

පාර්ලිමේන්තු විවාද

(හැන්සාඩ්)

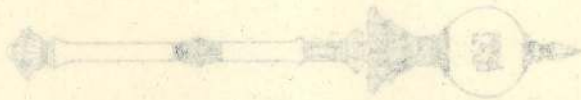
නිල වාර්තාව

(අශෝධිත පිටපත)

අත්කරගත ප්‍රධාන කරුණු

ප්‍රශ්නවලට වාර්තා පිළිතුරු
අලුත් ස්ථාවර නියෝග 9 (7) එකතු කිරීම
[පිළිකස් ආර්. ඩී. බණ්ඩාරනායක මහතා, සිරිමා ආර්. ඩී. බණ්ඩාරනායක
මහත්මිය සහ නිහාල් ජනවික්‍රම විමසෙහි නියම කර ඇති පුරා අයත්තූතා
පිළිබඳ යෝජනා සම්මතයන් අවලංගු කිරීම

කළු තැබීමේ යෝජනාව :
ඉන්දියාවේ විදේශ කටයුතු පිළිබඳ රාජ්‍ය ඇමති කුර්මඩි අලාම් බාත් මහතා කළ
ප්‍රකාශය



தமிழ் இலக்கியங்கள்

(மேலாண்டு)

மேலாண்டு 1925

(மேலாண்டு)

தமிழ் இலக்கிய அமைப்பு

தமிழ் இலக்கிய அமைப்பு
1925 10

தமிழ் இலக்கிய அமைப்பு
1925 10

பாராளுமன்ற விவாதங்கள்

(ஹன்சாட்)

அதிகார அறிக்கை

(பிழை திருத்தப்படாதது)

பிரதான உள்எடக்கம்

வினாக்களுக்கு வாய்முல் விடைகள்

புதிய நிலையற் கட்டளை 9 (7) லுச் சேர்த்தல்

திரு. பீலிக்ஸ் ஆர். டயஸ் பண்டாரநாயக்க, திருமதி சிறிமா ஆர். டி.
பண்டாரநாயக்க, திரு. நிகால் ஐயவிக்ரம ஆகியோர் மீது குடியியல்
தகுதியீனம் விதிக்கும் தீர்மானங்களை இடுத்துச் செய்தல்

ஒத்திவைப்புப் பிரேரணை :

இந்திய வெளிநாட்டலுவல்கள் இராஜாங்க அமைச்சர் ஐஸப்
சூர்ஷித் ஆலம் கான் விடுத்த அறிக்கை

Volume 35
No. 4

Friday
10th May 1985

PARLIAMENTARY DEBATES

(HANSARD)

OFFICIAL REPORT

(Uncorrected)

PRINCIPAL CONTENTS

ORAL ANSWERS TO QUESTIONS

ADDITION OF NEW STANDING ORDER 9 (7)

RESCINDING OF RESOLUTIONS FOR IMPOSITION OF
CIVIC DISABILITY ON MR. FELIX R. DIAS
BANDARANAIKE, MRS. SIRIMA R. D. BANDARANAIKE
AND MR. NIHAL JAYAWICKREMA

ADJOURNMENT MOTION :

STATEMENT MADE BY MR. KURSHED ALAM KHAN,
INDIAN MINISTER OF STATE FOR EXTERNAL AFFAIRS

2 - A 083814 - 3.000 (85/05)

LETTERS TO THE HOUSE

(continued)

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පාර්ලිමේන්තුව
பாராளுமன்றம்
PARLIAMENT

1985 මැයි 10 වන සිකුරාදා
 வெள்ளிக்கிழமை, 10 மே 1985
 Friday, 10th May 1985

ප්‍ර. ස. 9.30 ට පාර්ලිමේන්තුව රැස්විය. කථානායකතුමා [ජ. එල්. සේනානායක මහතා] මූලාසනයේ විය.

பாராளுமன்றம் மு. ப. 9.30 மணிக்குக் கூடியது. சபாநாயகர் அவர்கள் [திரு. எ. எல். சேனநாயக்க] தலைமை வகித்தார்கள்.

The Parliament met at 9.30 a.m. MR. SPEAKER (MR. E. L. SENANAYAKE) in the Chair.

ලිපි ලේඛනාදිය පිළිගැන්වීම
சமர்ப்பிக்கப்பட்ட பத்திரங்கள்
PAPERS PRESENTED

- (1) Annual Report of the State Gem Corporation for 1982.
 - (2) Annual Report and Accounts of the National Savings Bank for 1982.
 - (3) Report of the Auditor-General on the Accounts of the National Savings Bank for 1982.
 - (4) Annual Report of the National Lotteries Board for 1983. (Mr. M. H. M. Naina Marikkar, Acting Minister of Finance and Planning).
- Annual Report and Accounts of the Bureau of Ceylon Standards for 1982. (Mr. Vincent Perera, on behalf of the Minister of Industries and Scientific Affairs).

සමාජිකයා මත එවිය යුතුයයි තීරණය කරන ලදී.

சமர்ப்பிடத்தியல் இருக்கக் கூட்டினையிடப்பட்டது.

Ordered to lie upon the table.

පෙත්සම්
.மனுக்கள்
PETITIONS

මර්වින් ජේ. කුරේ මහතා (පානදුර)
 (திரு. மேவின் ஜே. குறே — பாணந்துறை)
 (Mr. Mervyn J. Cooray-Panadura)

ගරු කථානායකතුමා, බෙරුවල හලවකන්ද අංක 14 හි පදිංචි වී එසේ ප්‍රකාන්ද මහතාගෙන් ලැබුණු පෙත්සමක් මම පිළිගන්වමි.

සරත් මුත්තේටුවෙගම මහතා (කලාවත)
 (திரு. சரத் முத்தெட்டுவெகம — கலவான)
 (Mr. Sarath Muttetuwegama-Kalawana)

I present a petition from Mr. P. M. Ariyawathie of Pallewela, Bolthumbe, Pinnawala, Balangoda.

ඉදිරිපත් කරන ලද පෙත්සම් මහරජ පෙත්සම් කාරණ සභාවට පැවරිය යුතු යයි තීරණය කරන ලදී.

சமர்ப்பிக்கப்பட்ட மனுக்கள் பொதுமனுக் குழுவுக்குச் சாட்டக் கூட்டினையிடப்பட்டது.
 Petitions ordered to be referred to the Public Petitions Committee.

ප්‍රශ්නවලට වාචික පිළිතුරු
வினாக்களுக்கு வாய்மூல விடைகள்
ORAL ANSWERS TO QUESTIONS

එස් පී බී එම් ව්‍යාපෘතිය : ටෙන්ඩර්
 எஸ்பීபීஎம் கருத்திட்டம் : கேள்விகள்
 SPBM PROJECT : TENDERERS

48/85

1. **ලක්ෂමන් ජයකොඩි මහතා (අත්තනගල්ල)**
 (திரு. லக்ஷமன் ஜயக்கொடி — அத்தனகல்ல)
 (Mr. Lakshman Jayakody-Attanagalla)
 තියෝරා විදුලිබල හා බලශක්ති ඇමතිතුමාගෙන් ඇසූ ප්‍රශ්නය :
 (අ) විශාල කෙල් නැව්වලින් බොරකෙල් පිටකිරීමේ කාර්යයට අදාල, එස් පී බී එම් ව්‍යාපෘතිය සම්බන්ධයෙන් ලංකා බතිර කෙල් නීතිගත සංස්ථාවට උපදෙසකයන් වන, ටෙන්සාස් හි සී/ස. විලියම් මුද්රස් එන්ජිනියර් සමාගම සිය වාර්තා ඉදිරිපත් කොට ඇති බව එතුමා දන්නේද?
 (ආ) ඉහත ව්‍යාපෘතියට අදාල වන උපදෙසක වාර්තා සියල්ල විගණකාධිපතිවරයාට හා සංවර්ධන ලේකම් කාර්යාලවල සහාපතිවරුන්ට ලැබෙන්නට සලස්වන්නේද? එසේ නොකරන්නේ නම් ඒ මන්ද?
 (ඇ) ඉහත සඳහන් ව්‍යාපෘතියට ටෙන්ඩර් ඉදිරිපත් කිරීමට පූර්ව සුදුසුකම් තිබිය යුතු සී/ස. ඉමොඩිකෝ ඉන්කෝපරේටිව් හා එස් බී එම් ඉන්කෝපරේටිව් යන සමාගම් දෙකෙහි, විශාල අතිත ක්‍රම අසමාන තිබූ බැවින්, ඉහත සඳහන් උපදෙසක වාර්තාවේ සටහන්ව ඇති බව එතුමා දන්නේද?
 (ඈ) ලංකා බතිර කෙල් නීතිගත සංස්ථාවට බෝයා සැපයීම සඳහා ඉහත සඳහන් සමාගම් පූර්ව සුදුසුකම් ලබා ඇද්ද යන්න එතුමා සඳහන් කරන්නේද?
 (ඉ) ඉහත සඳහන් සමාගම් වල දේශීය ඒජන්සිවල නම් හා ඒවායේ අධ්‍යක්ෂවරුන්ගේ නම් එතුමා සඳහන් කරන්නේද?
 (ඊ) ජාතික යහපත තකා, ඉහත ටෙන්ඩර් අවලංගු කිරීමට හෝ මවුලින්ගේ බලපත්‍රකරුවන් අවලංගු කිරීමට එතුමා පියවර ගන්නේද?
 (උ) එසේ නොකරන්නේ නම්, ඒ මන්ද?

மின்சக்தி, எரிபொருள் பிரதி அமைச்சரைக் கேட்ட வினா :

- (அ) பாரிய எண்ணெய் தாங்கிக் கப்பலிலிருந்து மசகு எண்ணெயை வெளியேற்றும், இலங்கை பெற்றோலியக் கூட்டுத்தாபனத்தின் “எஸ்பීபීஎம்” கருத்திட்டத்தின் உசாத்துணையினரான, டெக்சாஸ் “வில்லியம் பிரதர்ஸ் இஞ்ஜினியரிங்” ஸ்தாபனத்தார் தமது அறிக்கையைச் சமர்ப்பித்துவிட்டார்கள் என்பதை அவர் அறிவாரா?
- (ஆ) இக் கருத்திட்டத்தின் சகல உசாத்துணை அறிக்கைகளையும் கணக்காய்வாளர் தலைமையதிபதிக்கும் அபிவிருத்திச் செயலகத் தலைவருக்கும் அவர் கிடைக்கச் செய்வாரா? இல்லையேல், ஏன்?
- (இ) M/s. Imodco Inc., SBM Inc. என்ற இரு கம்பனிகளின் பெயர்கள் பதிவாகியுள்ளதும், Monaco கேள்விக்காரர்கள் இக் கருத்திட்டத்திற்கு முற்றுகைமை பெற, பாரிய வரலாற்றுத் தோல்வியுள்ளவர்கள் என்பதும் மேற்படி உசாத்துணை அறிக்கையில் இருப்பதை அவர் அறிவாரா?
- (ஈ) இவ்விரு கம்பனிகளும் இலங்கை பெற்றோலியக் கூட்டுத்தாபனத்திற்கு போயாக்களை விநியோகிக்க முற்றுகைமை உள்ளனவா என்பதை அவர் கூறுவாரா?
- (உ) இக் கம்பனிகளின் உள்ளூர் முகவர்களின் பெயர்களையும் அதன் பணிய்ப்பாளர்களையும் அவர் கூறுவாரா?
- (ஊ) தேசிய நலன் கருதி இக் கேள்விக்காரர்களையும் இவர்களது கேள்வியிருவதற்கான உரிமத்தையும் தகைமையற்றவர்களாக்க அவர் நடவடிக்கை எடுப்பாரா?
- (எ) இல்லையேல், ஏன்?

[ලක්ෂමන් ජයකොඩි මතන]

asked the Deputy Minister of Power and Energy :

- (a) Is he aware that M/s. Williams Brothers Engineering, Texas, Consultants to the Ceylon Petroleum Corporation for SPBM Project to discharge crude oil from super tankers submitted their reports ?
- (b) Will he make available all consultants reports on the above project to the Auditor-General and to the Chairmen of Development Secretariats ; If not, why ?
- (c) Is he aware that in the above consultancy report, record of two Companies, namely M/s. Imodco Inc. and SBM Inc. Monaco tenderers to pre-qualify for above project had major historical system failures ?
- (d) Will he state whether the above Companies are pre-qualified to tender for the supply of Buoy to the Ceylon Petroleum Corporation ?
- (e) Will he state the names of the local agents of the above companies and their Directors ?
- (f) Will he take steps to disqualify the above tenderers or their licences to tender in the national interest ?
- (g) If not, why ?

පී. දයාරත්න මතන (අම්පාර දිසා ඇමතිතුමා සහ නියෝජ්‍ය විදුලිබල හා බලශක්ති ඇමතිතුමා)

(திரு. பீ. தயாரத்ன — அம்பாறை மாவட்ட அமைச்சரும் மின்சக்தி, எரிபொருள் பிரதி அமைச்சரும்)
(Mr. P. Dayaratne—District Minister, Amparai and Deputy Minister of Power and Energy)

- (a) Yes.
- (b) Auditor-General has always access to this report as well as to all other documents and reports relating to the project and all other projects. Chairman of the Development Secretaries too can have access to these if he wishes to.
- (c) Failures major, minor, historical and otherwise have been reported on all the Buoy manufacturers who applied for pre-qualification, including the companies referred to by the hon. Member for Attanagalla. The Tender Board having studied these reports have prequalified five of the six applicants.

(d) Yes.

(e) Buoy Supplier	Local Agent
Imodco	Ajan Trading Co. Ltd., Colombo 3.
SBM Inc.	not given

ලක්ෂමන් ජයකොඩි මතන
(திரு. லக்ஷ்மன் ஜயக்கொடி)
(Mr. Lakshman Jayakody)
Why ?

පී. දයාරත්න මතන
(திரு. பீ. தயாரத்ன)
(Mr. P. Dayaratne)

I do not know. It is not given.

Particulars of the Directors of the local agents are not available.

(f) No.

(g) The Tender Board is competent and capable of making the correct decision and whatever decision it makes will no doubt be in the best national interests.

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

I am very grateful and thankful to the Hon. Deputy Minister for giving us this information because we could not get these answers at all the previous time when this particular department or corporation was under another Ministry.

Will the Hon. Deputy Minister give us an assurance that he will use all powers, including enforcement powers, to find out who the local agents of these foreign companies are, and the amount of commission that they give to these local agents abroad in foreign currency and in rupees in Sri Lanka.

පී. දයාරත්න මතන
(திரு. பீ. தயாரத்ன)
(Mr. P. Dayaratne)

Yes. If there is a local agent and if there is any commission.

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

Will the Hon. Deputy Minister, at the same time, permit us to submit through the Consultative Committee the names that we in the Opposition get as to who those local agents are, and will he very kindly cause an inquiry ?

පී. දයාරත්න මතන
(திரு. பீ. தயாரத்ன)
(Mr. P. Dayaratne)

Yes.

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

Thank you.

තැපැල් සේවකයෝ : නිල ඇඳුම්
 தபால் ஊழியர் : சீருடை
 POSTAL EMPLOYEES : UNIFORMS

70/85

2. ලක්ෂ්මන් ජයකොඩි මහතා
 (නි. ල. ලක්ෂ්මන් ජයාජයා)
 (Mr. Lakshman Jayakody)

තැපැල් හා විදුලි සංදේශ ඇමතිතුමාගෙන් ඇසූ ප්‍රශ්නය :

- (අ) තැපැල් සේවකයන්ගේ නිල ඇඳුම මසා ගැනීම පිණිස තැපැල් දෙපාර්තමේන්තුව විසින් ගෙවන මුදල එතුමා සඳහන් කරනවාද ?
- (ආ) එම මුදල දැනට පවතින මැහුම් කුලිය අනුව කොඳුනෙහි බව එතුමා දන්නවාද ?
- (ඇ) රජයේ අතිකුත් දෙපාර්තමේන්තුවල සේවකයින්ට ඒවන වියදම අනුව නිල ඇඳුම් දීමකා ගෙවන බව එතුමා දන්නවාද ?
- (ඈ) එම ක්‍රියා පටිපාටිය අනුව මෙම සේවකයින්ටත් නිල ඇඳුම් දීමකාට ගෙවීමට එතුමා කටයුතු කරනවාද ?
- (ඉ) එසේ නොවේ නම්, ඒ මන්ද ?

தபால், தந்திப் போக்குவரத்து அமைச்சரைக் கேட்ட வினா :—

- (அ) தபால் ஊழியர்களின் சீருடைகளைத் தைத்துக் கொள்வதற்கு தபாற் நினைக்களத்தினால் செலுத்தப்பட்ட தொகை எவ்வளவு என்பதை அவர் குறிப்பிடுவாரா?
- (ஆ) இத்தொகை தற்போதுள்ள சையல் கூலியின் பிரகாரம் போதுமானதல்ல என்பதை அவர் அறிவாரா?
- (இ) ஏனைய அரசாங்கத் நினைக்கள ஊழியர்களுக்கு வாழ்கைச் செலவின் பிரகாரம் சீருடைப்படியும் வழங்கப்படுகின்ற தென்பதை அவர் அறிவாரா?
- (ஈ) இந்நடைமுறையின் பிரகாரம் இவ்ஊழியர்களுக்கும் சீருடைப் படி வழங்க அவர் நடவடிக்கை எடுப்பாரா?
- (உ) இன்றேல், ஏன்?

asked the Minister of Posts and Telecommunications :

- (a) Will he state the amount paid by the Postal Department for tailoring uniforms of Postal employees ?
- (b) Is he aware that this sum is insufficient under the prevailing tailoring charges ?
- (c) Is he aware that in other Government departments uniform allowance is being paid in par with the cost of living ?
- (d) Will he take steps to pay these employees too the uniform allowance in accordance with the above principle ?
- (e) If not, why ?

ඩී. ඩී. විජේතුංග මහතා (තැපැල් හා විදුලි සංදේශ ඇමතිතුමා)
 (නි. ල. ස. ඩී. ඩී. විජේතුංග — தபால், தந்திப் போக்குவரத்து அமைச்சர்)
 (Mr. D. B. Wijetunga—Minister of Posts & Telecommunications)
 පිළිතුර බොහෝම දිග නිසා සඟහන කරන්න අවසර ඉල්ලා සිටිනවා.

කාතායකතුමා
 (சபாநாயகர் அவர்கள்)
 (Mr. Speaker)
 You can table it if it is long.

ඩී. ඩී. විජේතුංග මහතා
 (නි. ල. ස. ඩී. ඩී. විජේතුංග)
 (Mr. D. B. Wijetunga)

විශේෂ දෙයක් දැන ගන්න තිබෙනවාද ගරු මන්ත්‍රීතුමාට ?

ලක්ෂ්මන් ජයකොඩි මහතා
 (නි. ල. ලක්ෂ්මන් ජයාජයා)
 (Mr. Lakshman Jayakody)

No, Sir, it is about the tailoring charges.

ඩී. ඩී. විජේතුංග මහතා
 (නි. ල. ස. ඩී. ඩී. විජේතුංග)
 (Mr. D. B. Wijetunga)

පිළිතුර බොහෝම දිගයි.

ලක්ෂ්මන් ජයකොඩි මහතා
 (නි. ල. ලක්ෂ්මන් ජයාජයා)
 (Mr. Lakshman Jayakody)

Can he answer (d) —

“Will he take steps to pay the uniform allowance to these employees also on the same basis ?”

ඩී. ඩී. විජේතුංග මහතා
 (නි. ල. ස. ඩී. ඩී. විජේතුංග)
 (Mr. D. B. Wijetunga)

(d) Does not arise in view of (c) above.

ලක්ෂ්මන් ජයකොඩි මහතා
 (නි. ල. ලක්ෂ්මන් ජයාජයා)
 (Mr. Lakshman Jayakody)

There you are ! This is exactly my question. The important question is—“Will he take steps ?” All the others are “Is he aware ?” When he says he will table the answer I cannot get it because — here he says he is not prepared. Therefore, he will answer (c) why he is not aware ; (b) why he is not aware ; and (a) obviously he has to state it. This is the problem.

ඩී. ඩී. විජේතුංග මහතා
 (නි. ල. ස. ඩී. ඩී. විජේතුංග)
 (Mr. D. B. Wijetunga)

ගරු මන්ත්‍රීතුමාට මොකක්ද වුවමනා කරන්නේ ?

ලක්ෂ්මන් ජයකොඩි මහතා
 (නි. ල. ලක්ෂ්මන් ජයාජයා)
 (Mr. Lakshman Jayakody)
 මේ ප්‍රශ්නයට පිළිතුරක්.

ඩී. ඩී. විජේතුංග මහතා
 (නි. ල. ස. ඩී. ඩී. විජේතුංග)
 (Mr. D. B. Wijetunga)
 පිළිතුර දුන්නානේ.

ලක්ෂ්මන් ජයකොඩි මහතා
 (නි. ල. ලක්ෂ්මන් ජයාජයා)
 (Mr. Lakshman Jayakody)
 දීල නැහැ.

ඩී. ඩී. විජේතුංග මහතා
 (නි. ල. ස. ඩී. ඩී. විජේතුංග)
 (Mr. D. B. Wijetunga)
 මොකක්ද විශේෂයෙන් ඉල්ලා සිටින පිළිතුර ?

ලක්ෂ්මන් ජයකොඩි මහතා
 (නි. ල. ලක්ෂ්මන් ජයාජයා)
 (Mr. Lakshman Jayakody)
 මේ පිළිතුර සම්පූර්ණයෙන් කියවන්න

டி. டி. வீஜேதுங்க
(திரு. டி. பி. விஜேதுங்க)
(Mr. D. B. Wijetunga)
பி.பி.டி. டி.பி.

கலிநாயகர்
(சபாநாயகர் அவர்கள்)
(Mr. Speaker)

The Hon. Minister can table that answer. There are lot of important business coming up. You can table the answer.

*கலிநாயகர் அவர்கள் பி.பி.டி. டி.பி. :
சபாநாயகர் அவர்கள் விடை:
Answer tabled.

(a) Yes.

Employees of this department who are entitled to uniforms are provided with the necessary cloth required for uniforms of their respective grades by the department once in two years and they are paid the following tailoring charges in accordance with the approved rates of the government.

Designation	Number of Uniforms provided	Tailoring charges payable for each uniform	Total tailoring charge paid
1. Senior Inspector of Uniform Staff	3 coats 3 slacks	Rs. 60/- Rs. 40/-	Rs. 300/-
2. Inspector of Uniform Staff	3 coats 3 slacks	Rs. 60/- Rs. 40/-	Rs. 300/-
3. Junior Inspector of Uniform Staff	3 coats 3 slacks	Rs. 60/- Rs. 40/-	Rs. 300/-
4. Delivery Revision Officer	3 coats 3 coats	Rs. 60/- Rs. 40/-	Rs. 300/-
5. Mail Officer	2 coats 2 slacks	Rs. 60/- Rs. 40/-	Rs. 200/-
6. Postman	3 coats 3 shorts	Rs. 60/- Rs. 25/-	Rs. 255/-
7. Telegraph Messenger	3 coats 3 shorts	Rs. 60/- Rs. 25/-	Rs. 255/-
8. Cycle Orderly	2 shirts 2 shorts	Rs. 25/- Rs. 25/-	Rs. 100/-
9. Post Office K.K.S.	2 coats 2 cloths	Rs. 60/- Rs. -/ 45	Rs. 120/90
10. Head Office K.K.S.	2 coats 2 cloths	Rs. 60/- -/45	Rs. 120/90
11. Lift Operator	2 coats 2 cloths	Rs. 60/- -/45	Rs. 120/90
12. Mail Porter	3 shirts 3 shorts	Rs. 25/- Rs. 25/-	Rs. 150/-
13. Mail Runner	3 shirts 3 shorts	Rs. 25/- Rs. 25/-	Rs. 150/-
14. Labourer & Cleaner	3 shirts 3 shorts	Rs. 25/- Rs. 25/-	Rs. 150/-
15. Driver	2 coats 2 slacks	Rs. 60/- Rs. 40/-	Rs. 200/-
16. Watcher	2 coats	Rs. 60/-	Rs. 120/-

(b) No. These amounts are sufficient in keeping with the current tailoring charges.

(c) No. Employees of this department who are entitled to uniforms are provided with cloth by the department for making their uniforms. They are also paid tailoring charges in terms of the rates appearing in the Public Administration Circular No. 278 of 84.12.13 for the tailoring of uniforms. These rates are applicable to all government department with effect from 1985.01.01.

(d) Does not arise in view of (c) above.

(e) Does not arise.

[புரட்சி வெளியீடு, சமூக அமைதி]

- (ஆ) 1980 ஆகஸ்ட் 2 ம் தேதி, அது ஒரு சனிக்கிழமை இவர் தனது பிள்ளையின் சுகப்பெயர் காரணமாக வேலைக்குச் செல்லவில்லை. 1980 ஆகஸ்ட் 4 ம் திகதி முகாமையாளரிடம் சென்று நடத்ததைக் கூறியார் என்பதுதான் உண்மை என்பதை அவர் அறிவாரா?
- (இ) முகாமையாளர் இவரை வேலை நிறுத்தக்காரராக கணித்து வேலை கொடுக்க மறுத்துவிட்டார் என்பதை அவர் அறிவாரா?
- (ஈ) இவர் மீள வேலைக்கமர்த்தப்பட வேண்டுமென அவர் உத்தரவிடுவாரா?
- (உ) இன்றேல், ஏன்?

asked the Minister of Agricultural Development and Research and Minister of Food and Co-operatives :

- (a) Is he aware that Mr. B. P. Wimalasena of Pitagedarawatte, Ihala Keembiya, who was a permanent labourer in the Labuduwa Farm and had 23 years of service (Seva Number 38) was discontinued in 1980 in a complain that he had struck work ?
- (b) Is he aware that on 2nd August 1980, which was a Saturday, Mr. Wimalasena was absent from work, as his child was ill, and that he went on 4th August, 1980, and informed the Manager of what had happened ?
- (c) Is he aware that the Manager had treated him as a striker and refused to give him work ?
- (d) Will he order that he should be re-instated ?
- (e) If not, why ?

தலைவர் அவர்களே (கருவாருக்கு முன்பு உட்பட) உம் சந்தர்ப்பம்

(திரு. காமணி ஜயசூரிய - விவசாய அபிவிருத்தி, ஆராய்ச்சி அமைச்சரும் உணவு, கூட்டுறவு அமைச்சரும்)

(Mr. Gamani Jayasuriya - Minister of Agricultural Development & Research and Minister of Food & Co-operatives)

- (a) Yes.
- (b) No.
- (c) Yes.
- (d) No.
- (e) I have gone through some of these reports and find that this person, has not been speaking the truth on this matter. When he was first questioned he said his child was ill whereas in his appeal he has said he kept away to go for threshing on his paddy field.

புரட்சி வெளியீடு, சமூக அமைதி

(கருவாருக்கு முன்பு, தலைநகரம்)

(Dr. W. Dahanayake)

Will the Hon. Minister note that the question at issue is why he was absent on Saturday ? On Monday when he went to work he explained the reason for his absence. Will the Hon. Minister find out whether those two particulars are correct ?

தலைவர் அவர்களே

(திரு. காமணி ஜயசூரிய)

(Mr. Gamani Jayasuriya)

I will certainly try to find out but the hon. Member must realize that when he was questioned as to why he did not come for work, he said his child was ill. Most probably - but I am not saying it was so. - the questioning officer may have found that he was not speaking the truth and did not accept what he said. Later on this was confirmed because what he said in his appeal was quite different from the answer he gave when he was first questioned. However, as the hon. Member suggests, I will check on this again.

பி. பி. சி. சி. கமிஷன் விருது: சி. சி. சி.

செல்வி எச். எச். மங்கலிகா வைத்யாதிக்க: நியமனம்
MISS H. H. MANGALIKA WAIDYATILLEKE:
APPOINTMENT

123/85

5. புரட்சி வெளியீடு, சமூக அமைதி

(கருவாருக்கு முன்பு, தலைநகரம்)

(Dr. W. Dahanayake)

- கமிஷன் கமிஷன் கமிஷன் கமிஷன் கமிஷன்
- (அ) பூக்கள் 43/84 உட்காட்டு கமிஷன், சி. சி. சி. கமிஷன் கமிஷன் கமிஷன் கமிஷன் கமிஷன்
- (ஆ) கமிஷன் கமிஷன் கமிஷன் கமிஷன் கமிஷன்
- (இ) கமிஷன் கமிஷன் கமிஷன் கமிஷன் கமிஷன்
- (ஈ) கமிஷன் கமிஷன் கமிஷன் கமிஷன் கமிஷன்
- (உ) கமிஷன் கமிஷன் கமிஷன் கமிஷன் கமிஷன்

கமிஷன் கமிஷன் கமிஷன் கமிஷன் கமிஷன்

- (அ) 07.08.1984 ம் தேதி விவசாய அமைச்சரின் கமிஷன் கமிஷன் கமிஷன் கமிஷன் கமிஷன்
- (ஆ) கமிஷன் கமிஷன் கமிஷன் கமிஷன் கமிஷன்
- (இ) கமிஷன் கமிஷன் கமிஷன் கமிஷன் கமிஷன்
- (ஈ) கமிஷன் கமிஷன் கமிஷன் கமிஷன் கமிஷன்
- (உ) கமிஷன் கமிஷன் கமிஷன் கமிஷன் கமிஷன்

asked the Deputy Minister of Plan Implementation :

- (a) With reference to the answer to question 43/85 of 07.08.1984, why was Miss H. H. Mangalika Waidyatilleke not appointed as a clerk for which post she is fully qualified ?
- (b) Why was she not appointed as a Middle Level Health Officer, for which post she was sent up for interview ?
- (c) Will he direct the relevant authority to recruit her ?
- (d) If not, why ?

ඩී. බී. වෙලගෙර මහතා (දියෝනිස් කිරියෝනිස් කිරීමේ ඇමතිතුමා)

(திரு. டி. பி. வெலகெதர -- அமைப்புத்திட்டச் செயற்படுத்தல் பிரதி அமைச்சர்)
(Mr. D. B. Welagedera-Deputy Minister of Plan Implementation)

- (අ) රැකියා බැංකුව මගින් කරනු ලබන්නේ අයදුම්කරුවන්ට තනතුරු වලට පත් කිරීම නොව සම්පූර්ණ පරීක්ෂණවලට යොමු කිරීමයි. රජයේ සරසාය වෙතට බඳවා ගැනීම සඳහා පැවැත්වෙන විභාගයට ඉදිරිපත් කිරීම පිණිස ඇයගේ නම දැනටමත් ඒකාබද්ධ සේවා අධ්‍යක්ෂ වෙත යොමු කොට ඇත.
- (ආ) ඇය මධ්‍යම මට්ටමේ සොබා නිලධාරී තනතුරකට බඳවා ගැනීම මුළුමනින්ම කෙරෙන්නේ සොබා අධ්‍යක්ෂතුමා මගිනි.
- (ඇ) නැත.
- (ඈ) නැත.

කථනායකතුමා
(சபாநாயகர் அவர்கள்)
(Mr. Speaker)
Question No. 6.

එම්. චින්සන්ටි පෙරේරා මහතා
(திரு. எம். வின்சன்ட் பெரேரா)
(Mr. M. Vincent Perera)

On behalf of the Hon. Minister of Foreign Affairs, I ask for two months' time.

ප්‍රශ්නය මතු දිනකදී ඉදිරිපත් කිරීමට නියෝග කරන ලදී.
வினாவை மற்றொரு தினத்தில் சமர்ப்பிக்கக் கட்டளையிடப்பட்டது.
Question ordered to stand down.

ඩී. බී. දියෝනිස් මහතා : සේ.අ.අ.
திரு. டி. பி. தியோனிஸ் : ஊ.சே.நி.

MR. D. B. DIYONIS : EPF

30/85

7. සරත් මුත්තේටුවෙගම මහතා (කලවාන)

(திரு. சரத் முத்தேட்டுவெகம் — கலவானா)
(Mr. Sarath Muttetuwegama-Kalawana)
කමකරු ඇමතිතුමාගෙන් ඇසූ ප්‍රශ්නය:

- (අ) (i) කිරීඇල්ලේ මඩබද්දර ජනපදයේ ඩී. බී. දියෝනිස් මහතා සේවක අර්ථසාධක අරමුදලේ ආරම්භයේ සිට 1975 දක්වා එහි සාමාජික අංක 14/ව/694 හිමි සාමාජිකයාට සිටි බවත්;
- (ii) ගලකුර වතුයායේ අධිකාරවරයා විසින් ඉහත සඳහන් මුළු කාල පරිච්ඡේදය සඳහාම මාසපතා අයකිරීම් කළ බවත්;
- (iii) ඔහු විසින් ඉදිරිපත් කරන ලද ඉල්ලුම් පතක් මත රු. 780/- ක මුදලක් ඔහුට ආපසු ගෙවූ බවත්; එතුමා දන්නේද ?
- (ආ) සේවා හා සේවක දායක මුදල වශයෙන් වෙන් වෙන්ව ඔහුගේ නමට ඇති මුළු මුදල කොපමණේද ?
- (ඇ) සේවකයන්ගෙන් අයවිය යුතුව ඇති හිඟ මුදල වෙනත් ඒවා අය කර ගැනීම සඳහාත් ඩී. බී. දියෝනිස් මහතාට සම්පූර්ණ මුදල ආපසු ගෙවීම සඳහාත් කුමන පියවරක් ගනු ලබන්නේද ?

தொழிலமைச்சரைக் கேட்ட வினா :

(அ) (i) கிரியெயில், மடபத்தறைக் கொலனியைச் சேர்ந்த திரு. டி. பி. தியோனிஸ் என்பவர் ஊழியர் சேமலாப நிதியில் உறுப்பினராக 14/வ/694 கொண்ட உறுப்பினராக அது ஆரம்பிக்கப்பட்ட காலத்திலிருந்து 1975 வரையில் தொகுத்தாரென்பதையும் ;

- (ii) மேலே குறிப்பிடப்பட்ட காலம் முழுவதற்கும் கலத்துறை குறாப் தோட்டத்துரையால் மாதாந்தம் பணம் கழிக்கப்பட்டதென்பதையும் ;
- (iii) இவர் விண்ணப்பித்ததன் பேரில் இவருக்கு ரூபா 780/- மீள அளிக்கப்பட்டதென்பதையும்,

அவர் அறிவாரா ?

- (ஆ) முறையே தொழில் வழங்குநரின் பங்களிப்பாகவும், ஊழியரின் பங்களிப்பாகவும் இவரது வரவிலிருக்கும் மொத்தத் தொகையாது ?
- (இ) தொழில் வழங்குநரிடமிருந்து வரவேண்டிய நிலுவைகளை அறவிடுவதற்கும் திரு. டி. பி. தியோனிசுக்கு முழுத் தொகையையும் மீள அளிப்பதற்கும் எடுக்கப்படுகின்ற நடவடிக்கைகள் என்ன ?

asked the Minister of Labour :

(a) Is he aware that :

- (i) Mr. D. B. Diyonis of Madabaddara Colony, Kiriella, was a member of the E.P.F. with Membership No. 14/T/694 from its inception till 1975 ;
- (ii) deductions were made monthly for the whole period mentioned above by the Superintendent, Galature Group ;
- (iii) On an application made by him a sum of Rs. 780 was refunded to him ?

(b) What is the total amount lying to his credit as Employers and Employees Contributions respectively ?

(c) What steps are being taken to recover any arrears due by the employers and to refund the full amount to Mr. D. B. Diyonis.

එම්. චින්සන්ටි පෙරේරා මහතා
(திரு. எம். வின்சன்ட் பெரேரா)
(Mr. M. Vincent Perera)

I answer on behalf of the Minister of Labour.

(a) (i) Yes.

(ii) Records are not available to establish this position.

(iii) Yes. It is Rs. 782.01.

(b) There is no balance to his credit now.

(c) Investigations have been held. The available evidence and the Members statements reveal, that there are no arrears to be recovered.

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

Sir, this is a very difficult position for people on this estate. I have raised this matter on a number of occasions with the Ministry of Labour. A large number of workers on this estate have had ductions made for the EPF over a period of years. That money was collected by the employer at the time and not credited to the EPF. The result is, not only have they not got the employer's contribution they have not even got their

[සරත් මුත්තේට්ටෙගම මහතා]

own contributions back. I think it is very unsatisfactory for the Government to get away from its responsibilities simply by saying that records are not available.

The Government must find some way of helping these people. Actually, over thousands of workers are prepared to give evidence that deductions were made. What more records do you want ? This is now vested in the SLSPC.

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

Investigations have been made and they find that no records are available.

සරත් මුත්තේට්ටෙගම මහතා
(திரு. சரத் முத்தேட்டுவெகம)
(Mr. Sarath Muttetuwegama)

I do not expect an answer from the Hon. Minister of Parliamentary Affairs who is holding the file.

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

I will give this over to the Minister concerned.

එම්. ඩී. ආර්. චන්ද්‍රපාල මහතා : රැකියාවක්
திரு. எம். வீ. ஆர். சந்திரபால : தொழில்

MR. M. V. R. CHANDRAPALA : EMPLOYMENT

45/85

8. ඊට්ඩී පතිරණ මහතා (අක්මීමන)
(திரு. ரிச்சட் பத்திரன — அக்மீமன)
(Mr. Richard Pathirana-Akmeemana)

කියෙරා සැලසුම් ක්‍රියාත්මක කිරීමේ ඇමතිතුමාගෙන් ඇසූ ප්‍රශ්නය :

- (අ) අක්මීමන ආසනයේ වලහන්වූ, ඉහලගොඩ, 'වීර සෙවන' හි පදිංචි මාවැල්ල විනානගේ රංජිත් චන්ද්‍රපාල මහතාට අංක 0290 දරන රැකියා බැංකු පෝරමය හිමි බව එතුමා දන්නවාද ?
- (ආ) ඒ මහතාට මෙතෙක් රැකියාවක් ලබාදී නොමැති නිසා වහාම සම්මුඛ පරීක්ෂණයකට කැඳවා රැකියාවක් ලබාදීමට එතුමා කටයුතු කරන්නේද ?
- (ඇ) නොඑසේ නම්, ඒ මන්ද ?

திட்டச் செயற்படுத்தல் பிரதி அமைச்சரைக் கேட்ட வினா :

- (அ) அக்மீமன தொகுதியில் வலமுள்ளதூவ, இஹலகொட, "வீர செவன" வில் வசிக்கும் திரு. மாவல்ல வித்தானகே ரஞ்சித் சந்திரபாலவுக்கு 0290 ஆம் இலக்கத் தொழில் வங்கிப் படிவம் உரியதென்பதை அவர் அறிவாரா ?
- (ஆ) இவருக்கு இதுவரை தொழிலெதுவும் வழங்கப்படாமையினால் உடனடியாக நேர்முகப் பரீட்சைக்கு இவரை அழைத்துத் தொழிலொன்றைப் பெற்றுத் தர அவர் நடவடிக்கை எடுப்பாரா ?
- (இ) இன்றேல், ஏன் ?

asked the Deputy Minister of Plan Implementation :

- (a) Is he aware that Mr. Mawella Vithanage Ranjith Chandrapala of "Weera Sevana", Ihalagoda, Walahanduwa in the Akmeemana constituency possesses Job Bank Form No. 0290 ?
- (b) Will he take action to call him immediately for an interview and give him employment as he has not still been given employment ?
- (c) If not, why ?

ඩී. බී. වෙලගෙර මහතා
(திரு. டி. பி. வெலகெதர்)
(Mr. D. B. Welagedera)

(අ) මව්. ගාල්ල දිස්ත්‍රික් රැකියා බැංකුවේ ලියා පදිංචි වී ඇත.

(ආ) ගාල්ල දිසාපති විසින් සම්මුඛ පරීක්ෂණ 04 කට ඔහු යොමු කොට ඇත. ඔහු ලබා ඇති සුදුසුකම් අනුව පුරප්පාඩු සඳහා ඉල්ලීම් ලැබුණු විට ඉදිරියේදී සම්මුඛ පරීක්ෂණ වලට යොමු කිරීමට කටයුතු කරනු ලැබේ.

(ඇ) පැන නොනගී.

ජේ. අරඹවෙල මහත්මිය : රැකියාවක්

திருமதி ஜே. அரம்புகல: தொழில்

MRS. J. ARAMBEWELA : EMPLOYMENT

46/85

9. ඊට්ඩී පතිරණ මහතා
(திரு. ரிச்சட் பத்திரன)
(Mr. Richard Pathirana)

කියෙරා සැලසුම් ක්‍රියාත්මක කිරීමේ ඇමතිතුමාගෙන් ඇසූ ප්‍රශ්නය :

- (අ) අක්මීමන ආසනයේ වක්වැල්ල, හපුගල, රත්නගිරිවත්තේ අංක 59 දරන කීව්දේ පදිංචි ජයන්තිලතා අරඹවෙල මහත්මියට අංක 0829 දරන රැකියා බැංකු පෝරමය හිමි බව එතුමා දන්නවාද ?
- (ආ) මෙතෙක් ඇයට රැකියාවක් ලබාදී නොමැති නිසා වහාම සම්මුඛ පරීක්ෂණයට කැඳවා ඇයට රැකියාවක් ලබාදීමට එතුමා කටයුතු කරන්නේද ?
- (ඇ) නොඑසේ නම්, ඒ මන්ද ?

திட்டச் செயற்படுத்தல் பிரதி அமைச்சரைக் கேட்ட வினா :

- (அ) அக்மீமன தொகுதியில் வக்வெல்ல, ஹப்புகல, ரத்னகிரிவத்தையில் 59 ஆம் இலக்க வீட்டில் வசிக்கும் திருமதி ஜயந்திலதா அரம்பவெலவுக்கு 0829 ஆம் இலக்கத் தொழில் வங்கிப் படிவம் உரியதென்பதை அவர் அறிவாரா ?
- (ஆ) இவருக்கு இதுவரை தொழிலெதுவும் வழங்கப்படாமையினால் உடனடியாக நேர்முகப் பரீட்சைக்கு இவரை அழைத்துத் தொழிலொன்றைப் பெற்றுத் தர அவர் நடவடிக்கை எடுப்பாரா ?
- (இ) இன்றேல், ஏன் ?

asked the Deputy Minister of Plan Implementation :

- (a) Is he aware that Mrs. Jayantilatha Aarambewela of No. 59, Ratnagiriwatta, Hapugala, Wakwella in the Akmeemana Electorate possesses job card No. 0829 ?
- (b) As she has not been given employment as yet will he take steps to call her immediately for an interview and give her a job ?
- (c) If not, why ?

ඩී. බී. වෙලගෙර මහතා
(திரு. டி. பி. வெலகெதர்)
(Mr. D. B. Welagedera)

(අ) මව්. ගාල්ල දිස්ත්‍රික් රැකියා බැංකුවේ ලියා පදිංචි වී ඇත.

(ආ) ගාල්ල දිසාපති විසින් සම්මුඛ පරීක්ෂණ 04 කට ඇය යොමු කොට ඇත. ඇය ලබා ඇති සුදුසුකම් අනුව පුරප්පාඩු සඳහා ඉල්ලීම් ලැබුණු විට ඉදිරියේදී සම්මුඛ පරීක්ෂණ වලට යොමු කිරීමට කටයුතු කරනු ලැබේ.

(ඇ) පැන නොනගී.

[නමති ජයසූරිය මහතා]

(c) No. Though M. W. Perera, the land owner, has been informed by a son of the deceased tenant cultivator to collect the rent on 08.02.1984, the owner has failed to do so and therefore the rent due to the owner has been handed over to the Agrarian Services Committee through the Cultivation Officer. The owner, though informed by the Committee, has failed to collect the paddy within 30 days of the notice of the Committee, and then the paddy was sold and a sum of Rs. 671.70 was deposited in the Agrarian Services Committee account. This money is payable to the land owner.

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

Will the Agrarian Services Committee send a money order to the land owner and finish off this problem ?

ගමති ජයසූරිය මහතා
(**திரு. காமனி ஜயசூரிய**)
(Mr. Gamani Jayasuriya)

I will check whether that is possible.

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

The Committee is having the money. Now the only way is to pay him off.

ගමති ජයසූරිය මහතා
(**திரு. காமனி ஜயசூரிய**)
(Mr. Gamani Jayasuriya)

I will check on that. If it can be done I will certainly do it. If it cannot be done, of course, I cannot do anything.

ආර්යරත්න ජයතිලක මහතා (ගම්පහ දිසා ඇමතිතුමා)
(**திரு. ஆரியரத்ன ஜயதிலக்க — கம்பஹ மாவட்ட அமைச்சர்**)
(Mr. Ariyaratne Jayatillake-District Minister, Gampaha)

Is it *infra dig* for him to go and take the money ?

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

Exactly so. This is what has happened.

ආර්යරත්න ජයතිලක මහතා
(**திரு. ஆரியரத்ன ஜயதிலக்க**)
(Mr. Ariyaratne Jayatillake)

It is *infra dig* for him to go and take the money by taking a couple of steps ?

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

Exactly. I agree with the Hon. District Minister. That money should be sent by telegraph money order or postal order and this matter finished off.

ආර්යරත්න ජයතිලක මහතා
(**திரு. ஆரியரத்ன ஜயதிலக்க**)
(Mr. Ariyaratne Jayatillake)

No, Sir. He has to sign certain documents when he draws the money.

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

No, no. When he goes to the Postal Department it is done.

ගමති ජයසූරිය මහතා
(**திரு. காமனி ஜயசூரிய**)
(Mr. Gamani Jayasuriya)

I do not know whether it is *infra dig* or otherwise. You must be knowing more because he is from your area. I will check on what the hon. Member for Attanagalla said, and if something fair and reasonable could be done, I will do it.

සී/ස හලාවත පුත්තලම දෙදිසාවේ සමුපකාර සමිතිය : 46 (1) විභාග වාර්තාව

சிலாபம் — புத்தளம் கூட்டுறவுச் சங்கம் : 46(1) பிரிவின் கீழ் விசாரணை

**CHILAW-PUTTALAM COOPERATIVE SOCIETY LTD:
INQUIRY UNDER SECTION 46 (1)**

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12. එම්. හලීම් ඉෂාන් මහතා (මැද කොළඹ තුන්වන) (ജഗദീപ്തം, ഹാലീം ഇസാക് — കൊලംචු මத்தി මුහුරුම අභ්‍යන්තර) (Mr. M. Haleem Ishak-Third Colombo Central) කෘෂිකාර්මික සංවර්ධනය හා පර්යේෂණ ඇමතිතුමා සහ ආහාර හා සමුපකාර ඇමතිතුමාගෙන් ඇසූ ප්‍රශ්නය:

- (අ) තත්ත්වයේ සී/ස. හලාවත පුත්තලම දෙදිසාවේ සමුපකාර සමිතිය සම්බන්ධව 1978 වර්ෂයේ දී සමුපකාර ආදායමක් 46 (1) වගන්තිය යටතේ සිදුකළ විභාග වාර්තාව එකතු ඉදිරිපත් කරන්නේද ?
- (ආ) එම වාර්තාවෙන් පෙන්වා දෙන ලද කරුණු අනුව, අධ්‍යක්ෂවරුන්ට විරුද්ධව වූ චෝදනා වෙන් වෙන් වශයෙන් එකතු ඉදිරිපත් කරන්නේද ?
- (ඇ) එකී විභාග වාර්තාව මේ දක්වා එම සමිතියේ මොනම අධ්‍යක්ෂ මණ්ඩලයක්වත් ක්‍රියාත්මක කර නොමැත්තේ කුමන හේතුවක් නිසාද එකතු සඳහන් කරන්නේද ?
- (ඈ) අධ්‍යක්ෂ මණ්ඩලය ක්‍රියාත්මක කොටුව එකී වාර්තාව සමුපකාර කොමසාරිස්ගේ බලතල යටතේ ඔහු විසින් ක්‍රියාත්මක නොකළේ ඇයිද එකතු සඳහන් කරන්නේද ?
- (ඉ) එකී සමිතියේ කටයුතු පිළිබඳව 1984 වර්ෂයේදී සමුපකාර ආදායමක් 46 (1) යටතේ පවත්වන ලද විභාග වාර්තාවේ අඩංගු කරුණු අප්‍රමාදව ක්‍රියාත්මක කරවීමට එකතු පියවර ගන්නේද ?
- (ඊ) නොඑසේ නම් ඒ මන්ද ?

விவசாய அபிவிருத்தி, ஆராய்ச்சி அமைச்சரும், உணவு கூட்டுறவு அமைச்சருமானவரைக் கேட்ட வினா :

- (அ) நாத்தாண்டியவிலுள்ள வரையறுக்கப்பெற்ற சிலாபம், புத்தளம் ஆகிய இரண்டு பிரதேசக் கூட்டுறவுச் சங்கம் தொடர்பாக 1978 ஆம் ஆண்டில், கூட்டுறவுக் கட்டளைச் சட்டத்தின் 46 (1) ஆம் பிரிவின் கீழ் நிகழ்த்திய விசாரணையின் அறிக்கையை அவர் சமர்ப்பிப்பாரா ?
- (ஆ) இவ்வறிக்கையில் காட்டிய விடயங்களின் பிரகாரம் பணியாற்றாமைக்கு எதிரான குற்றச்சாட்டுக்களைத் தனித்தனி சமர்ப்பிப்பாரா ?

- (இ) குறிப்பிட்ட விசாரணை அறிக்கையை குறித்த சங்கத்தின் எந்தப் பணிப்பாளர் சபையும் உள்ள காரணத்திற்காகச் செயற்படுத்தவில்லையென்பதைக் கூறுவாரா ?
- (ஈ) பணிப்பாளர் சபை செயற்படுத்தாத குறிப்பிட்ட அறிக்கையைக் கூட்டுறவு ஆணையாளரின் அதிகாரத்தின்கீழ் இவர் ஏன் செயற்படுத்தவில்லையென்பதை அவர் கூறுவாரா ?
- (உ) குறிப்பிட்ட சங்கத்தின் அலுவலர்கள் தொடர்பாக 1984 ஆம் ஆண்டில் கூட்டுறவுக் கட்டளைச் சட்டத்தின் 46 (1) இன் கீழ் நடத்திய விசாரணை அறிக்கையில் காணப்படும் விடயங்களைத் தாமதமின்றிச் செயற்படுத்த அவர் நடவடிக்கை எடுப்பாரா ?
- (ஊ) இன்றேல், ஏன் ?

asked the Minister of Agricultural Development and Research and Minister of Food and Co-operatives :

- (a) Will he submit the report of the inquiry held under section 46(1) of the Co-operatives Ordinance, in the year 1978, in respect of the Chilaw-Puttalam Co-operative Society Ltd., Nattandiya ?
- (b) Will he state the allegations against each of the Directors that were elicited from the facts pointed out in that report ?
- (c) Will he state why this inquiry report was not implemented by any Board of Directors ?
- (d) Will he state why the Commissioner of Co-operatives did not use his powers to implement this report which was not implemented by the Board of Directors ?
- (e) Will he take steps to implement without delay the facts contained in the report of the inquiry, under section 46(1) of the Co-operatives Ordinance, held in 1984, on the activities of the Society ?
- (f) If not, why ?

සරත්චන්ද්‍ර රාජකරුණ මහතා (සියෝජ්‍ය ආහාර හා සමුපකාර දැමිණිමා)
 (திரு. சரத்சந்திர ராஜகருணா — உணவு, கூட்டுறவுப் பிரதி அமைச்சர்)
 (Mr. Sarathchandra Rajakaruna—Deputy Minister of Food & Co-operatives)

- (අ) තත්කන්ඩේ සි/ස හලාවත පුත්තලම් දෙදිසාවේ සමුපකාර සමිතිය යන නමින් සමුපකාර සමිතියක් ලියාපදිංචි කර තැනි අතර, ඒ නමින් වූ සමිතියක් සම්බන්ධව සමුපකාර සමිති ආදී පනතේ 46 (1) වගන්තිය යටතේ විභාගයක්ද සිදු කර තැන.
- (ආ) ඉහත 'අ' අනුව පැන නොනගී.
- (ඇ) පැන නොනගී.
- (ඈ) පැන නොනගී.
- (ඉ) පැන නොනගී.
- (ඊ) පැන නොනගී.

සි/ස හලාවත පුත්තලම් දෙදිසාවේ ජේෂ්කර්ම සමුපකාර සමිතිය
 சிலாபம்-புத்தளம் நெசவுக் கூட்டுறவுச் சங்கம்
 CHILAW-PUTTALAM TEXTILE CO-OPERATIVE SOCIETY
 100/85

13. එමී. හලීම් ඉෂාක් මහතා
 (ஐ.ஐ.ஐ. எம். ஹலீம் இஸாக்)
 (Mr. M. Haleem Ishak)
 කෘෂිකාර්මික සංවර්ධනය හා පර්යේෂණ දැමිණිමා සහ ආහාර හා සමුපකාර දැමිණිමාගෙන් අදාළ ප්‍රශ්නය :
- (අ) තත්කන්ඩිය, සි/ස, හලාවත පුත්තලම් දෙදිසාවේ ජේෂ්කර්ම සමුපකාර සමිතියේ අධ්‍යක්ෂ මණ්ඩලයේ දරන අධ්‍යක්ෂ ධුරයට අමතරව, එම සමිතියේ වෙනත් තනතුරු දරන අධ්‍යක්ෂවරයෙක් සිටින්නේද ?
 - (ආ) සිටින්නේ නම් මහුගේ නමත්, පසුගිය වකවානුවේ මහු දැරූ තනතුරු සහ එක් එක් වකවානුවට එකී තනතුරු වෙනුවෙන් සමිතියෙන් මහු ලබා ඇති මාසික දීමනා පිලිවෙලින් එතුමා සඳහන් කරන්නේද ?
 - (ඉ) අධ්‍යක්ෂ ධුරයට අමතරව නොවෙන තනතුරු සඳහා මාසික දීමනා ගෙවීම සමුපකාර කොමසාරිස් අනුමත කර තිබේද ?
 - (ඊ) අනුමත කර තැන්නම්, අනුමැතියෙන් තොරව ගෙවා ඇති සම්පූර්ණ මුදල කොපමණේද ?
 - (උ) එම මුදල අධිකාර කීරීමට එතුමා පියවර ගන්නේද ?
 - (ඌ) තොරයේ නම් ඒ මන්ද ?

விவசாய அபிவிருத்தி, ஆராய்ச்சி அமைச்சரும், உணவு கூட்டுறவு அமைச்சருமானவரைக் கேட்ட வினா :

- (அ) நகத்தாண்டியிலுள்ள வரையறுக்கப்பெற்ற சிலாபம், புத்தளம் ஆகிய இரண்டு பிரதேச நெசவு கூட்டுறவுச் சங்கத்தின் பணிப்பாளர் சபையில் பணிப்பாளர் பதவிக்கு மேலதிகமாக, இச்சங்கத்தில் வேறுபதவியை வகிக்கும் பணிப்பாளரொருவர் இருக்கிறாரா ?
- (ஆ) இருப்பாராயின், இவருடைய பெயர், கடந்த காலத்தில் இவர் வகித்த பதவி, அவ்வக்காலத்தில் குறிப்பிட்ட பதவிகளுக்காகச் சங்கத்திடம் இவர் பெற்றுக் கொண்ட மாதக் கொடுப்பளவு ஆகியவற்றை அவர் தனித்தனி கூறுவாரா ?
- (இ) பணிப்பாளர் பதவிக்கு மேலதிகமாக வகித்த பதவிக்காக மாதாந்தக் கொடுப்பளவைக் கூட்டுறவு ஆணையாளர் அங்கீகரித்துள்ளாரா ?
- (ஈ) அங்கீகரிக்காவிடின், அங்கீகாரமின்றிக் கொடுத்த முழுத் தொகை என்ன ?
- (உ) குறித்த பணத்தை அறவிட அவர் நடவடிக்கை எடுப்பாரா ?
- (ஊ) இன்றேல், ஏன் ?

asked the Minister of Agricultural Development and Research and Minister of Food and Co-operatives :

- (a) Is there a Director of the Chilaw-Puttalam Textile Co-operative Society, Nattandiya, who holds other posts in that society in addition to the post he holds as a member of its Board of Directors ?
- (b) If so, will he state his name, the posts he held during the past terms and the monthly payments he had obtained from the society for each post during each term ?
- (c) Has the Commissioner of Co-operative Development approved the payment of monthly allowances for the posts held by him in addition to the post of director ?

[ඵම. හළිම ඉසාක් මහතා]

- (d) If not, what is the total amount of money paid to him without authority ?
- (e) Will he take steps to surcharge this sum of money ?
- (f) If not, why ?

සරත්චන්ද්‍ර රාජකරුණ මහතා
(**திரு. சரத்சந்திர ராஜகருணா**)
(Mr. Sarathchandra Rajakaruna)

- (අ) මව.
- (ආ) I. ඇති ඊට මදුරාවල මහත්මිය.
II. 77.11.05 සිට ක්‍රියාකාරී අධ්‍යක්ෂ තනතුර.
80.03.20 සිට ලේකම් තනතුර.
III. 77.11.05 සිට 79.04.28 දක්වා රු. 420 ක මාසික දීමනාවක්ද,
80.03.20 සිට 84.03.31 දක්වා මසකට රු. 500 ක දීමනාවක්ද
ලබා ඇත.
- (ආ) 81.09.21 සිට ලේකම් දීමනාව වශයෙන් මසකට රු. 150 ක්
පමණක් ගෙවීම සම්පූර්ණ කොමසාරිස් විසින් අනුමත කර ඇත.
- (ඊ) අනුමැතියෙන් තොරව ගෙවා ඇති සම්පූර්ණ මුදල රු. 26,510 කි.
- (උ) මව.
- (ඌ) ඉහත 'උ' අනුව පැහැර හැරීම.

එස්. ඩී. වීරකෝන් මහතා : වන්දි

திரு. எஸ். டி. வீரக்கோன் : நட்பு

MR. S. D. WEERAKOON : COMPENSATION

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14. ආනන්ද දසනායක මහතා (කොත්මලේ)

(**திரு. ஆனந்த தஸநாயக்க - கொத்தலை**)
(Mr. Ananda Dassanayake-Kotmale)

අනුමානාතුමා, පළාත් පාලන, නිවාස හා ඉදිකිරීම් ඇමතිතුමා සහ මහාමාරු කටයුතු පිළිබඳ ඇමතිතුමා සහ කදිසි අවස්ථා මහජන පරිපාලන ඇමතිතුමාගෙන් ඇසූ ප්‍රශ්නය:

- (අ) රජය මගින් ඉඩම් ප්‍රතිසංස්කරණ කොමිෂන් සභාව යටතට පවරා ගෙන ඇති ගලගෙදර වතුයායෙන්, ගලගෙදර, මඩවල, දුරගන්නාව වලව්වේ පදිංචි එස්. ඩී. වීරකෝන් මහතාට අයත් කොටස පිළිබඳව වන්දි මුදල් ලබා ගැනීමට අවශ්‍ය සියලුම ලිපි ලේඛන, වීරකෝන් මහතා විසින් ඉඩම් ප්‍රතිසංස්කරණ කොමිෂන් සභාවට ඉදිරිපත් කොට ඇති බව එතුමා දන්නවාද ?
- (ආ) එහෙත් එම වන්දි මුදල් මෙතෙක් වීරකෝන් මහතාට ගෙවා නොමැති නිසා ඒවා නොපමාව ගෙවීමට එතුමා අදාළ නිලධාරීන්ට උපදෙස් දෙනවාද ?
- (ඇ) කොප්පේ නම්, ඊ මන්ද ?

பிரதம அமைச்சரும், உள்ளூராட்சி, வீடமைப்பு, நிர்மாண அமைச்சரும், பெருவீதிகள் அமைச்சரும் அவசரகால சிவில் நிர்வாக அமைச்சரும் ஆணவரைக் கேட்ட வினா :

- (அ) அரசாங்கம், காணிச் சீர்திருத்த ஆணைக்குழுவின்கீழ் சுவீகரித்த துள்ள கலகெதற தோட்டப்பகுதியில், கலகெதற மடவல துக்கன்னுவ வளவில் குடியிருக்கும் திரு. எஸ். டி. வீரக்கோன் என்பவருக்குரிய பகுதிக் கான நட்பு நட்பு பணத்தைப் பெறுவ தற்கு வேண்டிய எல்லாப் பத்திரங்களுமும் திரு. வீரக்கோன் காணிச் சீர்திருத்த ஆணைக்குழுவிடம் சமர்ப்பித்துள்ளா ரென்பதை அவர் அறிவாரா ?
- (ஆ) ஆனால், இதுவரை திரு. வீரக்கோன் என்பவருக்கு நட்பு நட்பு பணம் கொடுக்கப்படாமையால், இப்பணத்தைத் தாமதமின்றிக் கொடுக்கும்படி சம்பந்தப்பட்ட உத்தியோகத்தர்களுக்கு ஆலோசனை கூறுவாரா ?
- (இ) இன்றேல், ஏன் ?

asked the Prime Minister and Minister of Local Government, Housing and Construction and Minister of Highways and Minister of Emergency Civil Administration :

- (a) Is he aware that Mr. S. D. Weerakoon of Duggannawa Walauwa, Madawala, Galagedera, has submitted all necessary documents to the Land Reform Commission to obtain compensation for his share of Galagedera Estate vested with the Land Reform Commission by the Government ?
- (b) As the compensation has not been paid to Mr. Weerakoon as yet will he instruct the officers concerned to pay his compensation without delay ?
- (c) If not, why ?

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

On behalf of the Prime Minister and Minister of Local Government, Housing and Construction and Minister of Highways and Minister of Emergency Civil Administration, may I table the answer as it is long ?* - (Interruption) May I have permission to table it ?

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

You may seek my permission and not the hon. Member's. Yes, you can table it.

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

Sir, can he read out at least a part of the Answer ?

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

No, you can see the whole Answer when it is tabled.

*සහමන්තය මත තබන ලද පිළිතුර :
சபாபித்தில் வைக்கப்பட்ட விடை:
Answer tabled.

- (a) No.
- (b) Not relevant.
- (c) Galagederawatta, in respect of which Mr. S. D. Weerakoon makes a claim, was vested in the Land Reform Commission from Mrs. P. B. F. Madawala. Compensation payment to Mrs. Madawala has not been decided as yet. Any right for compensation to Mr. Weerakoon in respect of this land could be checked only after the publication of Section 29 notice under the Land Reform Law in respect of this property, which notice has not yet been published.

The Land Reform Commission advertised a general notice in the daily papers in 1976 requesting those who have any claims on the lands vested in the Land Reform Commission to forward applications detailing their claims. The idea of the paper notification was to call for claims which could subsequently be dealt with in detail on the publication of Section 29 notice.

In addition to the response to the paper notice Mr. Weerakoon has made an additional claim requesting a release of his lands. Investigations are being made in respect of this request.

ඉන්දියාවේ විදේශ කටයුතු පිළිබඳ රාජ්‍ය ඇමති කුර්ෂිඩ් අලාම් බන් මහතා කළ ප්‍රකාශය
இந்திய வெளிநாட்டலுவல்கள் இராஜாங்க அமைச்சர்:
ജരൂപ് കൃഷിத் ஆலம் கானின் அறிக்கை

STATEMENT OF MR. KURSHED ALAM KHAN,
 INDIAN MINISTER OF STATE FOR EXTERNAL
 AFFAIRS

ජී. පී. පෝල් පෙරේරා මහතා (කඩුවෙල)
 (திரு. ச. பீ. போல் பெரேரா — கடுவலை)
 (Mr. E. P. Paul Perera-Kaduwela)

Mr. Speaker, I ask leave of the House under Standing Order 17 to move the Adjournment of Parliament today for the purpose of discussing a definite matter of urgent public importance. The matter is as follows: a statement by the Minister of state, Mr. K. Alam Khan, in the Indian Lok Sabha on 3rd May 1985 which *inter alia* refers to several untruths and distortions of the situation in Sri Lanka, unfairly tarnishes the image of our country and really constitutes an interference in our internal affairs. If these statements are permitted to remain unchallenged, grave harm to the international image of our country and grave misgivings in the minds of our own people would be caused and it might even lead to public unrest. I would also bring to your notice, Sir, that already a certain amount of damage has been done to our international image, as evident from a statement made by Mr. Hayden, Minister of Foreign Affairs of Australia, to the AFP. I have complied with the conditions under Standing Order 17 by giving you notice.

කථානායකතුමා
 (சபாநாயகர் அவர்கள்)
 (Mr. Speaker)

The hon. Member for Kaduwela saw me in my Chambers yesterday and gave me notice. Does the House agree to discuss this matter after 3 o'clock?

දිනේෂ ගුණවර්ධන මහතා (මහරගම)
 (திரு. தினேஷ் குணவர்த்தன — மஹரகம)
 (Mr. Dinesh Gunawardene-Maharagama)
 කැසි ඩිවයේ—
 எழுத்தர்.
 rose.

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

What we want to find out was when?

කථානායකතුමා
 (சபாநாயகர் அவர்கள்)
 (Mr. Speaker)

This matter will be taken up at 3 o'clock. Does the House agree to discuss it from 3 p.m. to 5 p.m.?

මන්ත්‍රීවරු
 (அங்கத்தினர்)
 (Members)
 Aye!

අලුත් ස්ථාවර නියෝග 9(7) එකතු කිරීම
புதிய நிலையியற் கட்டளை 9(7) உடன் சேர்த்தல்
ADDITION OF NEW STANDING ORDER 9 (7)

දිනේෂ ගුණවර්ධන මහතා
 (திரு. தினேஷ் குணவர்த்தன)
 (Mr. Dinesh Gunawardene)
 ගරු කථානායකතුමා, [බාධා කිරීමක්]

ආර්. ප්‍රේමදාස මහතා (අග්‍රාමාත්‍යතුමා, පළාත් පාලන, නිවාස හා ඉදිකිරීම් ඇමතිතුමා, මහාමාර්ග ඇමතිතුමා, හදිසි අවස්ථා මහජන පරිපාලන ඇමතිතුමා සහ පාර්ලිමේන්තුවේ සභානායකතුමා)

(திரு. ஆர். பிரமதாச — பிரதம அமைச்சரும் உள்நாட்டி, வீடமைப்பு, நிர்மாண அமைச்சரும் நெடுஞ்சாலைகள் அமைச்சரும் அவசரகால சிவில் நிர்வாக அமைச்சரும் பாராளுமன்றச் சபை முதல்வரும்)

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

I rise to a point of Order.

දිනේෂ ගුණවර්ධන මහතා
 (திரு. தினேஷ் குணவர்த்தன)
 (Mr. Dinesh Gunawardene)
 අද දින—

කථානායකතුමා
 (சபாநாயகர் அவர்கள்)
 (Mr. Speaker)

The hon. Prime Minister is rising to a point of Order.

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

You will see, Mr. Speaker, two motions appearing on the Order Paper, Motion No. 1 and Motion No. 2 under

දිනේෂ ගුණවර්ධන මහතා
 (திரு. தினேஷ் குணவர்த்தன)
 (Mr. Dinesh Gunawardene)
 ගරු කථානායකතුමා, [බාධා කිරීමක්]

කථානායකතුමා
 (சபாநாயகர் அவர்கள்)
 (Mr. Speaker)

He is rising to a point of Order.

දිනේෂ ගුණවර්ධන මහතා
 (திரு. தினேஷ் குணவர்த்தன)
 (Mr. Dinesh Gunawardene)

I have to move the Motion first, Sir, and then objections could be raised if there are any.

கா. சே.மே.ம. மன
(திரு. ஆர். பிரேமதாச)
(Mr. R. Premadasa)

Sir, my objection is not primarily to the Motion but to the manner in which it has appeared on the Order Paper— [Interruption].

கா. சே.மே.ம. மன
(சபாநாயகர் அவர்கள்)
(Mr. Speaker)

Hon. Member for Maharagama, let us first listen to the point or Order.

கா. சே.மே.ம. மன
(திரு. ஆர். பிரேமதாச)
(Mr. R. Premadasa)

I am raising a point of Order about the validity of allowing these two Motions to appear on the Order Paper— [Interruption]. Yes, it is true that the Hon. Speaker allowed them, but any member of this House is entitled to rise to a point of Order regarding the manner in which they have been allowed. And the Speaker has also the right to make a determination. I am going to prove here and now to the satisfaction of Mr. Speaker that these two Motions should not have been allowed to appear on the Order Paper. Because, Sir, you have to ensure that the provisions of the Constitution—

கா. சே.மே.ம. மன
(திரு. சரத் முத்தெட்டுவெகமா)
(Mr. Sarath Muttetuwegama)

I just want to ask you whether you are taking up one motion at a time.

கா. சே.மே.ம. மன
(திரு. ஆர். பிரேமதாச)
(Mr. R. Premadasa)

No, I am raising this point of Order on both Motions— [Interruption]. It can be done. Let the Hon. Speaker make the ruling.

கா. சே.மே.ம. மன
(திரு. சரத் முத்தெட்டுவெகமா)
(Mr. Sarath Muttetuwegama)

I am asking Mr. Speaker— [Interruption].

கா. சே.மே.ம. மன
(திரு. ஆர். பிரேமதாச)
(Mr. R. Premadasa)

You must first dispose of one point of Order.

கா. சே.மே.ம. மன
(சபாநாயகர் அவர்கள்)
(Mr. Speaker)

You can have your arguments later— [Interruption].

கா. சே.மே.ம. மன
(திரு. ஆர். பிரேமதாச)
(Mr. R. Premadasa)

You allow me to speak first. Just listen to me after that you had better talk. Why are you anticipating?

கா. சே.மே.ம. மன
(சபாநாயகர் அவர்கள்)
(Mr. Speaker)

The Hon. Prime Minister had objected to this at the meeting of the Committee on Parliamentary Business held on March 21st.

கா. சே.மே.ம. மன
(திரு. ஆர். பிரேமதாச)
(Mr. R. Premadasa)

I have objected. You do not know the facts and you are just jumping and making yourself look—

கா. சே.மே.ம. மன
(சபாநாயகர் அவர்கள்)
(Mr. Speaker)

The Hon. Prime Minister also referred to it when it appeared in the addendum issued on Friday 15th.

கா. சே.மே.ம. மன
(திரு. ஆர். பிரேமதாச)
(Mr. R. Premadasa)

I have followed all the procedures. You do not know, I have studied all the procedures unlike you. You do not study, you do not read, you do not consider—

கா. சே.மே.ம. மன
(சபாநாயகர் அவர்கள்)
(Mr. Speaker)

He said that it cannot be debated as it appears to be inconsistent with the Constitution.

கா. சே.மே.ம. மன
(திரு. ஆர். பிரேமதாச)
(Mr. R. Premadasa)

I have done my duty by all of you. I came to know about these two motions, Mr. Speaker, only after you had allowed them to appear on the Order Book. Today it is on the Order Paper. You will testify to the fact that when we first met in your Chambers with the Leaders of the various Opposition Parties it was I who brought to your notice that these two Motions are ultra vires. They are no valid. They should not have been allowed. You quite rightly said that it has appeared on the Order Book and it will come up. Yes, I gave a date also. That is today, the 10th. But I said, I was going to raise this point of Order. The hon. Member for Attanagalla (Mr. Lakshman Jayakody) may not have been there. That is not my fault. You must ask your Leader the facts before you speak.

Now, Sir, there has been precedents in this House. Even after motions and Questions appeared on the Order Paper where objections have been raised and Speaker after Speaker had accepted the position that, even after these things had appeared on the Order Book or on the Order Paper, objections can be raised. Speakers have given such rulings and I am ready with all those facts.

I concede that this Parliament is entitled to discuss any matter. We have the right to do so, but it has to be done according to the procedure, according to the Constitution and according to the Standing Orders.

The subject matter of these two Motions is that the first Motion seeks to streamline the procedure of resignations. Very good. We would like to consider such matters. It is in the interest of all of us. Provided you introduce such motions according to the provisions of the Constitution and the Standing Orders, I am not opposed to streamline the procedure regarding resignations.

I know that there is a misconception in the minds of certain people because the United National Party obtained letters of resignation from Members of Parliament that these letters are produced to the Secretary-General of Parliament without the knowledge of such Members and such Members have been thrown out of this House without their knowledge. If somebody has that misconception, I challenge it. No such thing has occurred. If a Member had submitted his resignation and if such letter had been sent to the Secretary-General of Parliament, according to the present provisions of the Constitution it is the bounden duty of the Secretary-General to satisfy himself that such Member had signed that letter himself and that he confirms his resignation. That is ensured by the Constitution. You cannot point out one single instance where a letter of resignation of a Member of Parliament had been sent to the Secretary-General and that Member had objected to it later. In point of fact, the hon. Member for Kelaniya (Mr. Cyril Mathew) wrote to the Secretary-General of Parliament in regard to the letter of resignation which he had given to the United National party. So I do not think there is anything wrong in the present system. Even if there is, then you can suggest a way how to streamline it. I concede that, but this motion is out of order. Why? To streamline that procedure you will have to amend the Constitution and to amend the Constitution you have to submit a Bill. A Bill can be submitted not only by the Members of Government but also by any Member. These are things that he should understand. You just submit a motion which seeks to amend the Constitution following the wrong procedure. Let the hon. Members realize what they are doing.

The Hon. Member for Maharagama (Mr. Dinesh Gunawardena) seeks to amend the Constitution, that is, provisions of Article 74 (1) (ii) of the Constitution.

Article 74 (1) (ii) reads as :

Subject to the provisions of the Constitution, Parliament may by resolution or Standing Order provide for -

- (ii) the regulation of its business, the preservation of order at its sittings and any other matter for which provision is required or authorized to be so made by the Constitution.

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Secondly, the Motion seeks by way of an addition to Standing Order 9 to amend the provision of Article 66 (b) of the Constitution relating to the vacation of seats which states -

The seat of a Member shall become vacant-

(b) if, by a writing under his hand addressed to the Secretary-General of Parliament, he resigns his seat ;

The procedure for the amendment or repeal of any of the provisions of the Constitution-is set out at Article 82 (1) and 82 (2) of the Constitution. I quote :-

82 (1) No Bill for the amendment of any provision of the Constitution shall be placed on the Order Paper of Parliament, unless the provision to be repealed, altered or added, and consequential amendments, if any, are expressly specified in the Bill and is described in the long title thereof as being an Act for the amendment of the Constitution.

That is what I say that even though you have allowed these motions to appear on the Order Paper they are *ultra vires* the Constitution because no motion can amend the Constitution, unless a Bill is moved in this House for the amendment of the Constitution. The Motion of the hon. Member for Maharagama seeks to amend the Constitution.

The provisions dealing with the manner of resignations by Members of Parliament are set out in Article 66 (b) of the Constitution. I hope hon. Members will take notice of what I am saying. Article 66 (b) of the Constitution relating to Vacation of seats, states :

"66. The seat of a Member shall become vacant-

(b) if, by a writing under his hand addressed to the Secretary-General of Parliament, he resigns his seat ;"

Now the hon. Member for Maharagama wants to make it doubly sure. It is very good, but do it in the proper way. Because he wants to add :

"... unless a Member hands over the letter of resignation to the Secretary-General personally and informs him that the resignation is voluntary and genuine and the Secretary-General has no information or knowledge to the contrary".

Very good ! That means you want to amend the Constitution. You want to include all these things such as, "voluntary", "genuine", "has no information or knowledge to the contrary". Let us consider that at that stage, but do it in the proper way. Even if you move this Motion and if we debate it, even if the whole House passed this Motion, you cannot implement it because a Motion cannot amend the Constitution. Then how can you do that ? The procedure for the amendment or repeal of any of the provisions of the Constitution is set out in Article 82 (1) and (2) of the Constitution. I like to quote it again :

"82 (1) No Bill for the amendment of any provision of the Constitution shall be placed on the Order Paper of Parliament, . . ."

[சு. சேஷமொட மொழி]

Now, Sir, you have to determine whether this Motion seeks to amend the Constitution or not. I have shown you that in order to implement this Motion we have to amend the Constitution. For that purpose you must introduce a Bill and that will have to be published. That Bill goes before the Supreme Court to determine whether it is consistent with the Constitution or not. The Supreme Court will determine whether it can be passed by a two-thirds majority. The Supreme Court has the power to determine whether it has to be referred for a Referendum. All these things are in the Constitution. So, what I am asking is, if you are keen to include these words into the provision in the Constitution in regard to vacation of seats by Members of Parliament, then please bring a Bill? This Motion is *ultra vires* the Constitution. So, that is my objection, not that I am against the inclusion of these words, it can be deliberated and discussed later whether it is prudent or not if it is submitted in the proper way. That is why, Sir, I said that this Motion should not have been allowed to appear on the Order Paper and that it should not have been entertained at all. It is a matter that I have to take up with you. What is the purpose of allowing anybody to move this Motion or to debate it or to vote on it when it is not in order? Are hon. Members of the Opposition going to say that this is a Bill? It is not a Bill. A Bill to come before this House there is a procedure, which procedure I have just mentioned.

"82 (2) No bill for the repeal of the Constitution shall be placed on the Order Paper of Parliament unless the Bill contains provisions replacing the Constitution."

That is not applicable to this. But I am just reading Article 82 (2)–

"and is described in the long title thereof as being an Act for the repeal and replacement of the Constitution."

It is an axiom of Parliamentary Procedure that legislation cannot be enacted by a Motion which is not in the form of a Bill because you will agree, Mr. Speaker, that the provisions governing the resignation of Members is contained in the Constitution.

"The seat of a Member shall become vacant if, by a writing under his hand addressed to the Secretary-General of Parliament, he resigns his seat."

But into that the hon. Member seeks to interpolate some provisions. He wants any Member resigning to hand over that letter of resignation personally to the Secretary-General and he has to personally inform him that the resignation is voluntary. He must come personally to the Secretary-General and say, "I am handing this over personally". Then the Secretary-General will write on that letter, "Handed over personally." Then the Member has to tell him

"Look, this is voluntary". Then the Secretary-General has to say that he says that this voluntary and then he has to say that he say it is genuine. Then there is the question of the Secretary-General having no information or knowledge to the contrary. That also the Secretary-General will have to minute.

Now, Sir, after doing all that, this hon. Member who hands over this letter to the Secretary-General can just go out of this House and come back and say, "I have changed my mind". In spite of all this genuineness, having gone through all this procedure, he can withdraw that. You cannot prevent that.

Anyway, if hon. Members genuinely think that these things must be interpolated, then they have to amend the Constitution. Do it in the proper way. I pointed this out when they met you and when I met you. This is no secret. I am not coming here suddenly and just raising this point of Order.

The hon. Member for Attanagalla (Mr. Lakshman Jayakody) said that I also agreed to allow this Motion to appear on the Order Paper. I have no right to do that. I brought to your notice after you had accepted this Motion that this is not valid, that this Motion must not be allowed. But if they are very keen that these safeguards should be there, let them introduce a Bill, for which there is provision in the Constitution. Do not think that a Bill can only be introduced by the Government. Private Members can introduce Bills in this House provided they follow the procedure.

Therefore, Sir, I repeat that the object of the hon. Member for Maharagama (Mr. Dinesh Gunawardene) can be achieved only by a Bill formally introduced and passed in the manner prescribed in the Constitution. This Motion, if passed, would commit Parliament to a form of amendment of the Constitution in violation of the provisions of the Constitution, and its introduction is therefore not permissible.

I have already mentioned that simply because a Motion or a Question appears on the Order Paper you cannot always take it as a Motion or Question which is in order. There have been instances when such things have been challenged, and the Speakers who had allowed them have themselves changed their minds when it was pointed out that they were not in keeping with the provisions of the Constitution and the Standing Orders.

Now, Sir, take the second Motion.

சார்லிமேன்ஜூ
(சுபநாயகர் அவர்கள்)
(Mr. Speaker)

Shall we take them up Motion by Motion?

ආර්. ප්‍රේමදාස මහතා
(කි.ප්‍ර. ඥා. පී.රේ.මාදාසා)
 (Mr. R. Premadasa)
 මහලේකම්වරයාගේ රාජකාරී හැටියට.

දිනේෂ ගුණවර්ධන මහතා
(කි.ප්‍ර. ති.නේ.ගු. ගුණවර්ධන)
 (Mr. Dinesh Gunawardene)

"අංක 9 (6) දරන ස්ථාවර නියෝගය අගට පහත සඳහන් අංක 9 (7) දරන ස්ථාවර නියෝගය එකතු කළ යුතුය. - පාර්ලිමේන්තුවේ තම අයුතේ ඉල්ලා අස්වීමේ අභිලාෂය ඇති මන්ත්‍රීවරයකු සිය ඉල්ලා අස්වීමේ ලිපිය පුද්ගලිකවම පාර්ලිමේන්තුවේ මහලේකම්වරයා වෙත බාරදී එම ඉල්ලා අස්වීම ස්වේච්ඡාවෙන්ම සහ නිර්වහාර ලෙසම කරන බවට ප්‍රකාශ කළහොත් සහ ඊට ප්‍රතිචාරදීම තොරතුරක් හෝ දැනීමක් මහ ලේකම්වරයාට තැත්වීමේ මිස, පාර්ලිමේන්තු මහ ලේකම්වරයා වෙත තැපෑලක් හෝ වෙනත් කෙතෙකුගේ මාර්ගයෙන් ඉල්ලා අස්වීමේ ලිපිය ලැබුනහොත් එම ඉල්ලා අස්වීම ස්වේච්ඡාවෙන්ම සහ නිර්වහාර ලෙසම ඉදිරිපත් කරන ලද්දක් බවට එම ඉල්ලා අස්වීම පිළිගැනීමට පෙර මහ ලේකම්වරයා සැලකීමට පත්විය යුතුය."

ආර්. ප්‍රේමදාස මහතා
(කි.ප්‍ර. ඥා. පී.රේ.මාදාසා)
 (Mr. R. Premadasa)

ස්ථාවර නියෝග 9 හේද ?

දිනේෂ ගුණවර්ධන මහතා
(කි.ප්‍ර. ති.නේ.ගු. ගුණවර්ධන)
 (Mr. Dinesh Gunawardene)

ඔව්.

ආර්. ප්‍රේමදාස මහතා
(කි.ප්‍ර. ඥා. පී.රේ.මාදාසා)
 (Mr. R. Premadasa)

9 වෙනි ස්ථාවර නියෝගයේ නිබන්ධනවල මන්ත්‍රීවරුන් අස්වීම ගැන ? ඒකේ නිබන්ධනේ මහ ලේකම්වරයාගේ රාජකාරී ගැන.

දිනේෂ ගුණවර්ධන මහතා
(කි.ප්‍ර. ති.නේ.ගු. ගුණවර්ධන)
 (Mr. Dinesh Gunawardene)

මම ඒ ප්‍රශ්නයට එන්නම් අගමැතිතුමනි, මේ සභාවේ යම්කිසි පුරප්පාඩුවක් ඇති වුණේ විට එය මේ සභාවට දැනුම් දෙනවා. ඒ කාර්ය පරිපාටිය යටතේ ඊළඟ සභා රැස්වීමේදීම ඒ ගැන සභාවට දැනුම්දීමක් කරනවා. මන්ත්‍රීවරයෙක් මියගියහොත් හෝ ඉල්ලා අස්වීමක් වුණොත් හෝ සභාවේ සාමාන්‍ය සම්ප්‍රදායක් හැටියට දැනුම් දෙනවා. (බාධා කිරීමක්) ස්ථාවර නියෝගවල තැනි දේවල් පිළිබඳ යෝජනාවක් මම ගේන්නේ. මම එක් කරුණක් කියන්න කැමතියි. තරු අගමැතිතුමා පෙනිනුම් කළ මහ ලේකම්වරයාගේ බලතල සම්බන්ධයෙන් ආණ්ඩුක්‍රම ව්‍යවස්ථාවේ 66 (ආ) වගන්තියේ මෙසේ සඳහන් වෙනවා :

* 66 (ආ) මන්ත්‍රීවරයකු තම අත්සන යටතේ පාර්ලිමේන්තුවේ මහලේකම්වරයා වෙත යවන ලිපියක් මගින් තම අයුතේ ඉල්ලා අස්වීමක් ;"

මෙම වගන්තිය නිත්‍යානුකූලව ආණ්ඩු ක්‍රම ව්‍යවස්ථාවේ නිබන්ධන වගන්තියක්. එය ක්‍රියාත්මක කිරීමේ පිළිවෙත තමයි මේ යෝජනාවෙන් ඉදිරිපත් කරන්නේ. එසේ ව්‍යවස්ථාවේ පවතින විට වගන්ති පිළිබඳ අනුගමනය කළයුතු පිළිවෙත් අපේ පාර්ලිමේන්තුවේ මීට ඉස්සර ස්ථාවර නියෝගවලට වගන්ති එකතු කිරීමෙන් තියම කර තිබෙනවා. එවැනි අදහසක් පමණයි මේ යෝජනාවෙන් කියැවෙන්නේ.

මෙතෙක් මේ පාර්ලිමේන්තුවේ කිසිම මන්ත්‍රීවරයකුගේ දැනගැනීමකින් තොරව ඔහුගේ ඉල්ලා අස්වීම පාර්ලිමේන්තුවට දී තැහැයි ගරු අග්‍රාමාත්‍යතුමා කීවා. මම කතාහුවුවේ ගරු අගමැතිතුමාට කරුණක් මතක් කරන්න කැමතියි. බුලත්සිංහල හිටපු මන්ත්‍රීවර මී. එස්. පෙරේරා මහතාගේ ඉල්ලා අස්වීම මේ සභාවට, මහලේකම්වරයාට දැනුම් දුන්නට පසු ඔහු තම හාර්යවත් සමග මේ ගොඩනැගිල්ලට ආවා, එය තමාගේ අනුදැනුමක් තැනුව බාර දුන් බව කියන්න. මෙය ප්‍රශ්නයක් හැටියට නොවෙයි මම ඉදිරිපත් කරන්නේ.

ආර්. ප්‍රේමදාස මහතා
(කි.ප්‍ර. ඥා. පී.රේ.මාදාසා)
 (Mr. R. Premadasa)
 කෑ, කෑ, ප්‍රශ්නයක වෙනත් මිනු.

I take strong objection to this. Then it is a matter for the Secretary-General of Parliament to make a statement if there were something to that effect, It is a very serious matter. We are not aware of it. Let the Secretary-General make a statement.

දිනේෂ ගුණවර්ධන මහතා
(කි.ප්‍ර. ති.නේ.ගු. ගුණවර්ධන)
 (Mr. Dinesh Gunawardene)

ඔහු මේ ගොඩනැගිල්ලට පැමිණියා ඔහුගේ හාර්යවත් සමග ඔහු රෝහලේ ඉන්න විටයි ඉල්ලා අස්වීම මේ සභාවට බාර දුන්නේ. උදහරණයක් හැටියට පමණයි මම මෙය පෙන්වන්නේ.

ඊ. පී. පෝල් පෙරේරා මහතා
(කි.ප්‍ර. ආ. ඒ. පොල් පෙරේරා)
 (Mr. E. P. Paul Perera)

Mr. Speaker, Sir, I would like to raise a point of Order at this stage. There is a preliminary point of Order before you, Sir.

සරත් මුත්තේවටුවෙගම මහතා
(කි.ප්‍ර. ආර්. මුත්තේවටුවෙගම)
 (Mr. Sarath Muttetuwegama)

So there cannot be a point of Order on a point of Order.

ඊ. පී. පෝල් පෙරේරා මහතා
(කි.ප්‍ර. ආ. ඒ. පොල් පෙරේරා)
 (Mr. E. P. Paul Perera)

Can any facts be canvassed ?

සරත් මුත්තේවටුවෙගම මහතා
(කි.ප්‍ර. ආර්. මුත්තේවටුවෙගම)
 (Mr. Sarath Muttetuwegama)

How can there be ?

ඊ. පී. පෝල් පෙරේරා මහතා
(කි.ප්‍ර. ආ. ඒ. පොල් පෙරේරා)
 (Mr. E. P. Paul Perera)

Because then it misleads everybody. He must limit himself to whether his Motion is in order or not. - (Interruption)

No. You cannot allege facts. You cannot make allegations from facts when you are discussing a Point of Order.

දිනේෂ ගුණවර්ධන මහතා
(කි.ප්‍ර. ති.නේ.ගු. ගුණවර්ධන)
 (Mr. Dinesh Gunawardene)

I am not making an allegation. I am only explaining what the Hon. Prime Minister said and the position as regards the Member for Bulathsinhala. I am not making any allegation to anybody.

ජී. පී. පෝල් පෙරේරා මහතා
(திரு. ஈ. பி. போல் பெரேரா)
(Mr. E. P. Paul Perera)

The objection is the constitutionality of the Motion.
How can you talk of facts ?

දිනේෂ් ගුණවර්ධන මහතා
(திரு. தினேஷ் குணவர்தன)
(Mr. Dinesh Gunawardene)

මේ කාරණය ගැන මම කරුණු පැහැදිලි කළාට පස්සේ කඩුවෙල ගරු මන්ත්‍රීතුමාට පුළුවනි, කරුණු පැහැදිලි කරන්න.

ජී. පී. පෝල් පෙරේරා මහතා
(திரு. ஈ. பி. போல் பெரேரா)
(Mr. E. P. Paul Perera)

කථානායකතුමනි, කමුත් ඊකී ප්‍රශ්නයක් මතු කරන්න මට පුළුවනි.

කථානායකතුමා
(சபாநாயகர் அவர்கள்)
(Mr. Speaker)

Order, please !

දිනේෂ් ගුණවර්ධන මහතා
(திரு. தினேஷ் குணவர்தன)
(Mr. Dinesh Gunawardene)

ගරු අගමැතිතුමා විසින් තහන ලද ප්‍රශ්නයක් පිළිබඳව මගේ අදහස් ඉදිරිපත් කරන්නයි මා කැපී සිටියේ. ඒවාට අමතරව එක කාරණයක් පමණක් ගරු කථානායකතුමාගේ අවධානයට යොමු කරවන්න කැමැතියි.

මා දන්නා ආකාරයට මහා බ්‍රිතාන්‍යයේ පාර්ලිමේන්තු සම්ප්‍රදායයක් බොහෝමයක් අපේ පොදු රාජ්‍ය මණ්ඩලයේ පාර්ලිමේන්තුවලත් සම්ප්‍රදායයක් බවට පත් වී තිබෙනවා. අනෙකුත් පාර්ලිමේන්තු බොහෝ දුරට අනුගමනය කරන්නේ මහා බ්‍රිතාන්‍යයේ පාර්ලිමේන්තු සම්ප්‍රදායයයි. ඉන්දියානු පාර්ලිමේන්තුවේ - ලෝක් සභාවේ - ස්ථාවර නියෝගවල තිබෙන වගන්තියක් ගැන මා දැන් සඳහන් කරනවා. ගරු අගමැතිතුමා අපේ ආණ්ඩුක්‍රම ව්‍යවස්ථාවෙන් උපුටා දක්වූ වගන්තිය වගේම වගන්තියක් ඉන්දියානු ආණ්ඩුක්‍රම ව්‍යවස්ථාවෙන් තිබෙනවා. කමුත් පාර්ලිමේන්තු මන්ත්‍රීවරුන්ගේ අයිතිවාසිකම් සහ වරප්‍රසාද ආරක්ෂා කිරීම සඳහා ස්ථාවර නියෝගවල වෙනමම විධිවිධාන අන්තර්ගත කර තිබෙනවා. එය ආණ්ඩුක්‍රම ව්‍යවස්ථාවට කිසි ලෙසකින් පටහැනී වන්නේ නැහැ. ආණ්ඩුක්‍රම ව්‍යවස්ථාවට පටහැනී ගාවයක් ඇති වන්නේ ව්‍යවස්ථාවේ තිබෙන දෙයක් කරන්න එපායයි යම් ස්ථාවර නියෝගයකින් කියවෙනවා නම් පමණයි.

මා දැන් ලෝක් සභාවේ ස්ථාවර නියෝගවලින් ඒ අදාළ කොටස උපුටා දක්වන්න කැමැතියි.

240. (1) A member who desires to resign his set in the House shall intimate in writing under his hand addressed to the Speaker, his intention to resign his seat in the House in the following form and shall not give any reason for his resignation :

'To
The Speaker,
Lok Sabha,
New Delhi.

Sir,

I hereby tender my resignation of my seat in the House with effect from

Yours faithfully,

Place Date Member of the House' :

Provided that where any member gives any reason or introduces any extraneous matter the Speaker may, in his discretion, omit such words, phrases or matter and the same shall not be read out in the House.

(1A) If a member hands over the letter of resignation to the Speaker personally and informs him that the resignation is voluntary and genuine and the Speaker has no information or knowledge to the contrary, the Speaker may accept the resignation immediately.

(1B) If the Speaker receives the letter of resignation either by post or through someone else, the Speaker may make such inquiry as he thinks fit to satisfy himself that the resignation is voluntary and genuine. If the Speaker, after making a summary enquiry either himself or through the agency of Lok Sabha Secretariat or through such other agency, as he may deem fit, is satisfied that the resignation is not voluntary or genuine, he shall not accept the resignation.

(1C) A member may withdraw his letter of resignation at any time before it is accepted by the Speaker.

(2) The Speaker shall, as soon as may be, after he has accepted the resignation of a member, inform the House that the member has resigned his seat in the House and he has accepted the resignation.

Explanation.-When the House is not in session, the Speaker shall inform the House immediately after House reassembles.

ඉන්දියානු ලෝක් සභාවේ ස්ථාවර නියෝග සකස් වී තිබෙන්නේ පොදු රාජ්‍ය මණ්ඩලයේ බොහෝ රටවල පාර්ලිමේන්තුවල ස්ථාවර නියෝග සකස් වී තිබෙන්නේ එක හා සමාන ආකාරයටයි. ගරු අගමැතිතුමා අපේ ආණ්ඩුක්‍රම ව්‍යවස්ථාවෙන් උපුටා දක්වූ වගන්තිය වගේම වගන්තියක් ඉන්දියානු ආණ්ඩුක්‍රම ව්‍යවස්ථාවෙන් තිබෙනවා. ඒ වගන්තිය අනුව ඉල්ලා අස්වීමක් යැවෙන්නේ කථානායකවරයාටයි. අපේ ව්‍යවස්ථාව අනුව එය හාර දිස යුත්තේ පාර්ලිමේන්තුවේ මහ ලේකම්වරයාටයි. ස්ථාවර නියෝගවල මේ වගන්තිය තිබුණේය කියා කිසි ලෙසකින් ආණ්ඩුක්‍රම ව්‍යවස්ථාවට පටහැනී ගාවයක් ඇති වී නැහැ. පාර්ලිමේන්තු මන්ත්‍රීවරුන්ගේ අයිතිවාසිකම් හා වරප්‍රසාද ආරක්ෂා කිරීමට කිසිම පටහැනිගාවයක් ඇති වී නැහැ. මෙහිලා මා ඉදිරිපත් කරන මූලික කාරණය එයයි.

ඒ නිසා මම ගරු කථානායකතුමාගෙන් නැවත වාරයක් ඉල්ලා සිටිනවා. එක් දෙයක්. ඇත්තෙන්ම මේ ස්ථාවර නියෝග සංශෝධනය තුළින් ආණ්ඩුක්‍රම ව්‍යවස්ථාවට පටහැනීවීමක් සිදු වන්නේ නැහැ. යම් ගෙයකින් මේ සංශෝධනය තුළින් එසේ පටහැනිගාවයක් ඇතිවීමට පුළුවනම් තිබෙනවායයි කල්පනා කරනවා වුණත්, මේ සංශෝධනය ඉදිරිපත් කොට ස්ථිර කළාට පසුව ඒ පිළිබඳ ප්‍රශ්නයක් සහානිමුඛ තොකර එය සුදුසු කටයුතු සඳහා ස්ථාවර නියෝග පිළිබඳ කාරක සභාවට යොමු කළ යුතුව තිබෙනවා. කරුණු යොයා බලා ඒ පිළිබඳව තීරණයක් ගැනීම සඳහා. මෙහිලා අප අනුගමනය කළ යුතු ඒ පිළිවෙත පැහැදිලිවම 134 වැනි ස්ථාවර නියෝගයේ දක්වෙනවා.

දෙවැනි කාරණය මෙයයි, ඉන්දියානු ආණ්ඩුක්‍රම ව්‍යවස්ථාවෙන්, ලෝක් සභා ස්ථාවර නියෝගවලින් අදාළ වගන්ති සුපරීක්ෂාකාරීව සලකා බලන විට පැහැදිලි වෙනවා, අපේ ආණ්ඩුක්‍රම ව්‍යවස්ථාවේ අදාළ වගන්තියටත් මේ ස්ථාවර නියෝග සංශෝධනය කිසියෙක් පටහැනී නොවන බව.

තුන්වන කාරණය මෙයයි. යෝජනාවක් ඉදිරිපත් කර ස්ථිර කළාට පසුවයි ඒ පිළිබඳව ඊකී විරෝධතාවයක් ගෙනෙන්නට පුළුවන කියා, 1983 ජූනි මාසයේ 9 වනද මෙම පාර්ලිමේන්තුවේදී තියෝජ්‍ය කථානායකතුමා විසින් දෙන ලද තීන්දුවක් පවතිනවා. ඒ කාරණය එසේ විය යුතුය කියා ගරු අගමැතිතුමාම එද තර්ක කළා. ගරු නියෝජ්‍ය කථානායකතුමාගේ එම තීන්දුවම, ගරු අගමැතිතුමාගේ එම තර්කයම එසේම පවත්වන ලෙස අපි අද ඉල්ලා සිටිනවා. ඒ තීන්දුව මත මේ යෝජනාව ස්ථිර කිරීමෙන් විවාදයක් ඇති වන්නේ නැහැ. මේ යෝජනාව කෙළින්ම කාරක සභාවට යනවා. එසේ නොමැති වුවහොත් සමහරවිට මන්ත්‍රීවරුන්ගේ ඉල්ලා අස්වීමේ ලිපි නොග ගණිතින් ගෙනැවිත් පාර්ලිමේන්තුවේ මහලේකම්ට හාර දුන්නොත් ඊළඟ දවසේ පාර්ලිමේන්තුව රැස්වෙන විට එය මන්ත්‍රීවරුන් කවුරුත් නැති පාර්ලිමේන්තුවක් වන්නට පුළුවන. විරුද්ධ පාර්ශ්වය පමණක් සිටින්නට පුළුවන. ඒ තර්කය අපේ පාර්ලිමේන්තු වරප්‍රසාදයන්ට තිබෙනවා. මේ රටේ ප්‍රධානියෙක් අප බලාපොරොත්තු නොවන විධියට අප අතරින් තුරන් වුණොත් ඊළඟ දවසේ පාර්ලිමේන්තු මහ ලේකම්වරයාට මේ පාර්ලිමේන්තු මන්ත්‍රීවරුන්ගේ ඉල්ලා අස්වීමේ ලිපි සියයක් ගෙනැවිත් දුන්නොත් ඊළඟ

[දිනේෂ ගුණවර්ධන මහතා]

ඊකාචාරකවරයා තේරීමේදී පාර්ලිමේන්තු රැස්වීමේ තත්ත්වය කුමක් වෙයිද? ඒ පිළිබඳව භයානක තත්ත්වයක් ඉදිරියේ තිබෙන නිසා මා ඔබතුමාගෙන් ඉල්ලීමක් කරනවා මේ පිළිබඳව ඊකා ජ්‍යෙෂ්ඨයන් තිබෙනවා නම්, ඒවා ස්ථාවර නියෝග කාරක සභාවට යොමු කරන්නට පුළුවනි. පළමු නිකුත්ව ඇති මේ යෝජනාව ඉදිරිපත් කරන්නට අවසර දෙන්නය නිසා මම නමුත්තත්තේගෙන් ඉල්ලා සිටිනවා.

කථානායකතුමා
(ආචාර්යවරයා)
(Mr. Speaker)

This cannot be debated. The Hon. Prime Minister has risen to a point of Order. I should like to inform the hon. House -

සරත් මුත්තේට්ටුවෙගම මහතා
(නිල. ජාත් (முத்தேட்டுவெகம)
(Mr. Sarath Muttetuwegama)

Sir, we are entitled to make our submissions on this point of Order. It has been done time and time again. Points of Order had de facto been debated. I think it will be very wrong if you shut us out from participating in the discussion on this point of Order. It is not debated, but we are entitled to make our submissions to you. It has been done over and over again in this House, within this House itself, this Session. There can be no question of that fact. Now that you have already allowed this discussion - there was the point of Order raised by the Hon. Prime Minister and the hon. Member for Maharagama has made his submission - we are entitled to make our submissions. the process may be long, but it cannot be helped.

අනිල් මුණිසිංහ මහතා
(නිල. අනිල් முனிசிங்ஹ)
(Mr. Anil Moonesinghe)

This has been the practice from time immemorial.

කථානායකතුමා
(ආචාර්යවරයා)
(Mr. Speaker)
Yes.

ඊ. පී. පෝල් පෙරේරා මහතා
(නිල. ජී. ඒ. පොල් பெரேரா)
(Mr. E. P. Paul Perera)

Mr. Speaker, Sir, you will see on the Order Paper against the name of the hon. Member for Maharagama it states "Addition to new Standing Order No. 9 (7)", and he states in his motion :

"That the following Standing Order No. 9 (7) be added at the end of existing Standing Order 9 (6),"

I am sure when this matter came up for inclusion in the Order Paper the heading appeared to suggest that this was a very simple amendment to a Standing Order. Now, as the Hon. Prime Minister very correctly said, it is our duty to assist the House to come to a determination. You will have to decide. Certain Standing Orders of this House are permitted only under

the Constitution and not outside the Constitution. In this connection, a Standing Order is a Standing Order because it is *intra vires* the Constitution and nothing else. To describe any Motion under the heading of a Standing Order does not give it the legal validity of a Standing Order. In the course of business somebody can submit a document and say "This is an amendment to a Standing Order" and it can pass muster at that stage, but when it comes up for serious discussion in this House, we have to point out whether this is a legally valid proposal. The Hon. Prime Minister has pointed out that it is not. I will submit my reasons as to why I said the point or Order raised is correct ?

ආර්. ප්‍රේමදාස මහතා
(නිල. ආර්. பிரேமதாச)
(Mr. R. Premadasa)

Can I ask a question ?

ඊ. පී. පෝල් පෙරේරා මහතා
(නිල. ජී. ඒ. පොල් பெரேரா)
(Mr. E. P. Paul Perera)

Yes.

ආර්. ප්‍රේමදාස මහතා
(නිල. ආර්. பிரேமதாச)
(Mr. R. Premadasa)

Where does the provision for the resignation of a Member of Parliament appear ? Does it appear in the Constitution or in the Standing Orders ?

ඊ. පී. පෝල් පෙරේරා මහතා
(නිල. ජී. ඒ. පොල් பெரேரா)
(Mr. E. P. Paul Perera)

Under Article 66 (b) of the Constitution. But this Motion is a very serious matter. It seeks to camouflage, under the name of an amendment to a Standing Order, what is in fact, a proposal to amend the Constitution. This has to be placed before the House. With all due respect to the hon. Member who proposed this, this is a very serious matter. Standing Orders which are followed in this House become Standing Orders because they are within the protection of the Constitution.

What does the Constitution say about Standing Orders ? I will read Article 74 which the Hon. Prime Minister was also pleased to read :

74. (1) Subject to the provisions of the Constitution, Parliament may by resolution or Standing Order provide for -

(i) the election and retirement of the Speaker, the Deputy Speaker and the Deputy Chairman of committees, and

(ii) the regulation of its business, the preservation of order at its sittings and any other matter for which provision is required or authorized to be so made by the constitution.

(2) Until Parliament otherwise provides by law or by resolution, the Standing Orders of the National State Assembly, operative immediately prior to the commencement of the Constitution, shall, *mutatis mutandis*, be the Standing Orders of Parliament.

There is no mention that Standing Orders should go outside the ambit of what is provided in Article 74. Then it ceases to be a Standing Order. For instance, a Standing Order cannot say how a Member of Parliament shall be elected and how they shall vacate their seats. Those matters are not included in the Standing Orders. If there is a matter that refers to such a subject matter, then it is not a Standing Order.

For instance, when we file a plaint in a court of law we all know that plaints are entertained by the office. You can file a plaint against the Speaker or His Excellency the President but, *in limine*, when the plaint comes up for hearing before any other submission can be made, *in limine*, the Judge is informed that this plaint should not have been entertained and it is set aside. Otherwise we would really be misusing the judicial processes of the court.

We cannot having taken an oath of office in this House that we shall uphold the Constitution of this country, none of us for whatever reason, can seek to undermine that Constitution by various undercover methods as this amendment to the Standing Orders. We cannot. We would then really be violating the oath of office which we undertook to uphold and defend the Constitution of this country. If Article 74 of the Constitution says that the Standing Orders shall be used for certain following purposes, can we, as the Hon. Prime Minister was pleased to ask, use a Standing Order to amend or fill a gap in the Constitution? Can we? We cannot! With respect, therefore, I deplore this Motion.

The heading of the Motion moved by the hon. Member reads –

“Addition to new Standing Order No. 9 (7)”

I am sure this was not what the hon. Member intended but it is there. You cannot amend the Constitution by amending the Standing Orders. You cannot follow the practices of the Indian Parliament. You have not undertaken to uphold the Constitution of India! As hon. Members of this House we have taken an oath of office to uphold the Constitution of Sri Lanka. What have we got to do with the Indian Parliament? In those countries there are so many practices. When a judge is to be removed there are so many practices there, but here in a sovereign country like Sri Lanka, we have our own Constitution. Everybody has undertaken to uphold and defend the Constitution of Sri Lanka. How can we, under the guise of amending a Standing Order, seek to amend the constitution? That is the issue before this House. I submit that the Hon. Prime Minister is quite correct in objecting to this, *in limine*. I say that this Motion has to be ruled out of order.

ප්‍ර. ක. 10.46

අතිරේක මහලේකම් (මහලේකම්)
(திரு. அனில் முனிசிங்கம் — மத்துகம)
(Mr. Anil Moonesinghe-Matugama)

Sir, on the point of Order raised by the Hon. Prime Minister, I want to first of all say that he is labouring under a misapprehension because this Motion has been placed on the Order Paper by your order and is not one that has to be debated here today. Standing Order 134 says –

“Any member may give a notice of motion for the amendment of the standing Orders. Such notice shall be accompanied by a draft of the proposed amendment and the motion when proposed and seconded shall stand referred without any question being proposed thereon to the Committee on Standing Orders and no further proceedings shall be taken on any such motion until the Committee on Standing Orders has reported thereon.”

What I am trying to show is that the dignity of this House and your dignity of Speaker must be upheld. You have ruled that this is in order because under Standing Order 134 all that the hon. Member for Maharagama has to do is to propose his motion, it will be seconded and then all other matters, whether it is against the Constitution and whether it is proper or not, shall be determined by the Committee on Standing Orders, of which you are chairman. They will determine all these arguments that have been put forward, substantive arguments really, on this Motion. Therefore, there is no problem at all involved. I cannot see what the great difficulty is.

The second matter I want to bring to the notice of this House is that we have in this House built up over a period of years certain usages, customs and conventions. These have been accumulated by your predecessors and yourself, who have ruled on various matters. This body of rulings has come to be recognised as the usages and procedures of this House by convention and custom.

If you keep on chopping and changing them every time the Hon. Prime Minister puts forward a strong argument – I can quote from the Hon. Prime Minister’s own speeches and I think the hon. Member for Maharagama has already quoted the case when we debated the appointment of a Select Committee to go into the Mahara by-election – the Hon. Prime Minister then said on the question of the Chief Justice’s matter which came up before this House – I quote from HANSARD of 3rd April 1984, Column 775 when I was trying to argue out a proposition –

“Sir, I think these two Standing Orders are irrelevant as far as this point is concerned. “May I refer him to Standing Order 23 (3) :

“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, . . . ”

[சார்லி மூன்சிங் மொழி]

This is the relevant Standing Order. The Government has submitted a Motion to the Secretary-General, and the Speaker has accepted it. It appears on the Order Paper. There is nothing out of order. Please do not go beyond the Standing Order. Do not bring in any personalities and their conduct into this Motion."

The Deputy Speaker, who was in the Chair at the time, also referred to this in Column 776 as follows :

"This Standing Order refers to standing Order 23 (3). All the requirements of that Standing Order have been complied with. Notice of this Motion has been given and this Motion has been stated to be in Order by the Hon. Speaker, and therefore it is in the Order Book. There is also no standing Order which says anywhere that a Motion to appoint a Select Committee cannot be brought before this House. I therefore rule that this Motion is in Order."

Now this is not a Motion in that respect. It is a Motion brought to amend Standing Orders. Therefore, it is my submission to you, Sir, that you are bound by Standing Order 134 and that you remit it without further discussion to the Standing Orders Committee.

Now the second limb of my argument is this. The argument of the Hon. Prime Minister is that this is against the Constitution. Sir, I cannot understand that. Article 66 (b) of the Constitution says :

"if, by a writing under his hand addressed to the Secretary-General of Parliament, he resigns his seat :"

It says : "writing under his hand". There is nowhere in the hon. Member for Maharagama's Motion anything contrary to that. There is nothing contrary to that.

சார். ப்ரேமதாசா மொழி
(திரு. ஆர். பிரேமதாசா)
(Mr. R. Premadasa)

Additions, additions. So that is an Amendment.

சார்லி மூன்சிங் மொழி
(திரு. அனில் முனசிங்)
(Mr. Anil Moonesinghe)

It is a very important point I wish to make. This House as well as the other Houses where Parliamentary democracy of the Westminster style have had procedures being worked out - it is the history of the British Parliament that the British Parliament - Of course, there is no written Constitution there - worked out the right of Parliament not only to legislate but there were certain judicial functions. One of those functions was to determine who shall sit in that British Parliament. People who did not take the oath were not allowed to sit in that Parliament. In other words, the British Parliament had the prerogative right of judicial decision, of deciding on its own composition. Gradually, in the course of history, some of these judicial functions were given away and only the privileges function of the House continued to be exercised by the House in a judicial way. All the other judicial functions were given over to the judicial arm under which the British administration worked.

Therefore, Sir, we have had a tradition where we determine our procedures, provided that we do not offend against the Constitution. That is the primary and paramount concern, Sir, that we do not offend against the Constitution. Therefore, it is my proposition that there is nothing in this Motion of the hon. Member for Maharagama offending against the Constitution. All it does is, lays down a procedure for the Secretary-General to follow. We do not tell the Secretary-General to go against the Constitution. On the contrary, when the Constitution says that the resignation must be by a writing under his hand, where does the Motion go against it? It only directs the Secretary-General the procedures by which he will determine whether it is a writing under his hand or not. I cannot see how that conflicts with the Constitution. It determines the procedures within this House. Our control of the Secretary-General, provided we do not offend against the Constitution, is the main point in this Resolution. In any case, what I want to pose before you is that, you as the guardian of the traditions of this house, of the rights of its Members and the sovereignty of Parliament under the Constitution, uphold your ruling and that you remit this Motion to the Standing Orders Committee which may then determine whether it is proper or not.

சார்லி மூன்சிங் மொழி
(திரு. சரத் முத்தெட்டுவெகமா)
(Mr. Sarath Muttetuwegama)

Mr. Speaker, I will be very brief on this matter. I would like to join the hon. Members of the Opposition who have said that, once you have admitted a Motion into the Order Paper it is now too late to canvass the legality of that Motion.

கவர்னர் மொழி
(சபாநாயகர் அவர்கள்)
(Mr. Speaker)

I am afraid I will have to point out to the hon. Member that there are several instances

சார்லி மூன்சிங் மொழி
(திரு. சரத் முத்தெட்டுவெகமா)
(Mr. Sarath Muttetuwegama)

I will come to those instances.

கவர்னர் மொழி
(சபாநாயகர் அவர்கள்)
(Mr. Speaker)

where not only our Parliament, but even in the British Parliament Speaker has ruled certain questions that appeared on the Order Paper as out of order.

சார்லி மூன்சிங் மொழி
(திரு. சரத் முத்தெட்டுவெகமா)
(Mr. Sarath Muttetuwegama)

On the Order Paper or Order Book?

கட்சியைக் குறித்து

(சபாநாயகர் அவர்கள்)

(Mr. Speaker)

Both the Order Paper and the Order Book. It is the Order paper that comes, before the House and not the Order Book.

ஈரல் இன்னைப்போதும் மறை

(திரு சாரத் முத்தெட்டுவெகம்)

(Mr. Sarath Muttetuwegama)

I do not know of those various cases that we have, but my submission is that once you have admitted to the Order Paper a Motion designed to amend the Standing Orders then, as far as you are concerned, I say with respect, you are *functus* in regard to this matter. You have no power thereafter to vary your own ruling and say, "I have admitted this as an oversight or as a result of my not being informed of the illegality of the Motion" because it is not something which you have done *per incuriam*. It is not that it has been done by mistake. It is a deliberate decision to admit it to the Order Paper and thereafter you have to refer this to the Standing Orders Committee. Thereafter at the Standing Orders Committee it is open for any Member to raise the question of the legality of this in any particular way, through any approach that he wants. So that would be the position briefly in regard to that argument.

Then, I would like to take up the other argument that has been raised by the Hon. Prime Minister, that the resignations of Members are governed solely by Article 66 of the Constitution and, according to the Hon. Prime Minister's argument, there can be no Standing Order or no way by which the resignation or the removal of Members could be dealt with by a Standing Order of this House. I respectfully say that that argument is fallacious for this reason. I will tell you Mr. Speaker, that there are a number of matters in the Constitution, which the Constitution has provided for, which has been expanded or restricted by Standing Orders of this House. First of all I would like to refer you to Article 64 of the Constitution.

Article 64 (5) of the Constitution says :

"The Speaker, or in his absence the Deputy Speaker, or in their absence the Deputy Chairman of Committees, shall preside at sittings of Parliament. If none of them is present, a Member elected by Parliament for the sitting shall preside at that sitting of Parliament".

Now, Sir, that is the provision in the Constitution. According to the argument of the Hon. Prime Minister, standing orders cannot enlarge, vary or modify that Article. But in fact they do. Standing Order 139 says :

"Mr. Speaker shall nominate at the commencement of every session a Chairmen's panel of not less than four members to act as temporary Chairman of Committees when requested by the Deputy Speaker or in his absence by the Deputy Chairmen of Committees, and may vary the constitution of the panel from time to time. Anything which may be done by the Deputy Speaker may be done by a temporary

Chairman when presiding in the place of the Deputy Speaker. From this panel Mr. Speaker shall appoint the Chairman of each Standing Committee and may change the Chairman so appointed from time to time".

Now, Sir, I say that Article 64 (5) of the Constitution is in fact modified – I do not know whether you call it modification or enlargement – by Standing Order 139. I am only raising this to show that it is possible by Standing Order, when the House desires to regulate its Business. It is not bound by that Chapter of the Constitution which refers to the legislature. Surely, Sir, it would be impossible to conduct the Business of this House if we say that everything regarding the running of this House is dependent on Chapter 10 of the Constitution.

Chapter 10 of the Constitution provides the broad guidelines. It defines the powers and functions of the House. It defines and limits the functions of the House. It says what powers it shall have, what powers Members shall have. Thereafter the Standing Orders provide how Members will address the House, how Members shall be relevant – all those things. That is not an amendment of Chapter 10 or of any provision thereof. That is the point, because Chapter 10 provides for the legislature. There are innumerable Standing Orders which provide how the Business of this House shall be conducted. They say how Members shall speak with decorum, all sorts of things. They are not in Chapter 10. They are not considered amendments which should have been brought by a Bill. To say that this is an amendment of the Constitution because only the Constitution provides for resignation would be an argument that takes this to the point of absurdity.

What does this amendment say? All that this amendment says is that when a letter is received the Secretary-General, because he is the authority under our Constitution to receive the letter, the Secretary-General will make a preliminary inquiry. The hon. Member for Maharagama (Mr. Dinesh Gunawardena) read it out. It is almost along the lines of the Indian provision. That is not the point. What is wrong with that? Does that become an amendment to the Constitution? Can the Hon. Prime Minister show me how the Constitution can be amended in such a way as to say that when the Secretary-General receives a letter he shall inquire from the post office and from the man who sent it, look at the signature and all that? You cannot saddle a Constitution with all those details. This Government has done some grievous harm to this Constitution, but we cannot go to the extent of doing such further harm by listing all the details of what the Secretary-General shall do with the letter that comes to him. The amendment is bad enough – it says that you must look into it, go into it, ask the Member and so on. Can we put all that in the Constitution? That is why the Standing Orders give you the power to regulate the

[සරත් මුත්තේටුවෙගම මහතා]

Business of the House, to regulate how the House shall function, how Members shall speak, how they shall address the Chair. That cannot all be in chapter 10. And, similarly, I say that what this Motion seeks to do cannot find a place in any portion of the Constitution.

There is one other point. Is it the correct place in which to put this amendment – under “Duties of the Secretary General? That is an argument. That is a matter that should come up in the Standing Orders Committee. I might myself agree that there might be another place to put this. I did not meet the hon. Member for Maharagama before he submitted this. If I had, I might have suggested some other place to him. But that is not a ground to strike this Motion off. You would agree that it is not *ultra vires* the Constitution. It is not some argument on which you can say that the Motion cannot even be moved and cannot be debated. What you have to do is only to refer this to the Standing Orders Committee. When it comes to the Standing Orders Committee we can say it is not under that section but there is another place in which you can put it. After that the Standing Orders Committee makes its recommendation to the House.

I would say with the greatest respect, Mr. Speaker, that you will not stultify yourself, first of all, by ruling that a Motion which you have already ruled in order is out order. Secondly, you will not stultify yourself by ruling that a Motion which you have only to refer to the Standing Orders Committee cannot even be moved. And, thirdly, you will, with the greatest respect, certainly not agree with this argument that any provision in the Constitution cannot be dealt with, modified, enlarged or restricted by Standing Orders when it concerns the Business of this House.

ප්‍ර. හ. 11.7

ආර. ප්‍රේමදාස මහතා
(ශ්‍රී. ජ්‍ය. ජී. පී. රෙමදාස)
(Mr. R. Premadasa)

කථානායකතුමනි, කලාවත ගරු මන්ත්‍රීතුමාට (සරත් මුත්තේටුවෙගම මහතා) සතුභාවයක් වෙතුවා, මගේ තර්කයට සැහෙන උපකාරයක් කිරීම ගැන. සමහර නීතිඥයන්ගේ තර්ක අතහැර සිටියම මට වෙලාවකට හිතෙතුවා. සමහර විත්තිකාරයන් කොයිතරම් අවාසනාවන්තද කියලා.

කථානායකතුමනි, මම මතභේදය ගරු මන්ත්‍රීතුමාගෙන් (දිනේශ් ගුණවර්ධන මහතා) එක ප්‍රශ්නයක් අහන්න කැමතියි. මොකක්ද, ඒ ප්‍රශ්නය? මන්ත්‍රීවරයෙකුගේ ඉල්ලා අස්වීම පිළිබඳව සඳහන් වන්නේ ආණ්ඩුක්‍රම ව්‍යවස්ථාවේදී කැන්තම් ස්ථාවර නියෝගවලදී කියලා. ඔව් ඒක බොහෝම පැහැදිලි ප්‍රශ්නයක්. සංශෝධනයක් ගේතවානම් සංශෝධනයක් ගෙන යෑමේ මන්ත්‍රීවරයකු ඉල්ලා අස්වීම පිළිබඳව කියන වගන්තිය තිබෙන තැනටයි. මේක මහලේකම්තුමාගේ රාජකාරිය පිළිබඳ ප්‍රශ්නයක් නොවෙයි. මෙම ස්ථාවර නියෝග සංශෝධනය ඇතුළු කරන්න යන්නේ කොතැනටද? මම ඇසුවා, ඒ ප්‍රශ්නය. මෙය ඇතුළු කරන්න යන්නේ මහලේකම්තුමාගේ රාජකාරිය පිළිබඳව සඳහන් වන තැනටයි. ඇයි? ස්ථාවර නියෝග තුළ තැනැත්තන්ගේ ඉල්ලා අස්වීම පිළිබඳව ජේදයක්. තමුන්තාත්තේ ඇයි මේ යෝජනාව පිළිගන්නේ? මතභේදය ගරු මන්ත්‍රීතුමා (දිනේශ් ගුණවර්ධන මහතා) බොහෝම අසාසකව මෙය ස්ථාවර නියෝග පිළිබඳ සංශෝධනයක් හැටියට ඉදිරිපත් කළ හිටියි. තමුන්තාත්තේ කල්පනා කලා, ඔව් ස්ථාවර

නියෝගයක් පිළිබඳව සංශෝධනයක් කරන්නට මේ සභාවට බලය තිබෙනවා, ඒ නිසා 134 වෙනි ස්ථාවර නියෝග යටතේ මේ යෝජනාව ඉදිරිපත් කර තිබෙනවා කියා. මෙන්න ඒ ස්ථාවර නියෝගය :

“134. Any member may give a notice of motion for the amendment of the Standing Orders. Such notice shall be accompanied by a draft of the proposed amendment . . .”

So it is a very simple Motion. You also thought that it is for the amendment of the Standing Orders and you allowed it. But it is our duty to point out to you, Sir, that there is not provision in the Standing Orders and you allowed it. But it is our duty to point out to you, Sir, that there is no provision in the Standing Orders governing the procedure that should be adopted by a Member of Parliament in the matter of resignation. If anybody had pointed that out to you, you would have been the first to advise the hon. Member, “Look, this cannot be done by way of a Motion to amend the Standing Orders. It has to be amended by way of a Bill, because you are going to amend the provisions of the Constitution.” I will not say that the hon. Member’s suggestions are contrary to the provisions in the Constitution. But they are definitely amendments. You are going to include something. We may consider it at that stage. That is why I said in my main speech that he is going to streamline the procedure. I have no objection to that. We can consider that aspect. But please follow the correct course of action. If there is provision in the Standing Orders in regard to the manner in which a Member should submit his resignation, of course it has to be amended in the Standing Orders.

දත් අපේ කලාවත ගරු මන්ත්‍රීතුමා (සරත් මුත්තේටුවෙගම මහතා) මොකක්ද මට කළ උපකාරය? එතුමා කියනවා මේ වැරදි තැනටයි. සංශෝධනය ගෙනැවිත් තිබෙන්නේ කියා.

සරත් මුත්තේටුවෙගම මහතා
(ශ්‍රී. ජ්‍ය. ජී. පී. රෙමදාස)
(Mr. Sarath Muttetuwegama)
I said “may be”

ආර. ප්‍රේමදාස මහතා
(ශ්‍රී. ජ්‍ය. ජී. පී. රෙමදාස)
(Mr. R. Premadasa)

You said that if he had spoken to you, you would have pointed out where the amendment should come.

සරත් මුත්තේටුවෙගම මහතා
(ශ්‍රී. ජ්‍ය. ජී. පී. රෙමදාස)
(Mr. Sarath Muttetuwegama)

No, no. I said it may be argued that

ආර. ප්‍රේමදාස මහතා
(ශ්‍රී. ජ්‍ය. ජී. පී. රෙමදාස)
(Mr. R. Premadasa)

That is why I said you assisted me-

සරත් මුත්තේටුවෙගම මහතා
(ශ්‍රී. ජ්‍ය. ජී. පී. රෙමදාස)
(Mr. Sarath Muttetuwegama)

No. I must be permitted to explain. I said that it may be argued – I repeat, that it may be argued – that this provision is not in the proper place.

ආර්. ප්‍රේමදාස මහතා
(ති.රු. ඡූර්. பிரேமதாச)
(Mr. R. Premadasa)

The words "may" and "shall" are very difficult words.

සරත් මුත්තේටුවේගම මහතා
(ති.රු. சரத் முத்தேட்டுவேகம)
(Mr. Sarath Muttetuwegama)

In any case it is not a ground for rejecting the Motion without allowing it to be moved. That is what I said. I think the Hon. Prime Minister must be fair by me and say that I said that even if it is so the Motion must be moved ; it must go to the Standing Orders Committee, at which place they will say, "No, this cannot be done at this point".

ආර්. ප්‍රේමදාස මහතා
(ති.රු. ඡූර්. பிரேமதாச)
(Mr. R. Premadasa)

You yourself said, "personally I do not agree" -

සරත් මුත්තේටුවේගම මහතා
(ති.රු. சரத் முத்தேட்டுவேகம)
(Mr. Sarath Muttetuwegama)

No, no. I said, personally if I was asked, I myself would have suggested another place.

ආර්. ප්‍රේමදාස මහතා
(ති.රු. ඡූර්. பிரேமதாச)
(Mr. R. Premadasa)

That is the point. What does that mean ? That you do not agree with the place at which it has been suggested.

සරත් මුත්තේටුවේගම මහතා
(ති.රු. சரத் முத்தேட்டுவேகம)
(Mr. Sarath Muttetuwegama)

All right. You do not agree. But my argument is not that. My argument is, even if it is not the correct place it is no ground for rejecting the Motion and not permitting it to be moved. The proper procedure then would be allow it to be moved, refer it to the Standing Orders Committee and let the Standing Orders Committee point that out.

ආර්. ප්‍රේමදාස මහතා
(ති.රු. ඡූර්. பிரேமதாச)
(Mr. R. Premadasa)

That is not a question of rejecting the Motion.

සරත් මුත්තේටුවේගම මහතා
(ති.රු. சரத் முத்தேட்டுவேகம)
(Mr. Sarath Muttetuwegama)

That is what you are proposing.

ආර්. ප්‍රේමදාස මහතා
(ති.රු. ඡූර්. பிரேமதாச)
(Mr. R. Premadasa)

This is a question in regard to the procedure.

සරත් මුත්තේටුවේගම මහතා
(ති.රු. சரத் முத்தேட்டுவேகம)
(Mr. Sarath Muttetuwegama)

No. There is no such thing. The Hon. Prime Minister's point of Order is that it is contrary to the Constitution and it cannot be moved.

ආර්. ප්‍රේමදාස මහතා
(ති.රු. ඡූර්. பிரேமதாச)
(Mr. R. Premadasa)

කරුණාකරමුත්, අග්‍රවිනිශ්චයකාරවරයාගේ කාරණයක් පිළිබඳව මම ස්ථාවර නියෝග ගැන කළ කථාවක් මහරගම ගරු මන්ත්‍රීතුමා (දිනේෂ ගුණවර්ධන මහතා) සඳහන් කළා. ඒකට සම්පූර්ණයෙන්ම වැරදි අවකාශයක් දී තිබෙන්නේ.

දිනේෂ ගුණවර්ධන මහතා
(ති.රු. தினேஷ் குணவர்த்தன)
(Mr. Dinesh Gunawardene)

අග්‍රවිනිශ්චයකාරතුමා පිළිබඳව තොවෙයි. මහර ප්‍රශ්නය පිළිබඳවයි.

ආර්. ප්‍රේමදාස මහතා
(ති.රු. ඡූර්. பிரேமதாச)
(Mr. R. Premadasa)

මේ, හරි, මොකක් හෝ ස්ථාවර නියෝග පිළිබඳව මා ඉදිරිපත් කළ කාරණයක් ගැනයි. එතුමා සඳහන් කෙළේ. නමුත් ඒකෙන් මේකෙන් කිසිම අදාළ භාවයක් තැනි බව මම කියන්න කැමතියි. මේකේ පැහැදිලි කාරණයක් තිබෙනවා. මම එතුමාගෙන් ප්‍රශ්නයක් ඇහුවා, මන්ත්‍රීවරුන් ඉල්ලා අස් වීම පිළිබඳව අනුගමනය කළ යුතු ක්‍රියා මාර්ගය සඳහන් වන්නේ ස්ථාවර නියෝගවලද ආණ්ඩුක්‍රම ව්‍යවස්ථාවේද කියා. ස්ථාවර නියෝගවල නම් මෙය බොහෝම හරි. නමුත් තාක්සේ යෝජනාව ගෙනැවිත් තිබෙනවා. එකකොට නමුත් තාක්සේ කියන විට ස්ථාවර නියෝග කාරක සභාවට මේක යොමු කරනවා. නමුත් මේ ස්ථාවර නියෝගවල කොතැනකටත් සඳහන් වෙලා නැහැ. මන්ත්‍රීවරුන්ගේ ඉල්ලා අස්වීම පිළිබඳව අනුගමනය කළ යුතු ක්‍රියා මාර්ගය.

තනිකක් ඉදිරිපත් කළා. ආණ්ඩු ක්‍රම ව්‍යවස්ථාවේ තිබෙන ඇතුළු කරුණු පිළිබඳව ස්ථාවර නියෝගවලත් යම් යම් ක්‍රියා මාර්ග සඳහන් වී තිබෙනවාය කියා. ඇත්ත වශයෙන්ම සඳහන් වෙලා තිබෙනවා. ආණ්ඩුක්‍රම ව්‍යවස්ථාවේම සමහර වගන්තිවල තිබෙනවා මෙන්න මේ කාරණය සම්බන්ධයෙන් පාර්ලිමේන්තුවේ ස්ථාවර නියෝග මගින් යම් යම් ක්‍රම ඇති කළ යුතුය කියා ; යම් යම් තේරීම් සම්බන්ධයෙන් ගත යුතු ක්‍රියා මාර්ග පාර්ලිමේන්තුවෙන් ඇති කළ යුතුය කියා. නමුත් තාක්සේම මතක ඇති, ආණ්ඩුක්‍රම ව්‍යවස්ථාවේ තිබෙනවා, අග්‍රවිනිශ්චයකාරවරයාගේ ඉවත් කිරීම පිළිබඳව පාර්ලිමේන්තුවේ යෝජනාවක් සාකච්ඡා කළ යුතු ආකාරය ගැන පාර්ලිමේන්තුවේ ස්ථාවර නියෝග මගින් වැඩිපිළිවෙලක් ඇති කළ යුතුය කියා. අපි ඒ විට සලකා. නමුත් මම නමුත් තාක්සේගේ අවධානය යොමු කරන්නේ, මෙන්න මේ ගැනයි. මන්ත්‍රීවරුන්ගේ ඉල්ලා අස්වීම පිළිබඳව ආණ්ඩු ක්‍රම ව්‍යවස්ථාවේ 66 (බී) වගන්තිය යටතේ පැහැදිලි සඳහනක් කර තිබෙනවා :

- "66. The seat of a Member shall become vacant -
- (a) upon his death ;
- (b) If, by a writing under his hand addressed to the Secretary-General of Parliament, he resigns his seat."

මේ යෝජනාවේ තිබෙන, ඇතුළත් කරන්නටය කියා කියන, වගන්ති මේකට පටහැනි තොටක බවට තර්කයක් ඉදිරිපත් කළා. මේ, පටහැනි තැනි බව මම පිළි ගන්නවා. නමුත් ප්‍රශ්නය මෙයයි : ආණ්ඩුක්‍රම ව්‍යවස්ථාවේ මන්ත්‍රීවරුන්ගේ ඉල්ලා අස්වීම පිළිබඳව එක ක්‍රියා මාර්ගයකුත් මහ ලේකම්තුමාගේ රාජකාරි යටතේ මන්ත්‍රීවරුන්ගේ ඉල්ලා අස්වීම පිළිබඳව නව ක්‍රියා මාර්ගයකුත් සඳහන් වුණාම මන්ත්‍රීවරයෙක් ඉල්ලා අස්වන අවස්ථාවේදී මොන ක්‍රියා මාර්ගයද අනුගමනය කළයුත්තේ ? ඒ ප්‍රශ්නයට උත්තරයක් දෙන්න. ගරු කරුණාකරමුත්, එසේනම් ඒ මන්ත්‍රීවරයා ඉල්ලා අස්විය යුත්තේ ආණ්ඩුක්‍රම ව්‍යවස්ථාව අනුවද, එසේ නැත්නම් ස්ථාවර නියෝගවලට අනුවද ? හොඳයි. එක මන්ත්‍රීවරයෙක් ඉල්ලා අස්වෙනවා ආණ්ඩු ක්‍රම ව්‍යවස්ථාවේ තිබෙන විටය. ඒ මන්ත්‍රීවරයා කොහොමද ඉල්ලා අස්වෙන්නේ ?

[පාර්. ප්‍රේමදාස මහතා]

"by a writing under his hand addressed to the Secretary-General of Parliament, he resigns his seat."

ඒ එක මන්ත්‍රීවරයෙක් ඉල්ලා අස්වන විධිය. තව මන්ත්‍රීවරයෙක් මෙතෙක් මේ විධියට ලිපියක් ලියා අත්සන් කර දෙනවා.

"resign his seat in the Parliament either by post or through some one else he shall satisfy himself that the resignation is voluntary and genuine before accepting the resignation unless a Member hands over the letter of resignation to the Secretary-General personally and inform him that the resignation is voluntary and genuine and the Secretary-General has no information or knowledge to the contrary."

ඒ ක්‍රමයට තව මන්ත්‍රීවරයෙක් ඉල්ලා අස් වෙනවා. දැන් කොයි එකද භාර ගත්තේ? කොයි එකද භාර ගත්තේ? එහෙම දේවල් වෙන්ගේ ආණ්ඩු ක්‍රම ව්‍යවස්ථාවේ තිබෙන පැහැදිලි කරුණුවලට ස්ථාවර නියෝගවලත් වෙන වෙන ක්‍රියාමාර්ග ඇති කිරීමෙනුයි. ස්ථාවර නියෝගවලට කටදවත් ආණ්ඩුක්‍රම ව්‍යවස්ථාව යටපත් කරන්නට බැහැ. ස්ථාවර නියෝග වේවා, වෙනත් නීතියක් වේවා ආණ්ඩුක්‍රම ව්‍යවස්ථාවට අදාළ වන්නට මිනැ, මන්ත්‍රීවරයෙකුගේ ඉල්ලා අස්වීම පිළිබඳව කිසිම බලපෑමක් නොමැතිව ස්ව කැමැත්තෙන්ම පැහැදිලි ලෙස ඒ මන්ත්‍රීවරයාගේ ඉල්ලා අස්වීම සහතික කිරීමට මිනැම යෝජනාවක් සම්මත කර ක්‍රියාත්මක කිරීමට අපි කිසිසේත් විරුද්ධත්වයක් නැහැ. ඒ බව වඩාත් පැහැදිලි කර ගන්න.

"ලෝක සභාව" ගැනත් කරුණු ඉදිරිපත් කලා. හොඳයි එසේ නම් ව්‍යවස්ථාව වෙනස් කරන පිළිවෙළ කරුණාකර තමුත්තාත්සේලා ඉදිරිපත් කරන්න. එවිට ප්‍රශ්නයක් මතු වෙනවා. ඇයි, එහෙමම ආණ්ඩුවෙන් එය ඉදිරිපත් කරන්නේ නැත්තේ නිසා. එසේ නොකරන්නේ මෙතෙක් මේ කාරණය තිසයි. දැන් තිබෙන ක්‍රමය අනුව, යම් මන්ත්‍රීවරයෙක් මහ ලේකම්තුමාට ඉල්ලා අස්වීමේ ලිපියක් ගෙනැවිත් දුන්නොත් එහි ලියා තිබුණත් නොලියා තිබුණත් එම ඉල්ලා අස්වීමේ ලිපියෙහි සත්‍යතාවයක් තිබෙනවාද කියා සොයා බලන්න මහ ලේකම්තුමාට යුතුකමක් තිබෙනවා. ඇයි කථානායකතුමා මිනැම කෙනෙකුට පුළුවන් හෙ ලියමනක් සකස් කරලා බොරු අත්සනක් ගහලා මන්ත්‍රීවරයෙක් පිටරට හෝ කොහේ හෝ ඉන්න අවස්ථාවක මහ ලේකම්තුමාට ගෙනැවිත් භාර දෙන්න. එහෙම භාර දුන්නොත් මහ ලේකම්තුමා ඒ ගැන විමසන්නේ නැතිව භාර ගනිවිය කියලා තමුත්තාත්සේ හිතනවාද? මහ ලේකම් ධූරය වැනි ධූරයක් දරන පුද්ගලයා කොයිතරම් වගකීම් සහිත පුද්ගලයෙක් විය යුතුද? කොයිතරම් දැනීමක් තිබිය යුතු පුද්ගලයෙක් විය යුතුද? මහු නීතිය ගැන දැන සිටිය යුතුව තිබෙනවා. රාජ්‍ය සේවයේ ඉතාමත් උසස් තිළධාරියෙක් ගැටියටයි මහුව පත් කරන්නේ. එම නිසා, අපිට ඒ ගැන කිසිම සැකයක් නැහැ. මෙතෙක් එවැනි වැඩක් සිදු වුණොය කියලා අපි දන්නේත් නැහැ. එතුමා කීව්වා වගේ එක දවසක මන්ත්‍රීවරුන් සිය දෙනෙක් ඉල්ලා අස්වීමේ ලියවිලි මෙහාට ගෙනැවිත් දුන්නොත් ඒ ගෙනැවිත් දුන් ගැටියේ ඒ ඉල්ලා අස්වීමේ ලියවිලි සියයම මහ ලේකම්තුමා ගෙනැවිත් මේ ගරු සභාවට ප්‍රකාශ කරාවිය කියලා තමුත්තාත්සේලා හිතනවාද? මය තරමටම බාල්දු කරනවද මහ ලේකම් ධූරය? මහ ලේකම් ධූරය දරණ පුද්ගලයාගේ දකුම ගැන, අවබෝධය ගැන මේ තරම් පහත් ලෙස කල්පනා කරනවාය කියා මම අද තමයි කල්පනා කළේ. මොන මහ ලේකම් වරයෙක්ද ලියුම් සියයක් ගෙනත් දුන්නම, ලියුම් දහයක් ගෙනත් දුන්නම, ලියුමක් ගෙනත් දුන්නම—

ලක්ෂමන් ජයකොඩි මහතා
(**ශ්‍රී. ල. ලක්ෂ්මන් ජයාජයෝ**)
(Mr. Lakshman Jayakody)
ලියුම් දහ අටක් ගෙනත් දුන්නා.

ආර්. ප්‍රේමදාස මහතා
(**ශ්‍රී. ල. ආර්. ප්‍රිමොදාස**)
(Mr. R. Premadasa)

දහ අටක් ගෙනත් දුන්නා. ඒ දහ අට ගෙනත් දුන්නා පමණක් නොව ඒ ඉල්ලා අස්වූ මන්ත්‍රීවරු වෙනම මහ මැතිවරණයක් මගින් මහජනයා කෝරා පත් කර එවූ බව කලවාන ගරු මන්ත්‍රීතුමා (සරත් මුත්තෙට්ටුවෙගම මහතා) තේරුම් ගත්ත මිනැ.

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

අගමැතිතුමා, අර මුල්කීර්තල උත්තෑගේ ඇඬුවා එලියේ.

ආර්. ප්‍රේමදාස මහතා
(**ශ්‍රී. ල. ආර්. ප්‍රිමොදාස**)
(Mr. R. Premadasa)

ඇඬුවාට වැඩක් නැහැනේ. අපේ තීරණය හරිනේ. එය මහජනයා පිළිගන්නානේ.

ගරු කථානායකතුමා, විපක්ෂයට සිදුවෙලා තිබෙන්නේ හරි වැඩිය වුණත් හරියට කරන්නට කොඳුන්ත එකයි. ඒ තිසයි ඒ අය අද අනාව තත්ත්වයට පත්වෙලා තිබෙන්නේ. වැරදි දේවල් හරියට කරන්න දන්නේ නැති එක කොට්ටිය හරි දේවත් හරියට කරන්න දන්නේ නැහැ.

ගරු කථානායකතුමා, ස්ථාවර නියෝග වෙනස් කරන්න පුළුවන් වන්නේ ඉල්ලා අස්වීම ස්ථාවර නියෝග යටතේ එන දෙයක් නම් පමණයි. තමුත් මෙය එන්නේ ආණ්ඩුක්‍රම ව්‍යවස්ථාව යටතේ.

දිනේෂ ගුණවර්ධන මහතා
(**ශ්‍රී. ල. දිනේෂ් ගුණවර්ධන**)
(Mr. Dinesh Gunawardena)

ගරු කථානායකතුමා, එක කාරණයක් පමණක් මඔබතුමාගේ අවධානයට යොමු කරන්න මිනැ, අගමැතිතුමා විසින් කරුණු ඉදිරිපත් කළ නිසා, කලවාන ගරු මන්ත්‍රීතුමා කීව්වා වගේ ආණ්ඩුක්‍රම ව්‍යවස්ථාවේ වෙනත් වගන්තිවල සඳහන්වන කරුණු සම්බන්ධයෙනුත් ස්ථාවර නියෝගවල සඳහන් වී තිබෙනවා. එම නිසා ආණ්ඩුක්‍රම ව්‍යවස්ථාවේ පවතින වගන්තියක් ස්ථාවර නියෝගවල සඳහන් කිරීම පිළිබඳව පවැනිතාවයක් නැති බව කලවාන ගරු මන්ත්‍රීතුමා පැහැදිලිව කරුණු සහගතව ඉදිරිපත් කලා.

ඊට අමතරව මා නැවතත් කියා සිටින්න කැමතියි, යම් යෝජනාවක් ඉදිරිපත් කොට එය ස්ථිර කිරීමට පසුව යම් යම් විරෝධතා පිළිබඳව තීන්දුවක් ගත යුතුයි කියා මේ සභාවේ මීට කලින් දුන්න තීන්දුවක් පවතින බව, එය මේ සභාවේදී මීට පෙර මහර මැතිවරණයේ විශේෂ කේර්ම කාරක සභා අවස්ථාවේදී දුන්න තීන්දුවක්, එය උසාවියකින් දුන්න නියෝගයක් නොවෙයි. අගමැතිතුමා කියූ ආකාරය තිසා මා පැහැදිලිව නැවත කියා සිටින්න කැමතියි, එය අග්‍රවිනිශ්චයකාරතුමා ගැන හෝ තවුකාරයෙක් සම්බන්ධයෙන් හෝ දුන්න එකක් නොවෙයි. යෝජනාවක් ඉදිරිපත් කර එය ස්ථිර කලාට පසුව ඒ පිළිබඳව පවතින විරෝධතාවයක් සාකච්ඡා කිරීම සම්බන්ධයෙන් පැහැදිලි නියෝගයක් නියෝජ්‍ය කථානායකතුමා ඒ අවස්ථාවේදී දී තිබෙනවා. එම නිසා මේ යෝජනාව ඉදිරිපත් කොට සාකච්ඡා කිරීමට අවස්ථාවක් මතුවෙන්නේ නැහැ. මෙවැනි යෝජනාවක් ස්ථිර කළ විගසට ඒ පිළිබඳව සාකච්ඡා කිරීමට හැකියාවක් නැති බවත් ඒ පිළිබඳව තවදුරටත් සාකච්ඡා කිරීමට හැකිවෙන්නේ එය විශේෂ අනුකාරක සභාවකට යොමු කර එහි වාර්තාව ලැබුණු පසුව බවත් 134 වන ස්ථාවර නියෝගය යටතේ සඳහන් වෙනවා. එම නිසා මඔබතුමා කථානායකතුමා ගැටියට මේ යෝජනාව ගැන සලකා බලා එය න්‍යාය පත්‍රයට අත්හරින කර තිබෙන්නේ එහි කිසිම ව්‍යවස්ථා විරෝධතාවයක් නැති බව පැහැදිලි වීමෙන් පසුවයි. එම නිසා තවදුරටත් මෙහි තීරී ප්‍රශ්නයක් හෝ දුබලතාවයක් තිබෙනවා නම් ඒ ගැන කටයුතු කරන්න පුළුවන් වන්නේ අනුකාරක සභාව මගින් පමණයි.

මම මොහොතකටවත් හිතන්නේ නැහැ මහ ලේකම්තුමා තමන්ගේ නිලතලයන් වැරදි ආකාරයට පාවිච්චි කරයි කියා. මා යෝජනාවේ එවැනි කිසි සඳහනක් කර නැහැ. මහ ලේකම්තුමාගේ මහ ලේකම් ධූරය බාල්දුලිමක් කරන්නට නොවෙයි මෙය ඉදිරිපත් කර තිබෙන්නේ. මෙය ඉදිරිපත් කර තිබෙන්නේ මන්ත්‍රීවරුන්ගේ වරප්‍රසාද ආරක්ෂා කරන්නටයි.

මඔබතුමාගේ ආණ්ඩුවමයි අගමැති තනතුර බාල්දු කර තිබෙන්නේ. අපි ඒ තනතුර බාල්දු කරන්නට කටයුතු කර නැහැ. මඔබතුමා අගමැති තනතුර දරන නිසා එහි යම්කිසි ආලෝකයක් තිබෙනවා. එහි බලතල බාල්දු කළේ තමුත්තාත්සේලාගේ ආණ්ඩුවමයි. අපි මේ බලතල බාල්දු කරන්නට යෝජනාවක් ඉදිරිපත් කර නැහැ. ගරු කථානායකතුමා, මන්ත්‍රීවරුන්ගේ අයිතීන් තහවුරු කරන්නටයි මේ යෝජනාව ඉදිරිපත් කර තිබෙන්නේ. එමනිසා මෙය ඉදිරිපත් කොට ස්ථිර කරන්නට අවස්ථාව ලබා දෙන්නටය කියන විකයි මා නැවත වරක් ඉල්ලා සිටින්නේ.

ආර්. ප්‍රේමදාස මහතා
(**ශ්‍රී. ල. ආර්. ප්‍රිමොදාස**)
(Mr. R. Premadasa)

මගේ ප්‍රශ්නයට එතුමා පිළිතුරක් දුන්නේ නැහැ. එනම් මන්ත්‍රීවරයෙක් ඉල්ලා අස්වීම පිළිබඳව ස්ථාවර නියෝග තුළ කිසියම් වගන්තියක් තිබෙනවාද කියන ප්‍රශ්නයට පිළිතුරක් ලැබුණේ නැහැ. එහෙම තිබෙනවා නම් එතනට මේ අතුරු යෝජනාව ඉදිරිපත් කලාට කමක් නැහැ.

කථානායකතුමා

(சபாநாயகர் அவர்கள்)
(Mr. Speaker)

Hon. Members, I have listened to the points raised in the Hon. Prime Minister's point of Order. I have listened to the hon. Member for Maharagama and two other hon. Members. I should like to correct an erroneous impression that many Members in their speeches mentioned. Now, this is not a surprise. At the meeting of Committee on Parliamentary Business held in the Chambers of the Speaker on Thursday, 21st March at 1 p.m. the following members were present :

Hon. E. L. Senanayake, Speaker (Chairman)

Mr. Norman Waidyaratne

Mr. Edmund Samarawickrema

Hon. R. Premadasa

Hon. M. Vincent Perera

Mr. Harindra Corea

Mr. Anura Bandaranaike

Mr. Dinesh Gunawardena

Mr. Sarath Muttetuwegama"

A paragraph in the minutes says :

"In this connection the Hon. Prime Minister also referred to a Motion No. P.38/85, appearing in the Addendum to the Order Book No. 1, issued on Friday, 15th March 1985, and said that both Motions cannot be debated in parliament as these appeared to be inconsistent with the Constitution."

The next paragraph says :

"Accordingly the Hon. Prime Minister stated that he would raise a point of order on the two Motions when they are taken up."

Then it says :

"After discussion, the Committee, however, agreed to have both these Motions namely P. 37/85 and P. 38/85, to appear on the Order Paper on May 10, 1985."

So, this is something that was not done by me by mistake or by an oversight.

සරත් මුත්තේවෙගම මහතා

(திரு. சரத் முத்தேட்டுவெகம)

(Mr. Sarath Muttetuwegama)

It was not for the consent for the Motions to appear. That was in regard to the date. The very thing that you read out, Mr. Speaker, says that the objection will be raised when the Motion is taken up. It was not taken up. He raised that objection before it was taken.

ආර්. ප්‍රේමදාස මහතා

(திரு. ஆர். பிரேமதாச)

(Mr. R. Premadasa)

A point of Order can be raised at any stage. The hon. Member for Kalawana knows this very well. When a Motion appears on the Order Paper it is the property of the House. Even before it is moved, the House can discuss that Motion on a point of Order.

ලක්ෂ්මන් ජයකොඩි මහතා

(திரு. லக்ஷ்மன் ஜயக்கொடி)

(Mr. Lakshman Jayakody)

It has never been allowed.

ආර්. ප්‍රේමදාස මහතා

(திரு. ஆர். பிரேமதாச)

(Mr. R. Premadasa)

Why not ? It has been allowed.

කථානායකතුමා

(சபாநாயகர் அவர்கள்)

(Mr. Speaker)

Also I wish to remind you that the Speaker is a creature of the Constitution. I have, therefore, to act in a constitutional manner without disrespect to the Constitution that all of us have promised to uphold. It is the duty of a Speaker to preserve the orderly conduct of debate by repressing disorder when it arises, by refusing to propose the question upon Motions and Amendments which are irregular, and by calling the attention of the House to Bills which are out of order and securing their withdrawal. Therefore, I rule that the resignation of Members is amply covered by Article 66 of the Constitution which gives various conditions under which a Member can resign. And as rightly pointed out by the Hon. Prime Minister, the Order in Council has no reference to the procedure of a resignation of a Member and there has been plenty of instances both in this House and in Parliament in England where the Speaker has the discretion to rule out of order any Motion or Question appearing on the Order Paper if he thinks fit. I, therefore, rule that the Motion introduced by the hon. Member for Maharagama is out of order.

පිලිකස් ආර්. ඩයස් චණ්ඩාරනායක මහතා, සිරිමා ආර්. ඩී. චණ්ඩාරනායක මහත්මිය සහ තිහාල් ජයවික්‍රම මහතා විෂයෙහි තීරණය කර ඇති ප්‍රජා අයිතිකරුන් පිළිබඳ යෝජනා සම්මතයන් අවලංගු කිරීම

திரு. பீலிக்ஸ் ஆர். டயஸ் பண்டாரநாயக்க, திருமதி சிறிமா ஆர். டி. பண்டாரநாயக்க, திரு. நிஹால் ஜயவிக்ரம ஆகியோர் மீது விதிக்கப்பட்டுள்ள குடியியல் தகுதியினத்தை இல்லா தொழித்தல் சம்பந்தமாக நிறுவேற்றப்பட்ட தீர்மானங்களை

இரத்து செய்தல்

RESCINDING OF RESOLUTIONS FOR IMPOSITION OF CIVIC DISABILITY ON MR. FELIX R. DIAS BANDARANAIKE, MRS. SIRIMA R. D. BANDARANAIKE AND MR. NIHAL JAYAWICKREMA

අනුර චණ්ඩාරනායක මහතා (විරුද්ධ පාර්ශ්වයේ නායකතුමා)

(திரு. அனூர் 'பண்டாரநாயக்க — எதிர்க்கட்சி முதல்வர்)

(Mr. Anura Bandaranaike—(Leader of the Opposition)

I move,

"That this Parliament resolves that the following Resolution on the imposition of Civic Disability on, Felix R. Dias Bandaranaike passed by Parliament in accordance with the provisions of Article 81 of the Constitution on 16th October, 1980 :-

"THAT WHEREAS a Special Presidential Commission of Inquiry established under the Special Presidential Commissions of Inquiry Law, No. 7 of 1978, as amended by the Special Presidential Commissions of Inquiry (Special Provisions) Act, No. 4 of 1978, and consisting of the Hon. J. G. T. Weeraratne,

provide for the removal of such civic disability imposed by Parliament. The only remedy is a Presidential pardon in terms of Article 34. (2).

The Motion is inconsistent with the Constitution.

ගරු කථානායකතුමනි, මම එකක් පැහැදිලි කරන්නට මිතු. මේ යෝජනාවෙන් බලාපොරොත්තු වෙනවා පාර්ලිමේන්තුව විසින්ම සම්මත කළ ක්‍රියාදාමයක් සම්බන්ධයෙන් වෙනසක් ඇති කරන්නට. වෙනසක් ඇති කළ නොහැකි අන්දමින්. මේ යෝජනාව කියවා බැලුවොත් තමුන්තාත්සේට පෙනෙයි. මේ යෝජනාවේ අවසානයට තිබෙනවා - පුරා උරුමය අහෝසි වුණු පුද්ගලයින් ගැන සඳහන් කර - ඒ පැනවූ සම්බන්ධක "අකර්මතා කිරීමට, අවලංගු කිරීමට හා අහෝසි කිරීමට මෙම පාර්ලිමේන්තුව යෝජනා සම්මත කරයි" කියා.

එය ඉංග්‍රීසියෙන් තිබෙන්නේ මෙන්න මෙහෙයි :

"That this Parliament resolves - that the following Resolution on the imposition of Civic Disability on,

ජලහට ඒ නම් වික දමා තිබෙනවා :

"Mr. Felis R. Dias Bandaranaike, Mrs. Sirima R. D. Bandaranaike and Mr. Nihal Mahes Sudiruikku Jayawaickrema for a period of seven years ;

be made inoperative, be rescinded and be annulled."

දැන් ඒ අවුරුදු 7 ක් අවුරුදු ගණනාවක් ගතවෙලා.

How are you going to make this inoperative ? How are you going to rescind this ? How are you going to implement this decision ? Even if we resolve under the provisions of the Constitution, I cannot see any way in which we can implement it. Therefore you will have to bring an amendment to the Constitution. You will have to change the Constitution for this purpose and that is a long process. Even then how are you going to make it inoperative ? It has already operated. I do not know who drafted this Motion !

ගරු කථානායකතුමනි, මෙයත් ව්‍යවස්ථා විරෝධී යෝජනාවක් බව මම කියන්නට කැමතියි. මේ යෝජනාව සාකච්ඡා කරන්නට හෝ ඒ ගැන ඡන්දයක් විමසන්නට හෝ අවසානයක් නැහැ. තමුන් මම එකක් කියන්නට මිතු. මේ තත්ත්වයට ප්‍රතිකාරයක් හැටියට තිබෙන්නේ එකම එක ක්‍රමයයි. ආණ්ඩුක්‍රම ව්‍යවස්ථාව අනුව ගරු ජනාධිපතිතුමාට පුළුවන්කම තිබෙනවා. සමාවක් දෙන්නට. ඒ නිසා කරුණාකර එවැනි යෝජනාවක් ඉදිරිපත් කරන්න සේ මම විපක්ෂයෙන් ඉල්ලා සිටිනවා. ගරු ජනාධිපතිතුමාගෙන් ඉල්ලීමක් කරන්න. එවැනි යෝජනාවක් ඉදිරිපත් කළොත් ඒ ගැන අපිත් කල්පනා කර බලන්නම්. පොද්ගලිකව මගෙන් ඇසුවොත් දැන් මේ ඔක්කොටම සමාව දෙනවා නම් මම කැමතියි. බණ්ඩාරනායක මැතිනිය පමණක් නොවෙයි, fපිලික්ස් ආර්. ඩයස් බණ්ඩාරනායක මහතා පමණක් නොවෙයි, නිහල් මනේෂ් පුද්ගලිකව ජයවික්‍රම මහතා පමණක් නොවෙයි, fපව්වි මහතා ආදී වශයෙන් කණ්ඩායමක්ම සිටිනවා.

මන්ත්‍රීවරයෙක්
(அங்கத்தவர் ஒருவர்)
(A Member)

ඒ හෙල්ල දැන් හැදිලා. [බාධා කිරීමක්]

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

මව්, ජලදීන්ටත්. බොහොම හොදයි. ඒ නම් ඔක්කොම ඇතුළත් කර යෝජනාවක් ඉදිරිපත් කරනවා නම් මම බොහොම කැමතියි. පොද්ගලිකව මගේ විරුද්ධත්වයක් නැහැ. තමුන් එවැනි යෝජනාවක් ඉදිරිපත් වුණොත් - මම මේක විනිවිද කියන දෙයක් නොවෙයි - අපේ ආණ්ඩු පක්ෂයේ රැස්වීමකදී සාකච්ඡා කර බලා ඒ ගැන කල්පනා කරන්නට පුළුවනි. මට බැහැ

එක්සේක් වෙනුවෙන් නතියම තනා කරන්නට. තමුන් බණ්ඩාරනායක මහත්මිය, පිලික්ස් ඩයස් බණ්ඩාරනායක මහතා ආදීන්ට, පිට ඉන්නවාට වඩා මේක ඇතුළට එන්නට ක්‍රමයක් ඇති කරන්නට පුළුවන් නම් මම කැමතියි.

මන්ත්‍රීවරයෙක්
(அங்கத்தவர் ஒருவர்)
(A Member)
අපිත් කැමතියි ඒකට.

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

විශේෂයෙන්ම බණ්ඩාරනායක මහත්මිය පිට ඉදගෙන නොයෙක් නොයෙක් දේවල් කියනවාට වඩා, විදේශීය පුවත්පත්වලට නොයෙකුත් ප්‍රකාශ කරනවාට වඩා මෙහාට එනවා නම් හොදයි. එක්කට ක්‍රම දෙකක් තිබෙනවා. එකක් නම් නාම යෝජනා කිරීමෙන්. විරුද්ධ පාර්ශ්වයේ තමුන්තාත්සේලාගෙන් කෙනෙක් ඉල්ලා අස් වුණොත් -

මන්ත්‍රීවරයෙක්
(அங்கத்தவர் ஒருவர்)
(A Member)
ආ...ලක්ෂමන්

ලක්ෂමන් ජයකොඩි මහතා
(திரு. லக்ஷமன் ஜயகோபி)
(Mr. Lakshman Jayakody)

හෙට...හෙට...හෙට. මේ මොහොතේ වුණත් සුදුනම්.

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

තමුන්තාත්සේලා පරිභවයට ලක් කරන මේ "විට" ක්‍රමයෙන් එන්නට පුළුවනි. ඒක එක ක්‍රමයක්. තමුන් මා හිතන්නේ නැහැ එතුමිය "විට" ක්‍රමයෙන් එයි කියා. එහෙම නැතිනම් අතුරු මැතිවරණයකින්. අපේ අත්තනගල්ලේ මන්ත්‍රීතුමා (ලක්ෂමන් ජයකොඩි මහතා) දැන් අපනිපයෙන් සිටින නිසා ඉවත් වෙන්නට පුළුවනි. එසේ ඉවත් වුණොත් අතුරු මැතිවරණයක් පවත්වන්නට පුළුවනි. මගේ ලොකු විශ්වාසයක් තිබෙනවා, එක්සත් ජාතික පක්ෂයට, එතුමියට අත්තනගල්ලෙන් පරාජය කරන්නට පුළුවන්ය කියා.

You know, I have made several predictions about elections. All have come true. you must be the happiest person if that happens.

අනුර බණ්ඩාරනායක මහතා
(திரு. அனூர பண்டாரநாயக்க)
(Mr. Anura Bandaranaike)

Why ?

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

You will retain your leadership.

අනුර බණ්ඩාරනායක මහතා
(திரு. அனூர பண்டாரநாயக்க)
(Mr. Anura Bandaranaike)

Do not worry, I will settle that. That is a matter for me to see.

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

Actually, we like you to be the Leader. Do not think that I am just joking. I am telling you, I prefer you to your mother to be the Leader of the Opposition in this House.

අනුර බණ්ඩාරනායක මහතා
(திரு. அனூர் பண்டாரநாயக்க)
(Mr. Anura Bandaranaike)

But that is not a matter, Hon. Mr. Speaker, for him to decide. That is a matter which the Sri Lanka Freedom Party Parliamentary Group will have to decide.

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

That is right, but we can express our desire. There is a right of expression. Not that I dislike her, I like her to be a Member here but not the Leader of the Opposition.

අනුර බණ්ඩාරනායක මහතා
(திரு. அனூர் பண்டாரநாயக்க)
(Mr. Anura Bandaranaike)
Why ?

கா. ப்ரேமதாசு மஹா
(திரு. ஆர். பிரேமதாசு)
(Mr. R. Premadasa)
You are more competent.

මන්වරයෙක්
(அங்கத்தவர் ஒருவர்)
(A Member)
Hear ! Hear !

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

You are more competent and, as far as the UNP is concerned you are the best Leader of the Opposition that we have ever got.

අනුර බණ්ඩාරනායක මහතා
(திரு. அனூர் பண்டாரநாயக்க)
(Mr. Anura Bandaranaike)

So you and my brother-in-law are saying the same thing. You and my brother-in-law have some understanding.

கா. ப்ரேமதாசு மஹா
(திரு. ஆர். பிரேமதாசு)
(Mr. R. Premadasa)
Pardon.

අනුර බණ්ඩාරනායක මහතා
(திரு. அனூர் பண்டாரநாயக்க)
(Mr. Anura Bandaranaike)

You and the SLMP are saying the same thing. So there is a link.

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

I do not know whether the SLMP is following me, but there is no other understanding.

අනුර බණ්ඩාරනායක මහතා
(திரு. அனூர் பண்டாரநாயக்க)
(Mr. Anura Bandaranaike)

In every speech you make, you are helping them.

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

Is that so ?

අනුර බණ්ඩාරනායක මහතා
(திரு. அனூர் பண்டாரநாயக்க)
(Mr. Anura Bandaranaike)
Deliberately.

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

I never meant that I never meant to help your brother-in-law. I have never helped him in any way. I have never given my sister to him.

අනුර බණ්ඩාරනායක මහතා
(திரு. அனூர் பண்டாரநாயக்க)
(Mr. Anura Bandaranaike)

Do not say that. If you had one you would have given to him.

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

Now you misunderstand us. I was very genuine and sincere when I said that I prefer you. So you are coupling me with Vijaya Kumaranatunga. I have nothing to do with him. He is more vociferous than you. You know what sort of things he is saying. So do not misunderstand. What I am saying is we like Mrs. Bandranaike coming into this House.

අනුර බණ්ඩාරනායක මහතා
(திரு. அனூர் பண்டாரநாயக்க)
(Mr. Anura Bandaranaike)

So you accept our Motion and vote for it.

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

But it is illegal. Do it in the proper way. Even the other Motion, I am telling you—

අනුර බණ්ඩාරනායක මහතා
(திரு. அனூர் பண்டாரநாயக்க)
(Mr. Anura Bandaranaike)

Easiest way out is to accept our Motion and to vote for it.

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

No. How can you make it inoperative ? How are you going to make it inoperative ?

சுற்று வகையினத்தை மீண்டும்
(திரு. அனூர பண்டாரநாயக்க)
(Mr. Anura Bandaranaike)

I will tell you how ?

சுற்று வகையினத்தை மீண்டும்
(திரு. ஆர். பிரேமதாச)
(Mr. R. Premadasa)

Also where is the provision in the Constitution to do that ? The only remedy is to get a pardon and that also is not in our hands. Even if the whole House resolves, it is a matter, a prerogative of the President. But we can address a prayer ; we can make an appeal ; or submit a Motion to that effect and we may consider ; the party itself will consider, but what I said is personally, I think she should come into this House. I said there are one of two ways, she has to follow. The easiest way is to come by nomination and the other way is to contest a by-election. That is a matter what they will have to decide.

சுற்று வகையினத்தை மீண்டும்
(திரு. அனூர பண்டாரநாயக்க)
(Mr. Anura Bandaranaike)

So to do that, you must give back her civic rights.

சுற்று வகையினத்தை மீண்டும்
(திரு. ஆர். பிரேமதாச)
(Mr. R. Premadasa)

That is the point. So you cannot do it in this way. That is what I am saying. Under the Constitution you cannot do it. If you consult your lawyers they will tell you that it is not possible according to the Constitution. We will all look fools if we pass this Motion and agree to debate it, because it is *ultra vires* the Constitution. Sir, I ask you to rule this out of Order.

சுற்று வகையினத்தை மீண்டும்
(திரு. அனூர பண்டாரநாயக்க)
(Mr. Anura Bandaranaike)

Mr. Speaker, I would like you to seriously consider a number of points which I wish to make in reply to the hon. Prime Minister's initial objection to this motion being debated today. I think, after hearing us, you will be able, in a most fair and reasonable make up your mind.

Sir, a Resolution of Parliament is the formal expression of the opinion and the decision of the House upon the matter which is the subject of the motion which, after debate and discussion, is adopted by an affirmative vote of the majority. Its content and form may be limited in one of two ways. Firstly, by a specific provision in the Constitution. Secondly, by some specific provision in the Standing Orders of the House. Subject to these limitations Parliament has, by virtue of Article 78 (2), the power to pass any resolution. To rule a resolution out of order on any other ground would be a

serious breach of the freedom of debate and discussion in Parliament, which we have practised for now over thirty-five years.

There are no constitutional provisions which preclude the House from passing this Resolution. The objection that the effect of passing this Resolution would be to interfere with the power of the President to grant a pardon or reduce the period of disqualification, which is given to him by Article 34 (2), is without substance. The exercise of that power in this kind of case by the President presupposes an existing disqualification. If the disqualification ceases to be operative either by reason of the expiry of the period of its effectiveness, or by the disqualification being annulled by the body which decided upon it and brought it into existence, then no question of the exercise of the President's power of pardon arises and there is no conflict with it.

Parliament, Mr. Speaker is a sovereign body and is not subordinate to the President. I repeat that, Parliament is a sovereign body and is not subordinate to the President, though some of the less fortunate among the Members of this House may have effectively bartered away their freedom and independence, by undated letters of resignation which hang like the Sword of Damocles over their heads. The House has therefore the undoubted right to give expression to its views on this matter without trenching upon the President's power. If the Resolution is passed and the earlier Resolution is rescinded then the disqualification disappears and His Excellency the President may find that he is relieved of the need to explain to international leaders why his principal political opponent is still disenfranchised in this Five Star Democracy of the United National Party. Perhaps there would be many in his own political party, who by reason of their transgressions of one sort or another, require the balm of his unbounded mercies. So there need be no fear of a scarcity of occasions for the exercise of the President's prerogative of pardon.

The objection that Parliament in passing the original Resolutions acted in the exercise of its judicial power by imposing civic disabilities on the persons named in these Resolutions and cannot now reverse its decisions does not hold good in the case of a sovereign body such as Parliament, unlike a court which has limited appellate powers and limited powers of revision. Mr. Speaker, Parliament has the power to enact laws and the power to repeal them. By such decisions Parliament undoubtedly does acts which have far-reaching legal consequences. In like manner, it can alter earlier decisions which have taken the form of Resolutions giving rise to legal consequences, and by its later decisions alter or change the legal effects of earlier decisions. It can undo the harm it has already done, or at least mitigate it. This is part and parcel of its character as a sovereign body.

[අනුර බණ්ඩාරනායක මහතා]

Mr. Speaker, in fact the whole purpose of the Resolution is to show the Members of this House and the people of Sri Lanka what a grivevous mistake this House made and what a colossal act of injustice was perpetrated by it on these persons by acting in such great haste. There has now been time for reflection and rethinking. In a sense, this is an appeal from Philip drunk to Philip sober - at least we hope that after five long years the House will be able to consider this matter dispassionately and soberly in the interests of the whole nation in this hour of its greatest crisis.

The whole foundation of the earlier Resolutions were the findings and the recommendations made by that body called the Special Presidential Commission sitting in an old club house, formerly known as the Queen's club. The House could only pass a Resolution in terms of Article 81 (1) if there was before it valid recommendations based upon valid findings. If the findings and recommendatons are nullities, tainted in law, vitiated by bias or corruption or other material defects, than this House has no power to pass a Resolution of the kind envisaged in Article 81 (1). The Resolution therefore would in turn be invalid and a nullity.

Mrs. Sirimavo Bandaranaike and Mr. Felix Dias Bandaranaike had both challenged the validity of these findings of this body on grounds of bias, error of law and so on before the Supreme Court in applications for writs of certiorari. These applications were pending in court when this House, regardless of the fact that the questions were sub judice and showing scant respect for the foremost and highest judicial body in the country, the Supreme Court, chose to ignore these proceedings and proceeded to pass the Resolutions.

Mr. Speaker, Why was this done in such a great haste ? The Government did not want a revelation and a public exposure of the manner in which those findings had been procured. A perusal of the petitions filed in the Supreme Court in both these cases will reveal all the facts. The Government had no doubt been advised that if the Resolutions were passed before the court case the matter would be a *fait accompli* because Article 81 (3) would then operate and the Speaker's Certificate endorsed on the Resolution would prevent any court from inquiring into or pronouncing upon or in any manner calling in question the validity of the Resolution on any ground whatsoever. So the Resolutions were passed in a great hurry. This is exactly what the Supreme Court said in its judgment upon objections being taken by the Commissioners who were the respondents, that the court had no jurisdiction to hear the application by reason of Article 81 (3).

Mr. Speaker, many things have happened after that which have only confirmed the utter worthlessness of the Commission's findings and the utter unreliability of

those findings. The hon. Member for Matugama will refer to this aspect in greater detail. The point is that this House cannot shut its eyes to the question of the validity of these findings and evade the question whether it was misled in making a wrong decision in passing these Resolutions. If in fact the findings and the recommendations were void, the action of the House in passing the Resolutions was *ultra vires* the Constitution. It is this House and all those who voted for the Resolution who would then be guilty of an abuse of power. The least the House can do is not to block the Motion being debated and avail itself of an opportunity of reconsidering the whole matter. I would therefore in conclusion, Mr Speaker, earnestly request you to allow a debate on the Motion before this House.

ආර්. ප්‍රේමදාස මහතා
(ති.රු. ජ්‍ය. පී.රේමදාස)
(Mr. R. Premadasa)

In fairness to myself I must tell the hon. Leader of the Opposition that I did not go into the merits demerits of the Motion. I would myself welcome a debate on the Motion, because I too have a lot of material to submit to this House. As regards the findings of the commissioners, I did not touch on that because I only wanted to confine myself to the point of Order. So if we confine ourselves to the point of Order in the first instance we can debate the Motion after the determination of the point of Order. That is a different matter. But if you go to discuss the merits and demerits of the commission or the commissioners' actions on the basis of the point of Order -

අනුර බණ්ඩාරනායක මහතා
(ති.රු. අනුර පණ්ඩාරනායක)
(Mr. Anura Bandaranaike)

I want to assure the Hon. Prime Minister that the Opposition has no desire whatsoever to discuss the merits and demerits of the case.

ආර්. ප්‍රේමදාස මහතා
(ති.රු. ජ්‍ය. පී.රේමදාස)
(Mr. R. Premadasa)

You are now discussing the Commissioners' reports and various things -

අනුර බණ්ඩාරනායක මහතා
(ති.රු. අනුර පණ්ඩාරනායක)
(Mr. Anura Bandaranaike)

No, no. What I am saying is -

ආර්. ප්‍රේමදාස මහතා
(ති.රු. ජ්‍ය. පී.රේමදාස)
(Mr. R. Premadasa)

I refrained from doing so because I thought that that was the secondary stage. If you allow the Motion, Sir, then we can discuss the matter.

சுற்றர் வெளியீடுகளை மீண்டும்
(திரு. அனூர பண்டாரநாயக்க)

(Mr. Anura Bandaranaike)

But I did not refrain from doing so for a very good reason. That is, that the Commissioners have been found guilty of a number of things after the determination of the case.

கவனம் கவனம்

(சபாநாயகர் அவர்கள்)

(Mr. Speaker)

Order, please! Shall we suspend the Sitting till 2 p.m.?. We have been sitting here for two and a half hours.

மெம்பர்கள்

(அங்கத்தினர்)

(Members)

Aye!

கவனம் கவனம்

(சபாநாயகர் அவர்கள்)

(Mr. Speaker)

The Sitting is suspended till 2 p.m.

சபை 2 மணிக்கு நிறுத்தி வைக்கப்பட்டு 2 மணிக்கு மீண்டும் தொடங்கப்படும்.

Sitting accordingly suspended till 2 p.m. and then resumed.

சுற்று அங்கத்தினர் மீண்டும் (மேலும்)

(திரு. அனில் முனசிங்கம் - மதுகாம)

(Mr. Anil Moonasinghe - Matugama)

Mr. Speaker, I rise to answer the objections raised by the Hon. Prime Minister on the moving of this Motion with a sense of history, because you have to rule on the validity of this Motion and, for all time, that ruling is there, and future generations will look upon your ruling with interest and it is left to them to decide whether the ruling that you seek to give is one which is made with sagacity and in consonance with the traditions, practices, conventions and customs of our House. The Hon. Prime Minister merely took up the objection that this Motion is ultra vires to the Constitution, and in passing he wanted to suggest his own remedy that, instead of this Motion, we should move His Excellency the president to give a pardon.

Now there are two different sets of consequences flowing from the passing of this Resolution and the asking of a pardon. A pardon is intended to wipe the slate clean and the offender is given a clean Bill completely wiping out the guilt of the offender. Now, Sir, there is no attempt on our part to ask for a pardon or there is no reference in this really to bring the situation that existed before the passing of the Resolution; there is no attempt on the part of this at all. It is merely a prospective proposition, that is, if that Resolution is passed, from the time that it is passed

certain consequences will flow, and nothing that had happened previously can now be wiped out. This is the great difference between the two positions.

Now, Sir, let us for a moment try to understand the position of this House. The Hon. Prime Minister himself during the last seven years has often reiterated in this House that Parliament is supreme, its supremacy is wide, we are able under the Constitution to control the judges, appoint Select Committees to go into fact finding about judges, to do everything that a sovereign Parliament can do.

I quote, Sir, from the HANSARD of April 3, 1984, Column 773. The Prime Minister says:

"There is no power under the sun or moon, in Sri Lanka, that is not subordinate to the will of the people which is expressed through Parliament. They were blaming us and saying that we were trying to devalue Parliament. It is they who are trying to devalue Parliament. Anyway, that is beside the point."

You can see that the proposition enunciated by the Hon. Prime Minister is one that states that this House is supreme and sovereign. Of course, I do not go so far as the Prime Minister to say that we have the power under the sun and the moon. I say that our powers are restricted in certain spheres by the operation of the Constitution. But there are certain practices of this House which we have accepted from the British House if Commons and from our own practices previously where we have rescinded resolutions. This House has the power, the sovereign right to rescind and resolution that it brings into this House provided that rescission cannot be done in the same Session.

Sir, you will remember in 1964 a Press Bill was brought to the House. There was an inherent defect in that bill and Parliament was prorogued and in the new House an attempt was made to make the previous bill null and void.

I will not try to canvass you about the previous arguments that we had. You are well seized of it that once you have ruled that a motion is in order, it comes to the House and it must be debated. I do not want to re-canvass you in that, but I would like now to quote from Article 75 of the Constitution of the Democratic Socialist Republic of Sri Lanka, that is, the 1978 Constitution.

"Parliament shall have power to make laws, including laws having retrospective effect and repealing or amending any provision of the Constitution, or adding any provision to the Constitution :"

That is Article 75. Then, read that with Article 78(2):

"The passing of a Bill or a resolution by Parliament shall be in accordance with Constitution and the Standing Orders of Parliament."

[අනිල් මුණසිංහ මතක]

This is the section under which the Hon. Prime Minister says that this motion is ultra vires the Constitution. I will come to that.

Then, Sir, Article 81 is a law under which a Special Presidential Commission of Inquiry was established before the 1978 Constitution. This is a very important matter. The Special Presidential Commissions of Inquiry established under the Special Presidential Commissions of Inquiry law, No. 7 of 1978 was brought before the 1978 Constitution. Under this law the Special Presidential Commission of Inquiry can recommend that :

"any person should be made subject to civic disability by reason of any act done or omitted to be done by such person before or after the commencement of the Constitution, Parliament may by resolution passed by not less than two-thirds of the whole number of Members (Including those not present) voting in its favour—

- (a) impose civic disability on such person for a period not exceeding seven years, and
- (b) expel such person from Parliament, if he is a Member of Parliament.

Now, Sir, you can see that what that law seeks to do is to get a Presidential Commission to inquire into certain allegations and then give a recommendation on that, and that recommendation consists of imposing a civic disability on a person not exceeding seven years and expel such person from Parliament if he is a Member of Parliament. Now Sir, they can only recommend this. It is only this house that gives effect to that recommendation. But this House may reject those recommendations. It may accept then or reject them.

Sub Section 2 of the same Section states :

- (2) No such resolution shall be entertained by the Speaker or placed on the Order paper of Parliament unless introduced by the Prime Minister with the approval of the Cabinet of Ministers".

Then Sir, after this resolution is passed in the way that is ordained the Speaker, that is you Sir,

"(3) . . . Will endorse on every resolution passed in accordance with the preceding provisions of this Article a certificate in the following form :—

'This resolution has been duly passed by Parliament in accordance with the provisions of Article 81 of the Constitution'.

Every such certificate shall be conclusive for all purposes and shall not be questioned in any court, and no court or tribunal shall inquire into, or pronounce upon or in any manner call in question, the validity of such resolution on any ground whatsoever."

We see the reason why your certificate is necessary. The certificate is necessary to show that the resolution has been properly passed with a 2/3rd majority and so on. And once your certificate is given, Sir, no court in this country can question it. That is why all these provisions have been incorporated in that Section.

Let us argue the other side of it. Supposing we want to do away with the effect of that resolution by rescinding has this House got the right to rescind that resolution ? Now Sir, this House has got the right to rescind all resolutions, any resolution provided that it does not in any way go against the Constitution. Now the Constitution does not mention anything about rescission of a resolution. Then does that mean that this House cannot rescind a resolution ? What is true for the positive need not necessarily be true for the negative. That is an axiom, Sir. If the Constitution wanted any imposition on the right of rescission, which is there in this House, then the Constitution would have mentioned that. The constitution remains silent. And where the Constitution remains silent, the practices, conventions of this House take effect. And I will quote to you not only from Erskine May but from the Indian Authorities too to show this House has the supreme right of rescission of a resolution. It is supreme, it is sovereign in that respect. Why these safeguards have been incorporated is because we are removing the civic rights of a person for seven years, maximum. We are also depriving that person of representing of electors who have elected him. People who have elected him are now told we are going to remove the man or the woman whom you elected because under this Presidential Law he or she has committed these errors and abuses. That is why, in bringing this, it is the Government-Prime Minister - who has to introduce the Resolution to be placed on the Order Paper. Article 81(2) of the Constitution states :

"No such resolution shall be entertained by the Speaker or placed on the Order Paper of Parliament unless introduced by the Prime Minister with the approval of the Cabinet of Ministers."

Now, vice versa, is the Cabinet of Ministers and the Prime Minister capable of vetoing a rescission of this House ? That has never been the position, Sir. That position has never been accepted by a sovereign House. This House has a legislative Chamber and has always jealously guarded its rights to be sovereign.

From the time of King Charles I, Sir, the British House of Commons has tried to exercise its sovereignty. In the end there was a clash with the Sovereign. As you yourself referred to that incident in your speech, when the British Prime Minister was here - how there was a clash between the King and the Commoners - from those days onwards, Sir, the House had the sovereign right to carry on its business. but it is true that the English Constitution is not written and ours is. The right of rescission has always been associated with this House. I do not need to go into the history of it. Over and over again. From 1947 onwards we have been able to rescind resolutions undo what we have done and so on. So, that, we cannot accept the position where the Cabinet, the Executive - the President and Cabinet of Ministers including the Prime Minister - tell this

House, "you cannot bring a rescission of a Bill because, under the Constitution, no mention has been made of it." That is, I would say it is a trespassing on the rights of this House by the executive. Particularly, Sir, I would like to mention to you that the Executive in this case has already bound the Members of this legislature hand and foot by getting letters of resignation of the government party Members which constitutes five-sixth of the Members of this House. The Executive has already got control of this House and if you, Sir, allow the Cabinet veto to be exercised, then you are diminishing the sovereignty of this House!

Sir, finally I refer to Article 78(2) of the Constitution, which states :

"(2) The passing of a Bill or a resolution by Parliament shall be in accordance with the Constitution and the Standing Orders of Parliament."...

Now, Sir, this Motion is not inconsistent with any of the Standing Orders of this House. I would say that is consistent with the Standing Orders of this House, and I would say it is consistent with the Constitution because it does not go against any provision of the Constitution. As I said, Sir, the Constitution is silent and wherever, as a matter of legal interpretation, there is silence on the part of a law and there is customary law or custom or convention, then that comes into effect.

Now, Sir, Standing Order 33, read together with the previous Article of the Constitution, is relevant. Standing Order 33 says :

"33. It shall be competent for any member to propose any motion on any matter of public interest and such motion shall be debated, or otherwise disposed of, according to these Standing Orders."

Now, Sir, what are the qualifications of the requirements of this Motion? It only requires that the Motion be on any matter of public interest. I do not think that the Prime Minister ever even hinted that this was not a matter of public interest. Everybody knows this is a matter of public interest and there is nothing in our Standing Orders against it and, as I said, the Constitution is silent.

Now let us examine, Sir, the provisions of the Constitution where there is a limit on the powers of Parliament. -[*Interruption*]- There are. I would like to mention certain limitations in the Constitution on the powers of Parliament. I will mention these limitations one by one. Article 38 (2)(b) provides that a Resolution to remove a president from office must be signed by two-thirds of the Members of Parliament or one-half of the Members of parliament if the Speaker also agrees. Otherwise, the Constitution provides that a Motion to remove the President will not be entertained.

Article 81.(2) - that is the one I just quoted - is applicable where any person is to be disfranchised or to be expelled from Parliament after a recommendation by a Special Presidential Commission of Inquiry. Such a resolution must be moved by the Prime Minister with the approval of the Cabinet. Otherwise, it will not be entertained. There nothing to the contrary.

Article 107.(2) provides that a motion for the removal of a Judge of the Supreme Court or Court of Appeal from office on the ground of misbehaviour must not only contain the particulars of his offence but must also be supported by one-third of the Members of Parliament and also there is a certain procedure to be followed which is laid down now by Standing Orders.

Article 152 provides that a motion to withdraw money from the Consolidated Fund and to impose taxes etc. shall not be moved except by a Minister. Now, Sir, the Budget Estimates are moved by a Minister with Cabinet approval but cuts are always moved by individual Members and most often by Members of the Opposition. That really is rescinding of a resolution; not authorizing, but preventing the withdrawal of funds from the Consolidated Fund.

So, there are certain areas which limit the activity and sovereignty of Parliament. That is all. None of them refer to a resolution being rescinded.

Now, with regard to the President being permitted to give a pardon, even in this case, that can take place. There is no necessity for a prayer of this House. The President has already in certain instances given pardon. It is a matter of executive prerogative which is exercised in the interests justice and so on.

Sir, this particular resolution is a peculiar and hybride type of resolution because it is not a resolution which really exercises completely powers of a judicial nature. It is semi-judicial because when the Commission makes a recommendation we can decided whether to accept it or reject it. So, in a way it is partly judicial and partly it is non-judicial. It is not a matter of privilege because it does not come under the Privileges Act. This is a peculiar instance of a Resolution of parliament which is semi-judicial in character, semi-legislative in character and also semi-executive in character. It is one of those peculiar situations which have arisen because of particular circumstances.

I want to mention that here there is the loss of civic rights which is current as far as the three persons mentioned in this Resolution are concerned. We are not asking that what happened previously be abolished. That cannot be done. What is asked is something that is correct and this Parliament has full authority to do that even under the Constitution.

[අතිරේක මාතෘකා]

I will advert to further matters but before that I want to refer to the fact that earlier on in the course of the day you gave a ruling and I listened very carefully to it. You said that it was the duty of the Speaker to preserve the orderly conduct of debate. I am not quoting your exact words but only of the impression I got. You said it was your right to refuse to propose the question upon Motions and Amendments which are irregular and by calling the attention of the House to bills which are out of order to secure their withdrawal. You went on to describe the powers and privileges of the Speaker as quoted extensively in Erskine May. Some of the words you gave in your rulings were excerpts from Erskine May.

Carrying on, I quote from page 235 of the 20th edition of Erskine May dealing with rulings it says -

"the Speaker's rulings whether given in public or in private, constitute precedents which subsequent Speakers, Members, and officers are guided. Such precedents are collected and in course of time may be formulated as principles, or rules of practice. It is largely by this method that the modern practice of the House of Commons has been developed."

This is why when I started my speech I wanted to stress how very important your ruling would be in the light of subsequent events and as far as posterity is concerned.

He goes on to say that the Speaker can stop the proceeding of any Motion or Bill. It says -

"A motion which would create a charge upon the people and is not recommended by the Crown; a motion touching the rights of the Crown which as not received royal consent; a motion which anticipates a matter which stands for the future consideration of the House, or which raises afresh a matter already decided during the current session."

These are examples of Motions upon which the Speaker refuses to propose the Question. So, Mr. Speaker, you have the right. The only thing that should guide you is whether this is *ultra vires* the Constitution or not. I have already demonstrated that the Constitution is very clear on how a Resolution is brought to the House under Article 81 but it is silent about rescission. Does that mean that no rescission of that Resolution can be brought about? If that was the case, the Constitution would have effectively said "Yes, no recession is allowed" but it does not say so and therefore we fall back on the inherent right of the House, which is sovereign, to decide to go back on any Resolution.

At page 391 of Erskine May, in the second paragraph, it deals with the discharge of orders and the rescission of Resolutions. It says-

"The present procedures by which the House reverses its previously expressed opinions, directions or proceedings vary, according to the object to be attained. The forms of procedure are-

- (1) discharge of an order;
- (2) repeal of a standing order;
- (3) an order that proceedings be null and void; and
- (4) rescission of a resolutions."

I will not go into the other ways in which the House can go back on its decisions but refer to page 392 which deals with the rescission of Resolutions where it says-

"There is nothing in the practice of the House to prevent the rescission of a resolution or discharge of an order of a previous session, where such is held to be of continuing force and validity or of a standing order.

Technically, indeed, the rescinding of a vote is a new question, the form being to read the resolution of the House and to move that it be rescinded and thus the question which has been agreed to is not again offered, although its effect is annulled."

This is precisely what has happened here. The earlier Resolution is brought and in that same body is the effort to rescind it, which has been done in this particular case.

Earlier on, when the House of Commons was a judicial body as well, it was thought that rescinding an earlier Resolution or an earlier position of the House was wrong. But, gradually they realized that certain laws had to be rescinded and that certain Resolutions had to be rescinded. So, the practice grew for the House of Commons to rescind its own Resolutions. Again I quote from May-

"But the practical inconvenience of a rigid rule of consistency, especially where the House as a whole wishes to change its opinion, has proved too great for a body confronted with ever-changing problems of government; and the rule prohibiting reconsideration of a decided question, has come to be interpreted strictly so as not to prevent open rescission when it is decided that that is desirable.

The power of rescission has only been exercised in the case of a resolution resulting from a substantive motion, and even then sparingly.

Notice is required of a Motion to rescind a resolution, or to expunge or to alter an entry in the Votes and Proceedings or the Journal, and in no circumstances may the House rescind a resolution during the sitting in which the resolution was agreed to."

So, Mr. Speaker, you can see that the rescission is of Resolution, not in this session but of a previous session. Erskine May seems to be very much on our side.

Going on to Indian authorities, there is Kaul and Shakhder. Earlier the Indian House was under the control of the Governor-General but with Independence, I quote-

"The position remained practically unaltered till 1947 when on attaining Independence the rule empowering the Governor-General to disallow notice of a Resolution was omitted and the rule regarding restrictions on subjects for discussion was amended to provide that all matters, except those which were *sub judice*, could be discussed in the form of a Resolution."

The Indian Parliament is very much more sovereign than ours. Even though they have a Constitution, they do not seem to be bound by that Constitution in regard to bringing Resolutions. There, Resolutions which are merely expressions of opinion by the House-

"Since the purpose of such Resolution is merely to obtain an expression of opinion of the House, the Government is not bound, as convention has it, to give effect to the opinions expressed in these

Resolutions. It entirely rests on the discretion of the Government whether or not to take action as suggested in such Resolution. Resolutions which have a statutory effect, if adopted, is binding on the Government and has the force of law."

I do not want to quote extensively from pae 551 but Resolutions are admitted only under certain conditions and a perusal of them will show that we, in no way, have transgressed those rules.

"A resolution may be in the form of a declaration of opinion or a recommendation. Or it may be in the form so as to record either approval or disapproval by the House of an act or policy of government or convey a message or command, urge or request an action". . . .

There the subject matter of the resolution should relate to a matter of general public interest, and those matters which are primarily the concern of the Government of India can form the subject matter of a resolution. So there too, Sir, the Indian House and Indian practice has it that resolutions can be brought and can then be rescinded.

Sir, let me then go on to the proposition that this House also has a right to see that justice is done. Under our Constitution – the Republican Constitution of 1978 – great stress is placed on personal freedom, the rights of the ordinary man, and these are very strictly defined in the Constitution.

Now, Sir, all of us have taken an oath to uphold the Constitution, and it is my proposition to you that if we have sworn to uphold the Constitution we must act not only according to the law of the Constitution but the spirit of the Constitution.

It is my submission to you, Sir, that when under the particular Article of the Constitution the Presidential Commission of Inquiry recommended a certain course of action regarding the three individuals named in this Resolution, this house acted on the basis that those recommendations were made in the interest of justice, that the Commissioners were acting bona fide, that they were acting according to the Constitution. Now, Sir, this is very evident because we shut out the interference of the courts. In this particular case, the recommendations of the Commission of Inquiry could not be canvassed in any court of law. We shut it out entirely. And by your Certificate, Sir, we shut out the courts coming in to inquire into the processes of this House in passing a Resolution in keeping with those recommendations.

Now, Sir, I have with me the judgment in the case of *Bandaranaike v. Weeraratne and others* (SC.Special 4/80). The supreme Court Bench Comprised Samarawickrame J., Ismail J., and Wanasundera J. This is from the Sri Lanka Law Reports, Sir. It was held that –

"No Court or tribunal shall inquire into, or pronounce upon or in any manner call in question, the validity of such resolution on any ground whatsoever", in the latter part of article 81(3) of the Constitution precluded the court from entertaining an going into

the application for writ and accordingly the preliminary objection of the respondents must be upheld and the applications for writ dismissed."

That is the finding of the court.

Now, Sir, I would like to quote from the judgment of Samarawickrame J. dated 15th January 1981.

ஹரீந்த் கோரைய மனன
(திரு. ஹரீந்திர கொறையா)
(Mr. Harindra Corea)

I would like to know how long the hon. Member will speak Sir, because I think at 3 o'clock we are taking up the other Motion.

ஈனில் மூனேசிங்க மனன
(திரு. அனில் முனசிங்கம்)
(Mr. Anil Moonesinghe)

You will move the Adjournment at 3 o'clock.

This judgment goes on to quote extensively from Article 81 of the Constitution. I do not want to weary you, Sir, by going over and over again with Article 81. It goes on to mention that –

"(3) The Speaker shall endorse on every resolution passed in accordance with the preceding provisions of this Article a certificate in the following form :

"This resolution has been duly passed by Parliament in accordance with the provisions of article 81 of the Constitution."

Now, Sir, the judgment says :

"Civic disabilities and/or the expulsion of such person from Parliament, if he is a Member of Parliament, is to be effected by resolution passed by Parliament. The conditions for passing such resolution are :

(1) The Special Presidential Commission of Inquiry recommends that the person should be made subject to civic disability by reason of acts done or omitted to be done before or after the commencement of the Constitution."

Now, Sir, what the Special Presidential Commission of Inquiry must recommend – that recommendation is not there. I will come to the importance of that in a moment.

"(2) The resolution is passed by not less than 2/3 of the whole number of Members of Parliament (including those not present) voting in its favour."

That is quite correct.

"(3) Such resolution has been introduced by the Prime Minister with the approval of the Cabinet of Ministers."

That is also there.

It is the first condition that has been violated, and I will come to that.

"Mr. H. L. de Silva submitted on behalf of the petitioners, emphasising the word 'passed', that the certificate merely testifies to the fact that it has been passed by not less than 2/3 of the whole

சுகிர்த் மூனசிங்க ம஠ை
(திரு. அனில் முனசிங்ஹ)
(Mr. Anil Moonesinghe)

Sir, I was trying to show that in this judgment of Mr. Justice Neville Samarakoon in SC Reference No. 1 –

சீ. பி. லோட் லேடர்ஸ் ம஠ை
(திரு. ஈ. பி. போல் பெரேரா)
(Mr. E. P. Paul Perera)

Sir, may I be permitted to raise a point of Order in this matter. We are discussing a point of Order raised by the Hon. Prime Minister whether the Motion moved by the Opposition with regard to the former Member of Parliament for Attanagalla should be debated or not. That is the point of Order that is presently being considered. But at this moment the hon. Member for Matugama is discussing the subject-matter of the Motion.

சுகிர்த் மூனசிங்க ம஠ை
(திரு. அனில் முனசிங்ஹ)
(Mr. Anil Moonesinghe)

No. I am not discussing the subject-matter.

சீ. பி. லோட் லேடர்ஸ் ம஠ை
(திரு. ஈ. பி. போல் பெரேரா)
(Mr. E. P. Paul Perera)

Please allow me to finish speaking. Sir, if we are discussing the constitutionality of a motion it will not be open at this stage, it is too premature at this stage to discuss or focus the attention of the House on any other facts, because we are discussing only the point of Order: Is the Motion on the Order Paper constitutional or not?

சுகிர்த் மூனசிங்க ம஠ை
(திரு. அனில் முனசிங்ஹ)
(Mr. Anil Moonesinghe)

That is right.

சீ. பி. லோட் லேடர்ஸ் ம஠ை
(திரு. ஈ. பி. போல் பெரேரா)
(Mr. E. P. Paul Perera)

If it is not constitutional then we say it is not constitutional. We can debate up to that point. But we are raising a point of Order that all these Supreme Court judgments, all these facts are all quite alien to the subject-matter at this moment. It is a point of Order I am raising, that it should be ruled out of order and that we must confine ourselves to the point of Order raised by Hon. Prime Minister.

சுகிர்த் மூனசிங்க ம஠ை
(திரு. அனில் முனசிங்ஹ)
(Mr. Anil Moonesinghe)

With the greatest respect, I am raising a point of Order and giving a reply to the Hon. Prime Minister on the very constitutionality of the Motion. Sir, my good Friend –

சீ. பி. லோட் லேடர்ஸ் ம஠ை
(திரு. ஈ. பி. போல் பெரேரா)
(Mr. E. P. Paul Perera)

We are discussing facts. Then in any case, in fairness to the former Member of Parliament for Attanagalla we will also participate in this debate and we will get to facts. But that is not fair by the former Member of Parliament for Attanagalla. We have to be very careful in a matter like this. It is a point of Order.

மூலமையர் ம஠ை
(தலைமையாங்கு அங்கத்தவர் அவர்கள்)
(Mr. Presiding Member)

Order, please! I would like to request the hon. Member to confine himself to the subject matter.

சுகிர்த் மூனசிங்க ம஠ை
(திரு. அனில் முனசிங்ஹ)
(Mr. Anil Moonesinghe)

Yes, I am confining myself to the argument of the Hon. Prime Minister, on the constitutionality of this Motion. I mentioned that. I do not know my Friend –

சீ. பி. லோட் லேடர்ஸ் ம஠ை
(திரு. ஈ. பி. போல் பெரேரா)
(Mr. E. P. Paul Perera)

Sir, please forgive me for repeating myself. This has everything to do with the Constitution, not in Supreme Court decisions. The point is that this is unconstitutional. So, "Unconstitutional" has nothing to do with the facts.

சுகிர்த் மூனசிங்க ம஠ை
(திரு. அனில் முனசிங்ஹ)
(Mr. Anil Moonesinghe)

He is trying to be the next Chief Justice!

சுகிர்த் மூனசிங்க ம஠ை
(திரு. அனில் முனசிங்ஹ)
(Mr. Anil Moonesinghe)

I mentioned that we must go into –

ஹரிந்த்ர கோர்யா ம஠ை
(திரு. ஹரிந்திர கோர்யா)
(Mr. Harindra Corea)

May I bring to your attention that I do not think the hon. Member was right when he said he was speaking on a point of Order. A point of Order was raised from this side and not from your side, but I would like to raise a point of Order on what he is saying. Sir, Standing Order 36 (2) states that basically the principle is that you cannot anticipate a debate.

ம஠ை
(அங்கத்தவர் ஒருவர்)
(A Member)
Quite right!

தமிழ் மொழி மொழி
(திரு. ஹரிந்திர கொறையா)
(Mr. Harindra Corea)

Because if this motion is allowed by the Speaker, then there will be a debate, but we are still at the stage of finding out whether this Motion is going to be allowed or not. You are anticipating a debate and these judgments you will read in the debate. Standing Order 36 (2) says quite clearly that an order of the day notice of motion or amendment shall not be anticipated in this debate or any other debate.

தமிழ் மொழி மொழி
(திரு. அனில் முனிசிங்கம்)
(Mr. Anil Moonesinghe)

My good Friend has forgotten the little law he had learnt. I am trying to argue -

தமிழ் மொழி மொழி
(திரு. ஹரிந்திர கொறையா)
(Mr. Harindra Corea)

Sir, I am not speaking about law : I am speaking about the Standing Orders -

தமிழ் மொழி மொழி
(திரு. அனில் முனிசிங்கம்)
(Mr. Anil Moonesinghe)

I know.

தமிழ் மொழி மொழி
(திரு. ஹரிந்திர கொறையா)
(Mr. Harindra Corea)

- the law of this House. I cannot forget the law because it is here in black and white. And you said that Erksine May teaches us things. But Erksine May does not know our constitution. He does not live today.

தமிழ் மொழி மொழி
(திரு. அனில் முனிசிங்கம்)
(Mr. Anil Moonesinghe)

That is a great finding by the hon. Member that Erksine May no longer lives and he has not read our constitution ! Sir, if that his level of argument I am very sorry that his father spend good money on his education !

தமிழ் மொழி மொழி
(திரு. ஹரிந்திர கொறையா)
(Mr. Harindra Corea)

Sir, can we have a ruling on 36 (2) about anticipation ?

தமிழ் மொழி மொழி
(திரு. அனில் முனிசிங்கம்)
(Mr. Anil Moonesinghe)

I am not canvassing that at all. I am only speaking about the constitutionality. The Hon. Prime Minister has raised a constitutional point.

தமிழ் மொழி மொழி
(திரு. ஹரிந்திர கொறையா)
(Mr. Harindra Corea)

We object to the introduction of Supreme Court judgements. We object to slanderous statements on K. C. de Alwis. They have no relevance now. You can do that in the debate. [Interruption].

தமிழ் மொழி மொழி
(திரு. அனில் முனிசிங்கம்)
(Mr. Anil Moonesinghe)

Of course you can do it on the question of constitutionality.

தமிழ் மொழி மொழி
(திரு. ஹரிந்திர கொறையா)
(Mr. Harindra Corea)

You prove it in the debate [Interruption].

சீ. பி. போல் பெரேரா
(திரு. எ. பி. போல் பெரேரா)
(Mr. E. P. Paul Perera)

Please bear with me for interrupting. With great respect, Sir, as he says, quite apart from what I said, Standing Order 36 (2) also is very relevant. What right has any Member of the House, Sir, to keep on hammering judges, about something elsewhere. It is a violation of Standing Order 78.

தமிழ் மொழி மொழி
(திரு. அனில் முனிசிங்கம்)
(Mr. Anil Moonesinghe)

I am not talking about judges. [Interruption].

சீ. பி. போல் பெரேரா
(திரு. எ. பி. போல் பெரேரா)
(Mr. E. P. Paul Perera)

Even then, Sir, we cannot discuss facts. What is relevant Sir, is whether the Motion is constitutional or not. That is what the Hon. Prime Minister said briefly. What has that got to do with Mr. K. C. de Alwis's conduct or Mr. Alles's conduct or Mr. Collin Thome's conduct ? That is not relevant.

தமிழ் மொழி மொழி
(திரு. அனில் முனிசிங்கம்)
(Mr. Anil Moonesinghe)

I am just trying to argue about the constitutionality [Interruption].

தமிழ் மொழி மொழி
(அங்கத்தவர் ஒருவர்)
(A Member)

The Dimbulagala priest is coming !

சீ. பி. போல் பெரேரா
(திரு. எ. பி. போல் பெரேரா)
(Mr. E. P. Paul Perera)

That is all right. Let it be any priest. Why, the shades of Maptigama Buddhakkita are behind you. [Interruption]. The hon. Member for Attanagalla says

about somebody from Dimbulagala. The shades of Mapitigama Buddharakkita are haunting him. [Interruption] We must confine ourselves to the rules of the debate.

මන්ත්‍රීවරයෙක්
(அங்கத்தவர் ஒருவர்)
(A Member)

Shall we read about Mr. K. C. de Alwis [Interruption].

ජ. පී. පෝල් පෙරේරා මහතා
(திரு. ஈ. பி. போல் பெரேரா)
(Mr. E. P. Paul Perera)

That is not relevant.

මන්ත්‍රීවරයෙක්
(அங்கத்தவர் ஒருவர்)
(A Member)

Why not.

ජ. පී. පෝල් පෙරේරා මහතා
(திரு. ஈ. பி. போல் பெரேரா)
(Mr. E. P. Paul Perera)

It is not permitted to discuss anything beyond the constitutionality -

අනිල් මුණේසිංහ මහතා
(திரு. அனில் முனிசிங்ஹ)
(Mr. Anil Moonesinghe)

I was trying to quote Erksine May [Interruption]

අයෝක පිලිවි. සෝමරත්න මහතා (රත්නම)
(திரு. அசோக டபிள்யூ. சோமரத்ன — ரத்னம்)
(Mr. Asoka W. Somaratne Ratgama)

Sir, the hon. Member for Matugama is really on the substance of some of the judgements, that had been made in the Presidential Commission. Surely, Sir, we cannot discuss all those matters in this House, because this is basically on the question of procedure. We can also talk about Justice Jaya Pathirana and other judgements that had been referred to in this House. We can talk all sorts of things and there will be no end to this debate. This must be decided, and you must give a ruling on the matter Sir. The hon. Member for Matugama cannot go on talking in this way [Interruption].

මූලාසනාරූඪ මන්ත්‍රීතුමා
(தலைமைதாங்கும் அங்கத்தவர் அவர்கள்)
(Mr. Presiding Member)

Order, please! This debate is now suspended. The discussion can continue to the next Private Member's Day. The Hon. Minister of Parliamentary Affairs, please move the adjournment Motion.

කල්තැබීම
ஒத்திவைப்பு
ADJOURNMENT

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

i move.

"That the Parliament do now adjourn."

ප්‍රශ්නය සහතික කළේ උදී.

வினா எடுக்கியதில்பெற்றது.

Question proposed.

ஒன்றிவை விசேஷ கட்டுவது பிசிடிர ருயர் அமெரி கூர்மீசி அலாமி லாத்
மறைய கட்டு ப்ரமைய

இந்திய வெளிநாட்டலுவலர்கள் இராஜாங்க அமைச்சர்
ஜனாப் குர்ஷித் ஆலம் கான் விடுத்த அறிக்கை

STATEMENT MADE BY MR. KURSHED ALAM KHAN, INDIAN MINISTER OF STATE FOR EXTERNAL AFFAIRS

මූලාසනාරූඪ මන්ත්‍රීතුමා
(தலைமைதாங்கும் அங்கத்தவர் அவர்கள்)
(Mr. Presiding Member)
Hon. Member for Kaduwela.

සරත් මුත්තෙටුවෙගම මහතා
(திரு. சரத் முத்தெட்டுவெகம்)
(Mr. Sarath Muttetuwegama)

He sabotaged the earlier debate!

ජ. පී. පෝල් පෙරේරා මහතා
(திரு. ஈ. பி. போல் பெரேரா)
(Mr. E. P. Paul Perera)

Thank you very much for giving me permission to discuss a definite matter of urgent public importance. I thank you, Sir, and the House for granting me this permission to seek the Adjournment to discuss this important matter.

I draw the attention of the House to a statement made on the Floor of the Lok Sabha in India by the Minister of State Mr. Kurshed Alam Khan where he has stated several untruths and in addition to the untruths, invited certain minority communities in Sri Lanka to join hands with the terrorists who are fighting against the government and in the process he has tarnished the image of Sri Lanka, which constitutes a grave interference of the internal affairs of our country. These statements made on the floor of the Indian Lok Sabha, if permitted to remain unchallenged, would cause grave harm to the international image of our country and cause grave misgivings in the minds of our own people which might even lead to public unrest and further suffering in our country.

The extent of the damage done already is evidenced from a statement made by Mr. Hayden the Foreign Affairs Minister of Australia who, in a statement to the

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AFP, has stated "There is almost civil war taking place in Sri Lanka between the Sinhalese and the Tamils," which amounts to, of course, an unfriendly act by a responsible person of a friendly government and a member of the Commonwealth.

Before I make my comments on the speech made by Mr. Alam Khan in India, I would like to preface my remarks by stating, we are all for peace and our greatest desire is to end all suffering in this country which is being caused by violence in the North and the East. Now, we do not wish to at any time cause any hurt to the Indian Government or to the Prime Minister of India. On the contrary, we acclaim the attempt made by the Hon. Prime Minister of India to have a constructive approach to our problems. We acclaim his contribution. Similarly, there are officials as well as other members of the Central Government of India who are equally sympathetic and we acclaim their efforts. But in order to resolve a problem that is really destroying the economic position of Sri Lanka, causing so many deaths in all communities, there must be an atmosphere of peace. Even if there is going to be a negotiated settlement, which we all aspire and which I think every responsible person even outside the country would aspire for, there must be the correct atmosphere created. If, for instance, responsible person make statements which are factually incorrect, which have no relation to reality, with scant respect for the truth, would it be surprising when there is an opposite reaction in the recipient country, particularly a country like Sri Lanka which is hurt? Everyday there is death and suffering either among the Sinhala people, Tamil people or the Muslim people. So the atmosphere of peace is the result of the culmination of a collective effort of all responsible leaders, who are concerned in resolving this crisis and that is why I acclaim the efforts made by the Prime Minister of India along with our government to resolve this crisis but why I raised this matter today at, with the assistance of this House, is that statements like the one made by Mr. Alam Khan of India pollute that atmosphere of peace. It creates a corresponding feeling of hatred in the recipient country. It misrepresents the image of Sri Lanka and in short there will never be a political solution if that type of statement goes unchallenged.

Sir, let us look at the statement Mr. Khan made. Why do I take this serious objection to that statement? Some time some of the hon. Members of the Opposition told me "Alam Khan is small fish. Why worry about it." No, Sir. Every responsible person who makes a statement on a matter like this first of all must have respect for truth. Mr. Khan makes a statement as follows :

"The Tamils in Sri Lanka have felt discriminated for a long time. The various types of discrimination related to citizenship, status of

Tamil, status of Buddhism as State Religion, colonisation, discrimination in employment and education and inequality of development in Tamil dominated areas."

I do not think any Member of this House would deny that no one todate has stated that the Tamils object to the status given to Buddhism. After all, Sir, Article 9 of our Constitution states :

"9. The Republic of Sri Lanka shall give to Buddhism the foremost place and accordingly it shall be the duty of the State to protect and foster the Buddha Sasana, while assuring to all religions the rights granted by Articles 10 and 14 (1) (e)."

There is no State religion but certainly Buddhism is entitled and enjoying foremost place. Nobody is objecting to it. I have never seen nor heard any minority community to date objecting to the foremost place given to Buddhism. Mr. Khan has referred to that. The next is Sir, he has done a great injustice to us in that Sir he has ignored the following Articles which I will not read fully.

Article 12 of the Constitution states :

"All persons are equal before the law and are entitled to the equal protection of the law.

(2) No citizen shall be discriminated against on the grounds of race, religion, language, caste, sex, political opinion, place of birth or any one of such grounds :

We know Sir, that according to Article 18 of the Official Language of Sri Lanka shall be Sinhala, but Article 19 states :

"The National Languages of Sri Lanka shall be Sinhala and Tamil".

Article 21 states :

"A person shall be entitled to be educated through the medium of either of the National Languages".

So, in the Universities also the same provision is adopted in the Constitution. Similarly, Article 22 (1) says :

"The Official Language shall be the language of administration throughout Sri Lanka :

Provided that the Tamil Language shall also be used as the language of administration for the maintenance of public records and the transaction of all business by public institutions in the Northern and Eastern Provinces".

Similarly, Sir, Article 23 (1) says :

"All laws and subordinate legislation shall be enacted or made, and published, in both National Languages together with a translation in the English Language."

Then Article 27 (5) states :

"The State shall strengthen national unity by promoting co-operation and mutual confidence among all sections of the People of Sri Lanka, including the racial, religious, linguistic and other groups, and shall take effective steps in the fields of teaching, education and information in order to eliminate discrimination and prejudice."

Now, Sir, to tell us that the Tamils have felt discriminated for a long time is also to ignore certain facts which are pointing at their faces. For instance, who is the Chief Justice of Sri Lanka ? Who was just the other day the Inspector-General of Police ? Who is the Attorney-General of Sri Lanka ? There are various Heads of Missions. All these people have not been discriminated merely because they happened to be members of a minority community. Quite apart from that, look at the members of the legal profession. Where do they reside ? Where do they practice ? Look at the doctors and engineers, Sir. All these cumulatively show that Tamils and Sinhalese are happily living together. Practically, the whole of Sri Lanka accepts it. I will come to that. So, it is an absolute untruth for Mr. Alam Khan or any Khan for that matter even Genghis Khan to say in the Lokh Sabha, that we are discriminating ! There can be, Sir, A sense of discrimination. It is a subjective concept. It is never an objective concept. For instance, in the State of Punjab, which is one of the States in the Union of India, the Sikhs feel they are discriminated against. They want a separate State. Now, that is a subjective concept. You cannot help when a man or a woman thinks he or she is discriminated.

It is a subjective concept. That is a matter that has to be resolved by discussion, negotiation among brothers, sisters. It has to be negotiated, discussed and settled, but to make a statement to that effect, which is false, and he knows that it is false, I think he has a purpose. I am coming to that purpose. the next matter is, he goes on to make a very ominous statement thereafter.

"These discriminations resulted in frustrations which was expressed in various types of agitation - what Sri Lanka Government called terrorism."

In other words, he is giving a type of respectability to a set of criminals who are murdering their own people !

He is giving them a certain sense of respectability. He says, "These are these frustrated people, frustrated because of this discrimination, and they are described by the Sri Lanka government and her people as terrorists." In other words, the implication is, "We in India do not look upon them as terrorists." You see, Sir, it because very ominous from what I am going to say further.

Then at another stage he says :

"Members have spoken about disrespectful treatment to women and this is unfortunate because women and children have not got anything to do with this agitation. This treatment was nothing but very brutal, barbaric, inhuman and cruel."

Now, you see, Sir, on the one side, everybody wants peace, a negotiated settlement. On the other side, name-calling is going on. We are said to be barbaric, brutal, inhuman and cruel. Now, to make such a

statement, and then the next moment to say, "Let us have a negotiated settlement," shows that the man making the statement does not want a political settlement.

This becomes further aggravated when he goes on to say this :

"Thus Muslim dimension to the ethnic problem is dangerous as it is the old game of divide and rule. There is no difference between the Muslims and Tamils as they speak the same language. There is some hidden hand trying to divide the two and it is hoped that better sense will prevail among the Muslims so they will realize this game. Muslims should also realize that the Tamils are fighting their cause."

In other words, Mr. Khan is now suggesting to the Muslims : "Why do you not join the terrorists ? After all, they are fighting for you. Why are you fighting them ? You see, Sir, Mr. Khan's objective appears to be that he wants the minorities to get together and fight the majority community, not a political solution. Why do I say it in such harsh language ? I condemn this attitude of Mr. Alam Khan for the reason that while he is saying all this he is pontificating to us, if I may use that word. He has said :

"India has never encouraged terrorism or provided facilities for training of terrorists. The Sri Lanka allegation is totally baseless and India repudiates it."

I believe he is a religious man. He say this. I was not there, but I am sure he may have held his hand across the chest and then made that statement.

Then in another paragraph he says the same thing in a different form like this :

"The allegation that India is encouraging terrorism is baseless and false. India will take steps to contradict this propaganda and do it in a dignified manner and not in the way Sri Lanka was doing it."

In another paragraph he says this. Of course, he contradicts himself.

"It is not a fact that we are afraid of Khalistan, if we take more active interest in the matter of Sri Lanka Tamils. There is no connection between the two. Also all parties are united that whatever is happening in Sri Lanka has to treated as a national question."

He brought Khalistan in and stopped there.

Now, in this connection, Sir I must place before the House a list of the terrorist training camps which have been published in the newspaper and also certain references in HANSARD.

In the "Weekend" of Sunday, 3rd March 1985 the following are the military training camps in Tamil Nadu and North India.

The following are the groups. One is TELO, that is, the Tamil Eelam Liberation Organization. They had camps in Tamil Nadu. TELO has a camp in a large

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house, 40 kilometers from the Madras Airport. That is the first training camp. The person in charge of their training is Major Narasinha Varman – a very famous character, Sir, because he comes in many camps. The second camp of TELO is at Salem Kollimalai Kanjipuram. There too Major Narasinha Varman of the Indian Army is the trainer. Similarly there is a third one at Kollimalai Kakavel. Here too the TELO is featuring, and Major Narasinha Varman of the Indian Army is the trainer. There is another training camp at Anna Nagar at Parangimalai in close proximity to Meenambakkam Airport. There also the trainer is Major Narasinha Varman of the Indian Army. There is another camp at Salem which is also under the same trainer; another one at Kanjipuram – same trainer.

Then there is the PLOTE or the People's Liberation Organization of Tamil Eelam. For this group of terrorists there is a training camp at Sengalpattu Presawakkam. The person who is training them is a retired army soldier called Rajah. The next training camp is at Sengalpattu Thanathur Kongurukolam in Erodi. Here the trainer is Sekar. The next one is at Valachhari and Thanikramam, and there the trainer is Alagasamy, a retired Indian Police Office and ex-Indian Army Officer. Those are the camps for military training in Tamil Nadu.

Now, let us see the military training in North India. Again TELO has place in close proximity to the Greater Kailas II in New Delhi. The triner is called Nayar of Kerala. Then there is another place called Sadtagen Development area adjoining Canal Park in New Delhi. There the trainer is Narayan and two others of the Indian Army. Then, Sir, there is another place at a location about two hours' journey by bus from the New Delhi railway station. There is a fourth camp in Uttra Pradesh close to the Himalayan foothills. There is a fifth camp at Green Park, New Delhi, cose to the medical college. Then there is another camp in Uttar Pradesh not far from the Himalayan foothills. There is yet another camp close to the International Airport, Delhi, and another camp in Uttar Pradesh close to the foothills of the Himalayas. The trainers are one Punjab national, there Malayalees and seven other instructors – Narayan and three instructors from Kerala; then Rajah the retired army soldier, Sekar the Indian Army soldier, and so on. That was reported in the "Weekend" of Sunday 3rd March 1985.

Quite apart from that, Sir, the Hon. Prime Minister – HANSARD of 23rd November 1984, column 1053 – referred to a statement made in the "Daily News" of Sri Lanka quoting Dr. Wickrema Weerasooriya, part of which I will read to you, Sir, without wasting the time the House.

"The existence of a number of terrorist training camps in India has also been revealed in the course of recent interrogations. There were as many as 34 different organisations who could be described as

terrorist movements espousing the cause of Eelam, and a number of them have their own establishments for the training of recruits, and indoctrination, Dr. Weerasooria said.

The PLOTE has a camp in Presawakam for preliminary training," –

I read that out from the newspaper.

"and another at Kongurukolam in Erodu, South India"

I have quoted that too.

–"for training in jungle and guerilla warfare. They are trained there in the use of sub-machine guns, rifles and revolvers. . . . the instructor is a man known as Mr. Sekhar, ex-Indian Air Force.

There were two buildings in Lambert Nagar for the same purpose and another at Annanagar, a scrub jungle a few kilometers from the Meenambakkam Airport in Madras. The instructor here was known as Mr. Narasimha Rao an ex-Army major."

I read that also.

"The EPRLF which claimed responsibility for the kidnapping of the Allens had an establishment in Kumkakonom where preliminary training and physical training was given.

And there was even a training camp in the proximity of the Himalayan foothills at Imayamalai for the training of EROS recruits. Dr. Weerasooria said."

Now, Sir, quite apart from these exposures, I am now referring the House to the "Daily News" report of 28th November 1984 :

"Another Indian newspaper, the Maharashtra Herald, had last week written a strong editorial saying that the northern terrorists are receiving support from Tamil Nadu.

The newspaper said that terrorist attacks on army and police personnel demonstrated the extent of armed assistance they are getting and said : 'Who could be rendering such assistance save some foreign countries ?'

'Are not the terrorists receiving moral sympathies from the government and political parties in Tamil Nadu ?' This is not a flight of fancy but an open charge made against this country by Sri Lanka's National Security Minister, Mr. Lalith Athulathmudali.

'Mrs. Indira Gandhi had taken a half-hearted stand on the question. Mr. Rajiv Gandhi must now clearly make the terrorists understand that they have to adjust themselves with Sri Lanka's national mainstream ?' the newspaper said."

This is what they say, not we.

Similarly, in Hansard of 27th November 1984 the hon. Leader of the Opposition says, at column 174 :

"May I say at this point that I do not agree with the Indian government's point of view – I not only disagree but I condemn their attitude – that there are no terrorist bases in India. If the Indian Government persistently refuses to accept that there are bases, I think, that is in fact something which we should all condemn. Please do not think that I am condoning that. I think, it is absolutely stupid for the Indian Government to go on denying that there are bases in Tamil Nadu when the leaders of those terrorist organizations keep issuing statements from Madras if something happens here like they did after the recent Chavakachcheri attack."

Now Sir, both the Government and the Opposition and responsible media in India concede that there are terrorist training camps in South India – at least in South India. How can then Mr. Alam Khan who wants a negotiated political settlement hold his hand across his chest and say the allegation that there are terrorist camps is baseless? Would he agree to an investigation? They say they have appointed a group of officials to study the Sri Lanka situation. Would they agree with us to go and investigate and do a joint survey of all these training camps, or would they agree to a UN surveillance? I ask this question. Who is fooling whom, Sir?

On one side you will see, Sir, they are talking of a discrimination, a mythical discrimination. Objectively, it is a mythical discrimination. They say that is the base for terrorism. Then they are inviting our other communities which are very friendly to join them. And then they are saying that we are ill treating the men, women and children. We are brutal, inhuman, and then they say there are no training camps in Tamil Nadu or in South Indian. How can they make that statement? And do they ever believe that the Sri Lankan people, be they Tamils, Sinhalese or Muslims will accept the good offices of such leaders even to negotiate a political settlement when they are saying palpable falsehoods? It is true our country is very small: they are very big. But small people have become powerful, big people have disintegrated. Perhaps, Mr. Alam Khan and people like that are not aware of the lessons of history. Quite apart from that he is now beginning to comment on another aspect. He refers to human rights violations in Sri Lanka in his speech. He says that the Human Rights Commission is seized of this problem and India will continue to raise this problem in the highest tribunal of the Human Rights Commission. That is about ill-treatment of the minorities by the majority.

I am amazed at responsible people like this making a statement like this because I have the Human Rights Amnesty International Report – 1983. Now let us see the one on India. At page 195, it says that amnesty international concerns were the use of preventive detention to detain critics of the Government, persistent reports of widespread police brutality, torture, and death in police custody and prisons, continued killing in stage encounters of political activists by police and the use of the death penalty.

Now Sir, it goes on to say; Sikh leaders were detained for organizing what they claim peaceful was demonstrations for Punjab autonomy before a Sikh campaign of civil disobedience which began on 4th August 1982 led by the Akali Dal party. This resulted in a reported 36,737 arrests in 88 days of protest. Police stated that over 1,100 Sikhs were detained in Punjab and Hariyane State in the 10 days before 19th

November 1982 and in all some 2500 Sikhs were placed in preventive detention under the National Security Act in November and December 1982 by the Central Punjab and the Hariyana Government.

Then Sir, in Jammu and Kashmir dozens of people were arrested and charged with making anti-national speeches or belonging to what the Chief Minister Farook Abdullah termed communal and cessionist organizations. Detenus were held under State Public Safety Act. Amnesty International was concerned about the use of the Essential Services Maintenance Act of 1981 which allows the dismissal and arrest of strikers in a wide range of sectors because of the Asian games. Amnesty International remained concerned that no effective measures had been taken to prevent police brutality and torture. Hundreds of such cases were publicised by the Indian press in 1982. Bihar, Uttara Pradesh, Madhya Pradesh and West Bengal were states which figured prominently in allegations of ill-treatments by police. Details of torture, sexual abuse of young children in Kanpur Central jail, Uttara Pradesh, were reported by Kanpur session's judge O.P. Gar with a recommendation to the Supreme Court of India to intervene urgently on behalf of young prisoners in the jail. Amnesty International wrote to the Chief Minister of Bihar, Dr. Jagannath Misra, to express concern about the alleged torture by police in the east Champaran district of Bihar, particularly in the case of one Rago Panday. He had been arrested on the 25th of March 1982 and was reportedly tortured for 72 hours.

Then, Amnesty International continued to receive reports that suspected members of the Communist Party of India known as naxalites were often harshly treated in prison in many states. The Supreme Court of India directed the State Government of Kerala to give immediate medical treatment to a sick prisoner alleged to be a naxalite held in the central jail, Trivandrum. Killings and ill-treatment of suspects by Indian army units and the central reserve police force in Manipur were reported to Amnesty International. Among them was the case of a 22 year old man, Hawaiban Kumar who died in army custody on the 12th January 1982 allegedly beaten to death. The armed forces special powers Act of 1958, the effective law in Manipur, excludes legal redress against members of the armed forces.

Again, Sir, on 31st January 1982 two men condemned to death for murder, Ranga Kuljith Singh and Billa Jasbir Singh were hanged in Bihar jail after the Supreme court had lifted its order halting the executions.

Now, these are the reports, and here is a situation where they are saying that we are brutal, inhuman, and so on. They call us various names. Now, having said all

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this, Mr. Khan goes on to threaten us. That is very bad, nobody should threaten Sri Lanka. They say this. These are passages from his speech -

"The intrusion of foreign agencies like Mossad is very serious and the Sri Lanka Government had been told that its agencies should not have been allowed to come to Sri Lanka. Similarly, objections were raised about allowing the Voice of America Broadcasting Station as it would not be in the interest of the region. The region should be free from all such agencies just as much as the Indian Peace Zone is desired."

I do not know whether Mr. Khan was in a fantasy himself, in a flight of fancy thinking that Sri Lanka has become a dependent province of India. So far, thank God! we have not become so. So why should he interfere in what we do? What right has he to comment on our internal matters. Surely, we in Sri Lanka did not raise one voice of protest when the Central Government crushed the Sikhs in their Golden Temple, a place of worship, hallowed by millions of Sikhs all over the world. We did not raise one whisper of protest. After all those are internal matters of countries, and our leaders were decent enough, all shades of opinion in our country were decent enough not to express an opinion on the Golden Temple affair. Nor did we make any comment when India had a defence treaty with Moscow. We do not say anything about those matters. Why cannot we be treated with the same dignity? After all nations are like human beings.

Sir, it was only just a few weeks back, perhaps a month, when the Right Honourable Margaret Thatcher addressing this House referred to a very important matter: the quest for peace by all freedom loving countries. After all, Sir, we all want peace as I prefaced my speech. We all want peace, but it is not peace at any price. It must be a peace in keeping with dignity and justice as the Sri Lankans believe. However, big the parties may be, however difficult the crisis may be, we want peace with honour and dignity. We do not want a surrender, we do not want to sell our birth rights. That is the message that we would like to tell Mr. Khan, that we do not accept his falsehoods. He may be the Minister of State of External Affairs in a very big and important country, and a country to which we are very attached. But when he tells an untruth he is really damaging the atmosphere that is necessary to bring about peace in those problems.

Now, Sir, having said this, he makes this threat. I do not think we will get frightened of this kind of threat. Sir, we in Sri Lanka have faced many invasions we have gone through all this. Invasions come and invasions go, nothing is permanent.

Then they go on to say the Indian Government is astonished at President Jayewardene's statement about Kashmir in Pakistan, and he goes on to say:

"We never thought that a person of President Jayewardene's status will stoop down to make such a statement".

That is impertinence, to say the least, it is impertinent. To say that of the head of the government, the head of the executive, of a friendly Commonwealth country, the nearest neighbour, to make such a statement, to say the least, is in bad taste.

Sir, he ends his remarks on the whole point with a touch of insincerity - a touch of insincerity - but a threat nevertheless. And this is the threat he utters.

"Members had expressed, fears that Sri Lanka was acquiring arms. Sri Lanka or any other country can acquire as much arms as they want but India is prepared to face challenges from any side. However, India has not attacked anyone and it was Pakistan who declared war on India".

That is the crucial passage that prompted me, Sir, to seek the permission of Mr. Speaker and this House to focus attention on this matter of public importance. That is the passage. That is the most dangerous passage in his speech. Even though some persons may express the view, "Well, Mr. Alam Khan is only a Deputy Minister", but there lies a message.

He goes on to say that we are purchasing arms. Then he goes on to say, "We did not declare war on anybody. It is Pakistan who declared war on us".

What is there to prevent him saying when he comes here, "We did not declare war on Sri Lanka. They declared war on us" and come here?

This reminds me of the story, which we as school children learnt, about the leopard and the lamb. The leopard was drinking water on the upper reaches of a river and down the slope the lamb was drinking water. The leopard after a drink of water got hungry. He wanted to eat the lamb. He came down to the lamb and said, "You know all this time I have been keeping quiet. You have been muddying the water that I have been drinking!" It is like that, Sir. Mr. Khan apparently is building up a case to come here. Why should he tax his mind and energy all this much, Sir? He can come here. He is welcome. Why should he try to deceive us by saying this? He says, this Sir.

"Members were anxious to know what India has told the Sri Lanka Government. It does not matter who goes to Sri Lanka. As regards the objective India has suggested the withdrawal of troops and the restoration of civil administration. India has also suggested the suspension of the policy of settling Sinhalese in Tamil areas, withdrawal of the Sixth Amendment, removal of restrictions from restricted, prohibited and Surveillance Zones."

In short, he wants us to write a deed of gift and say we are handing over and we will get back to the South. That is what he says. He wants the Sixth Amendment also removed. But, Mr. Alam Khan goes on to say elsewhere,

"India has always believed in the unity and territorial integrity of Sri Lanka".

How does one reconcile the territorial integrity and unity of Sri Lanka without the Sixth Amendment? What is the necessity to take away the Sixth Amendment? Either Mr. Khan may have been in one of his flights of fancy or he is planning or he is being made use of to create a situation for interference in Sri Lanka.

Now can any country have a negotiated peaceful settlement, a peaceful settlement confirming the dignity of its people when people like him make such statements? And, can there be peace and can there be negotiation when the guns are firing? Do you not think, Sir, that the cardinal and imperative duty of any nation, including India, if they really want peace, is to close down all those terrorist bases? Tell those refugees, "Please get back to Sri Lanka. We cannot have you here". If India dismantles those terrorist bases and orders the refugees to get back to Sri Lanka, I have no doubt that the Tamils and the Sinhalese can live in peace. There is not a problem that a Jaffna Tamil man and a Sinhalese man cannot resolve by negotiation. We have lived together for centuries. Look at the best example. How many communities are living in amity and co-operation in the South? Time and time again we have had our problems, but more often than not, we have behaved more like friends and comrades. So, if we can live here, if the Tamil lawyer, the Tamil doctor, the Tamil businessman can make his money here, why can we not have peace? The only problem, if at all, if I may say so with the greatest respect, without offending any country or any leader I would say that what stands between settlement and failure is statements like Mr. Khan's statement and hypocritical double standards. Persons who are having double standards are looking at this problem through coloured glasses. If only they would allow the communities in Sri Lanka to negotiate without all their help and assistance, I am sure and have no doubt that we can settle this problem.

In conclusion, I would say that it is no answer to make false statements on a country. It is no answer to defame a country or its people. See what has happened Sir. The consequence is, there is a visitor coming to Sri Lanka - Mr. Hayden and he says there is civil war. If there is civil war I do not understand why he is coming here!

இராசனாரூடி மன்றினுமே

(தலைமைதாங்கும் அங்கத்தவர் அவர்கள்)

(Mr. Presiding Member)

Order, please! The Deputy Chairman of Committees will now take the Chair.

சனகூட்டு இராசனாரூடி மன்றினுமே இராசனாரூடி மன்றினுமே ஓபன் பூசன, திசைநகர் காரக மன்றினுமே [பரிசீலனை மன்றினுமே மன்றினுமே] இராசனாரூடி மன்றினுமே.

அதன் பிறகு, பிரதிச் சபாநாயகர் அவர்கள் அங்கீகரிக்கப்பட்டிருந்து அகலவே, குழுப் பிரதித் தலைவர் அவர்கள் [திரு. எட்மண்ட் சமரவிக்ரம] தலைமை வகித்தார்கள். Whereupon Mr. Presiding Member left the Chair, and MR. DEPUTY CHAIRMAN OF COMMITTEES [MR. EDMUND SAMARAWICKREMA] took the Chair.

பி. சி. லைட் லைட் மன்றினுமே

(திரு. எ. பி. போல் பெரேரா)

(Mr. E. P. Paul Perera)

Mr. Deputy Chairman may I continue?

திசைநகர் காரக மன்றினுமே

(குழுப் பிரதித் தலைவர் அவர்கள்)

(The Deputy Chairman of Committees)

You have every right to continue.

பி. சி. லைட் லைட் மன்றினுமே

(திரு. எ. பி. போல் பெரேரா)

(Mr. E. P. Paul Perera)

Thank you Sir,

We all know, successive Australian governments since 1950s have had to face pointed criticism over their racial or colour-motivated policies. We all know, Sir, how Sri Lankans had to go to Australia having proved that they had at least 75 per cent European descent. We all remember this. Of course, time and again they tried to modernize this policy and the Hawk government in 1983 made a loud boast of righting all wrongs perpetuated against the aborigines.

After two years in office, the present government is thought to have made a complete mess of their own policies thereby antagonizing all sections of communities like the aborigines, the white community as well as State governments, inter racial institutions, sociologists and educationists among others. One of the most controversial issues is the new land rights plan proposed by the Minister for Aboriginal Affairs. The main criticism to this proposal is that it will create land holdings to aborigines and will deny free access to these lands by white Australians. He has incurred the criticism of most people in Australia on the ground that this policy will create a feeling of apartheid similar to that obtaining in the South African Bantustan. Now Sir, the fear is that this will spread to other parts of Australia and set up racial separations which the majority of Australians would like to avoid. Now, we regret that in such a country, because of some false propaganda Mr. Hayden has thought it fit to say that there is a civil war in Sri Lanka between the Sinhalese and the Tamils. After all, the Air Port, at Katumayake the driveway to Colombo and his staying in Colombo, I am sure, will prove that it is furthest from the truth. These are the losses that are caused to Sri Lanka by this type of false statements. Sir, I would condemn this type of false, irresponsible and impertinent statement.

Thank you, Sir.

மன்றினுமே இராசனாரூடி மன்றினுமே (மன்றினுமே)

(திரு. சாத் முத்தெட்டுவெகமா - கலவான)

(Mr. Sarath Muttetawegama Kalawana)

Mr. Deputy Chairman, I listened for very nearly an hour to the eloquent and brave speech of the hon. Member for Kaduwela. Not that I want to be personal,

[සරස් මුක්තෙට්ටුවෙම මහතා]

Sir, but I never knew that the hon. Member for Kaduwela (Mr. Paul Perera) was such a courageous man, almost like David when he met Goliath. In the course of his one hours' discourse he challenged India and ended up with the challenge on Australia also. I am sure that he has done a great deal for our foreign relations in the near future, particularly, when Mr. Hayden is due to come here. He has used some speech or interview reported in the newspapers in this way to deal with a man who is coming here as a guest of this Government! I have never seen such a performance before in my whole life.

I do not want to go into the rights and wrongs of Mr. Alam Khan's speech. We do not have an authenticated report and from the report that we have, we have a telex not authenticated as I said. [Interruption] Yes, I read that, the one that the Deputy Minister tabled yesterday. I think the Deputy Minister will concede that at one point it says, "verbatim text of the speech made by the Minister of State Mr. Kurshed Alam Khan during his intervention" and then at another point it says, "The following is a summary". I want to know what is what, because if it is a summary then it is a summary made by somebody in our Mission there. I am not saying that it is wrong, but I do not want to base my whole speech on something that is not entirely authenticated. Besides, Sir, when the hon. Member for Kaduwela raised this matter in the morning, I was under the impression that the whole purpose of this exercise was to create a situation which was going to ease the atmosphere and which was going to reduce the tension at the end of one hour of this Adjournment Debate, all I can say is that if the Indian Government were to take Mr. Paul Perera seriously, it will only create further tension in the situation that exists between Sri Lanka and India. I am not saying Sir, for a moment that we have to cow down to any big country. I am not saying that we have to be frightened or terrorized by the population of a country. But, we must know exactly the developments that are taking place.

I have here, Sir, the Indian newspapers that I have been able to get of practically the whole of last 20 or 30 days. One thing the Hon. Minister of Foreign Affairs will also admit is that up to about three or four days ago, when this unfortunate incident took place, the relations between Sri Lanka and India seemed to be improving rapidly. From a low ebb which it reached somewhere in December, January or so the situation was improving remarkably. The situation was improving so much that no less a person than Mr. Kurshed Alam Khan himself made a speech in the Raja Sabha, reported in the "Hindu" of the 30th April in which he gives the Indian position on the Sri Lanka

situation. I do not want to go into the whole thing. This is from the "Hindu" of the 30th April. He says :

"The present disturbed state in Sri Lanka does not appear conducive to any meaningful efforts for negotiations.

We hope that all efforts will be made to defuse the situation and tension. The initiative rests with the Sri Lanka Government and I sincerely hope that they will show the necessary political will and vision in this direction.

We would like to reaffirm our stand that a negotiated settlement acceptable to all concerned and within the framework of Sri Lanka's sovereignty, integrity and unity"—

This is the statement made by Alam Khan.

—" that a negotiated settlement acceptable to all concerned and within the framework of Sri Lanka's sovereignty, integrity and unity can provide the answer to the serious ethnic problem that has engulfed the country. I would like to once again make it clear that we do not believe in separatism".

That is a statement which he had made on the 29th of April in the Rajya Sabha stating his position on behalf of the Indian Government.

Thereafter, Sir, there had been many statements. The entire position in India seemed to have been improving. All sorts of political parties were getting together and echoing the views of the Indian Government as expressed by Alam Khan that they did not believe in separatism, that they believed in the integrity and unity of Sri Lanka.

I have here, Sir, the "Hindu" of 7th May - a few days ago - a report of an interview with the head of a party - an all-Indian party, the CPI(M), Mr. E. M. S. Nambuthiripad. Mr. E. M. S. Nambudiripad says :

"Addressing a press conference he said the communities which had been living together for centuries, should realise that there was no future without unity".

Referring to the Sinhala majority community and the Tamil minority in Sri Lanka, he says :

"Communities which had been living together for centuries should realise that there was no future without unity".

Then he says :

"Mr. Nambuthiripad expressed the view that this 'serious, complex' issue should not become a subject of public debate. He deplored the 'casual and irresponsible' talk of some politicians drawing a parallel with the struggle launched for the liberation of East Pakistan (now Bangladesh). It was unfortunate that Mr. M. Karunanidhi, DMK president should publicly demand that India send its army to save the Tamils, he said.

Mr. Nambuthiripad also said that drawing a parallel with the struggle in African countries and India's active support for the freedom fighters there was irrelevant. In these countries, it was a small, white minority that was suppressing the Africans."

Now, that is the representative of another party – the Communist Party of India. Earlier I read Mr. Kurshed Alam Khan. This was the development up to about yesterday or the day before.

Now, Sir, it is also correct – I think the Minister of Foreign Affairs will concede – that there are in fact, according to the Indian government – I do not know whether our Members differ – close upon 100,000 people of Sri Lankan origin now in South India. The Indian Government calls them refugees. In fact His Excellency the President of Sri Lanka also called them refugees. At the opening of parliament he said that India should stop refugees from Sri Lanka from going to India. So there seems to be a consensus that there are refugees from Sri Lanka in India. Now, that is 100,000 people. I want to ask you, before we make statements challenging India almost to a war, you must realize that Mr. Kurshed Alam Khan is as much the creature of politics as we are. you must understand the background. I have a whole lot of newspapers here to quote statements of the Indian Government – responsible members of the Indian Government – and from other parties in India which show that the tension was defusing that the atmosphere between Sri Lanka and India was improving and that Rajiv Gandhi himself has repeatedly said that he is prepared to extend his good offices in whatever way he can.

I want to say that your great friend, Mrs. Thatcher, when she went back did not help us very much apparently. what did she go and say? This is a report from the “Hindu” of 14th April 1985 – that is, the day she went there :

“The British Prime Minister Mrs. Margaret Thatcher, who arrived from Colombo today on a brief visit to Delhi, brought a personal message from Mr. J. R. Jayewardene to Mr. Rajiv Gandhi assuring that he was prepared to go all the way in finding a widely acceptable political settlement to Sri Lanka’s ethnic problem, once the Tamil extremists give up their terrorist campaign.

At her private meeting with the Indian Prime Minister lasting an hour before they were joined by their advisers for the talks on Indo-British relations, Mr. Thatcher gave Mr. Gandhi her assessment of the Sri Lankan situation in the light of her fairly lengthy discussion in Colombo with Mr. Jayewardene and his colleagues.

But she is reported to have scrupulously avoided putting across any British suggestions, besides taking all possible care to eschew the impression that she was trying to play an intermediary role, other than stressing the need for a lasting political solution to the Tamil problem.

The British Prime Minister was evidently quite embarrassed by Mr. Jayewardene’s unusually critical and harsh attack on India, in his speech at the banquet he gave in her honour”

[Interruption]

You think that I added that? I am reading from the newspaper. I am only quoting. It is a fairly widely read newspaper, particularly in Madras. It is published in Madras and is widely read.

I want to say that the Sri Lanka Government for the last three months has been carrying on some kind of dialogue with India. You have not taken us into confidence in that. Now, these are all sorts of things that have happened, all sorts of undertakings that have been given. The hon. Member for Kaduwela (Mr. E. P. Paul Perera) was saying “How can we have the integrity and the unity of Sri Lanka without the Sixth Amendment?” Mr. J. R. Jayewardene gave an interview to an Indian newspaper saying that he was prepared to withdraw the Sixth Amendment and to bring back the members of the TULF into Parliament.

கட. ப்ரேமரட ம஠ன
(திரு. ஆர். பிரேமதாச)
(Mr. R. Premadasa)
Subject to ?

஁ரத் மூத்஠ெட்டி஠ெ஠ ம஠ன
(திரு. சரத் முத்தெட்டி஠ெ஠)
(Mr. Sarath Muttetuwegama)
Subject to the All Party Conference proposal being implemented.

கட. ப்ரேமரட ம஠ன
(திரு. ஆர். பிரேமதாச)
(Mr. R. Premadasa)

No. Subject to this : If they are prepared to accept the sovereignty and integrity of Sri Lanka.

஁ரத் மூத்஠ெட்டி஠ெ஠ ம஠ன
(திரு. சரத் முத்தெட்டி஠ெ஠)
(Mr. Sarath Muttetuwegama)

In the context of the All Party Conference proposals, that is, with the District Councils and all those things that went on, Chief Ministers and so on. You asked, “How can we have the unity and integrity of Sri Lanka without the Sixth Amendment ?

஠. ஠. ஠ெர்ல் ஠ெரேர் ம஠ன
(திரு. ஁. ஠ீ. ஠ே஠ல் ஠ெரேர்)
(Mr. E. P. Paul Perera)

No. On the one side you say that the Sixth Amendment must be removed, and on the other side you are saying that unity and integrity must be protected.

஁ரத் மூத்஠ெட்டி஠ெ஠ ம஠ன
(திரு. சரத் முத்தெட்டி஠ெ஠)
(Mr. Sarath Muttetuwegama)
Who says ?

஠. ஠. ஠ெர்ல் ஠ெரேர் ம஠ன
(திரு. ஁. ஠ீ. ஠ே஠ல் ஠ெரேர்)
(Mr. E. P. Paul Perera)

I am talking of Alam Khan’s statement.

஁ரத் மூத்஠ெட்டி஠ெ஠ ம஠ன
(திரு. சரத் முத்தெட்டி஠ெ஠)
(Mr. Sarath Muttetuwegama)

I talking of Mr. J. R. Jayewardene’s statement. We are not concerned about Alam Khan !

ඊ. පී. පෝල් පෙරේරා මහතා
(திரு. எ. பீ. போல் பெரேரா)
(Mr. E. P. Paul Perera)

That is what the Hon. Prime Minister asked.

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

You asked the question, "How can we have the integrity and unity of Sri Lanka without the Sixth Amendment? All I can tell you is that the answer was given by Mr. J. R. Jayewardene.

Now, those are the matters which I wanted to raise about the background in which the statement of Mr. Kurshed Alam Khan seems to have been made. Should we over-react? Should Sri Lanka over-react to that statement? For example, Mr. J. R. Jayewardene went to Pakistan, and there he made a statement on Jammu and Kashmir. Is quite possible for India to have taken exception to on the same basis -

ඊ. පී. පෝල් පෙරේරා මහතා
(திரு. எ. பீ. போல் பெரேரா)
(Mr. E. P. Paul Perera)

What did he say?

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

Various things. -[*Interruption*]-. Meet me privately, I will tell you.

In our reaction to what Mr. Alam Khan has said, if we over-react -[*Interruption*]. You want to know what I meant by "over-react"? That is what you are constantly doing.

නියෝජ්‍ය කාරක සභාපතිතුමා
(சுருப் பிரதிக் தலைவர் அவர்கள்)
(The Deputy Chairman of Committees)

Order, please! How long do you want speak because the Hon. Prime Minister is there to speak and then there is the Minister of Foreign Affairs?

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

I only started. I am only five minutes on my feet.

නියෝජ්‍ය කාරක සභාපතිතුමා
(சுருப் பிரதிக் தலைவர் அவர்கள்)
(The Deputy Chairman of Committees)

We have to finish at 5 o'clock.

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

What can I do? I will certainly not take too much time. Within the next ten minutes I will stop.

Now, when I say over-reaction, the background was that the situation was improving between Sri Lanka and India. Now suddenly we take exception to this, and where have we gone and ended up?

Sir, yesterday the correspondent in Sri Lanka of the Press Trust of India, which is a semi-Government institution, has been produced before a Magistrate and remanded. I would like to know from the Minister of Foreign Affairs or some responsible person - may be from the Gentleman in charge of Justice - what offence this reporter has committed. At the worst, what he has done is to misreport the speech of the President. It is bad. Subsequently it has been corrected, I see, in the "Hindu". There has been another correction. Now, Sir, that is not a criminal offence. He has broken no laws of the country. You cannot take people and slap them in jail. What is the whole purpose of this, unless it is to provoke and annoy a country? All right, suppose Mr. Kurshed Alam Khan made a statement which was exceptionable. Is that a reason to take, having waited from 14th of April till 10th May, because this report appeared in the newspapers of India on the 14th of April. We waited twenty-six days and slapped that man in jail just after Mr. Kurshed Alam Khan's statement. It is a terrible thing. He is still on remand. Now what has happened? Counter-reactions have started. India has told Mr. Chatwal - "Stay back and negotiate this man's release."

We remember, once before this also we caught some fishermen or sailors - some Indian people. They caught a fishing boat, and after some time, instead of all this big talk there was quiet diplomacy and the fishing boat was sent back and those people were taken. Mr. Kurshed Alam Khan refers to that also. He said that Sri Lanka gave an undertaking not to repeat this sort of behaviour. Are we going to get into this kind of trouble? Is this search for dignity going to land us in that kind of mess? It is all right for us in the safety of our Parliament or some other safe region to make these statements, but we are in charge of fifteen million people in this country, and are we going to provoke people, big countries? I am not saying, as I said earlier, that we must bow our heads to everything that is said. But the Government of this country is responsible for the lives, safety, liberty and comfort of the fifteen million people. It cannot risk them just because of one statement - risk the entire peace of this country. What has happened? I am beginning to think that there is something much more to this than mere exception to Mr. Kurshed Alam Khan's statement and this newspaper report. Now what has happened? The Hon. Minister of Foreign Affairs was on his way from London - a widely-travelled gentleman; so he takes long routes - to Bhutan to attend the meeting of the South Asian Regional Co-operation committee.

ඒ. සී. එස්. හමීඩ් මහතා (විදේශ කටයුතු ඇමතිතුමා)
 (ஜனாப் ஏ. எஸ். ஹமீத் — வெளிநாட்டுவகல்கள் அமைச்சர்)
 (Mr. A. C. S. Hameed—Minister of Foreign Affairs)
 Form New York.

සරත් මුත්තේටුවේගම මහතා
 (திரு. சரத் முத்தேட்டுவெகம)
 (Mr. Sarath Muttetuwegama)

Sorry. It is very difficult to find the capitals that you are passing through.

The point is that he was going to Bhutan to attend this SARC meeting. Is this a reason for us to pull out of SARC ?

Yesterday the Deputy Minister, when he was acting for you, said that we have not yet decided. But I think now it is virtually a *fait accompli* because by the time we finish with these things and you go there SARC would have been completed – this meeting at least. Regional co-operation is an important thing for us. It is important for India, Pakistan, Bangladesh, everybody. Which is the one power in the world that objects to regional co-operation in the South Asian region ? It is America. And our pulling out and buckling that meeting helps no other force in the world than America. Is there any logic, if Mr. Alam Kahan made a statement which you take exception to, in pulling out of SARC ?

Yesterday, the Deputy Minister's argument was that India is an important member of SARC ; therefore we will not participate in SARC because of Mr. Kurshed Alam Khan's Statement. Well, if India is so contaminated, is such an untouchable that we cannot even participate at a meeting which is of interest to all of us because she is also there, then we will not be able to go to the United Nations –

ඒ. සී. එස්. හමීඩ් මහතා
 (ஜனாப் ஏ. எஸ். ஹமீத்)
 (Mr. A. C. S. Hameed)
 Ha !

සරත් මුත්තේටුවේගම මහතා
 (திரு. சரத் முத்தேட்டுவெகம)
 (Mr. Sarath Muttetuwegama)

What do you mean "Ha !" They are important members there. They are the Chairman of the Non-Aligned Movement. We will not be able to go there. We will not be able to go to the discussion on the Indian Ocean Peace Zone – nothing – because Mr. Kurshed Alam Khan made a statement some day in Parliament and we pulled out of SARC and the logic of it is that we have to pull out of everything else. It is not a question of recrimination. I am also a citizen of this country. I too feel for the self-respect and dignity of the people of this country. I do not want to be bullied by anybody. At the same time I do not want to be over-run by anybody. The situation in Sri Lanka is bad. We do not have to make it worse. Because one statement was made, we do not have to repeatedly go and annoy

people – about this Foreign Minister of Australia. I am not saying that the hon. Member for Kaduwela did it with any particular motive. But is it a wise statement to make ? He is, on the one hand, an invited guest of the Government of Sri Lanka. Surely, is it a wise thing to do ? Do you do this kind of thing ? Do you invite a person to your house for a meal and on the way say ;

" ඕනා රා බිබි මේ ගෑම තැනම ජඩ වැඩ කරන මිනිසා. ඕනා අපේ ගෙදරට ආවොත් මම දන්නවා ඕකො....."

Is that the way you treat them ?

" ඕනා බුරුව ගහන මිනිසෙක්, ඕනා ගෙදරකට වද්ද ගන්න හොඳ මිනිසෙක් නොවෙයි, ගැහැණු ළමයෙක් හිටියොත් මොනවා කරයිද දන්නේ නැහැ."

ඒ වදියට කියනවාද ?

[Interruption] No, Sir. I am talking of some other people and not about anyone here. Because you put on your earphones I got frightened.

We must be more careful, more circumspect in the statements we make. Certainly, I am not talking about the Sri Lankan internal situation – that is another matter – but in regard to the situation that is confronting us with our neighbours, with our friends, the people with whom we should try to be more friendly now than with any others. Sir, we should be careful and it is very very important that we do not go and botch our copy-book with those people.

I want to appeal to the Hon. Minister of Foreign Affairs and to the Government to release this PTI correspondent immediately because this is causing unnecessary hard feelings between India and Sri Lanka.

අ. හ. 4.17

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

ගරු නියෝජ්‍ය සභාපතිතුමනි, මා කලවානේ මන්ද්‍රිතුවාට (සරත් මුත්තේටුවේගම මහතා) ප්‍රශංසා කරන්නට ඕනෑ. එතුමා තමන්ගේ යුතුකම හරියට ඉටු කිරීම ගැන. එතුමා තමන්ගේ පක්ෂය වෙනුවෙන්, ස්වාමි පක්ෂය වෙනුවෙන් දේශපාලන පක්ෂය වෙනුවෙන් නිතරම—

සරත් මුත්තේටුවේගම මහතා
 (திரு. சரத் முத்தேட்டுவெகம)
 (Mr. Sarath Muttetuwegama)

දේශපාලන වශයෙන් මගේ ස්වාමි පක්ෂයයි එතුමාගේ ස්වාමි පක්ෂයයි එකයි, ඒ මේ රටේ ජනතාව පමණයි.

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

ඇයි යෝජ්‍යව දේශය ?

සරත් මුත්තේටුවේගම මහතා
 (திரு. சரத் முத்தேட்டுவெகம)
 (Mr. Sarath Muttetuwegama)

යෝජ්‍යව දේශය මගේ ස්වාමි පක්ෂය නොවෙයි. යෝජ්‍යව දේශය සමාජවාදී රටක්, කොමියුනිස්ට් පක්ෂය, සමාජවාදය පළමුවෙන්ම ඇති කළ රටක්. ජාත්‍යන්තර නිර්ධන පක්ෂවාදීන් හැටියට අපි ඒ රටක් සමග සම්බන්ධකම් තිබෙනවා. එහෙම නැතුව අපේ ස්වාමි පක්ෂය නොවෙයි.

ආර්. ප්‍රේමදාස මහතා
(ශ්‍රී ලං. ඡුර්. ගිරෝගණි)
(Mr. R. Premadasa)

හර්. ඒ පක්ෂය වෙනුවෙන් ජාතික වශයෙන් ජාත්‍යන්තර වශයෙන් කොමියුනිස්ට් ප්‍රතිපත්තිය වෙනුවෙන් එතුමා පෙනී සිටිනවා. මා එතුමාට ප්‍රශංසා කරන්නට ඕනෑ, අවස්ථාව පැමිණිනම් පැනලා යන්නේ නැතුව මෙතන ඉදි ඒ දර්ශනය අනුව ඒ ගැන කථා කිරීම ගැන. එතුමා අපේ කඩුවෙල මන්ත්‍රීතුමාට (ඊ. පී. පොල් පෙරේරා මහතා) අවවාද කිරීමක් දුන්නා. කඩුවෙල මන්ත්‍රීතුමාගේ කථාවෙන් අපේ ජාත්‍යන්තර සබඳකම්වලට හානියක් ඇති වෙනවාය කියා කීවා. නමුත් කලාවාගේ මන්ත්‍රීතුමා තේරුම් ගන්නට ඕනෑ, ජාත්‍යන්තර සබඳකමක් ඇති කර ගන්නටත් ජාතික ස්වාධීනත්වයක් තිබෙන්නට ඕනෑ බව. රටේ ආත්ම ගෞරවයක් තිබෙන්නට ඕනෑ. කලාවාගේ ගරු මන්ත්‍රීතුමා කී කතාව මම පිළිගන්නවා. රාජ්‍ය අමුත්තෙක් ගැටියට අපි කාටහර් ආරාධනයක් කළාම ඒ පුද්ගලයාට තියම ගරු පැලකිලි අපි කරන්නට ඕනෑ. එවිට ඒ අමුත්තාගේ දැනගන්නට ඕනෑ ඒ යන නැතට අපහාස නොකරන්න. මෙහෙම ආරාධනයක් ලැබුණොත් ඒ ගෞරවය යන්න ඉස්සරවෙලා කියනවා නම් " මිය ගෙදර ඉන්න උන් මක්කොම ගැමදම ගුවිකෙලගන්නවා ; මහවල්ලු වශයක් " කියා, මොකද ඇතිවන තත්ත්වය ? [බාධා කිරීමක්] නැහැ, මම මේ එතුමාගේම උපහාරණයයි පාවිච්චි කළේ. මෙහෙ ඉදගෙන අපි කියනවා නම්, " මූ රා මිගෙන, අරවා කරගෙන, මේවා කරගෙන, එනවා " කියා, අනික් අයත් කල්පනා කරන්නට ඕනෑ ඒ ගැන.

ලංකාවේ " සිවිල් වෝ " එකක් තිබෙනවා කියන එක හරිද ? මොකක්ද " සිවිල් වෝ " කියන්නේ ? සිවිල් යුද්ධයක්. අද සිවිල්, යුද්ධයක්ද තිබෙන්නේ ? බාහිරින් ඇවිල්ලා ලංකාවේ අහිංසක ජනතාවට ගහන ප්‍රහාරයක්ද තිබෙන්නේ ? ඒක තේරුම් ගන්නට ඕනෑ. ඒක තෝරලා දුන්නට කිසිම අඩුවක් වෙන්නේ නැහැ. පාඩුවක් වෙන්නේ නැහැ. ගරු තියෝජ්‍ය සහාපතිතුමනි, මම පිළිගන්නවා, " අපි පුළුවන්තරම් උත්සාහ කරන්නට ඕනෑ. මේ ඇතිවෙලා තිබෙන අර්බුදය විසඳාගන්නට " කියන එතුමාගේ ප්‍රකාශය. ඒ වාගේම ඒක අපි විසඳාගන්නට යනවිට මේ රටේ ආත්ම ගෞරවයත් අපි ආරක්ෂා කර ගන්නට ඕනෑ. මේ රට ස්වාධීන රටක්, වහල් රටක් නොවෙයි. මේ රට කුඩා රටක් වෙන්න පුළුවන්. නමුත් අපි අපේ ආත්ම ගෞරවය ගැනත් කල්පනා කරන්නට ඕනෑ, අත්ත ඒකක් මේ ගරු මන්ත්‍රීතුමාට මතක් කර දෙන්න මම කැමතියි.

ගරු තියෝජ්‍ය සහාපතිතුමනි, බලන්න, අද, මේ රටේ පියයට 40 ක් නැත්නම් පියයට 45 ක් තියෝජ්‍ය කරනවා කියා පුරපාරම් දෙවන ශ්‍රී ලංකා නිදහස් පක්ෂයේ නායකයෝ වික මක්කොම පැනලා ගියා. කඩුවෙල ගරු මන්ත්‍රීතුමා (ඊ. පී. පොල් පෙරේරා මහතා) මේ සාකච්චාව ඇති කරනවා කියා කලින්ම දැනුම් දුන්නා. ස්ථාවර තියෝජ්‍ය අනුව අද උදේ අවකාශයක් ලබාගන්නා ශ්‍රී ලංකා නිදහස් පක්ෂය හොඳින්ම දැන සිටියා මේ ප්‍රශ්නය එන බව. ඉන්දියාවේ රාජ්‍ය සභාවේ විදේශ කටයුතු භාර, රාජ්‍ය ඇමතිතුමා කළ ප්‍රකාශයක් ගැන සාකච්චා කරන බව ඒ අය දැන සිටියා. ඒ අයට යුතුකමක් තිබුණා අද මේ ස්ථානයේ රැඳී සිටි මෙහි ඇත්ත යුක්ත යොයා බලා, ශ්‍රී ලංකා නිදහස් පක්ෂය මේ ගැන කල්පනා කරන්නේ කොහොමද කියා කියන්න. නමුත් මොකක්ද කළේ ? හරියට ඒ ප්‍රශ්නය එනවිටම විරුද්ධ පාර්ශ්වයේ නායකයා ඇතුළු ශ්‍රී ලංකා නිදහස් පක්ෂයේ මන්ත්‍රීවරු සියලුදෙනාම මේ සභාවෙන් පිටවෙලා ගියා. ඒ අය රටට ගිහිල්ලා කියනවා එකක් ; මෙහාට ඇවිල්ලා කියනවා වෙන එකක්. අත්ත ඒකයි මේ රටේ ජනතාව ශ්‍රී ලංකා නිදහස් පක්ෂය දිගටම ප්‍රතික්ෂේප කරන්නේ.

මම මේ අදහස ප්‍රශ්නයට එන්නට කලින් මේ කරුණ කියන්නට කැමතියි. ගරු තියෝජ්‍ය සහාපතිතුමනි, මාතක සිට, විශේෂයෙන්ම රජීව් ගාන්ධි මහතා අග්‍රාමාත්‍ය වූයේ පත්වුණේ පසුව, කලාවාගේ ගරු මන්ත්‍රීතුමා කීවා වාගේ, එක්තරා විදියක අවබෝධයක් ඇති කර ගැනීමේ උත්සාහයක් තිබුණා. ඒක අපි පිළිගන්නට ඕනෑ. විශේෂයෙන්ම එතුමාගේ ලේකම් බන්ධාර් මහතා මෙහි පැමිණි අවස්ථාවේ අපට පෙනීගියා, එතුමා මේ පිළිබඳව අවබෝධයක් ලබාගන්නට උත්සාහ කළ බව. එපමණක් නොවෙයි, සැහෙන ප්‍රමාණයකට මෙහි ඇති තතු එතුමා අවබෝධ කරගන්නා මට කියන්නට පුළුවන් එතුමා මා සමග කළ සාකච්චාවෙන්, මට අවබෝධයක් ඇති වුණ කැරුණු තේරුම් ගන්නට එතුමාගේ උත්සාහයක් තිබෙනවා කියා. අතිගරු ජනාධිපතිතුමාත්, විදේශ ඇමතිතුමාත්, ඒ ඒ ඇමතිවරුන් එතුමාට දැන්විය යුතු කරුණු දැනුම් දුන්නා. එතුමාගේ දැනගතයුතු කරුණු දැන ගන්නට උත්සාහ කළා. මම ඒ

ගැනත් වචනයක් කියන්නට ඕනෑ. මම එතුමාට කීවා " දැන් ගිය දේවල් ගියාට, මේ අද ඇතිවෙලා තිබෙන අර්බුදකාරී තත්ත්වය තියා විශේෂයෙන්ම මෙහෙත් අනාථයින් එහාට පැන ගන්නවා කියන එක නම් ඉන්දියාවට ඇතිවෙලා තිබෙන අමාරුව, ඉන්දියාවේ සිට ඇවිල්ලා මෙහාට ප්‍රහාර එල්ල කිරීමේ වැඩ පිළිවෙල නතර කරවීම ගැනත් විකක් කල්පනා කර බලන්න " කියා.

කඩුවෙල ගරු මන්ත්‍රීතුමා (ඊ. පී. පොල් පෙරේරා මහතා) ලැයිස්තුව මේ ස්ථානයේ කියව්වා. ඉන්දියාවේ තිබෙන පුහුණු කඳවුරු, පුහුණු කරවන අය, මොන ආකාරයටද එහේ ඉදලා ඇවිදිත් මේ ප්‍රහාර එල්ල කරන්නේ කියා මමත් මේ ගරු සභාවේ ඒ විස්තර ඉදිරිපත් කර තිබෙනවා. දැන් එය ජාත්‍යන්තර වශයෙන් පිළිගත් දෙයක්. එහෙම කියා මම එතුමාට යෝජනාවක් ඉදිරිපත් කළා. හොඳයි දැන් බැරිද එක් වර, එක දවසක, එක වෙලාවක මේ සියලුම හිංසාකාරී ක්‍රියා නතර කරන්න කියා මම ඇහුවා. ඒ මන්ද ? මේ යුද්ධ හමුදාවන් ඉවත් කරන්න, සාමාන්‍ය සිවිල් පාලනයට, පොලීස් පාලනයට යටත් කරන්න පුළුවන්කමක් නැද්ද කියා එතුමා මගෙන් ඇහුවා. කොහොමද කරන්නේ ? මේ විධියේ තුස්තවාදී වැඩ කරන විට, අපරාධ කරනවිට අපේ හමුදාවන් ඉවත් කර ගන්නොත් එහෙම ඒ ඉවත් කර ගැනීම තියාම මේ රටේ විපතක් ඇති වුණොත් මේ රටේ ජනතාව අපට කියන්නේ මොකක්ද කියන එක මම එතුමාගෙන් ඇහුවා. එතුමාත්ලා කියන්නේ අපේ හමුදාවන් හිංසාකාරී කරනවාය කියලයි. ඇත්ත වශයෙන්ම හිංසාව නවත්වන්නට වුවමනාවක් තිබෙනවා නම් එකම වෙලාවක හිංසාවාදී ක්‍රියා සම්පූර්ණයෙන් නතර කරන්නට බැරිද කියා මම ඇහුවා. මම බොහොම සන්තෝෂයි කියන්න. එතුමා ඒ ගැන සම්පූර්ණ අවධානය යොමු කළා. මේ හිංසාකාරී ක්‍රියාවක් කෙරෙන අතර මේ රටේ ජනතාව මේ ප්‍රශ්නය සම්බන්ධයෙන් මොන විසඳුමක් ගැනවත් කල්පනා කරන්නට යුද්ධමක් නැහැයි කියා මම කීවා.

තමන්ට තිබෙනවාය කියන ප්‍රශ්න ගැන විසඳුමක් ලබා ගන්නට මිය තුස්තවාදීන්ට ඕනෑකමක් තිබුණා නම් සර්ව පාක්ෂික සම්මේලනය ආරම්භ වුණු වෙලාවේ තමන්ගේ ඒ හිංසාකාරී ක්‍රියාවන් නතර කරන්න ඒ උදවියට යුතුකමක් තිබුණා. ඒ වෙනුවට මොකක්ද කළේ ? ඒවා එන්න එන්නම වැඩි කළා. මම එය එතුමාට කීවා. සර්ව පාක්ෂික සම්මේලනය මිය විධියට අසාර්ථක වෙන්න එය ප්‍රධාන වශයෙන් බලපෑවා. තර්ජනයක්, අහිංසායක්, හිංසාකාරී ප්‍රහාරයක් තිබෙන අතර මොන යෝජනා ක්‍රමයක් ගැනවත් කල්පනා කරන්නට මේ රටේ ජනතාව යුද්ධම නැහැ. තර්ජනය තියා, හිංසාව තියා, ප්‍රහාරය තියා ආත්ම ගෞරවයක් ඇති මොනම ජනතාවක්වත් එහෙම කටයුතු කරන්නට යුද්ධම නැහැ කියලයි අපි කල්පනා කරන්නේ. හොඳයි දැන් ඒක ඉතිහාසයට ගියා. එක වර, එක දිනක මේ හිංසාකාරී ක්‍රියා නතර වෙන්න තරකද කියා මම එතුමාට යෝජනා කළා. දෙළගට මේ තුස්තවාදීන් තමන්ගේ හිංසාකාරී ක්‍රියා නතර කළොත් දෙළගයි පහ වෙන්න ඉස්සරවෙලා අපේ හමුදාවන් අපි මධ්‍යස්ථානවලට කැඳවනවාය කියා පාර්ලිමේන්තුවේදී මම ප්‍රකාශ කළ බව එතුමාට කීවා. ඕනෑ නම් මේක එක වර, එක වෙලාවක කරන්න පුළුවන්. අපේ රට වෙනුවෙන් මේ ගැන කියන්නට පුළුවන්කම තිබෙන, ජනතාව තේරු පුද්ගලයෙක් සිටිනවා, ඒ අපේ ජනාධිපතිතුමා කියා මම කීවා. නමුත් මේ සටන් වැදී සිටින. මේ ප්‍රහාර එල්ල කරන. මේ හිංසාවාදී ක්‍රියා කරන තුස්තවාදීන් වෙනුවෙන් කථා කරන්නේ කවුද ? කණ්ඩායම් විසි ගණනක් විතර ඉන්නවා. මේ ගැන ඉදිරිපත් වී යමක් කරන්නට පුළුවන් ඉන්දියාවට පමණයි කියා මම කීවා. මෙහි සමථයක් ඇති වෙනවා දකින්නට අවක ආශාවක් බණ්දර් මහතාට තිබෙනවා නම්, පුළුවන්කමක් තිබෙනවා නම් කරුණාකර මේ ක්‍රියාමාර්ගයට ඉදිරිපත් වෙන්න යයි මම කීවා.

තුස්තවාදී ක්‍රියා, හිංසාවාදී ක්‍රියා සිදු වෙන තාක් කල් - පොලීටිකල් යොලුණක් - දේශපාලන විසඳුමක් ගැන නිකම් කථා කළාට කිසි වැඩක් වෙන්නේ නැහැ. මේ රටේ ජනතාව ප්‍රතික්ෂේප කරනවා. මේ විධියේ තුස්තවාදී ක්‍රියා අතරමග මොනම විසඳුමක් ගැනවත් සලකන්නට මේ රටේ ජනතාව ලැස්සි නැහැ. ඒ තියා ඉතාමත්ම යුද්ධ ක්‍රමය එක දිනයක, එක වර, එක අවස්ථාවේදී හිංසාකාරී ක්‍රියා නතර කිරීමයි. එහෙම වුණොත් අත්ත සිවිල් පාලනය එයි. පොලීසිය රටේ සාමය ආරක්ෂා කිරීමේ වැඩිවලට බහිසි. එතකොට ජනතාවගේ හිත්වල සැතපිල්ලක් ඇති වෙයි. අත්ත එතකොට මේ ප්‍රශ්න ගැන එකීන් එකට සලකා බලන්නට අපට අවකාශයක් ලැබෙයි.

සර්ව පාක්ෂික සම්මේලනය පැවැත්වෙන අවස්ථාවේදී හිංසාවාදී ක්‍රියා නතර වුණා නම් එම සම්මේලනයේ සාකච්චාවල් මගින් වඩා සාර්ථක වෙනවා. ඒට සහාය වූණ තියෝජ්‍යයන්ට සැතපිල්ලේ මේ ගැන කල්පනා

කරන්න ඉඩක් ලැබෙනවා. මම මේ කාරණය අපේ ග්‍රාමීය කර්මාන්ත සංවර්ධන ඇමතිතුමාට සැලකුණා. බන්දුර මහතා මෙහාට පැමිණෙන්න කලින්. එතුමා මට කීවා මේ කාරණය ඒ රජයේ උදව්වට සැලකුණා කියා. ඊට පසු බන්දුර මහතා මෙහාට පැමිණ ජනාධිපතිතුමා සමග සාකච්ඡා කලා. මාට හමුවුණ වෙලාවේ එතුමා බොහොම සන්තෝෂයෙන් කතා කලා. ජනාධිපතිතුමා සමග කල සාකච්ඡාවෙන් එතුමාට දැනකියාගන්න පුළුවන් වුණ කරුණ ගැන. එතුමා මේ රටේ සමහර ප්‍රදේශ දක්කා. මේ රටේ ඇතිව තිබෙන තත්ත්වය ගැන අවබෝධයක් ඇති කර ගත්තා. මට ලොකු සන්තෝෂයක් ඇති වුණා, විශ්වාසයක් ඇති වුණා. එතුමා ඉන්දියාවට ආපසු ගියාම මේ ගැන සමත් කෙරෙයි කියා. නමුත් අවාසනාවකට වගේ ඒ ගැන කිසි දෙයක් කෙරුණේ නැහැ.

ඇත්ත වශයෙන්ම අද වුණත් මේ ප්‍රශ්නයේදී යම්කිසි උපකාරයක් කරන්නට ඉන්දියාවට වුවමනාවක් තිබෙනවා නම්, තමන්ගේ රටට මේ අනාථයන් පැමිණීමෙන් කරදරයක් ඇතිව තිබෙනවාය, අමාරුවක් ඇතිව තිබෙනවාය කියා සිතනවා නම්, මේ ප්‍රශ්නය විසදන්නට ආශාවක් තිබෙනවා නම්, මම හිතන විටයට කරන්නට තිබෙන පළමුවැනිම දේ නම් වගාම මේ හිංසාකාරී ක්‍රියා නතර කිරීමට එකඟත්වයක් ඇති කර ගැනීමයි. එය ඉතාම අවශ්‍ය දෙයක්. දැන් බලන්න, බන්දුර මහතා ලංකාවේ ඉන්න කාලයේදී හිංසාවේදී ක්‍රියා විකල්ප අඩුවී තිබුණා. ඊටපසු වැඩි වුණා. කලාවාන ගරු මන්ත්‍රීතුමාත් (සරත් මුත්තේටුවගම මහතා) එය පිළිගන්නවා ඇති. දැන් එන්න එන්නම වැඩිවී තිබෙනවා. මේ අවි ආයුධ, මේ විෂ වායුව, ඔවුන් මේ හිංසා ක්‍රියා සඳහා පාවිච්චි කරන දෙවල් රටකට වුණත් සපයා ගැනීම ඒ තරම් පහසු දෙයක් නොවන බව කලාවාන ගරු මන්ත්‍රීතුමාත් පිළිගන්නවා ඇති. ඒ සඳහා විශාල සම්පත් ප්‍රමාණයක් අවශ්‍යයි. කොහෙත්ද මේ සම්පත් ලැබෙන්නේ ? ඔය ඊලාම් ව්‍යාපාරයට උදව් උපකාර කරන කීප දෙනෙක් දෙන ආධාර උඩ ඔය විටයට කටයුතු කරන්න පුළුවන්ය කියා තමුත්තාත්දේලා හිතනවාද ? නැහැ. අද මේ ලෝකයේ ජාත්‍යන්තර ත්‍රස්තවාදී ක්‍රියාදාමයක් තිබෙනවා. මේ අවස්ථාවේදී අපි එය මතක තබා ගන්න ඕනෑ. මේ ප්‍රශ්නය දෙස බැලිය යුත්තේ අන්ත ඒ කාරණය ගැන මතක තබා ගෙනයි. දැන් බලන්න, අප අතරේ මේ ප්‍රශ්නය ගැන කියම විටයේ ඒකීය හාවයක් කැනීම්ම අද අපේ රට විනාශ කරන්න බලාපොරොත්තු වන අයට රුකුලක් වී තිබෙනවා. බලන්න පක්ෂය අනුගමනය කරන ක්‍රියා මාර්ගය. බණ්ඩාරනායක මහත්මිය මැයි දිනදේදී මොකක්ද කීවේ ?

“Terrorism will wither away once Tamil representation is restored, the SLFP leader asserted”.

Then why did they vote for the Sixth Amendment ?

මෙන්න මේකයි ප්‍රශ්නය. එතුමිය කියනවා, “terrorism will wither away” ත්‍රස්තවාදය සම්පූර්ණයෙන්ම නැතිවෙයි,

“once Tamil representation in Parliament is restored.”

ද්‍රවිඩ උදව්වට මේ පාර්ලිමේන්තුවට එන්න තිබෙන අවකාශ යළිත් ලබා දුන්නොත්, මොකක්ද තිබෙන අවකාශය ? ද්‍රවිඩ උදව්ව මේ පාර්ලිමේන්තුවේ නැද්ද ? ද්‍රවිඩ උදව්ව මේ පාර්ලිමේන්තුවේ ඉන්නවා පමණක් නොව ඇමති මණ්ඩලයේත් ඉන්නවා. ඒ ද්‍රවිඩ උදව්ව මේ පාර්ලිමේන්තුවේ ඉන්න කොහොමද ? ඔවුන් මේ රටේ ස්වාධීනත්වයත් ඒකීයභාවයත් පිළිගන්නා තිසයි. එතකොට බණ්ඩාරනායක මහත්මිය කියනවා නම්,

“terrorism will wither away once Tamil representation in Parliament is restored.”

කියලා, ඒ කියන්නේ මේ රටේ ස්වාධීනත්වය, ස්වෛරීත්වය සහ ඒකීයභාවය පිළිගෙනාත්තා අයටත් මේ පාර්ලිමේන්තුවට එන්න අවකාශ දෙන්න ඕනෑය කියන එකයි. නමුත් පාර්ලිමේන්තුවට එන ශ්‍රී ලංකා නිදහස් පක්ෂයේ විපක්ෂ නායකතුමා කියන්නේ මොකක්ද ? ද්‍රවිඩ එක්සත් විමුක්ති පෙරමුණ සමඟ - ටී. සු. එල්. එස්. එක සමඟ - අපි කල සාකච්ඡාවල් සම්බන්ධයෙන් එතුමා අපට වෝදනා කරනවා. ටී. සු. එල්. එස්. එකට අපි ඉඩ දුන්නවා වැඩි කියමින්, අමීර්තලිංගම් මහත්මයාට තවමත් ලංකාවට එන්න ඉඩ දෙන්නවා කියමින්, අපට පහර ගහනවා. නමුත් ශ්‍රී ලංකා නිදහස් පක්ෂයේ නායිකාව අනන් ගිහින් කියනවා.

“terrorism will wither away once Tamil representation in Parliament is restored.” කියලා.

එය එළියේ ඉන්නවාට වඩා මේක ඇතුළට ගෙන්වා ගැනීම බොහෝම ප්‍රයෝජනවත්යයි මම අද උදේ කීවේ ඒකයි. මෙන්න මේ විටයේ දෙවිටකාවට වැඩ පිළිවෙලක් තමයි ශ්‍රී ලංකා නිදහස් පක්ෂය ගෙන යන්නේ. මෙතැන කතා කරන විට රජීව් ගාන්ධි මහතාගේ ඉතාම කලාණ මිත්‍රයෙක් හැටියට කතා කරනවා. අද අප රජීව් ගාන්ධි මහතාගේ ආණ්ඩුවේම එතුමාගේ නියෝජ්‍ය ඇමතිවරයෙකුගේ ප්‍රකාශයක් ගැන සාකච්ඡා කරන වේලාවේදී ඒ මිත්‍රයා මෙතැන තැහැ. මොකක්ද මේ ගෙන යන ව්‍යාපාරය ? අපි ගේම ඉන්දියාව ගැන යමක් කීවොත් මේ උදව්ව “තපේ මේක ප්‍රකෝප කරවන මහා ද්‍රෝහී ක්‍රියාවක්” යයි කියා එය ඒ විටයට නම් කරනවා. අද මොකක්ද තත්ත්වය ? අපි මේ උදව්ව අද පැන ගියේ ? කලාවාන මන්ත්‍රීතුමා සමග අපි එකක නොවුණත් තනියම හෝ ඉදගෙන තමන් පිළිගන්නා මතය මේ සභාවේ ප්‍රකාශ කරන්නට එතුමාට ආත්ම ශක්තියක් තිබෙනවා. නමුත් මේ එකට ඉන්න ගිය හත් දෙනෙක් අත්තිමට කොන්මලේ ගරු මන්ත්‍රීතුමාත් (ආනන්ද දසනායක මහතා) අත්තයටම අනාථ කර දමා ගියා. එතුමා කොයි කොයි තරම් අනාථ වුණොද කියනොත් එතුමා පැන ගියේ පොත් විකත් දමලා. මෙන්න මේ රටේ බලය ඉල්ලන ශ්‍රී ලංකා ජනතාව ඉදිරියට ගොස් සිංහල බෞද්ධ ජනතාව ගැන කතා කරන ශ්‍රී ලංකා නිදහස් පක්ෂයේ තත්ත්වය. ශ්‍රී ලංකාව පිළිබඳව ඉන්දියානු රාජ්‍ය සභාවේ කල ප්‍රකාශයක් ගැන අද සාකච්ඡා කරන අවස්ථාවේදී ඒ සියලුදෙනාම ලේදියෙන්ම පැනලා ගිහින්. එසේ පැනලා ගියේත් තම නායිකාවට මේ සභාවට එන්නට අවකාශ ලබා දෙන්නයයි කැගගහා ඉඳලා. කවුද මේ නායිකාව ? අර හයවැනි ව්‍යවස්ථා සංශෝධනය අනුමත කරලා එවැනි දෙයක් හේතුව ප්‍රමාද වුණයයි එද අපට බැණුණු නායිකාව. අද මොකක්ද කියන්නේ ?

“Terrorism will wither away once Tamil representation in Parliament is restored, the SLFP leader asserted”.

මෙන්න මේ කාරණය මේ අවස්ථාවේදී මතු කොට පෙන්වන්න මට කල්පනා වුණා. ඉන්දියාවේ රාජ්‍ය සභාවේදී ඒ ඇමතිතුමා කල ප්‍රකාශය අපේ විදේශ කටයුතු පිළිබඳ නියෝජ්‍ය ඇමතිතුමා වැඩබලන ඇමති වශයෙන් මේ සභාවට ඉදිරිපත් කලා. ඒවාගේම අද කඩුවෙල ගරු මන්ත්‍රීතුමාත් ඒ පිළිබඳව සම්පූර්ණ විග්‍රහයක් කලා. කලාවානේ ගරු මන්ත්‍රීතුමා කීවා වාගේම මෙකී ඇමතිතුමාම මම හිතන හැටියට මාර්තු මාසයේදී පමණ ඉන්දියාවේ රාජ්‍ය සභාවේදීම වැදගත් ප්‍රකාශයක් කලා.

ඒ සම්බන්ධයෙන් මා කල ප්‍රකාශය මාර්තු 22 වැනි දා හැන්සාඩ් වාර්තාවේ 1194 වැනි තීරුවේ සඳහන් වෙනවා.

I made reference to this on the 22nd of March. This is his statement.

“Indian External Minister tells Rajya Sabha violence cannot solve Lanka's ethnic problem

New Delhi March 15 (PTI) “We continue to believe that only a political solution within the framework of Sri Lanka's unity, sovereignty and territorial integrity, acceptable to all concerned can resolve the ethnic problem. Violence from whatever source is not the answer,” said Minister of State for External Affairs Khurshed Alam Khan in the Rajya Sabha, the Upper House in the Indian Parliament.

සම්පූර්ණ ඇත්ත ශ්‍රී ලංකාවේ නිදහසටත්, ඒකීය භාවයටත් යටත්ව විසඳුමක් සෙවිය යුතුයි කියා එතුමා කියනවා. ඒවාගේම ඒ විසඳුම හිංසාකාරී මාර්ගවලින් ලබා ගත නොහැකි කියනවා. මම ඒ ගැන එතුමාට ස්තූති කරන්නට කැමතියි. එහෙම ස්තූති කරන ගමන් මම එතුමාගෙන් මේ ප්‍රශ්නය අහන්නට කැමතියි. මේ විසඳුම නොයක්කට උත්සාහ කරන කණ්ඩායම් අද ලංකාවේ ඒ විසඳුම නොයක්කට උත්සාහ කරන්නේ අහිංසා මාර්ගයෙන්ද ? එහෙම නොවන බව කවුරුත් පිළිගන්නවා. එහෙම නම් එසේ හිංසාකාරී මාර්ගයකින් මේ විසඳුම නොයක්ක උදව්වට ඇයි ඉන්දියාව රැකවරණය දෙන්නේ ? ඒ රැකවරණය ලැබෙන්නේ කොහොමද කියන එක අද මුළු ලෝකයම පිළිගෙන තිබෙනවා.

“Military training in Tamil Nadu.”

ඒ හැම ස්ථානයක් පිළිබඳව විස්තර මම මාර්තු මස 22 වැනිදා හැන්සාඩ් වාර්තාවේ 1193, 1194, 1195, 1196, 1197 යන තීරුවල වාර්තාගත කර තිබෙනවා.

මම එද ඒක ඉදිරිපත් කළේ ඩෙන්සිල් පිරිස් මහතාගේ ‘ සවුන් ‘ කියන සඟරාවෙන්. ඒවා බොහොමයක්, අද කඩුවෙල ගරු මන්ත්‍රීතුමා (ඒ. ඩී. සෝල් පෙරේරා මහතා) මේ ගරු සභාවට ඉදිරිපත් කලා.

[ආර්. ප්‍රේමදාස මහතා]

හොඳයි, ඉන්දියාවට අපහසුවක් තිබෙනවා නම් " මෙහෙම ට්‍රේනිං කැම්පස් තිබෙනවා " යි කියන්න. එකක් පැත්තකින් තිබුණවේ. මෙහෙ හිංසාකාරී ක්‍රියාවක් කළ හැටියේම එහි වගකීම හාර ගනිමින් ඉන්දියාවේම ඉදගෙන යමි- යම් අප ප්‍රකාශ කිකුත් කරනවා හේද ? නිකවැරවියේ සිද්ධිය පිළිබඳව වුණත් වගකීම හාර ගත්තේ ඉන්දියාවේ ඉදගෙනයි. එහෙම නම් මේ ත්‍රස්තවාදී නායකයන් තමන්ගේ රටේ ඉන්න බව දැනගෙනත් මේ හිංසාකාරී ක්‍රියා තහර කෙරෙන වැඩ පිළිවෙලක් ඇති කරන්න ඉන්දියාව බැරී ඇයි. මේ ප්‍රශ්නය පිළිබඳව අවංකවම විචල්‍යමක් ඇති කර ගන්න ඉන්දියාවට ආශාවක් තිබෙනවා නම් ?

මූලික වශයෙන් එකම එක කාරණයක් ඉෂ්ට කරන්න පුළුවන් හේද ? ඇයි බැරී අඩු ගණනේ මේ හිංසාකාරී ක්‍රියා තහර කෙරෙන වැඩ පිළිවෙලක් ඇති කරන්න ? එහිදී කියනවා නම් හමුදා හිරිහැර-කරදර කරනවාය කියා, අපි කියනවා එක වෙලාවක මේ හැම හිංසාකාරී ක්‍රියාවක්ම තහර කරන්නය කියලා. එහෙම හිංසාකාරී ක්‍රියා තහර කරනවා නම් මේ හමුදා මූලස්ථාන වෙත කැඳවන්න අපේ ජනාධිපතිතුමා සූදානම්. එපමණක් නොවෙයි. අපි කියා තිබෙනවා, " මීට කලින් වුණු සිද්ධිවලට සමාව දෙන්නත් අපි ලැස්තියි " කියලා. එය ප්‍රසිද්ධියේ කියා තිබෙන දෙයක්. එයින්ම පෙනෙනවා හේද. මේ ප්‍රශ්නයට විචල්‍යමක් සාමකාමීව ලබාගන්න ශ්‍රී ලංකාවට තිබෙන ආශාව ? අන්න එහෙම වෙලාවකත් ඉන්දියාවේ නියෝජ්‍ය ඇමතිතුමෙක් වුණත් ඒ කර තිබෙන ප්‍රකාශය කොයි විටියේ එකක්ද ? කලාවාගේ ගරු මන්ත්‍රීතුමනි, මගේ හිතේ තමුත්තාත්තේ කීවා, " ඒ ඉන්දියා නියෝජ්‍ය ඇමතිතුමාත් දේශපාලනයෙන්, එතැන තිබුණු නොයෙකුත් බලපෑම් උඩ ඒ ප්‍රකාශය කරන්න ඇති " කියා. තමුත් මතක තබා ගන්න. ඉන්දියාවේම පත්‍ර ඒ නියෝජ්‍ය ඇමතිතුමා කළ ප්‍රකාශයේ වැරදි පැත්ත පෙන්වා දී තිබෙනවා. " ඉන්දියන් එක්ස්ප්‍රස් " පත්‍රය ඒ පිළිබඳව විශේෂ කතු වැකියකුත් ලියා තිබෙනවා. එහෙම නම් ඒකෙන්වත් කේරුම් යනවා ඇති, බොහොම ප්‍රවේසමින් කථා කළ යුතු බව. මම එක ප්‍රකාශයක් ගැන පමණක් සඳහන් කරන්නට කැමතියි. ඒ නියෝජ්‍ය ඇමතිතුමා වගකීමක් ඇතිව කථා කළ යුතුව තිබුණි.

කඩුවෙල ගරු මන්ත්‍රීතුමා කී කාරණාවලට අමතරව එක කාරණයක් පමණක් මම කියන්නම්. විදේශ කටයුතු ඇමතිතුමාටත් කථා කරන්න අවස්ථාව දෙන්න මිතුරු නියා. ඒ ඉන්දියා නියෝජ්‍ය ඇමතිතුමාගේ ප්‍රකාශය සාධාරණද යි කලාවාගේ ගරු මන්ත්‍රීතුමාගෙන් මා අහන්න කැමතියි. ඒ ප්‍රකාශයෙන් එක කොටසක් පමණක් මම කියවන්නම්.

"The Indian Government is astonished at President Jayewardene's statement about Jammu and Kashmir in Pakistan".

කලාවාගේ ගරු මන්ත්‍රීතුමාගෙන් මම ඇහුවා, " ඒ නියෝජ්‍ය ඇමතිතුමා කර තිබෙන ප්‍රකාශය මොකක්ද යි දන්නවාද ? " කියා. " දන්නේ නැහැ " යි එතුමා ප්‍රකාශ කලා. මෙන්න මේකයි, වැදගත් කාරණය : අපේ ජනාධිපතිතුමා පකිස්ථානයේදී කළ ප්‍රකාශය මොකක්ද ? එතුමා කර තිබෙන්නේ අසාධාරණ ප්‍රකාශයක්ද යි කරුණාකර යොසා බලන්න.

"The Indian Government is astonished at President Jayawardene's statement about Jammu and Kashmir in Pakistan. It has not been possible to obtain a version of what he actually said from the Sri Lanka Government"

So then why is he condemning ? Mr. Chairman, the Deputy Minister himself says :

"It has not been possible to obtain a version of what he actually said from the Sri Lanka Government but what appeared in the Pakistan press is really deplorable and we never thought that a person of President Jayewardene's status will stoop down to making such a statement."

should a responsible Deputy Minister of External, Affairs make such a statement against a President, an elected President, of a neighbouring friendly country without ascertaining what actually the President said in Pakistan ? He says he has not been able to obtain the

version of what was said and goes by some newspaper report. Sir, you know how certain news papers report incidents. You yourself said that some reporter had misreported our own President from our own soil which he himself has now corrected. Surely, a responsible Government Minister should have first ascertained what our President had said before condemning him saying "astonished". He has gone on to say "Really deplorable and we never thought that a person of President Jayewardene's status will stoop down to making such a statement. I hope the Prime Minister of India will take serious note of this matter and I know he will be able to step in and bring about a resolution into this matter. I hope that will happen and I again urge that India should at this juncture, if she is very keen to see that there is restoration of our friendly atmosphere and also peace in Sri Lanka that they will take steps to see that violence is at least suspended untill we come to some resolution.

Thank you.

නියෝජ්‍ය කාරක සභාපතිතුමා
(ශ්‍රේෂ්ඨ பிரதிக் தலைவர் அவர்கள்)
(The Deputy Chairman of Committees)

Order, Please ! Hon. Minister of Foreign Affairs.

ඒ. සී. එස්. හමීඩ් මහතා (විදේශ කටයුතු ඇමතිතුමා)
(ஜனாப் ஏ. சி. எஸ். ஹமீத் — வெளிநாட்டலுவலர்கள் அமைச்சர்)
(Mr. A. C. S. Hameed—Minister of Foreign Affairs)
In fact, I had asked for 30 minutes but -

ජබිර් ජී. කාදර් මහතා (මැද කොළඹ දෙවන)
(ஜனாப் ஜாபிர் ஏ. காதர்—கொழும்பு மத்தி இரண்டாம் அங்கத்தவர்)
(Mr. Jabir A. Cader—Second Colombo Central)
Mr. Mohammed said I can speak on his behalf.

නියෝජ්‍ය කාරක සභාපතිතුමා
(ශ්‍රේෂ්ඨ பிரதிக் தலைவர் அவர்கள்)
(The Deputy Chairman of Committees)
Order, Please! The Hon Minister of Foreign Affairs is on his feet.

ජබිර් ජී. කාදර් මහතා
(ஜனாப் ஜாபிர் ஏ. காதர்)
(Mr. Jabir A. Cader)
I must have the right to explain to you.

මන්ත්‍රීවරයෙක්
(அங்கத்தவர் ஒருவர்)
(A Member)
After the Hon. Minister speaks you can speak.

ජබිර් ජී. කාදර් මහතා
(ஜனாப் ஜாபிர் ஏ. காதர்)
(Mr. Jabir A. Cader)
After the Hon. Minister speaks there will be no time. 5 o'clock we are adjourning.

නියෝජ්‍ය කාරක සභාපතිතුමා
(சுருப் பிரதிக் தலைவர் அவர்கள்)
(The Deputy Chairman of Committees)

The Hon. Minister's speech is more important, you can speak on some other day.

ජී. සී. එස්. හමීඩ් මහතා
(ஜனப் ஏ. எஸ். ஹமீத்)
(Mr. A. C. S. Hameed)

Mr. Deputy Chairman, the debate has been comprehensive and I think many areas have been covered. I listened very carefully to the hon. Member for Kalawana (Mr. Sarath Muttetuwegama) who happened to be the only Opposition Member this evening. He wanted to know how many refugees are there. I want to tell the hon. Member that there are about 60,000 Sri Lankans who have gone on visas. You cannot really call them refugees because they have valid passports and have gone on visas. I believe that there are about another 15,000 that have gone without any valid documents. That is the exact position.

With regard to the PTI correspondent, the matter is subjudice now, and I do not want to go any further into that. - (*Interruption*). He has been remanded, and the matter is before court, and I think it is not proper for me to try to enlighten as to what the charges are. I do not think it is quite correct.

Now, I want to tell the hon. Member that Sri Lanka enjoys very close bilateral relations with Australia. As we are all aware, there are thousands of Sri Lankans who have made Australia their home. I think we still have about 50,000 Sri Lankans in Australia with Sri Lankan Passports. There have been always good relations and good understanding between the two countries and the two peoples. I will be very happy to receive the foreign Minister of Australia, who is expected to be here on the 20th. That will give him and opportunity to see for himself the problems that we are facing, assess them and come to reasonable conclusions. So I look forward to his visit, and I am sure his visit will bring the two countries still closer.

The hon. Member raised the question quite correctly. "What is Sri Lanka's position with regard to SARC?" I do not agree with his theory that there is only one nation in this world, one country in this world, that does not want this co-operation and that is America. Well, he has to argue that way. I do not blame him, because as a true communist - I have a lot of respect for him for that - any theory they expound in its conclusion has to surface some form of imperialism, colonialism, neo-colonialism. Leave that aside. I think the country should know, and South Asia in particular should know, as to what is the exact position with regard to SARC in the future.

Now, Sir, this Government came into office in 1979.

එම්. හලීම් ඉෂාක් මහතා
(ஜனப் எம். ஹலீம் இஸாக்)
(Mr. M. Haleem Ishak)

In 1977.

ජී. සී. එස්. හමීඩ් මහතා
(ஜனப் ஏ. எஸ். ஹமீத்)
(Mr. A. C. S. Hameed)

Thank you. He is very conscious.

සරත් මුත්තේවිටෙම මහතා
(திரு. சரத் முத்தேட்டுவெகம)
(Mr. Sarath Muttetuwegama)

Do you want another Referendum for another two years?

ජී. සී. එස්. හමීඩ් මහතා
(ஜனப் ஏ. எஸ். ஹமீத்)
(Mr. A. C. S. Hameed)

In 1977 we came into office, and in consultation with His Excellency the President I thought that in South Asia we must take initiative towards greater and closer economic co-operation. I went to Delhi on my first official visit after becoming Minister and met Mr. Vajpayee. At that time he was the Foreign Minister. We discussed in depth and detail about how we in this part of the world could form a close economic community. I also want to Singapore because at that time what we envisaged was something bigger than south Asia. At that time I remember the Shah was in office in Iran, and he himself had another proposal. But we carried this forward. I do not want to go into history. I know a lot of the developments that have passed since then and up to now and the formation of the SARC, but I do not want to go into its history because I have limited time.

In 1981 we had the first meeting in Colombo and I declared it open. It was at the level of Foreign Secretaries. Seven countries participated. On 21st April 1981 the first meeting was held in Colombo. India, Bangladesh, Pakistan, Nepal, Bhutan, the Maldives and Sri Lanka participated. That was the start. When I declared it open I said :

"The process can be quickened by a carefully prepared summit meeting at which a declaration of intent is adopted, and the broad goals of regional co-operation defined."

Now, it was important that there was a summit and a summit at the level of Heads of States and Governments met, so that this could be made a living reality.

After that there had been a series of meetings at official level in Jakarta, Islamabad, Katmandu, the Maldives and New Delhi. Then we had the launching of the SARC on the 1st or 2nd of August 1983 in Delhi at Foreign Ministers level. Then last year we met in the

without the basic facilities. That is the scene that you witnessed in South East Asia. So, SARC has to succeed and must succeed. Sri Lanka is committed to SARC. We are a part of SARC will be a part of SARC and we will be a part of SARC. That is our position. This is a very important organization. It has the potential; it holds out promise for the millions, the teeming millions that live in South East Asia.

I do not want to take more of your time. I am very thankful to you for having given me this opportunity. May I say, Sir, finally that India and Sri Lanka have to live together. There are many problems that are common to these two countries. We have lived together for centuries with understanding and goodwill, and we have to live together in the future. We would appreciate it if those who held responsible positions in Delhi would avoid as far as possible damaging, eroding this fund of goodwill that has been built up down through the centuries. It is a plain fact, Sir, that India and Sri Lanka have to live together. We cannot in any way be separated, and it is up to the leadership in Delhi to ensure that a small country like Sri Lanka does not feel that it is being harassed. I was in New York this week, Sir, and I met the Secretary-General of the United Nations and we discussed matters. I told him that

international terrorism or cross-border terrorism, as they call it, cannot be fought successfully internationally: it has to be fought successfully at regional and sub-regional levels. Because wherever you get terrorism you find that it has a base - maybe of two countries or three countries or a cluster of countries. So, if international terrorism is to be fought successfully, the United Nations and the international community must ensure that sufficient steps are taken to fight terrorism at regional and sub-regional levels for which the understanding, the goodwill of, maybe the two countries or three countries who are involved is necessary and without which it becomes very difficult.

එකලී වේලාව අ. හ. 5 පසුකර තිබුණේ නියෝජ්‍ය කාරක සභාපතිතුමා විසින් ප්‍රශ්නය නොවීමකා පාර්ලිමේන්තුව කල තවත ලදී.

පාර්ලිමේන්තුව ඊට අනුකූලව අ. හ. 5. 05 ට 1985 මැයි 23 වන බ්‍රහස්පතින්ද පු. හ. 10 වන තෙක් කල තිණේය.

අද්වොකේට්, පී. ඩී. 5 ක්‍රමය පිළිබිඬුවේ ලැබුණු පිළිබිඬු තිබීමට අවස්ථාවක් වන විටුස්නාමයේ පාරාලොක්‍රමයේ ඉතිහාසයන්.

අද්වොකේට්, පාරාලොක්‍රමය, පී. ඩී. 5.5 ක්‍රම 1985 මැ 23, වියාලුක්කිලියා ප. 10 මණ්ඩලයේ ඉතිහාසයන්.

And it being past 5 p.m. MR. DEPUTY CHAIRMAN OF COMMITTEES adjourned Parliament without Question put.

Adjourned accordingly at 5.05 p.m. until 10 a.m. on Thursday, 23rd May, 1985.

international terrorism or cross-border terrorism as they call it, cannot be fought successfully internationally. It has to be fought successfully at regional and sub-regional levels. Because wherever you get terrorism you find that it has a base - maybe of two countries or three countries or a cluster of countries. So international terrorism is to be fought successfully the United Nations and the international community must ensure that sufficient steps are taken to give terrorism at regional and sub-regional levels for which the understanding, the goodwill of, between the two countries or three countries who are involved is necessary and without which it becomes very difficult.

... and it is not that I am very thankful to you for having given me this opportunity. May I say, Sir, that India and Sri Lanka have to live together. There are many problems that are common to these two countries. We have lived together for centuries with understanding and goodwill, and we have to live together in the future. We would appreciate it if the two who hold responsible positions in Delhi would try to do the possible in managing crossing the kind of goodwill that has been built up down through the centuries. It is a chain link, Sir, that India and Sri Lanka have to live together. We cannot in any way be separated, and it is up to the leadership in Delhi to ensure that a small country like Sri Lanka does not feel that it is being harassed. I was in New York this week, Sir, and I met the Secretary-General of the United Nations and we discussed matters. I told him that

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I do not want to take more of your time, Sir, and I am very thankful to you for having given me this opportunity. May I say, Sir, that India and Sri Lanka have to live together. There are many problems that are common to these two countries. We have lived together for centuries with understanding and goodwill, and we have to live together in the future. We would appreciate it if the two who hold responsible positions in Delhi would try to do the possible in managing crossing the kind of goodwill that has been built up down through the centuries. It is a chain link, Sir, that India and Sri Lanka have to live together. We cannot in any way be separated, and it is up to the leadership in Delhi to ensure that a small country like Sri Lanka does not feel that it is being harassed. I was in New York this week, Sir, and I met the Secretary-General of the United Nations and we discussed matters. I told him that

டி. சூ.

மேலே உள்ளே அமைந்த இடத்தில் உள்ள ஸ்தலம் கட்டுப்பாட்டு துறை அமைச்சர் அவர்கள் தயவு செய்து கீழ்க்கண்ட செய்தி குறித்து உரிய நடவடிக்கை மேற்கொள்ளும்படி கேட்டுக் கொள்கிறேன்.

1985 ஆகஸ்ட் 24 வது திணைக்கட்சி

தலைப்பில் உள்ள செய்தி குறித்து.

குறிப்பு

அங்கத்தினர்கள் இறுதிப் பதிப்பிற்குரிய செய்தியும் பிழை திருத்தங்களையும் அறிக்கையிற்றெளிவாகக் குறித்து பிழை திருத்தங்களைக் கொண்ட பிரதியை ஹன்சார்ட் பதிப்பாளரிடமிருந்து

1985 மே 24, வெள்ளிக்கிழமைக்குப் பிந்தாமல்

கிடைக்கக்கூடியதாக அனுப்புவதில் வேண்டும்.

NOTE

Corrections which Members suggest for the Final Print should be clearly marked in this Report and the copy containing the corrections must reach the Editor of HANSARD,

not later than

Friday, 24th May 1985

Contents of Proceedings	:	From 9.30 a.m. to 5.05 p.m. on 10.05.1985
Final set of manuscripts received from Parliament	:	6.05 p.m. on 13.05.1985
Printed copies despatched	:	14.05.1985 afternoon

