍ය එස්. ඩබ්ලිව්. ආර්. ඩී. බණ්ඩාරනායක මැතිතුමා විසින් ආරම්භ කරන ලද ශ්‍රී ලංකා නිදහස් පක්ෂය විදේශ ප්‍රතිපත්තිය අතින් මහ බලවතුන් සම්බන්ධයෙන් තොබැදි ප්‍රතිපත්තියක් අනුගමනය කරන අතර පාර්ලිමේන්තු ප්‍රජාතන්ත්‍රවාදී සමාජවාදී සංකල්පය විශ්වාස කරයි.

එස්. ඩබ්ලිව්. ආර්. ඩී. බණ්ඩාරනායක මහතා විසින් 1951 සැප්තැම්බර් 2 වැනි දින ශ්‍රී ලංකා නිදහස් පක්ෂය ආරම්භ කරන ලද අවස්ථාවෙහි එහි සාමාජිකයින් 11 දෙනෙකුගෙන් සමන්විත මධ්‍යම කාරක සභාවේ ලාබාලම සාමාජිකයා වීමේ ගෞරවය මට අත්වූ බව ප්‍රීතියෙන් සඳහන් කරමි.

ශ්‍රී ලංකා නිදහස් පක්ෂයේ සිටින මේ මැරවරයින් අතලොස්ස අරඳින්නේ 1505 දී පාවා දුන් ආකාරයට විදේශ ජාතියකට රට පාවා දීමටයි. ශ්‍රී ලංකා නිදහස් පක්ෂයේ නායකත්වයට විරුද්ධව මා එල්ල කරන චෝදනාව මන්ත මිකයි. ශ්‍රී ලංකා නිදහස් පක්ෂයේ මේ මැරවරයින් කණ්ඩායම එක්සත් ජාතික පක්ෂයේ හා ශ්‍රී ලංකා නිදහස් පක්ෂයේ සිංහලයින් අතර උග්‍ර ක්‍රෝධයක් හෝ වෛරයක් ඇතිකර වන්නේ ඔත්ත ඔය හේතුව තිසයි. මේ සම්බන්ධයෙන් රජය කලයුතු වන්නේ උතුරේ ත්‍රස්තවාදීන් පුහුණු කර වන්නේ මොන විදේශ බලවතාද යන්න මේ රටේ ජනතාවට පැහැදිලි කරදීමයි. මෙය එක්සත් ජාතීන්ගේ සංවිධානයේදී සමස්ත ලෝකයාටම එළිදරව් කලයුතුයි.

අවුරුදු 450 ක කාලයක විදේශ ආධිපත්‍යයකින් පසුව ජයවර්ධන ආණ්ඩුව, අද, මේ රටේ ජනතාව කිසිදක කොදුටු ආකාරයේ රුපියල් කෝටි දහස් ගණන් වැයවෙන දැවැන්ත සංවර්ධන යෝජනා ක්‍රම රාශියක් දියත්කර ඇත. මේ සංවර්ධන යෝජනා ක්‍රම කිහිප මාසයකට රුපියල් 300කට අඩු ආදායමක් ඇති අන්තත දුගී දුප්පත් ජනතාව කොට්ඨාශවල ජීවන ගැටළු විසඳෙනු ඇත. අන්ත ඒ තිසයි ශ්‍රී ලංකා නිදහස් පක්ෂයේ මේ මැරවරයින් අතලොස්ස විදේශ බලවතෙකුට මේ රට ආක්‍රමණය කිරීමට මං සැලසෙන ආකාරයෙන් රජය පෙරලා දමන්නට වලිකරන්නේ. මේ අවස්ථාවේදී මෙතැන තැනිවුන් මෙහිදී මගේ හිත මිත්‍ර නුවරඑළිය-මස්කෙලිය දෙවන මන්ත්‍රීතුමාගෙන් (අතුර බණ්ඩාරනායක මහතා) එක ඉල්ලීමක් කරන්නට මම කැමතියි. ශ්‍රී ලංකා නිදහස් පක්ෂයේ නායකත්වය අනට අරගෙන මේ අන්තවාදී මැරවරයින් එළවා දමා එතුමාගේ ශ්‍රේෂ්ඨ පියාගේ තොබැදි ප්‍රජාතන්ත්‍රවාදී ප්‍රතිපත්ති අනුගමනය කරමින් එම පක්ෂය ඉදිරියට ගෙනයාමේ වගකීම දැන් එතුමා වෙත පැවරී ඇත. 1982 ඔක්තෝබර් මාසයේදී විසිපත්ලක්ෂයක් ජනතාව ශ්‍රී ලංකා නිදහස් පක්ෂය කෙරෙහි විශ්වාසය තබා ඡන්දය දුන් බව මෙහිදී විශේෂයෙන් සිහි තබා ගත යුතුයි.

මේ රටේ දුට්ඨි හාෂාව කථා කරන සුළු ජාතිකයින් සමග දැන් පවත්වාගෙන යන සංවාදය සාර්ථකව ගෙන යන මෙන් මම ආණ්ඩුවෙන් ඉල්ලා සිටිමි. දේශපාලන පක්ෂ හේද, කුල හේද, ආගම් හේද නොසලකා, මුළු මහත් සිංහල ජනතාවත්, ඒවාගේම මුස්ලිම්, මැලේ, ලංසි ආදී අතිකුන් සුළු ජාතීන්ගෙන් මේ ගැටලුවලට දේශපාලන විසඳීමක් ඉක්මණින්ම සලසනු ඇතැයි බලා සිටිමි. ඒ විසඳුම දුට්ඨි හාෂාව කථා කරන ජනතාවට මේ රටේ නියම තැන ලැබෙන විසඳුමක් විය යුතුය. මේ ගැටළුවට හේතුවී ඇත්තේ දිවංගත එස්. ඩබ්ලිව්. ආර්. ඩී. බණ්ඩාරනායක මැතිතුමා 1932 ජූලි මාසයේ 7 වැනි දින ප්‍රකාශ කළ ආකාරයට පක්ෂ දේශපාලනය මේ රටට ඇබ්බැහි වීමයි.

උතුරේ ඒලාම් ප්‍රශ්නය මතු වීමට හේතුවී ඇති මේ දේශපාලන බලය අල්ලාගැනීමේ සෙල්ලම සම්බන්ධයෙන් තොයෙකුත් අවස්ථාවලදී දේශපාලන පක්ෂ නායකයන් විසින් අනුගමනය කරන ලද ක්‍රියා පිළිවෙලවල් මේ රජය හොඳින් දකි. ඒ නිසාම මේ සඳහා දේශපාලන විසඳුමක් සොයාගැනීම රජයට සාර්ථකව කළ හැකිය.

ගරු තියෝජ්‍ය සභාපතිතුමනි, "හාෂා ප්‍රශ්නයේ ඇතුළු පැත්ත සහ විසඳුම" යන මැයෙන් පොත් පිටවත් මම පල කළෙමි. "සිංහලය රජයේ හාෂාව කලයුතුය" යන ප්‍රශ්නය ශ්‍රී ලංකා නිදහස් පක්ෂයේ මධ්‍යම කාරක සභාව වෙත ඉදිරිපත් කොට තීරණයක් ගත් අවස්ථාවේ මෙම පොත් පිටව මම පල කළෙමි. ඒ පොතෙහි අඩංගු විග්‍රහය කරන ලද්දේ, දිවංගත එස්. ඩබ්ලිව්. ආර්. ඩී. බණ්ඩාරනායක මහතාගේ අනුදැනුම හා අවවාද උඩය.

සිංහල රජයේ බස කිරීමේ දී සුළු ජාතිය වන දුට්ඨි ජාතියට හිමි විය යුතු තැන මෙහි පැහැදිලිව පෙන්වා ඇත. මේ ප්‍රශ්නය ගරු ජනාධිපතිතුමා සහ ඔහුගේ ආණ්ඩුව සඳහාම විසඳන්නට දැන් ක්‍රියා කර ගෙන යන හෙයින් මෙම පොත් පිටව ගරු අගමැතිතුමා මගින් ගරු ජනාධිපතිතුමාට ලැබෙන ලෙස පිළිගන්නට මම සතුටු වෙමි.

විශේෂයෙන්ම අගමැතිතුමාට මේ කාරණාව ඉදිරිපත් කරන්න කැමතියි. එනම්, 1956 දී බණ්ඩාරනායක අගමැතිතුමා, බණ්ඩාරනායක-වෙල්වනායගම් හිටියුම සම්මත කර ගැනීමේදී බලාපොරොත්තු වූයේ ඒකීය ලංකාවක් තුළ උතුරු සහ තැගෙනහිර පළාත්වල ප්‍රාන්තීය තත්වයක් ඇති කිරීමයි. මේ තත්වය අද අපි පිළිගන්නේ තැත්වම් දෙමළ හාෂාවත් සිංහල හාෂාව මෙන්ම ශ්‍රී ලංකාවේ රජයේ හාෂාවක් විය යුතුය.

මහජාතියේ එක්සත් භාවය ක්‍රස්තවාදයේ මර්ධනයයි. මුළු රටේ එක්සත් භාවය සිරිලකේ සංවර්ධනයයි.

I would like the English translation of my speech, which I am tabling, to go into HANSARD, especially for the benefit of hon. members who do not understand Sinhala.

ගම්පහ මන්ත්‍රීතුමාගේ කථාවේ ඉංග්‍රීසි පරිවර්තනය:  
අමරසේන අරුණඉත්තරාත්න පීඨපතින් ඉංග්‍රීසි පරිවර්තනය:  
English translation of Speech by Member for Gampaha :

I am glad that the government is taking certain extra-parliamentary measures in combating the situation in the North. I have no doubt the entire House as well as the people in the country at large will endorse the decision of His Excellency the President and His Government in this matter.

I still remember in September 1970 I warned then Prime Minister, Mrs. Bandaranaike, that she was on the top of a volcano during that period, but she nor her advisers took heed of the warnings.

I must once again point out that party politics in Sri Lanka is responsible for this state of affairs in the country today.

A new and dangerous trend has been developing in the Sri Lanka Freedom Party of late. A handful of thugs in the SLFP have captured the party headquarters, and Madam Bandaranaike herself is a prisoner in their hands with no control whatsoever over them. The SLFP President had very recently mentioned that the Communist Party was responsible for this calamity. The CP, the LSSP and the JVP are Marxist-Leninist parties and have clear-cut theoretical concepts which they follow roghtly or wrongly, while on the other hand the SLFP, which is a



[ද. ස. ඩී. බණ්ඩාරනායක මහතා]

party founded by the late Prime Minister S. W. R. D. Bandaranaike, is non-aligned vis-a-vis the Super Powers on foreign policy and believes in the concept of parliamentary democratic socialism.

I happened to be the youngest member of the Central Committee of eleven members in the SLFP when the party was inaugurated on 2nd September 1952 by Mr. S. W. R. D. Bandaranaike.

It is useless Madam Bandaranaike accusing the Communist Party when this thuggery or extremism has sprung from her own household in Rosemead Place. Every time someone marries into the Bandaranaike family in Rosemead Place he imagines that he is the leader and inheritor of the Bandranaike policies and takes control of the party. Kumar Rupasinghe at least had a head ; this man has nothing even in the head.

These handful of thugs in the SLFP are organizing to betray the country to a foreign power similar to the treachery of 1505. My charge against the leadership of the SLFP is that.

It is for this reason that these thugs in the SLFP are creating this dire hatred and animosity between the Sinhalese in the UNP and the SLFP.

The Government in this respect must inform the people of this country which is the foreign power that is training these terrorists in the North. This must be exposed to the entire world at the UNO.

After four-hundred and fifty years of foreign domination the Jayewardene Government is today forging ahead with massive development projects which people in the country have never seen before, costing billions and billions of rupees. These development schemes are going to solve the living problems of poverty-stricken sections of the population earning below rupees three hundred per month and that is the reason why these handful of thugs in the SLFP are endeavouring to overthrow the Government by helping a foreign power to invade the country.

In this respect I must appeal to my good Friend, Mr. Anura Bandaranaike, MP, to take the leadership of the SLFP and steer the party clear of all these extremist thugs in accordance with the non-violent democratic policies of his great father, for which twenty-five lakhs of people voted in October 1982.

I appeal to the Government to forge ahead with the dialogue they have been having with the Tamil national minority community in this country. The entirety of the Sinhala people, irrespective of political parties, castes and creeds, as well as the other national

minorities, the Muslims, the Malays and the Burghers, want an early political solution to this problem, a solution which will give the Tamil-speaking people their rightful place in the country. This problem has been created by the introduction of party politics as stated by the late S. W. R. D. Bandaranaike on 7th July 1932.

The Government is aware of the positions taken up by the leaders of political parties at various times in the country in this game of power politics which have brought about these "Eelam" problem in the North. Therefore the Government can forge ahead to find a political solution.

Mr. Deputy Speaker, when the question of making Sinhala the Official Language of the country was brought before the Central Committee of the Sri Lanka Freedom Party I published a booklet in 1955 called "The Language Question : The Inside Story and Its Solution" as M.P for Gampaha. This analysis was made in consultation with the late Mr. S. W. R. D. Bandaranaike. This booklet clearly indicates what position the Tamil national minority has to be given in the country in the process of making Sinhala the Official Language of the country.

Now that His Excellency the President and his Government are forging ahead in solving this problem once and for all in our country, I wish to submit this booklet to His Excellency through the Hon. Prime Minister. In 1956 what Mr. Bandaranaike visualized by the promulgation of the B-C Pact was an autonomous state in the Northern and Eastern Provinces within a united Sri Lanka. If we reject this proposal today we have to make Tamil language also an official language in Sri Lanka together with Sinhala. The unity of the Sinhala people is the doom of Terrorism ! The unity of the Sri Lankan people is the road to development !

අ. හා. 7.32

ආර්. ප්‍රේමදාස මහතා

(திரு. ஆர். பிரேமதாச)

(Mr. R. Premadasa)

ගරු සභාපතිතුමනි, ඊනී ප්‍රශ්ණය ගැන කථා කලාව පසුව මෙම යෝජනාව ගැන විවාදයට සහභාගිවන්නට මගේ බලාපොරොත්තුවක් තිබුණේ කැහැ. තමුත් කලවාන ගරු මන්ත්‍රීතුමාත් (සරත් මුත්තේවිට්ටේගම මහතා), විරුද්ධ පාර්ශවයේ නායකතුමාත් ඉදිරිපත් ශ්‍රී ලංකා කැරැණි දෙකක් ගැන පමණක් ඉතාමත් කෙටියෙන් වචනයක් දෙකක් කථා කරන්නට මම කැමතියි.

සමහරවිට මේ පිළිබඳව වැරදි වැටහීමක් මේ සභාවට පත්වී සිටින තවක මන්ත්‍රීවරුන් තුළ ඇතිවෙන්න පුළුවන්. කැරැණි අමතක වී තිබෙන සමහර පොදු ජනතාවටත් ඒ අනුව වැරදි වැටහීමක් ඇතිවෙන්න පුළුවන්. ආණ්ඩු පක්ෂයට වැඩි මන්ත්‍රී සංඛ්‍යාවක් සිටින නිසා මෙවැනි යෝජනාවක් මේ සභාවේ සම්මත කොට පරීක්ෂණයක් පවත්වන්නට යනවාය කියා හැඟීමක් ඇති කරන්නට උත්සාහයක් තිබුණා. මේ යෝජනාවේ ගැබ් වී තිබෙන කැරැණි ගැන සොයා බලන්නට



මේ රටේ කොතෙකුත් ආයතන තිබෙනවාය ; මොනවටද මේ පාර්ලිමේන්තුව ඒ ආයතනවල බලතල ලබාගන්නට යන්නේ? පොලීසිය තිබෙනවා ; උසාවිය තිබෙනවා ; උසාවි ගණනාවක් තිබෙනවා. මෙහි තිබෙන වෛද්‍යවල් දෙය බැලූවිට ඒවා ඒ ඒ ආයතන විසින් විභාග කළ යුතු නේද? ඇයි, මේ ආණ්ඩුව මන්ත්‍රී සංඛ්‍යාවක් වැඩිපුර ඉන්න තිසා මේ කටයුත්ත කරන්නේ? මේ වගේ පරීක්ෂණයක් අවශ්‍යද? යනාදී අදහස් කලවාන ගරු මන්ත්‍රීතුමාත්, විරුද්ධ පාර්ශවයේ නායකතුමාත් ඉදිරිපත් කරන්න යෙදුනා.

ගරු නියෝජ්‍ය කථානායකතුමා මේ යෝජනාව පිළිබඳව පාර්ලිමේන්තුවේදී දුන් තීරණය සම්පූර්ණයෙන්ම අපි පිළිගන්නවා. ඒ අනුව මේ යෝජනාවේ තිබෙන ඒ විස්තරාත්මක කරුණු ගැන කිසිම දෙයක් කියන්නට මම බලාපොරොත්තු වෙන්නේ නැහැ. එක කාරණාවක් පමණයි. මට කියන්න තිබෙන්නේ. මේ පාර්ලිමේන්තු කටයුතු පිළිබඳ ඇමතිතුමා මේ යෝජනාව සකස් කර තිබෙන ආකාරය, නියෝජ්‍ය කථානායකතුමාගේ තීරණයේදී සඳහන් කළ විධියටම, මේ යෝජනාවේ ක්‍රියාත්මක කොටස කුමක්ද කියා පැහැදිලි ලෙසම පෙන්වුම් කර දී තිබෙනවා. ගරු නියෝජ්‍ය කථානායකතුමා, අපේ විරුද්ධ පාර්ශවයේ නායකතුමා මේ කරුණු ගැන සඳහන් කරන විට එතුමා ඇසුවා, මේ කාරණා විභාග කරන්නට වෙන්න නැතත් තැද්ද කියා. මෙය වැදගත් ප්‍රශ්නයක්.

The hon. Leader of the Opposition and the hon. Member for Kalawana in their submissions tried to make out to this House that this Government with its huge majority is trying to arrogate to itself the powers of other authorities like the police and the courts. They tried to make out that the various allegations that have been enumerated in this Motion should be the subject matter of an inquiry by the proper authorities. I would like to draw your attention to the Motion itself and to examine it as it has been drafted.

It is true that the Hon. Minister has enumerated various incidents that had been brought to his notice. He has not said anywhere in this Motion that he accepts them as true or rejects them. He has just enumerated them. In the operative part of the Motion what does he say? This is very important. He say, "whereas if these tendencies". He enumerates these incidents and describes them as "tendencies".

"whereas if these tendencies to make provocative and irresponsible public statements, false complaints against opponents and public officers, intimidation and assaults on voters and supporters of the opponents by outsiders brought into the Electorate, are not checked and stopped completely, the Democratic election process would be rendered valueless and of no meaning; this Parliament is of opinion that a Select Committee be appointed to inquire and report on the above allegations and to make genral recommendations with regard to the changes necessary to be made to the law governing elections."

Now, Sir, this operative part has to taken into consideration. He says, these are the tendencies which should be taken into consideration by this Legislature because this is the only organ of the State that has the power to legislate. The courts cannot legislate. The executive cannot legislate. We have three important organs in this system, namely, the legislature the judiciary and the executive. Though the President and the Cabinet form the executive, the Cabinet cannot decide on legislation, the cabinet cannot enact legislation, the cabinet cannot repeal any legislation, nor can it amend any legislation. It is only this House,

and this House alone, that can perform the important function of providing, approving and passing legislation. This is the legislature. The Hon. Minister of Parliamentary Affairs wants this House to consider the several tendencies which have come to his notice in the Mahara electorate and he wants this House to inquire into them, examine these tendencies and allegations, and make recommendations to this House for the purpose of appropriate and necessary legislation. This fact must be accepted and understood.

Now, the question was raised by the hon. Member for Kalawana, "look, there were 18 by-elections; why are you taking only the Mahara incidents?" He went on to say, "Not only 18 by-elections; there were the Presidential Elections and the Referendum, and even on those occasions certain people were impersonated". He was very careful not to make that charge against the United National Party because he does not know whether one of his own members had gone and done this impersonation to throw mud at the Government. I am very thankful to him for not indulging in that sort of wild charges. But he posed the question, "Why are you not enumerating those incidents?" If there are tendencies like these which have come to his notice, why does he not do his part of the job? Is he not a Member of this Legislature? If he thinks that there had been certain other tendencies in the 18 by-elections or the Presidential Election or the Referendum or the local government elections, surely he also can submit a Motion to this House? Simply because he has gone by default is he saying that the Hon. Minister of Parliamentary Affairs should not exercise his right as a legislator to come to this House and tell this House what he has come to know and request this House to appoint a Select Committee? If you do not want it done you can vote against, but you cannot find fault with him. You cannot make a charge against him or against this Government which is supporting his action. Supposing you also had brought in a similar Motion and we are supporting only our Motion and not that; supposing we are not prepared to consider any tendencies or allegations that have come to your notice, then of course you can say, "Look, you are partisan in this matter". You have not exercised your right to place before this House any tendencies or allegations or presumptions or whatever you call it. Your failure does not mean that any Member of this House, of this Government, should not exercise his right to submit any proposal to the House.

සරත් මුත්තේවටුවෙගම මහතා  
(திரு. சரத் முத்தேவடுவேகம)  
(Mr. Sarath Muttetuwegama)

Sir, may I make a small point. I think the Hon. Prime Minister seems to be saying that this is a Motion of the Hon. Minister of Parliamentary Affairs in his individual capacity.



கா. ப்ரேமடாசு மஹா  
(திரு. ஆர். பிரேமதாசு)  
(Mr. R. Premadasa)

Not only in his individual capacity but as Minister of Parliamentary Affairs.

சரன் இன்னைப்புவேம மஹா  
(திரு. சரத் முத்தெட்டுவேகம்)  
(Mr. Sarath Muttetuwegama)

This is a Cabinet-approved Motion – a Government Motion.

கா. ப்ரேமடாசு மஹா  
(திரு. ஆர். பிரேமதாசு)  
(Mr. R. Premadasa)

Yes, we accepted it and we voted for it.

சரன் இன்னைப்புவேம மஹா  
(திரு. சரத் முத்தெட்டுவேகம்)  
(Mr. Sarath Muttetuwegama)

No. You are trying to pass it on as the Hon. Parliamentary Affairs Minister's baby.

கா. ப்ரேமடாசு மஹா  
(திரு. ஆர். பிரேமதாசு)  
(Mr. R. Premadasa)

Do not have any misunderstanding. I am mentioning his name because he is the Mover. Do you want me not to mention his name? It is on the Order Paper, and he is a Member of our Government. We are accepting his contention and we are voting for it.

சரன் இன்னைப்புவேம மஹா  
(திரு. சரத் முத்தெட்டுவேகம்)  
(Mr. Sarath Muttetuwegama)

According to the Order Paper it is Government Business.

கா. ப்ரேமடாசு மஹா  
(திரு. ஆர். பிரேமதாசு)  
(Mr. R. Premadasa)

Yes, we accept it. Unlike your party, we work together. Your problem is that you do not know what your paper says, you do not know what your leader says, and sometimes you do not know what you are saying. We cannot help that.

சரன் இன்னைப்புவேம மஹா  
(திரு. சரத் முத்தெட்டுவேகம்)  
(Mr. Sarath Muttetuwegama)  
Sometimes I cannot say what you are saying.

கா. ப்ரேமடாசு மஹா  
(திரு. ஆர். பிரேமதாசு)  
(Mr. R. Premadasa)

Yes, I know you refuse to understand us. It is not that you do not understand. You are capable of

understanding. But you are being sent here as an agent of a particular party to look after the interests of a particular political philosophy—as an agent, of course! That has to be accepted.

Sir, now I was making this point because he was trying to say, "Look! Why are you not considering the other incidents that have occurred in the eighteen by-elections?" What are you doing? Why do you not move a motion? What are you doing? Are you only here as Members of Parliament in the Opposition? Are you only here to come and just oppose us? What are you doing positively? Why are you blaming us if we are exercising our rights and privileges as Members of Parliament, making use of this Legislature to submit to the people through this House what we think of various matters?

சரன் இன்னைப்புவேம மஹா  
(திரு. சரத் முத்தெட்டுவேகம்)  
(Mr. Sarath Muttetuwegama)

Our motion has been on the Order Paper for two years.

கா. ப்ரேமடாசு மஹா  
(திரு. ஆர். பிரேமதாசு)  
(Mr. R. Premadasa)

What is your motion? About elections?

சரன் இன்னைப்புவேம மஹா  
(திரு. சரத் முத்தெட்டுவேகம்)  
(Mr. Sarath Muttetuwegama)

Several motions which I have given notice of have been on the Order Paper for two years.

கா. ப்ரேமடாசு மஹா  
(திரு. ஆர். பிரேமதாசு)  
(Mr. R. Premadasa)

So it is your responsibility.

சரன் இன்னைப்புவேம மஹா  
(திரு. சரத் முத்தெட்டுவேகம்)  
(Mr. Sarath Muttetuwegama)

How can it be my responsibility?

கா. ப்ரேமடாசு மஹா  
(திரு. ஆர். பிரேமதாசு)  
(Mr. R. Premadasa)

I will tell you. You have never made an application at any one of the meetings of the Leaders of parties to get preference or priority to any one of your motions.

சரன் இன்னைப்புவேம மஹா  
(திரு. சரத் முத்தெட்டுவேகம்)  
(Mr. Sarath Muttetuwegama)

I will do it in due course.



ஈர். ஸ்ரேமடச ம஠ை  
 (ஈரு. ஆர். பிர்ரேமதாச)  
 (Mr. R. Premadasa)

I shall give you the assurance : Plese point out what motion you are interested in and wat motion you want to get priority and I will give priority over Government business to your motion.

ஈரன் மூன்றைடுவெ஠ை ம஠ை  
 (ஈரு. சரத் முத்தெட்டுவேகம)  
 (Mr. Sarath Muttetuegama)

Thank you, thank you. Hear ! Hear !!

ஈர். ஸ்ரேமடச ம஠ை  
 (ஈரு. ஆர். பிர்ரேமதாச)  
 (Mr. R. Premadasa)

You have gone by default. What am I to do ?

ஈரன் மூன்றைடுவெ஠ை ம஠ை  
 (ஈரு. சரத் முத்தெட்டுவேகம)  
 (Mr. Sarath Muttetuwegama)

From next week I will do it.

ஈர். ஸ்ரேமடச ம஠ை  
 (ஈரு. ஆர். பிர்ரேமதாச)  
 (Mr. R. Premadasa)

Yes, please. You tell us what is the motion you want taken up.

஠ி஠ைர்ஸ் ஠ார஠ ஠஠ைப஠ி஠ை  
 (஠ுழுப் பிர்஠ித் ஠஠ைவர் அவர்஠ள்)  
 (Mr. Deputy Chairman of Committees)

The Hon. Prime Minister has given you an assurance.

ஈர். ஸ்ரேமடச ம஠ை  
 (ஈரு. ஆர். பிர்ரேமதாச)  
 (Mr. R. Premadasa)

Yes. Let us give you an assurance.

ஈரன் மூன்றைடுவெ஠ை ம஠ை  
 (ஈரு. சரத் முத்தெட்டுவேகம)  
 (Mr. Sarath Muttetuwegama)

Thank you, thank you.

ஈர். ஸ்ரேமடச ம஠ை  
 (ஈரு. ஆர். பிர்ரேமதாச)  
 (Mr. R. Premadasa)

Let us see what your motions are.

One is "Reinstatement of those discontinued from service in July, 1980". We are treating each one of these cases on its own merits because these are the people whom you misled and put into trouble. You

went and canvassed against us in the elections with these people, but still, our country said, "No, that so-called opposition to Government that was staged was not justifiable". But we are considering these cases on their own merits on certain guidelines.

What is your other motion for which you want us to give priority ? "Gemming on private lands." Your greatest priority is gems. Gemming, gemming—that is also a priority motion. All right, what ever the motion—

ஈரன் மூன்றைடுவெ஠ை ம஠ை  
 (ஈரு. சரத் முத்தெட்டுவேகம)  
 (Mr. Sarath Muttetuwegama)

What is it ?

ஈர். ஸ்ரேமடச ம஠ை  
 (ஈரு. ஆர். பிர்ரேமதாச)  
 (Mr. R. Premadasa)

Gemming, gemming. What you want is

"That this Parliament is of opinion that the system of issuing licences for gemming on private lands be done away with and that any person be premitted to gem on private land without restriction".

Do you want priority given to it tomorrow morning ?

ஈரன் மூன்றைடுவெ஠ை ம஠ை  
 (ஈரு. சரத் முத்தெட்டுவேகம)  
 (Mr. Sarath Muttetuwegama)

Read the other ones.

ஈர். ஸ்ரேமடச ம஠ை  
 (ஈரு. ஆர். பிர்ரேமதாச)  
 (Mr. R. Premadasa)

Wait. I can give priority tomorrow. There is no problem.

Then you want "Equal Pay for Similar work." :

"That this Parliament is of opinion that all people who do similar work be paid equally without discrimination as to their sex."

We can do that. But the trouble is, you are not doing similar work as we are doing. That is the trouble.

Then the other motion is "Monthly Wage Scheme for Plantation Workers" :

"That this Parliament is of opinion that a monthly wage scheme for plantation workers be introduced forthwith".

Those are your motions. I read them because you were trying to make out that you had given notice of similar mortion like this here.—(Interruption.) No, no ; you were trying to make out, you did not say so.

ஈரன் மூன்றைடுவெ஠ை ம஠ை  
 (ஈரு. சரத் முத்தெட்டுவேகம)  
 (Mr. Sarath Muttetuwegama)

I did not try to make out.

ஈர். ஸ்ரேமடச ம஠ை  
 (ஈரு. ஆர். பிர்ரேமதாச)  
 (Mr. R. Premadasa)

Did I say that you said ?



සරත් මුත්තේට්ටුවෙගම මහතා  
(திரு. சரத் முத்தேட்டுவேகம)  
(Mr. Sarath Muttetuwegama)

I said I have stopped giving notice of motions because the ones that I have given notice of are lying there for the last 2 1/2 years.

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

I told you that you never made an application to get priority. I never refused any application of yours. I never said that you said that this discrimination was done. But you were trying to make out that you had given notice of motions but they were not taken up. People will interpret that to mean that you have given notice of similar motions and we have not allowed it.

සරත් මුත්තේට්ටුවෙගම මහතා  
(திரு. சரத் முத்தேட்டுவேகம)  
(Mr. Sarath Muttetuwegama)

Can I do this? I can bring as amendment to this Motion saying that instead of inquiring only into the Mahara By-election, the House appoints a select committee to inquire into incidents that occurred—all over the Island during the 18th May by-elections.

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

That is a simple thing, we can accept it—

සරත් මුත්තේට්ටුවෙගම මහතා  
(திரு. சரத் முத்தேட்டுவேகம)  
(Mr. Sarath Muttetuwegama)

That you cannot?

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

But you know we must abide by the Standing Orders. I cannot make a ruling on the Standing Orders. You know very well as a lawyer that if you are going to move an amendment, it cannot change the character of the main Motion, but you are at liberty to bring your own motion. That is what you should do. Why are you trying to creep under our wings? It will be *ultra vires*. The Chairman cannot allow an amendment which changes the character of the motion, then it becomes a substantive motion. You know all these procedures. I am telling you, if you want to move a motion, as a Member of Parliament you are entitled to do so. Please move a motion and if you think that the motion is important, you as a leader of a party—though that Party has no followers—can make that application for priority. We will give priority.

නියෝජ්‍ය කාරක සභාපතිතුමා  
(சுழுப் பிரதிக் தலைவர் அவர்கள்)  
(Mr. Deputy Chairman of Committees)

The Hon. Prime Minister has given you an assurance. There is no purpose in having a dialogue.

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

What is the use of an assurance, Sir; why should you call it an assurance? He has never made an application and I have never had the occasion to refuse any application by him. I was just trying to make out this important point, because they were trying to show the country that this Government, with the majority it has, is trying to push through and unprecedented thing. "Unprecedented"—these words were used, I cannot remember by whom—"Unprecedented thing never heard of in the annals of the history of Parliament." I challenged that. I am sorry that my honourable Friend the Leader of the Opposition himself was making a similar charge against this Government. May I draw his kind attention to a motion that we moved, when we were in the Opposition, for a Select committee on the Dedigama by-election. When I read the contents of this motion you will see that those allegations and charges could have been inquired into by the "normal process of law", the very words that were used by the hon. Member for Matugama. These things could have been looked into, and they were looked into, at that time by the Police and there were cases pending in the Courts. Still, unlike the present Opposition, we took the trouble to move a motion for a Select Committee.

Now I am trying to show, Sir, that this is nothing unusual, because the attempt was made to show that this is something unprecedented and unusual. Now, look at this Motion. I myself had pointed out this even some time back: "Select Committee on Dedigama By-election." I am reading from the Motion No. A 44/73 from the Order Paper of Thursday, February 7th, 1974. It is in the Order Book of the National State Assembly at Page 38—Order Book No. 11 of Thursday, January 10th, 1974; that is the date of the Order Book. But this Motion was listed under Notice of Motions for which no dates had been fixed. What is the Motion?

"Select Committee on Dedigama By-election: Whereas at the by-election held in the Dedigama constituency on the 9th July 1973 during the period of the election campaign—"

About 7 months after; this is how the Motion has been drafted:

"Whereas at the by-election held in the Dedigama constituency on the 9th July 1973 during the period of the election campaign...."







[ආර්. ප්‍රේමදාස මහතා]

Their problem is when they get to the Opposition they get dejected, they have not got the strength to behave like Opposition parliamentarians because the feel—[*Interruption*] you, they get constipated, I know, politically constipated, and sometimes have political loose motions also which polute the whole political arena where members of the same party fight among themselves, the leader's word is not taken for anything, for whatever it is worth. this sort of things is there, but we cannot help that. We are not like that ; whether in the Opposition or in the Government it is our policy to serve the people in whatever capacity we are called upon to do so. If tomorrow we get into the Opposition, you will see that we will be following the same energetic attitude in the Opposition. We feel, whether in the Opposition or in the Government, that we have to serve the people. But you think that you can serve the people only as a Government. That is why you do not come prepared, you do not study or bring your documents. When you fail to do this, you take your books and run away : Are you capable of running this country ? That is the question the people are asking. Can we hand over the destiny of the country to people who run away, who cannot stand up to a situation, argue and submit new thinking or proposals ?

I am only saying all this because it hurt me very much if the impression created in the country is that because the government has a 5/6 or 2/3rd majority, we are bringing in unprecedented Motions, are setting up Select Committees and are arrogating to ourselves powers which are the powers of the judiciary. This can reflect adversely on the Government. I thought it was my duty to correct that situation. Whether in the Government or in the Opposition, we follow a consistent policy.

"Sixty-two supporters of the UNP candidate were arrested by the Police without making any inquires on the orders of members of the Government party and 99 per cent of them were released by the Kegalla Magistrate due to lack of evidence, the Police not even filing 'B' reports because there was no evidence to justify their arrest whereas they have all made statements which were recorded by the Police."

The hon. member for Attanagalla (Mr. Lakshman Jayakody) came here and talked of illegal acts. He was running the Warakapola Police Station :

මන්ත්‍රීවරයෙක්

(අරාක්කප්පායන් ඉරුමා)

( A Member)

Warakapola O.I.C.

ආර්. ප්‍රේමදාස මහතා

(මිලා ආර්. ප්‍රිමදාස)

(Mr. R. Premadasa)

He was the Deputy Ministr of Defence at that time. I am not surprised that he ran away today. I have with

me the HANSARD and I can point out the reply he gave when I raised this issue as a Member of Parliament. I am not surprised that he went away.

If you read this Motion, you will see that various acts of violence and intimidation are mentioned. Our people made statements to the Police and those statements were recorded by the Police. the following people made statements : the Leader of the Opposition, Mr. Shirley Corea, Mr. Hugh Fernando, Mr. Aboosally, Mr. M. H. Mohamed, Mr. Senanayake, Mr. Chandra Karunaratne, Mr. Nanda Mathew, Mr. Cyril Mathew, Mr. J. L. Sirisena, Mr. R. P. Wijesiri, Mr. J. Niyathapala, Mr. Rukman Senanayake and several others. All their names are here. We also noted the behaviour of the Police officers because we felt, that irrespective of the fact that complaints had been made to the Police and some were being inquired into and some were before court, it was the duty of the House to consider these things because it is the House which would consider the enactment of legislation. That is the remedy.

And who were the signatories to this Motion ? They were not only members of the UNP but also members of the Federal Party. They did not then take up the position that you are taking up today. They never asked, "Why are you arrogating to yourselves these powers when there are the courts and the Police ?" I will tell you who signed from your party : Mr. V. Dharmalingam, Mr. V. N. Navaratnam —(*Interruption.*) Sir, sometimes our memories are very short and these things happen. I do not take offence at what the hon. Member just said. I am only trying to put the record straight.

I do not want, especially the more recent Members of this House, to get the feeling that this Government, having a steamroller majority, is pushing through the Select Committee process in regard to certain matters which should be inquired into by other agencies. I want to clear that misconception.

The other point is, the hon. Member for Kalawana (Mr. Sarath Muttetuwegama) knows very well that when certain incidents came to his notice he could very well have asked for a Select Committee—a Committee to inquire into how people were going and voting and about somebody impersonating them, and all sorts of things that he had been telling here, all of which I should say are baseless. Untill and unless he proves these allegations, with due respect to him, I must say that they are all baseless allegations. Otherwise, he must have the courage to come and enumerate these things without just making wild allegations.

So, Sir, I do not want to go into the merits and demerits of the various allegations the hon. Member has enumerated, and I say that this House has a right



to go into these things; not for the purpose of arrogating to itself judicial powers, but for the purpose of taking notice to see what remedial steps should be taken, what action this House should take by way of legislation. It is a duty cast on this House to examine these things, to probe these things and understand these things properly and take remedial measures.

சுமீ. சிவசிதம்பரம் மஹா (நல்லூர்)  
(திரு. எம். சிவசிதம்பரம்—நல்லூர்)  
(Mr. M. Sivasithamparam—Nallur)

I want to start by repeating the words of the hon. Leader of the Opposition that we very much wish you had been presiding on that very historical day when our vote of censure was ruled out by the Speaker as being *sub judice*. I was listening very carefully to the Ruling you gave today, and if we had a chance of speaking on that day, we would have revealed to the House and the country the disgraceful way in which the district Development Council election in Jaffna was rigged. We would have told this House how peons and clerks were appointed Presiding Officers. We would have told this House and the country how in certain ballot boxes there were 50 to 60 ballot papers together thrust into the ballot boxes. We lost all those opportunities, Mr. Deputy Speaker, because the Speaker ruled that we could not discuss that Motion because there was an action in Court. Therefore, Sir, we are happy that a new ruling has been given today which I believe will be followed in the future when matters of this nature are being discussed.

Now Sir, the Hon. Prime Minister and the hon. Deputy Minister of Public Administration told us that the purpose of this resolution is merely to find out certain things that happened in the elections that were held recently and to frame new laws necessary for that purpose. The point that was made by us was, if that was the purpose, why restrict it to Mahara only? Why only restrict it to Mr. Kumaranatunga and his wife? Why have you not made this a general resolution dealing with all the eighteen by-elections that were held during that period? Is it the position of the hon. Prime Minister that the Government is not aware of what happened in the other electorates. Is it the position of the hon. Minister that you are aware only of what happened in Mahara? I think the answer was given by the hon. Member for Ratgama. He said the matters mentioned in this Resolution happened in every electorate, including his electorate. If that is so, why confine this only to Mahara? Why confine it only to Mr. and Mrs. Kumaranatunga? The hon. Prime Minister in reading what he called was the "effective part of the resolution" forgot the first sentence about what you are seeking to do: "This Parliament is of the opinion that a Select Committee be appointed to inquire and report on the above allegations." So you are not merely asking this Select Committee to make

recommendations. You are also asking the Select Committee to report on these allegations. Therefore, what ever you may report, you have to report whether Mrs. Kumaranatunga had made allegations, you have to report whether Mr. Kumaranatunga had made false complaints against individuals. That is why we say you are arrogating to yourselves judicial power. That is why we say you are not merely exercising legislative power but also arrogating to yourselves judicial power.—(Interruption.) That is quite right, that is why we say, go to court.

கார். ப்ரேமதாச மஹா  
(திரு. ஆர். பி.ரேமதாச)  
(Mr. R. Premadasa)

Then why did you not say that in regard to the Dedigama by-election?

சுமீ. சிவசிதம்பரம் மஹா  
(திரு. எம். சிவசிதம்பரம்)  
(Mr. M. Sivasithamparam)

I will deal with it. You were in the Opposition; therefore, you had no remedy except to come to this House.

கார். ப்ரேமதாச மஹா  
(திரு. ஆர். பி.ரேமதாச)  
(Mr. R. Premadasa)

Why?

சுமீ. சிவசிதம்பரம் மஹா  
(திரு. எம். சிவசிதம்பரம்)  
(Mr. M. Sivasithamparam)

What was the other remedy you had?

கார். ப்ரேமதாச மஹா  
(திரு. ஆர். பி.ரேமதாச)  
(Mr. R. Premadasa)

Even at that time there were courts!

சுமீ. சிவசிதம்பரம் மஹா  
(திரு. எம். சிவசிதம்பரம்)  
(Mr. M. Sivasithamparam)

Of course you could have gone to courts but your complaint was not against individuals. Your complaint was against the Government and the police. That is why we joined you in signing that Resolution.

கார். ப்ரேமதாச மஹா  
(திரு. ஆர். பி.ரேமதாச)  
(Mr. R. Premadasa)

We made specific complaints against individuals of the Government.

சுமீ. சிவசிதம்பரம் மஹா  
(திரு. எம். சிவசிதம்பரம்)  
(Mr. M. Sivasithamparam)

Yes, that is in respect of the Government.



ஈர். ஸ்ரேமடாச மறவை  
(திரு. ஆர். பிர்மேதாச)  
(Mr. R. Premadasa)

Yes, individuals of Government.

ஈ. சிவசிதம்பரம் மறவை  
(திரு. எம். சிவசிதம்பரம்)  
(Mr. M. Sivasithamparam)

Against individuals of the Government. That you could not have done by going to court.

ஈர். ஸ்ரேமடாச மறவை  
(திரு. ஆர். பிர்மேதாச)  
(Mr. R. Premadasa)

Why not ?

ஈ. சிவசிதம்பரம் மறவை  
(திரு. எம். சிவசிதம்பரம்)  
(Mr. M. Sivasithamparam)

How could you have said that the Deputy Minister of Defence was in charge of Warakapola Police ? What was the charge you could have brought ?

ஈர். ஸ்ரேமடாச மறவை  
(திரு. ஆர். பிர்மேதாச)  
(Mr. R. Premadasa)

You could have brought a charge of undue influence.

ஈ. சிவசிதம்பரம் மறவை  
(திரு. எம். சிவசிதம்பரம்)  
(Mr. M. Sivasithamparam)

He was in charge of the Warakapola Police.

ஈர். ஸ்ரேமடாச மறவை  
(திரு. ஆர். பிர்மேதாச)  
(Mr. R. Premadasa)

Undue influence.

ஈ. சிவசிதம்பரம் மறவை  
(திரு. எம். சிவசிதம்பரம்)  
(Mr. M. Sivasithamparam)

No, that was not undue influence.

ஈர். ஸ்ரேமடாச மறவை  
(திரு. ஆர். பிர்மேதாச)  
(Mr. R. Premadasa)

Why not ?

ஈ. சிவசிதம்பரம் மறவை  
(திரு. எம். சிவசிதம்பரம்)  
(Mr. M. Sivasithamparam)

I say to the Hon. Prime Minister that there is no reference to any individual member of the Government in that Resolution.

ஈர். ஸ்ரேமடாச மறவை  
(திரு. ஆர். பிர்மேதாச)  
(Mr. R. Premadasa)

We have not given names.

ஈ. சிவசிதம்பரம் மறவை  
(திரு. எம். சிவசிதம்பரம்)  
(Mr. M. Sivasithamparam)

That is exactly what we are saying, that you have not in that Resolution mentioned any individual Member but here what are you doing ? You are seeking the Select Committee to report on individuals.

Sir, surely when this House comes to a finding that Mr. Kumaranatunga has done this or the other person has done that, surely it has some value. Otherwise you are wasting your time. That is why we say that you are arrogating to yourself judicial power. It is not merely making the changes in the law. Well, in the past how did we make changes in the election law ? You did not have Select Committees like this. How did we have changes ? Soon after a general election there was a Select Committee of the House. We considered the reports of the Election Commissioner. We considered the report of all the others and we made the changes. Surely, we never had Select Committees after every general election. But we did make changes in the law, wide changes in the law without having Select Committees.

Mr. Deputy speaker, that is why we said you are arrogating to yourself judicial power. Merely saying in the Constitution that independence of the judiciary shall be respected is not enough. In actual practice we must respect the independence of the judiciary. We must allow the judiciary to function in its own way and for us to do our part of the function. That is the only way in which the new Constitution can function.

Mr. Deputy speaker, the new Constitution has been so framed that election offences are to be tried by the Court of Appeal. It is not merely in the election law itself. It is in the Constitution itself. Article 144 of the Constitution itself says :

"The Court of Appeal shall have and exercise jurisdiction to try election petitions in respect of the election to the membership of Parliament in terms of any law for the time being applicable in that behalf."

Therefore, the constitution itself has given this task of deciding matters that arise in an election to the court of appeal. In fact, your new Election Act of 1981 makes specific provision for a defeated candidate to be charged in the High Court. You can make allegations of malpractice, of corrupt practice in the High Court against a defeated candidate and if he is convicted he can be disqualified for a period of seven years.



So, having all these laws, why are you going to have this Select Committee as the hon. Leader of the Opposition said? I think all of us have served in Select Committees. Are we capable of conducting ourselves as a judicial body, Sir? I have to ask you, how many of us are equipped to listen to evidence and arrive at the truth in the matter? How many of us are equipped to do that? Surely, that is why we have the courts. It is their business to listen to evidence of both sides and to come to a verdict. Why should we take upon ourselves that responsibility?

Mr. Deputy Speaker, this House, this Parliament has got a very good reputation about Select Committees. We have found our Members able to rise above petty party divisions and to come to decisions based on the evidence placed before Select Committees. But when you start having Select Committees with narrow political motives, then you will find that our Select Committees are beginning to fail. When you are going to have a Select Committee to determine questions that arise at an election then indeed I would like to say who is the hon. Member who can rise above party politics and say that this is what happened? Please do not drag the system of Select Committee into the mire of politics. This House has kept very good reputation on Select Committees. We have had very many Select Committees which have submitted reports which are accepted as very fair and let us not besmirch that reputation by dragging the system of Select Committees into the mire of politics. Therefore, I do ask the Hon. Prime Minister and I do ask everybody in this House let us not depart from the very healthy traditions that we have established in this House as far as Select Committees are concerned. In the Select Committees we have had the practice of not looking at a matter from a narrow party angle, but when you go into a Select Committee of this nature where elections are going to be considered you can never get an hon. Member to act above party politics especially where you are going to judge the actions of individuals. If one of us was a respondent, a person mentioned in this Motion and if this House decides or the Select Committee decides that that allegation is true, surely would not we feel it? Is that not sometimes a bigger punishment than what a court can give? That is why we are saying that you are arrogating to yourself the judicial power placed in the courts in order to decide whether these allegations are true or not. As far as the changes in the law are concerned, I quite agree, Sir, that we need changes in the election law, but it is not necessary for a Select Committee to be appointed in these terms in order to decide the necessary changes in the election law of this country. We all know what the malpractices are. We have experienced two general elections and a number of by-elections and we know what the malpractices are. Therefore, I hope that the Government would even at

this very late stage reconsider whether this Motion should be passed in its present form. We certainly have no objection to a Select Committee to decide on the question of what changes should be brought in the election law but certainly not in the terms in which it has been framed. I am sorry that we shall not only oppose this Motion but we shall not serve on any Select Committee that this House appoints on the matter.

රනිල් වික්‍රමසිංහ මහතා (යොවන කටයුතු හා රැකී රක්ෂා දැමීමේ) සහ අධ්‍යාපන දැමීමේ)

(திரு. ரனில் விக்கிரமசிங்க—இளைஞர் அலுவலர்கள், தொழில் வாய்ப்பு அமைச்சரும் கல்வி அமைச்சரும்)

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

Mr. Deputy Speaker, I think, on this occasion you were called upon first and foremost to give a Ruling on the Motion itself and I think you have repeated the actual position that the matter is not *sub judice* until the legal proceedings have actually started. The question whether a particular matter is *sub judice* has to be decided by the Speaker on the merits of each case. That is the position. I am sorry that the SLFP Members are not in the House after the ruling was given. I do not know. In a sense, they could have been here, participated in the Debate and made a contribution on the facts. The only reason I know is that all the Members of Parliament of the SLFP were told not to come anywhere near Mahara. Now they are being asked instead to argue out the case on behalf of the defeated candidate.

What we have moved here, Mr. Deputy Speaker, is a Motion in which we refer to certain incidents and say you must inquire into them and also report on the allegations as well as whether any changes are to be made in the law. The Opposition says this is the first time this has been done. As the Hon. Prime Minister pointed out it was not so. When the Dedigama By-election was held, thereafter in the then National State Assembly, we moved a Motion for the appointment of a Select Committee on the same terms as the Hon. Prime Minister pointed out. The only difference is that in that Motion we adopted in toto all the statements made by the leading members. Paragraph (c) says:

“ Statements describing the acts of violence and intimidation that they saw and suffered have been made to the police and recorded by them by the following among others— ”

and then we referred to the people. Mr. J. R. Jayewardene, M.P., Leader of the Opposition, Mr. Shirley Corea, Ex-Speaker; Mr. Hugh Fernando, ex-Speaker; Mr. M. H. Mohamed, ex-Minister of Labour, Mr. M. L. M. Aboosally of Balangoda, Mr. Tissa Senanayake of Colombo, Mr. Chandra Karunaratne, ex-M.P., Mr. Nanda Mathew, ex-M.P., Mr. Cyriul Mathew, ex-M.P., Mr. J. L. Sirisena,



[උතුරු විකුණුමේ මතය]

ex-M.P., Mr. R. P. Wijesiri, ex-M.P., Mr. P. A. Niyathapala, ex-M.P., and Mr. Rukman Senanayake, M.P.

So, all those statements have been taken in toto by referring to them in this Motion. They have extracted certain specific instances from the totality of the statements that have been made to the police. In that sense this is far less exhaustive than the Dedigama by-election Motion. In the Dedigama by-election Motion we referred to all the statements, and in particular to the statements made by the 13 of the leading members who were in charge of the campaign. Therefore, you cannot say that there is a difference. You cannot say that there were no references in the Dedigama by-election. If they put all the statements, I think the Motion itself would have been fairly long. It has come under different headings in that under the persons who have made the complaint. I think in that respect we must congratulate the Hon. Minister of Parliamentary Affairs for having done a better drafting. He puts different headings and under the headings he extracts different complaints. Here you have taken the complaints in toto. There is no other difference. This is similar Motion. We have asked in that one to inquire and report. Here it has gone a bit further. I will give the reason why. In that Motion we in the Opposition said, Let the Government have the majority of members: six Members of the Government, two Members of the UNP, two Members of the Federal Party and one independent Member. Having suffered at the hands of the Government, we were still prepared to let the Government have a majority on the Committee.

I am surprised that the hon. Member for Kalawana said "these committees, you know, will only reflect the majority view." Then why move for Select Committees? The Opposition has moved for Select Committees in the last few years. We have appointed some of them at their request. When it suits them they sing a different tune. There is nothing different. Both are the same. Then why only in regard to Dedigama and Mahara? In the Dedigama by-election also the option was available to file an election petition against the defeated candidate. That is a private matter.—[*Interruption.*] Yes, in 1971. This is the old Order-in-Council. That was available. This is a private matter for the candidate. Not only any by-elections, but any other elections, if a defeated candidate makes a false statement, you go ahead and file an action against him. But what we are saying is like Dedigama, this Mahara by-election should be studied separately. That is why the incidents are put down here. Unlike the general Parliamentary Law or the Presidential election Law which you can study at the end of the life-time of a Parliament when the next election is held, these by-elections are conducted under the

Order-in-Council. Unlike the general Parliamentary law or the Presidential election law, which you study at the end of the lifetime of every Parliament when the next election is held, these by-elections are conducted on the Order in Council and there is no system of review. The by-elections will be there for the next six years. At the end of the next six years there will be a Parliamentary election under the new Parliamentary Elections Act, not the old Order in Council. So there is no system of reviewing it, unless the Parliament decides specifically to do so. That is the reason why we have gone a bit further and said, "Go into this," because we feel that this is not the proper manner in which elections should be conducted.

Surely, if we want to go against Members of Parliament who have been elected by the Opposition we can do that? We can have a Committee against the hon. Member for Maharagama, against the hon. Member for Matugama, against the hon. Member for Akmeemana and against the hon. Member for Baddegama. We have not done so. Those are elections held in the normal manner, and if any party wants to, like in any other by-election they can resort to election petitions or have cases against the candidate. Someone may have made a false statement or some other acts may have been committed.

But this is a different matter. It is not with the intention of saying that this man should go out. In fact, the hon. Member for Matugama (Mr. Anil Moonesinghe) suggested, "Why do you not go to court?" He may be very anxious that we go to court and knock him out. That is not our concern. It is a remedy available to others. It is our view that this is not the way in which elections should be conducted. I do not want to go into the details of this, but after the Dedigama by-election this is the worst by-election I have seen and would not like to go through by-elections like this.

So we have to think, are there any changes, specific changes, that are necessary in the laws. First let the Parliament go into it, not us alone. Then in that case the Select Committee of Parliament must be satisfied that these matters have taken place. Satisfy yourself. If you think it has not happened, then no changes are necessary. But if you are satisfied they have taken place, some changes in the law may be necessary, where you may have to bring a law which says outsiders need not come to the electorates in which by-elections are held. These are the questions which should be gone into.

There are some aspects of this by-election which surprise me. I was quite surprised at the amount of money and the vehicles that were available to the SLFP in the last ten days of the campaign. I heard



some Member of the SLFP saying in this House that they had no money to run their by-election campaign. I have not gone to any of the other electorates. I was only in Mahara during the by-election. Going by the Mahara by-election, if they had those resources in the other electorates I do not think they can give any reason as to why they lost the by-election. I certainly have not been to any of the other electorates where by-elections were held, but in my experience I was surprised at the number of vehicles available to them. They always say that the Government in power has resources. What Government in power! If this is the way to have elections, it is far better to be in the Opposition. From where did the money come? It is something that is worthwhile going into. There are certain allegations. I have heard various things being said. There are so many other instances. This is not something special. What will happen if regularly complaints are made against public officers? When one person is in the police station, another person comes and complains, "You were not here; you went and tried to break up my house or my office."

මන්මුරයෙක්

(අනුකල්පවරු ஒருவர்)

(A Member)

Reincarnation.

රනිල් වික්‍රමසිංහ මහතා

(திரு. ரணில் விக்கிரமசிங்கம்)

(Mr. Ranil Wickremasinghe)

I do not know what this is. I do not think Members of the UNP are capable of acting in this manner.

When notice of this Select Committee was given and some people in Mahara had read this in the newspapers they came along and have me a pice of paper. This is not a matter which is covered by the Select Committee. They said, "ඇමතිතුමා, කමිටුවක් පත් කරල තියෙනව නේද? මෙතක මේවත් බලන්න. අපිත් ඇපින් සාකච්ඡා දෙනවා." Then I said: "තැනැ, මය ගොල්ල සාකච්ඡා දෙනන වුවමනාවක් තැනැ." Then they said: "අපේ ආසනයේ මේවත් වුණා." They gave me some papers. They said they had found some papers left behind by some outsiders who had come there. I was just glancing through it. I got it last week. On one side there was a lost of names of voters of the Ahugammana polling booth. I do not know why these notes have been made, "ගමේ තැන" and all that, whether it was a check list for a person in the polling booth or whether it was a list for impersonation, I so not know. I am not interested about that part of it. On the rear section I found that some people had signed their names. One is from Akurumulla, Delgoda. That is from the Biyagama Electorate. Two are from Ahugammana, Delgoda. That is from the Mahara electorate. I can forget about

them. Two are form the electorate concerned, one from the adjoining electorate. There were three other names: Ranjan Basnayake, C/2/18, National Housing Scheme Flats, Maligawatte; Ruwan Dhamikka, N/6, National Housing Scheme Flats, Maligawatte; S. M. Anver Hussein, 15/A/4, National Housing Service Flats, Maligawatte. Now all these people have signed an attendance paper that they have come. They say "බවහිර මාලිගාවක්ක ගබඩාව" If that is a branch of the SLFP, what were they doing in the Mahara Electorate? They had a municipal election in Colombo. So I made some inquiries in the meantime as to who these characters were. One of a security officer of the BMC—a very hard nut. One is unemployed, Mr. Anvar Hussain is the owner of a betting centre. What were these people doing here? I mean, I can go into many instances; they are referred to here.

What we are saying is, the way this election was conducted is a matter which all parties should go into. Who was the chief organizers of this? I expected to see the hon. Member for Kotmale, the hon. Member for Attanagalla. None of them were there. Who are the people—people like Devabandara Senaratna, Loku Atula, Wijeyemuni Devage Nimalasiri Jayasinghe—what is his past record? He was the person who was in charge of the collection of arms and ammunition and the manufacture of hand-bombs grenades required for the insurrection of April 1971. He organized the attack on the Kadawatha Police Station and was in charge of the attack in the Kegalle District, and after having lost they retreated to Wilpattu. Justice Alles' Book has some instances of what they did, how they burnt houses, how they opened fire on an army group and shot a soldier, how people who were thought to be informants wee killed. I can read this out in detail. I do not want to. If you read Justice Alles' book, this is the type of person.

Were these people brought into arrange a war? A butcher! I mean, I know the areas, the Siyane Korale—we have always had peaceful elections there. There was violence sometimes after the elections, which we have been always trying to stop. What is the purpose of having elections or by-elections if it is going to be a war? We need not even had these by-elections. Under the law we were entitled to go ahead for another seven years. But we felt that we should have by-elections for certain seats. Voters asked for it. We accepted it. It is not that we wanted to have those seats. We could have afford to lose all those 18 by-elections. It was not the case. There are ways in which by elections should be conducted. We are not making complaints of thuggery on this scale in any of the other places. In that case you must knock out the people who have won, not go into this matter. But this is the type of election that is bad for democracy.



[ජනලී වික්‍රමසිංහ මහතා]

I am very sorry that Members of the Opposition, some of them, said that they are not going to serve on the Committee. I hope they do serve on it. There is nothing to hide in this. The SLFP Members are not even here. I do not know why. I admire my friend the hon. Member for Kalawana. He has a very bad case. He is being asked to defend his general secretary's nephew. Why is the "Aththa" giving all this publicity? Why is the Communist Party interested in the SLFP candidate? They are criticising Mrs. Bandaranaike and Anura Bandaranaike, the hon. Member for Nuwara-Eliya-Maskeliya, daily. Why? Because he is the SLFP candidate or because this person happens to be the nephew of the General Secretary?

—(Interruption). There are many matters which will come out. I think if these so-called petitions have been filed they may come out. That is another matter. Some of us know facts which even the Members of the SLFP who are here in the group do not know. That is another matter. If these so-called petitions have been filed, well, that is another way for those persons to incite their claims.

But can you say that any other by-election was like this, this was the way in which it was conducted? That is why we say that we must go into it and make any amendments in the law so that there can be by-elections in the next six years. People can say, "What is the use of by-elections? Just carry on". But there must be means of testing public opinion. This is not an instance of getting Kumaranatunga out. We are not interested in that matter. This is just to ensure that these by-elections are held.

I do not want to take any more of your time. Some Members of the Opposition try to make out that this has never been done before, that it is undemocratic. It is not so. We want the Opposition to participate in it. I request them even now to reconsider the matter. If nothing is proved in this, how embarrassed the Government would be. We act with a sense of responsibility. Cases which are filed against us privately we can look after. We do not need to come to this House. Some of the things that will come out in the election petitions will be more interesting than what will ever come out in any Select Committee. But we want the Opposition to participate, because there is no other opportunity of amending this Order in Council.

The next time we have elections will be in 1989, which will be under the main Parliamentary Elections Act, not this Order in Council which was specifically brought into force again for the by-elections. That is the purpose. We want to avoid this situation arising again and ensure that by-elections can be held without the two sides coming to blows, without having importation of outsiders. I do not know from where the

money has come. I do not intend to speak in the House now about the many things that have happened in Mahara. But look into it and make the changes; I would prefer if it was done by an all party-committee. Shouting at us, trying to make allegations about us will not stop us from going ahead. But we like all of you to be in it.

I can understand the annoyance of the General Secretary of the Communist Party, having lost two seats which they contested and having lost the chance of making his nephew the Leader of the Opposition. And they are kicking up the biggest row not about Ratgama or Kamburupitiya, where their party lost? I mean, even if it is not true at least say it was unfair. No. They are more worried about what happened in Mahara. I know what is happening inside. Hon. Members like the hon. Member for Kalawana are very worried. They want the party to go on another line. They are worried that the party is being let down. But we can assure you, whatever your party does, we will ensure that you stay in this House. Yes. In spite of what happened at the Referendum, in spite of what your party may try to do to you, we will ensure that you stay in this House.

I do not want to take any more time of hon. Members. While commending this Motion to the House, I appeal to hon. Members of the Opposition to serve on this Select Committee.

දිනේෂ ගුණවර්ධන මහතා (මහරගම)

(திரு. தினேஷ் குணவர் த்தன—மஹரகம)

(Mr. Dinesh Gunawardene—Maharagama)

ගරු නියෝජ්‍ය කථානායකතුමනි, පාර්ලිමේන්තු ප්‍රජාතන්ත්‍රවාදී සම්ප්‍රදේශ ඉතාම කණගාටුදායක අවදියකට අවතීර්ණවීම සඳහා ඉදිරිපත් කර තිබෙන විශේෂ කාරක සභාවක් පත් කිරීමේ යෝජනාවක් පිළිබඳව කරුණු රාශියක් ඉදිරිපත් වූණි. අපි මේ අවස්ථාවේදී විශේෂයෙන් කියන්නට උත්සාහ කරන්නේ මේ රටේ ව්‍යවස්ථාදායකයක් විධායකයන් අධිකරණයන් අතර ඇති බලතල බෙදා ගැනීම පාර්ලිමේන්තුව විසින් පාවිච්චි කරන්න උත්සාහ දැරීම, මේ රටේ ජනතාවගේ අයිතිවාසිකම් නියෝජනය කිරීමට හා රැකීමට තිබෙන අධිකරණයේ ඇති බලතල පාර්ලිමේන්තුව මගින් ක්‍රියාත්මක කිරීමට අවතීර්ණවීම ඉතාම හයානක බවයි. අපේ පාර්ශ්වයේ අතින් මන්ත්‍රීවරු කිවවා වාගේ මේ රටේ මැතිවරණ ආඥා පනතක් තිබෙනවා. නීති රීති මිනූ තරම් තිබෙනවා. මැතිවරණ නීතිය යටතේ කරන වැරදිවලට දඩුවම් පැමිණවීමට මිනූ තරම් ඉඩකඩ තිබෙනවා. ජයග්‍රහණය කරන අපේක්ෂකයාට, පරාජය වන අපේක්ෂකයාට හෝ ප්‍රේමදාසකයන්ට තම අයිතිවාසිකම් රැක ගැනීම සඳහා අධිකරණය ඉදිරියට යන්නට අයිතිය තිබෙනවා. ඒ තත්ත්වයෙන් බැහැරව වෙනත් මාර්ගයක් සෙවීමට එක්සත් ජාතික පක්ෂයේ ආණ්ඩුව මේ අවස්ථාවේදී ඉදිරිපත් කර තිබෙන විශේෂ කාරක සභාවක් පත් කිරීමේ යෝජනාව අනුව මම කාරක සභාව ආණ්ඩුව සතුව පාර්ලිමේන්තුවේ තිබෙන අති මහත් බහුතර බලය ප්‍රයෝජනයට ගන්න බවට කිසිම සැකයක් නැහැ.

නියෝජ්‍ය කථානායකතුමා අද පැනනැගුණු රීති ප්‍රශ්න පිළිබඳව අවසානයේදී දුන් නිත්දුවෙන් පවා පැහැදිලි වූණේ මොකක්ද? අධිකරණයේ යම්කිසි ප්‍රශ්ණයක් තිබියදී එය මෙතැන සාකච්ඡා කරන්නට එපාය කියා අවම වශයෙන් හෝ නිත්දුවක් දුන්නා. ඒක



එක්සත් ජාතික පක්ෂයේ අයට තේරෙන්නට ඔහු. අපේ පැත්තෙන් අපි කිව්වෙන් ඒ විකසි. අධිකරණයට අයිති දේවල් අපි මෙතැන සාකච්ඡා කරන්නට අවශ්‍යතාවයක් නැහැ. අපි ඒ පිළිබඳව සාක්ෂි අහන්නට වුවමනා නැහැ. මේ සම්ප්‍රදාය පටන් ගන්නා අපි තවකින්තේ කොහෙත්ද කියන එක ආණ්ඩු පක්ෂයේ කෙනෙකුටත් කියන්නට බැහැ. අත්ත එයයි මේකේ ඇති ගණනකන්ටය.

මේ රටේ මහජනතාවගේ අයිතිය රැකීම සඳහායි පාර්ලිමේන්තුවට මන්ත්‍රීවරු පත් කර තිබෙන්නේ. පාර්ලිමේන්තු මන්ත්‍රීවරු විසින් සම්පාදනය කරන නීතිය ක්‍රියාත්මක කිරීම සඳහා අධිකරණයක් පවතිදද අපි ඒ මහජනයාගේ අයිතිය මෙතැනම තීන්දු කරන්නට උත්සාහ කරනවා නම් එය මේ රටේ පාර්ලිමේන්තු ප්‍රජාතන්ත්‍රවාදයේ අති ගණනක අවදියකට අවහිරණවීමක් කියන එක මම යළිත් කියා සිටිනවා.

අතුරු මැතිවරණ 18 ක් තිබුණා. මමත් ඒ අතුරු මැතිවරණ තරගයකින් ආපු මන්ත්‍රීවරයෙක්. මම මේ අවස්ථාවේදී මහරගම සිදු වූ දේවල් ගැන කියන්නට උත්සාහ දරන්නේ නැහැ. මට විරුද්ධව නීතිය ඉදිරිපිටට යන්නට ඔහුම කෙනෙකුට පුළුවනි. ඒ වාගේම මට පුළුවනි, අතින් අයට විරුද්ධව නීතිය ඉදිරිපිටට යන්නට. පාර්ලිමේන්තුවට පැමිණිලි කරලා පාර්ලිමේන්තුවේ බහුතර ඡන්දයෙන් තීන්දුවක් සම්මත කරවා ගන්නට අපි උත්සාහ දරන්නේ නැහැ. ඒ වාගේ පැමිණිලි ඉදිරිපත් කළ යුතු තැන් අපි හරියාකාරව දන්න නිසා මේ රටේ මහජන අයිතිය ආරක්ෂා කරන්නට බැඳී තිබෙන වගකීමෙන් යුතු පාර්ලිමේන්තුවක් හැටියට අපි නැවතත් මතක් කරන්නට කැමතියි. මේ ප්‍රශ්නය ගැන යළිත් සලකා බලන්නට ආණ්ඩු පක්ෂයට අවස්ථාව තිබෙනවාය යන්න.

සෑම මැතිවරණයක්ම අවසාන වන විට එක් පුද්ගලයෙක් හෝ ඒ පුද්ගලයා වටා සිටින අය දඩයම් කරන්නට පටන් ගන්නවා. ජනාධිපති මැතිවරණය අවසාන වුණාම විජය කුමාරණතුංගව දඩයම් කරන්නට පටන් ගන්නා. ජනමත විචාරණය ඉවර වන තුරු ඔහු අත් අඩංගුවේ තබා ගෙන සිටියා. අතුරු මැතිවරණ තරග ඉවර වුණා විතරයි නැවතත් විජය කුමාරණතුංග දඩයම් කරන්න පටන්ගෙන තිබෙනවා. ඇයි මේ එක පුද්ගලයකු දඩයම් කරන්නේ කියන වික මේ රටේ ජනතාවගේ හදවත් තුළින් අහන ප්‍රශ්නයක්. විජය කුමාරණතුංගගේ දේශපාලනය ගැන හෝ ඊට විරුද්ධ දේශපාලනය ගැන හෝ තොවෙයි මම කතා කරන්නෙ. මේ රටේ මනුෂ්‍යයකුගේ දේශපාලන ක්‍රියාවලියට දඬුවම් කරන්න මේ පාර්ලිමේන්තුව පාවිච්චි කරන්න අපට ඔහු නැහැ. නීතිය කඩා තිබෙනවා නම්, එම නීතිය කැඩීම ගැන මේ රටේ ඔහුම පුරවැසියකුට උසාවියට යන්නට අයිතිය තිබෙනවා. නමුත් මෙය ඒ අන්දමට ක්‍රියා කිරීමක්ද? අත්ත එයයි මෙතැන තියෙන ගණනකම. මේ රටේ දේශපාලනය වශයෙන් ප්‍රතිගාමීත්වය හා ප්‍රගතිශීලීත්වය අතර අද තිබෙන ගණනක අරගලයේ එක් අවස්ථාවක් පාවිච්චි කරන්න හදනවා. මේ රටේ ප්‍රජාතන්ත්‍රවාදී අයිතිවාසිකම්, මේ රටේ ජනතාවගේ අයිතිවාසිකම් නොතකා, කාවත් දඩයම් කරන්න පාර්ලිමේන්තු බලතල මේ වාගේ ඉතා සියුම් ලෙස පාවිච්චි කරන්න, උපයෝගී කර ගන්න එපාය කියා අප කියා සිටිනවා.

ගරු නියෝජ්‍ය කථානායකතුමනි, පාර්ලිමේන්තු ඉතිහාසයේ, පාර්ලිමේන්තු නීතිය නොයෙක් අවස්ථාවලදී වෙනස් කරන්න සෑම පක්ෂයක්ම සහයෝගය දී තිබෙනවා. කවදවත් කිසිම පක්ෂයක් සහයෝගය හොඳි ඉඳ නැහැ. විවිධ පක්ෂ සාකච්ඡා කර හැමදමත් එබඳු වෙනස්කම් කර තිබෙනවා. අවදියෙන් අවදියට, කාලයෙන් කාලයට නීති වෙනස් කරන්න ඔහු නම් එසේ වෙනස් කිරීමට පියවර ගැනීම ගැන කවුරුත් විරුද්ධ වෙන්නේ නැහැ. එසේ වෙනස් කිරීමට අවශ්‍ය නම් ඒ සඳහා විශේෂ කාරක සභාවක් පත් කරන්න පුළුවනි. නමුත් ඒ විශේෂ කාරක සභාව මහර නිසා පත් කරනවාය කියන කාරණය නම් සාධාරණය තේරුම් යන කිසිම කෙනෙක් පිළිගන්නවාය කියා මම හිතන්නේ නැහැ. ඒවාගේම මහර නිසා මේ රටේ නීතිය වෙනස් විය යුතුය කියන කාරණය පාර්ලිමේන්තු නීතිය හෝ පාර්ලිමේන්තු කටයුතු ගැන උනන්දුවක් දක්වන මේ රටේ කිසිම ඡන්ද දයකයකුට හෝ දේශපාලන පක්ෂයකට හෝ පිළිගන්න බැහැ.

ගරු නියෝජ්‍ය කථානායකතුමනි, ඇත්ත වශයෙන්ම මේ රටේ අතුරු ඡන්ද තිබුණේ මහර විතරක් නොවෙයි; මේ රටේ ඡන්ද තිබෙන්නේ මහර විතරක් නොවෙයි. ඒ වාගේම ඡන්දය පාවිච්චි කරන්න ඉන්න අයගේ අදහස් වෙනස් වෙන්නත් පුළුවනි. නමුත් ඒ කාටත්, අනුකාරක සභාවක් මගින් පාර්ලිමේන්තු නීතිය වෙනස් කරන්න මේ සිද්ධිය අවශ්‍ය නැහැ කියන වික අප කියන්න ඔහු.

මැතිවරණ නීතිය වෙනස් කරමින් ප්‍රජාතන්ත්‍රවාදය ආරක්ෂා කරන්නටය කියන වගන්තියක් අන්තර්ගත කර, ඒ වගන්තිය ප්‍රයෝජනයට ගනිමින් කළ ගණනක කතා කීපයක් අපට අහන්න ලැබුණා. මේ රටේ තමන්ට විරුද්ධ දේශපාලන මතයක් සියල්ලම ප්‍රජාතන්ත්‍රවාදයට විරුද්ධය කියමින් ඒ විරුද්ධ මතවලට, මතධාරීන්ට පහර දීමේ සාධාරණත්වය හුවා දැක්වූ ගණනක කථා අපි ඇහුවා. නමුත් එවැනි කථා පැවැත්වූ හා එම කථා අනුමත කළ අයට එක දෙයක් මතක් කර දෙන්න කැමතියි. නියම ප්‍රජාතන්ත්‍රවාදය තුළ කාටත් අයිතියක් තිබෙනවා, නමන්ගේ දේශපාලන මතය රටට ඉදිරිපත් කරන්න. ප්‍රජාතන්ත්‍රවාදීන් පිළිගත් අකාරයට එසේ තම දේශපාලන මත ඉදිරිපත් කරන්න ඉඩ තොදෙන තත්ත්වයක් මේ රජය යටතේ අද ලංකාවේ ඇති වී තිබෙනවා තේද කියන ප්‍රශ්නය දැන් මතු වී තිබෙනවා. මේ රජය මේ රටේ වැඩ කරන ජනතාවගේ අයිතිවාසිකම් උදුරු ගන්නා; මේ රටේ බහුතර ජනතාවගේ අයිතිවාසිකම් උදුරා ගන්නා. එපමණක් නොවෙයි, ප්‍රජාතන්ත්‍රවාදී රාමුව තුළ මෙතෙක් මේ රටේ ජනතාව තුන්කි වින්ද ඇතැම් මූලික අයිතිවාසිකම් පවා මේ රජය ජනතාවගෙන් උදුරා ගන්නා. මන්ත්‍රීවරයෙක් මැරුණාම අලුතින් මන්ත්‍රීවරයෙක් පත් කර ගැනීම සඳහා මන්ත්‍රී තරගයක් පැවැත්වීම, මේ රජය යටතේ තැනිව ගියා. මන්ත්‍රීවරයෙක් අස් වුණාම මන්ත්‍රී තරගයක් පැවැත්වීම තැනිව ගියා. මන්ත්‍රීවරයෙක් තෙරපනු ලැබුවාම ඒ වෙනුවට වෙනත් කෙනෙක් 'විට' ක්‍රමයෙන් පත් කරන්න පුළුවන් තත්ත්වයක් ඇති වුණා. මේ ආකාරයට මැතිවරණ නීතිය පවා වෙනස් කර තිබෙනවා. ඒ අයිතිවාසිකම් ජනතාවගෙන් උදුරා ගන්නේ ඔවුන්ගේ අනුමැතියක් තැනිවයි.

**මන්ත්‍රීවරයෙක්**  
(அங்கத்தவர் ஒருவர்)

(A Member)  
එහෙම නම් නමුත්තාත්තේ මෙතැනට ආවේ කොහොමද ?

**දිනේෂ ගුණවර්ධන මහතා**  
(திரு. தினேஷ் குணவர்தன)

(Mr. Dinesh Gunawardene)  
මම පාර්ලිමේන්තුවට ආවේ ජනතාවගේ ඡන්දය සාධාරණව ලබාගෙනයි. [බාධා කීරීම] ඒ මිස ජනතාවගේ ඡන්දය බලහත්කාරයෙන් උදුරාගෙන නොවෙයි. මම පාර්ලිමේන්තුවට ආවේ, අවුරුදු හයකට ඇවිල්ලා ඒක දෙළහක් කර ගත්ත නොවෙයි, අපි ආවේ, අවුරුදු හයකට ආපු උදවියගේ යුතුකමක් තිබෙනවා, ඒ හය අවුරුදු අවසානයේ මහජනයා ලහට ගිහිල්ලා, තවත් අවුරුදු 6 ක් ඉන්න අනුමැතිය ගන්න. [බාධා කීරීම] ජනතා ජනමත විචාරණයක් මගින් නමන්ගේ මන්ත්‍රීකම් දික් කර ගත් උදවිය අද අපෙන් අහනවා, අපි මෙහාට ආවේ කොහොමද කියා. අපි නමුත්තාත්තේලාට කියන්නේ, නමුත්තාත්තේලාත් මහජනයා ඉදිරියට ගිහින් අපි ආපු වීඩියට මෙතැනට එන්න ඔහුය කියලයි.

**මන්ත්‍රීවරයෙක්**  
(அங்கத்தவர் ஒருவர்)

(A Member)  
අපේ 14 දෙනෙක් අතුරු මැතිවරණවලින් මෙහාට ආවා.

**දිනේෂ ගුණවර්ධන මහතා**  
(திரு. தினேஷ் குணவர்தன)

(Mr. Dinesh Gunawardene)  
ආණ්ඩු පක්ෂයේ උදවියට බොහෝම ඊදෙනවා, අපි ප්‍රජාතන්ත්‍රවාදය ගැන කථා කරන කොට, ප්‍රජාතන්ත්‍රවාදය, නමන්ගේ අවශ්‍යතාවක් සඳහා පමණක් පාවිච්චි කරන්න දරන උත්සාහයන්ගෙන් තවත් එකක්



[දිනේෂ ගුණවර්ධන මහතා]

තමයි, මේ යෝජනාව, [බාධා කිරීම] තමුත්තාත්සේට පුළුවනි, නියම විධියට මහජන කැමැත්ත කොලබා තවත් අවුරුදු හයක් මන්ත්‍රීකමේ රැඳෙන්න ඉඩ දීම ගැන එක්සත් ජාතික පක්ෂයට පින් දෙන්න.

**මන්ත්‍රීවරයෙක්**  
(*අඹ්කප්පත්තවාර් ඉත්තවාර්*)  
(A Member)

තමුත්තාත්සේත් අද මොනද ඉන්නේ, ශ්‍රී ලංකා නිදහස් පක්ෂයට මුක්කු ගහපු නිසයි.

**දිනේෂ ගුණවර්ධන මහතා**  
(*තිලු. කිනේෂ් ගුණවාර්ත්තනා*)  
(Mr. Dinesh Gunawardene)

මම මොනදට ආවේ, තමුත්තාත්සේලාගේ ලොකුම කෙනෙක් පරදදලයි. [බාධා කිරීම] තමුත්තාත්සේලාගේ අපේක්ෂකයා මහරගමදී කීවා, 'මම දිනුවොත් මට ප්‍රවාහණ ඇමතිකම ලැබෙනවා' කියල. ඒක කීවේ, ප්‍රසිද්ධියේයි, ඔහු මොනදට ආවා නම් අද ඔහු තමුත්තාත්සේලා හුණ දෙනකුට වඩා ලොකු මිනිසෙක්; ඇමතිවරයෙක්. ඒ නිසයි මම තමුත්තාත්සේලාට කියන්නේ, කොදන්නා දේවල් ගැන කථා කරන්න එපාය කියා. [බාධා කිරීම] මේක මගේ අවස්ථාවයි. එම නිසා කරුණාකර මට කථා කරන්න ඉඩ දෙන්න. මේ ආකාරයෙන් අධිකරණයේ බලතල උදුරා ගන්න—[බාධා කිරීම]

**නියෝජ්‍ය කථානායකතුමා**  
(*පිරාතිප් සපාභායකර් අචාර්කර්*)  
(Mr. Deputy Speaker)  
Order, please! ඊනි ප්‍රශ්නයක්ද?

**ගාමිණී අතුකෝරල මහතා** (නියෝජ්‍ය යොවන කටයුතු හා රැකියා ඇමතිතුමා)  
(*තිලු. කාමිණී අත්තනුකොරනා—ඉනීනාලා අනුචාර්කර්, ජොහාල් වාය්ප්පු පිරාති අනාමප්පාර්*)  
(Mr. Gamini Atukorale—Deputy Minister of Youth Affairs & Employment)

මව්. තමා ජයග්‍රහණය කලා නම් ඇමතිවරයෙක් වෙනවාය කියා මහරගම එක්සත් ජාතික පක්ෂයේ අපේක්ෂකයා කීවායයි මහරගම ගරු මන්ත්‍රීතුමා (දිනේෂ ගුණවර්ධන මහතා) කීවා. කවදද, එහෙම කීවේ කියා කරුණාකර අපට කියන්න.

**නියෝජ්‍ය කථානායකතුමා**  
(*පිරාතිප් සපාභායකර් අචාර්කර්*)  
(Mr. Deputy Speaker)  
ඒක ඊනි ප්‍රශ්නයක් නොවෙයි.

**ගාමිණී අතුකෝරල මහතා**  
(*තිලු. කාමිණී අත්තනුකොරනා*)  
(Mr. Gamini Atukorale)  
ඒකට උත්තර දෙන්න කියන්න.

**නියෝජ්‍ය කථානායකතුමා**  
(*පිරාතිප් සපාභායකර් අචාර්කර්*)  
(Mr. Deputy Speaker)  
දැන් මේ යෝජනාව ගැන කථා කරමු.

**දිනේෂ ගුණවර්ධන මහතා**  
(*තිලු. කිනේෂ් ගුණවාර්ත්තනා*)  
(Mr. Dinesh Gunawardene)

නියෝජ්‍ය කථානායකතුමනි, මේ යෝජනාව සම්බන්ධව තමයි, මම කරුණු කියාගෙන ආවේ. මැතිවරණ නීතියට තැනක් දෙන්නේ නැතිව, මැතිවරණ නීතිය කප්පාදු කරලා, උසාවියේ කඩුවක් පවතිදදී එය

අමමල් රේඛාවක් තරමටවත් ගණන් ගන්නේ නැතිව, විශේෂ කාරක සභාවක් මගින් මේ රටේ යම්-යම් පුද්ගලයන් පිළිබඳව පරීක්ෂණ පවත්වා ඒ පුද්ගලයන් සම්බන්ධයෙන් පසුගිය කාලයේ කරන ලද ක්‍රියාවලි තව ඉදිරියටත් කරන්න හඳුනවාය කියන ඉතිහාසි මගේ මිත්‍ර අධ්‍යාපන ඇමතිතුමා කීවේ. තඩුව ඇහෙන විට එලි වන කරුණුවලින් තව තව දේවල් ඉස්සරහට සිදු වන බවටයි එතුමා ඉති කලේ. අපි මෙය තේරුම් ගන්නට ඕනෑ. පාර්ලිමේන්තු ප්‍රජාතන්ත්‍රවාදයේ අනාගතය පිළිබඳව ඇති වි තිබෙන හයාතක කේන්ද්‍රස්ථානයකටයි මේ අනුකාරක සභාව විසින් අප ගෙන යනු ලබන්නේ. මේ තත්ත්වය යටතේ අද අපි.....

**රනිල් වික්‍රමසිංහ මහතා**  
(*තිලු. රාණිල් බික්රාමසිංහ*)  
(Mr. Ranil Wickremasinghe)

මම කීවේ ප්‍රජාතන්ත්‍රවාදය නැතිවීමක් ගැන නොවෙයි. තඩුවක් ආවොත් අපි කියන්නම්, කුමාරතුංග මහත්මයා මොන-මොනවද කීවේ, මොන මොනවද කලේ කියල. ඒක ප්‍රජාතන්ත්‍රවාදයට අදාළ වෙන්නේ නැහැ. මම කියන ඒවා ශ්‍රී ලංකා නිදහස් පක්ෂයේ මය ගොල්ලන්ට අදාළ වෙයි. [බාධා කිරීම] මෙතෙක් ප්‍රජාතන්ත්‍රවාදයට හානියක් නැහැ.

**දිනේෂ ගුණවර්ධන මහතා**  
(*තිලු. කිනේෂ් ගුණවාර්ත්තනා*)  
(Mr. Dinesh Gunawardene)  
මම ශ්‍රී ලංකා නිදහස් පක්ෂයේ නොවෙයි.

**රනිල් වික්‍රමසිංහ මහතා**  
(*තිලු. රාණිල් බික්රාමසිංහ*)  
(Mr. Ranil Wickremasinghe)

මගේ කතාවෙන් මම කීවේ නැහැ, එලි වන දේ නිසා ප්‍රජාතන්ත්‍රවාදය නැති වෙයි කියල. මම කීවේ වෙන දෙයක්. මය ගොල්ලන් දන්නේ නැති කරුණු ගණනාවක් මම දන්නවා. ශ්‍රී ලංකා නිදහස් පක්ෂයේ අයවත් දන්නේ නැති ඒවා.

**දිනේෂ ගුණවර්ධන මහතා**  
(*තිලු. කිනේෂ් ගුණවාර්ත්තනා*)  
(Mr. Dinesh Gunawardene)  
වෙනත පුළුවන්.

**රනිල් වික්‍රමසිංහ මහතා**  
(*තිලු. රාණිල් බික්රාමසිංහ*)  
(Mr. Ranil Wickremasinghe)

ඒවා ආවාට පස්සේ බලා ගන්න එකු මය ගොල්ලන්ගේ, ඒ ගොල්ලන්ගේ වැඩ කටයුතු. මගේ ඒවා නෙවෙයි. මම ඒවා උසාවියට ගිහිනි කියන්නම් මට අවස්ථාව ආවම.

**දිනේෂ ගුණවර්ධන මහතා**  
(*තිලු. කිනේෂ් ගුණවාර්ත්තනා*)  
(Mr. Dinesh Gunawardene)

අප මේ යෝජනාවට විරුද්ධ වන්නේ ඇයි කියන කැරුණුයි මම කියාගෙන ආවේ. විරුද්ධ විමට හේතු කීපයක් මම කීවා. මේ පාර්ලිමේන්තුවේ මහජන අයිතිවාසිකම් උදුරා ගැනීමට සහයෝගය දක්වන්නට අපි සූදනම් නැහැ. ප්‍රජාතන්ත්‍රවාදීව සහ මේ ආණ්ඩුව විසින්ම මවන ලද, නිර්මාණය කරන ලද ආණ්ඩුක්‍රම ව්‍යවස්ථාවෙන් අධිකරණයට හිමි වන බලතල, මැතිවරණ නීතිය යටතේ ඊට හිමි වන බලතල උදුරා ගන්නට හෝ ඒ උදුරා ගැනීමට පෝෂණය දෙන්නට හෝ අපි ලැස්ති නැහැ. මේ හයාතක ක්‍රමය තුළ ඊළඟට උත්සාහ දරනු ලබන ක්‍රියා මොනවාද යන කාරණය ගැන අපිට අද ඉතාම කණගාටුදයක ලෙස කරුණු කියන්නට සිදු වෙනවා. උසාවියේ කෙරෙන ක්‍රියා පිළිබඳව මෙහි කතා කරන්නට එපායයි නියෝජ්‍ය කථානායකතුමාම ප්‍රකාශ කිරීමෙන් පැහැදිලි වන්නේ උසාවියට යම්කිසි අයිතියක් තිබෙනවා නම් ඒ පිළිබඳව, උසාවියේ තවමත් තීන්දු නොවූ ප්‍රශ්න පිළිබඳව පාර්ලිමේන්තුවේ තර්ක නොකළ යුතු බවයි. මම මේ කාරණය විශේෂයෙන් මතක් කරනවා.















ரகிலே விசுவாசம் மெய்யா (கேவல கருவியு னா ருடிக் ரகணா ஈமலிசு) னவ ஈமலரண ஈமலிசு)

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

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

(ஈ) 6) (1) பக்கவெதி—கூலி ஈசு

|               |      |    |           |    |
|---------------|------|----|-----------|----|
| (2) 16 ஈகமி.  | கூலி | 10 | விசுவாசம் | 01 |
|               | மலரண | 10 | கூலி      | 01 |
|               | கலரண | 10 | ஈமலரண     | 01 |
|               | மலரண | 10 | கூலி      | 01 |
|               | மலரண | 10 | கூலி      | 01 |
|               | கூலி | 10 | கூலி      | 01 |
|               | கூலி | 10 | கூலி      | 01 |
|               | கூலி | 10 | கூலி      | 01 |
|               | கூலி | 10 | கூலி      | 01 |
| (3) 27 ஈகமி.  | கூலி | 02 | கூலி      | 02 |
|               | மலரண | 03 | கூலி      | 01 |
|               | மலரண | 01 | கூலி      | 01 |
|               | மலரண | 01 | கூலி      | 01 |
|               | மலரண | 01 | கூலி      | 01 |
|               | மலரண | 03 | கூலி      | 01 |
|               | மலரண | 01 | கூலி      | 01 |
|               | மலரண | 01 | கூலி      | 01 |
|               | மலரண | 01 | கூலி      | 01 |
|               | மலரண | 01 | கூலி      | 01 |
|               | மலரண | 01 | கூலி      | 01 |
|               | மலரண | 01 | கூலி      | 01 |
|               | மலரண | 02 | கூலி      | 01 |
| (4) 99 ஈகமி.  | கூலி | 09 | கூலி      | 02 |
|               | மலரண | 01 | கூலி      | 02 |
|               | மலரண | 05 | கூலி      | 01 |
|               | மலரண | 02 | கூலி      | 02 |
|               | கூலி | 06 | கூலி      | 05 |
|               | மலரண | 06 | கூலி      | 02 |
|               | மலரண | 03 | கூலி      | 01 |
|               | கூலி | 03 | கூலி      | 01 |
|               | கூலி | 06 | கூலி      | 01 |
|               | மலரண | 06 | கூலி      | 04 |
|               | கூலி | 03 | கூலி      | 04 |
|               | மலரண | 05 | கூலி      | 03 |
|               | கூலி | 00 | கூலி      | 02 |
|               | கூலி | 02 | கூலி      | 03 |
|               | கூலி | 01 | கூலி      | 08 |
| (5) 447 ஈகமி. | கூலி | 31 | கூலி      | 13 |
|               | மலரண | 16 | கூலி      | 04 |
|               | மலரண | 16 | கூலி      | 11 |
|               | மலரண | 13 | கூலி      | 10 |
|               | கூலி | 21 | கூலி      | 20 |
|               | மலரண | 37 | கூலி      | 14 |
|               | மலரண | 14 | கூலி      | 13 |
|               | கூலி | 15 | கூலி      | 08 |
|               | கூலி | 21 | கூலி      | 08 |
|               | மலரண | 24 | கூலி      | 16 |
|               | கூலி | 13 | கூலி      | 05 |
|               | மலரண | 21 | கூலி      | 17 |
|               | கூலி | 08 | கூலி      | 10 |
|               | கூலி | 03 | கூலி      | 19 |
|               | கூலி | 08 | கூலி      | 20 |

| (ஈ) (ii) | (1) கூலி | (2) கூலி | (3) கூலி |
|----------|----------|----------|----------|
| கூலி     | 37       | 02       | 04       |
| மலரண     | 17       | —        | —        |
| மலரண     | 24       | 01       | —        |
| மலரண     | 16       | —        | —        |
| கூலி     | 26       | —        | 02       |
| கூலி     | 36       | 04       | 05       |
| கூலி     | 17       | 01       | 01       |
| கூலி     | 16       | 02       | 02       |
| கூலி     | 28       | —        | 02       |
| கூலி     | 28       | —        | 03       |
| கூலி     | 16       | —        | 01       |
| கூலி     | —        | 26       | 02       |
| கூலி     | 01       | 06       | —        |
| கூலி     | —        | 06       | —        |
| கூலி     | —        | 06       | 04       |
| கூலி     | 01       | 10       | 06       |
| கூலி     | 06       | —        | 01       |
| கூலி     | 01       | 02       | 09       |
| கூலி     | 05       | 07       | 02       |
| கூலி     | 25       | —        | 02       |
| கூலி     | 16       | —        | 02       |
| கூலி     | 14       | —        | 01       |
| கூலி     | 08       | —        | 01       |
| கூலி     | 06       | —        | 03       |
| கூலி     | 21       | —        | 01       |
| கூலி     | 09       | —        | 01       |
| கூலி     | 18       | 01       | 02       |
| கூலி     | 12       | —        | 01       |
| கூலி     | 22       | —        | 02       |
| கூலி     | 28       | —        | 02       |
|          | 454      | 74       | 62       |

(ஈ) கூலி கணம்.

(அ) 1. (1) கூலி கணம் மாவட்டம்

|              |    |    |         |    |
|--------------|----|----|---------|----|
| (2) 16 —கூலி | 01 | .. | கூலி—01 |    |
| கூலி         | 01 | .. | கூலி—01 |    |
| கூலி         | 01 | .. | கூலி    | 01 |
| கூலி         | 01 | .. | கூலி    | 01 |
| கூலி         | 01 | .. | கூலி    | 01 |
| கூலி         | 01 | .. | கூலி    | 01 |
| கூலி         | 01 | .. | கூலி    | 01 |
| கூலி         | 01 | .. | கூலி    | 01 |
| (3) 27 கூலி  | 02 | .. | கூலி    | 02 |
| கூலி         | 03 | .. | கூலி    | 01 |
| கூலி         | 01 | .. | கூலி    | 01 |
| கூலி         | 01 | .. | கூலி    | 01 |
| கூலி         | 01 | .. | கூலி    | 01 |
| கூலி         | 01 | .. | கூலி    | 01 |
| கூலி         | 01 | .. | கூலி    | 01 |
| கூலி         | 01 | .. | கூலி    | 01 |
| கூலி         | 02 | .. | கூலி    | 01 |
| (4) 99 கூலி  | 09 | .. | கூலி    | 02 |
| கூலி         | 01 | .. | கூலி    | 02 |
| கூலி         | 05 | .. | கூலி    | 01 |
| கூலி         | 02 | .. | கூலி    | 03 |
| கூலி         | 06 | .. | கூலி    | 05 |
| கூலி         | 06 | .. | கூலி    | 02 |
| கூலி         | 03 | .. | கூலி    | 01 |
| கூலி         | 03 | .. | கூலி    | 01 |
| கூலி         | 06 | .. | கூலி    | 01 |
| கூலி         | 06 | .. | கூலி    | 04 |
| கூலி         | 06 | .. | கூலி    | 05 |
| கூலி         | 03 | .. | கூலி    | 04 |
| கூலி         | 03 | .. | கூலி    | 03 |
| கூலி         | 00 | .. | கூலி    | 02 |
| கூலி         | 02 | .. | கூலி    | 03 |
| கூலி         | 01 | .. | கூலி    | 08 |



|         |              |    |    |                |    |
|---------|--------------|----|----|----------------|----|
| (5) 447 | கொழும்பு     | 31 | .. | மட்டக்களப்பு   | 13 |
|         | கோமகம        | 16 | .. | அம்பாறை        | 04 |
|         | கம்பகா       | 16 | .. | கல்முனை        | 11 |
|         | மினுவாங்கொடை | 13 | .. | திருகோணமலை     | 10 |
|         | களுத்துறை    | 21 | .. | குருநாகல்      | 20 |
|         | கண்டி        | 37 | .. | சிலாபம்        | 14 |
|         | மாத்தளை      | 14 | .. | குனியாப்பிட்டி | 13 |
|         | நுவரெலியா    | 15 | .. | நீக்காவரட்டி   | 08 |
|         | காலி         | 21 | .. | புத்தளம்       | 08 |
|         | மாத்தறை      | 24 | .. | அநுராதபுரம்    | 16 |
|         | தங்காலை      | 13 | .. | பொலநறுவை       | 05 |
|         | யாழ்ப்பாணம்  | 21 | .. | பண்டாரவலை      | 17 |
|         | வவுனியா      | 06 | .. | மொனராகலை       | 10 |
|         | முல்லைத்தீவு | 03 | .. | இரத்தினபுரி    | 19 |
|         | மன்னார்      | 08 | .. | கேகாலை         | 20 |

(4) 99

|              |              |    |              |              |    |    |
|--------------|--------------|----|--------------|--------------|----|----|
| Matara       | -            | 01 | Ratnapura    | -            | 01 |    |
| Jaffna       | -            | 01 | Kegalle      | -            | 01 |    |
| Mannar       | -            | 01 | Nuwara Eliya | -            | 01 |    |
| Batticaloa   | -            | 02 | Chilaw       | -            | 01 |    |
| Colombo      | -            | 09 | Batticaloa   | -            | 02 |    |
| Homagama     | -            | 01 | Ampara       | -            | 02 |    |
| Gampaha      | -            | 05 | Kalmunai     | -            | 01 |    |
| Minuwangoda  | -            | 02 | Trincomalee  | -            | 02 |    |
| Kalutara     | -            | 06 | Kurunegala   | -            | 05 |    |
| Kandy        | -            | 06 | Chilaw       | -            | 02 |    |
| Nuwara Eliya | -            | 03 | Nikaweratiya | -            | 01 |    |
| Matale       | -            | 03 | Kuliyapitiya | -            | 01 |    |
| Galle        | -            | 06 | Puttalam     | -            | 01 |    |
| Matara       | -            | 06 | Anuradhapura | -            | 04 |    |
| Tangalle     | -            | 03 | Polonnaruwa  | -            | 04 |    |
| Jaffna       | -            | 05 | Bandarawela  | -            | 03 |    |
| Vavuniya     | -            | 00 | Moneragala   | -            | 02 |    |
| Mullaitivu   | -            | 02 | Ratnapura    | -            | 03 |    |
| Mannar       | -            | 01 | Kegalle      | -            | 08 |    |
| (5) 447      | Colombo      | -  | 31           | Batticaloa   | -  | 13 |
|              | Homagama     | -  | 16           | Ampara       | -  | 04 |
|              | Gampaha      | -  | 16           | Kalmunai     | -  | 11 |
|              | Minuwangoda  | -  | 13           | Trincomalee  | -  | 10 |
|              | Kalutara     | -  | 21           | Kurunegala   | -  | 20 |
|              | Kandy        | -  | 37           | Chilaw       | -  | 14 |
|              | Matale       | -  | 14           | Kuliyapitiya | -  | 13 |
|              | Nuwara Eliya | -  | 15           | Nikaweratiya | -  | 08 |
|              | Galle        | -  | 21           | Puttalam     | -  | 08 |
|              | Matara       | -  | 24           | Anuradhapura | -  | 16 |
|              | Tangalle     | -  | 13           | Polonnaruwa  | -  | 05 |
|              | Jaffna       | -  | 21           | Bandarawela  | -  | 17 |
|              | Vavuniya     | -  | 06           | Moneragala   | -  | 10 |
|              | Mullaitivu   | -  | 03           | Ratnapura    | -  | 19 |
|              | Mannar       | -  | 08           | Kegalle      | -  | 20 |

அ. (ii)

(1) சிங்களம் (2) தமிழ் (3) முஸ்லிம்

|                |    |            |    |           |    |           |
|----------------|----|------------|----|-----------|----|-----------|
| கொழும்பு       | .. | 37         | .. | 02        | .. | 04        |
| கோமகம          | .. | 17         | .. | —         | .. | —         |
| கம்பகா         | .. | 24         | .. | 01        | .. | —         |
| மினுவாங்கொடை   | .. | 16         | .. | —         | .. | —         |
| களுத்துறை      | .. | 26         | .. | —         | .. | 02        |
| கண்டி          | .. | 36         | .. | 04        | .. | 05        |
| மாத்தளை        | .. | 17         | .. | 01        | .. | 01        |
| நுவரெலியா      | .. | 16         | .. | 02        | .. | 02        |
| காலி           | .. | 28         | .. | —         | .. | 02        |
| மாத்தறை        | .. | 28         | .. | —         | .. | 03        |
| தங்காலை        | .. | 16         | .. | —         | .. | 01        |
| யாழ்ப்பாணம்    | .. | —          | .. | 26        | .. | 02        |
| வவுனியா        | .. | 01         | .. | 06        | .. | —         |
| முல்லைத்தீவு   | .. | —          | .. | 06        | .. | —         |
| மன்னார்        | .. | —          | .. | 06        | .. | 04        |
| மட்டக்களப்பு   | .. | 01         | .. | 10        | .. | 06        |
| அம்பாறை        | .. | 06         | .. | —         | .. | 01        |
| கல்முனை        | .. | 01         | .. | 02        | .. | 09        |
| திருகோணமலை     | .. | 05         | .. | 07        | .. | 02        |
| குருநாகல்      | .. | 25         | .. | —         | .. | 02        |
| சிலாபம்        | .. | 16         | .. | —         | .. | 02        |
| குனியாப்பிட்டி | .. | 14         | .. | —         | .. | 02        |
| நீக்காவரட்டி   | .. | 08         | .. | —         | .. | 01        |
| புத்தளம்       | .. | 06         | .. | —         | .. | 03        |
| அநுராதபுரம்    | .. | 21         | .. | —         | .. | 01        |
| பொலநறுவை       | .. | 09         | .. | —         | .. | 01        |
| பண்டாரவலை      | .. | 18         | .. | 01        | .. | 02        |
| மொனராகலை       | .. | 12         | .. | —         | .. | 01        |
| இரத்தினபுரி    | .. | 22         | .. | —         | .. | 02        |
| கேகாலை         | .. | 28         | .. | —         | .. | 03        |
|                |    | <u>454</u> |    | <u>74</u> |    | <u>62</u> |

(a) (ii)

(1) Sinhala (2) Tamil (3) Muslim

|              |            |           |           |
|--------------|------------|-----------|-----------|
| Colombo      | 37         | 02        | 04        |
| Homagama     | 17         | —         | —         |
| Gampaha      | 24         | 01        | —         |
| Minuwangoda  | 16         | —         | —         |
| Kalutara     | 26         | —         | 02        |
| Kandy        | 36         | 04        | 05        |
| Matale       | 17         | 01        | 01        |
| Nuwara Eliya | 16         | 02        | 02        |
| Galle        | 28         | —         | 02        |
| Matara       | 28         | —         | 03        |
| Tangalle     | 16         | —         | 01        |
| Jaffna       | —          | 26        | 02        |
| Vavuniya     | 01         | 06        | —         |
| Mullaitivu   | —          | 06        | —         |
| Mannar       | —          | 06        | 04        |
| Batticaloa   | 01         | 10        | 06        |
| Ampara       | 06         | —         | 01        |
| Kalmunai     | 01         | 02        | 09        |
| Trincomalee  | 05         | 07        | 02        |
| Kurunegala   | 25         | —         | 02        |
| Chilaw       | 16         | —         | 02        |
| Kuliyapitiya | 14         | —         | 01        |
| Nikaweratiya | 08         | —         | 01        |
| Puttalam     | 06         | —         | 03        |
| Anuradhapura | 21         | —         | 01        |
| Polonnaruwa  | 09         | —         | 01        |
| Bandarawela  | 18         | 01        | 02        |
| Moneragala   | 12         | —         | 01        |
| Ratnapura    | 22         | —         | 02        |
| Kegalle      | 28         | —         | 02        |
|              | <u>454</u> | <u>74</u> | <u>62</u> |

(a) i. (1) One Kegalle District.

|        |              |   |    |              |   |    |
|--------|--------------|---|----|--------------|---|----|
| (2) 16 | Colombo      | - | 01 | Vavuniya     | - | 01 |
|        | Gampaha      | - | 01 | Mullaitivu   | - | 01 |
|        | Kalutara     | - | 01 | Ampara       | - | 01 |
|        | Nuwara Eliya | - | 01 | Kurunegala   | - | 01 |
|        | Kandy        | - | 01 | Anuradhapura | - | 01 |
|        | Matale       | - | 01 | Bandarawela  | - | 01 |
|        | Tangalle     | - | 01 | Ratnapura    | - | 01 |
|        | Jaffna       | - | 01 | Chilaw       | - | 01 |
| (3) 27 | Colombo      | - | 02 | Trincomalee  | - | 02 |
|        | Gampaha      | - | 03 | Kurunegala   | - | 01 |
|        | Minuwangoda  | - | 01 | Kuliyapitiya | - | 01 |
|        | Kandy        | - | 01 | Anuradhapura | - | 01 |
|        | Matale       | - | 01 | Polonnaruwa  | - | 01 |
|        | Galle        | - | 03 | Moneragala   | - | 01 |



























**දයක මුදල් :** පාර්ලිමේන්තු විவாத වාර්තාවල වර්ෂික දයක මිල රු. 200/- කි. (අශෝඨිත පිටපත් සඳහා නම් රු. 175/- කි). පිටපතක් ගෙන්වා ගැනීම අවශ්‍ය නම් ගාස්තුව රු. 2.50 කි. තැපැල් ගාස්තුව ශත 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 විවෘත වාර්තා ලබාගත හැකිය. නියමිත දිනෙන් පසුව එවනු ලබන දයක ඉල්ලුම්පත් භාරගනු නොලැබේ.

**සந்தා :** ඉන්සාඩ් අනුකර්ෂණ අලික්කොටුවක් වැරදිව සිටින සන්තා උපා 200/- (නිවැරදිව සිටින සන්තා උපා 175/-) ඉන්සාඩ් තනිපිටපතක් උපා 2.50. තපාත් සෙලවු 90 පදම්. වැරදිව සිටින සන්තා මුද්‍රණයක් අනුකර්ෂණ, අරභානුක වෙබ්සයිට්-ලබාගැනීම, ත. පෙ. මු. 500, කොළඹ 1 ආදිය විවෘතවීමට අනුකර්ෂණ පිටපතක් පැමිණිලි කළ යුතුය. ඉන්සාඩ් ආරාධනා 30 න් පසුව සන්තා පිටපතක් අනුකර්ෂණයෙන් ලබාගැනීමට. පිටපතක් ලබාගැනීමට සන්තා විකුණුම්පත් ඉදිරිපත් කළ යුතුය.

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NOTE

Correctors which members suggest for the final print should be clearly marked in the Report and the copy containing the corrections must reach the Editor of HANSARD.

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Thursday, 23rd June 1983