



පාර්ලිමේන්තු විවාද

(හැත්තෑව)

නියෝජිත මන්ත්‍රී මණ්ඩලයේ

නිල වාතාව

අත්තිකාරම ප්‍රධාන කරුණු

ප්‍රශ්නවලට වාචික පිළිතුරු [නි. 325]

ජනසතු සේවා ඇමතිගේ ප්‍රකාශය පිළිබඳ ආචාර්ය එන්. එම්.

පෙරේරාගේ පෞද්ගලික කරුණු පැහැදිලි කිරීම [නි. 345]

දෙවන වර සහ තුන්වන වර කියවා සම්මත කරන ලද පණත් :

සුරාබදු (සංශෝධන) පනත් කෙටුම්පත [නි. 348]

දුම්කොළ නිරා බදු (සංශෝධන) පනත් කෙටුම්පත [නි. 392]

වැය සම්මතවල අතිරික්ත (1962-63) [නි. 398]

ප්‍රජා නුසුදුසුකම් පැනවීමේ (විශේෂ විධිවිධාන) පනත් කෙටුම්පත
[නි. 404]

දෙවන වර කියවීම—විවාදය කල් තබන ලදී.

කල් තැබීමේ යෝජනාව [නි. 472]

பாராளுமன்ற விவாதங்கள்

(ஹன்சாட்)

பிரதிநிதிகள் சபை

அதிகார அறிக்கை

பிரதான உள்ளடக்கம்

வினாக்களுக்கு வாய்மூல விடைகள் [ப. 325]

தேசியமய சேவைகள் அமைச்சரின் அறிக்கை சம்பந்தமாக கலாநிதி என். எம். பெரேராவின்
சொந்த விளக்கம் [ப. 345]

இரண்டாம் மூன்றாம் முறை மதிப்பிடப்பெற்று நிறைவேறிய மசோதாக்கள் :

மதுவரித் (திருத்த) மசோதா [ப. 348]

புகையிலை வரி (திருத்த) மசோதா [ப. 392]

வாக்குப்பணங்களில் மிகைச் செலவு (1962-63) [ப. 398]

குடியுரிமைத் தகுதியினங்கள் விதித்தல் (விசேட ஏற்பாடுகள்) மசோதா [ப. 404]

இரண்டாம் மதிப்பு—விவாதம் ஒத்திவைக்கப்பெற்றது

ஒத்திவைப்புப் பிரேரணை [ப. 472]

Vol. 63

No. 3

Thursday,
23rd September 1965

PARLIAMENTARY DEBATES

(HANSARD)

HOUSE OF REPRESENTATIVES

OFFICIAL REPORT

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වෘත්ති පිළිතුරු

විවිධ ප්‍රමුඛ

නියෝජිත මන්ත්‍රී මණ්ඩලය

பிரதிநிதிகள் சபை

House of Representatives

1965 ජූලි මාසයේ 23 වන බ්‍රහස්පතින් දා

வியாழக்கிழமை, 23 செப்டம்பர், 1965

Thursday, 23rd September 1965

අ. හා. 2 ව මන්ත්‍රී මණ්ඩලය රැස් විය. කාරක සභා නියෝජ්‍ය සභාපතිතුමා [ටී. ක්වෙන්ටින්] ප්‍රකාශිත විය. මූලාසනය සිදු විය.

சபை, பி. ப. 2 மணிக்குக் கூடியது. குழுக்களின் உப அக்கிராசனர் அவர்கள் [திரு. ரி. குயின்றின் பெர்னான்டோ] தலைமை தாங்கினார்கள்.

The House met at 2 p.m., Mr. DEPUTY CHAIRMAN OF COMMITTEES [Mr. T. QUENTIN FERNANDO] in the Chair.

ප්‍රශ්නවලට වාචික පිළිතුරු

வினாக்களுக்கு வாய்மூல விடைகள்

ORAL ANSWERS TO QUESTIONS

බෙල්ග්‍රේඩ්හි පවත්වන ලද අන්තර්
ජාතික පළාත් ආණ්ඩු සභා සම්මේලනය

சர்வதேச உள்நூராட்சிச் சபைகள் :

பெஸ்கிறேட். மகாநாடு

INTERNATIONAL UNION OF LOCAL
AUTHORITIES : BELGRADE SESSION

1. එල්. සී. ද සිල්වා මයා. (බලපිටිය)

(திரு. எல். சீ. டி சில்வா—பலப்பிட்டிய)

(Mr. L. C. de Silva—Balapitiya)

පළාත් පාලන ඇමතිගේ පාර්ලිමේන්තු
ලේකම්ගෙන් ඇසූ ප්‍රශ්නය : (අ) අන්තර්
ජාතික පළාත් ආණ්ඩු සභා සම්මේලනයේ
බෙල්ග්‍රේඩ්හි පවත්වන ලද සැසි වාරයට
සහභාගි වීම සඳහා නියෝජිතයින් කී
දෙනෙකු නම් කරන ලද්දේද? (ආ) ඒ
අය කවරහුද? (ඉ) මෙම සම්මේලනයේ
සාමාජිකත්වය දරණ ලංකාවේ ආයතන
මොනවාද? (ඊ) සමස්ත ලංකා පළාත්
ආණ්ඩු සභා සංගමය විසින් බෙල්ග්‍රේඩ්
සැසි වාරයට සහභාගිවීම සඳහා යෝජනා
කරනු ලැබුවත් නියෝජිතයින් වශයෙන්
පසුගිය රජය අනුමත කළ බව එතුමා
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පත්තියම අනුගමනය කරනවාද? (ඌ)
නොඑසේ නම්, ඒ මන්ද?

உள்ளூராட்சி அமைச்சரின் பாராளுமன்றக்
காரியதரிசியைக் கேட்ட வினா : (அ) சர்வதேச
உள்ளூராட்சிச் சபைகள் சங்கத்தின் பெல்

2—~~and~~ 9087—748 (65/9)

கிறேட் மகா நாட்டுக்குச் செல்வதற்கெனத் தெரிவு செய்யப்பட்ட பிரதிநிதிகள் எத்தனை பேர்? (ஆ) அவர்கள் யார்? (இ) இச்சங்கத் துடன் இணைக்கப்பட்டுள்ள இலங்கையிலுள்ள தாபனங்கள் யாவை? (ஈ) பெல்கிறேட் மகா நாட்டில் கலந்துகொள்வதற்கென அகில இலங்கை நகர சபைகள் சங்கத்தினால் தெரிவு செய்யப்பட்டவர்களை முன்னைய அரசாங்கம் பிரதிநிதிகளாக அங்கீகரித்ததென்பதை அவர் அறிவாரா? (உ) இவ்வரசாங்கமும் அதே கொள்கையைப் பின்பற்றுகின்றதா? (ஊ) அன்றேல், ஏன்?

asked the Parliamentary Secretary to the Minister of Local Government: (a) How many delegates were named for the Belgrade Session of the International Union of Local Authorities? (b) Who were they? (c) What are the establishments in Ceylon which are affiliated to this Union? (d) Is he aware that the former Government approved as delegates those persons nominated by the All Ceylon Urban Councils Association to take part at the Belgrade Session? (e) Does this Government follow the same policy? (f) If not, why?

ගරු එම්. එච්. මොහමඩ් (කම්කරු, රැකියා
රක්ෂා හා නිවාස ඇමති—පළාත් පාලන
ඇමතිගේ පාර්ලිමේන්තු ලේකම් වෙනුවට)

(கௌரவ எம். எச். முகம்மது—தொழில், தொழில் காண், வீடமைப்பு அமைச்சர்—உள்ளூராட்சி அமைச்சரின் பாராளுமன்றக் காரியதரிசி சார்பாக)

(The Hon. M. H. Mohamed—Minister of Labour, Employment and Housing—on behalf of the Parliamentary Secretary to the Minister of Local Government)

(a) None. (b) Does not arise. (c) Some Municipal Councils, the Association of Urban Councils of Ceylon and the Village Councils Association of Ceylon are members of the International Union of Local Authorities. (d) I am not aware. (e) Government will nominate the delegates according to the requirements of the public interest. (f) In exercising the right to nominate delegates, it is the policy of the Government to have regard only to the public interest.

වෘත්ති පිළිතුරු

වෘත්තික පිළිතුරු

එල්. ජේ. ද එස්. සෙනෙවිරත්න මහත්
මියට සහ අනිකුත් අයට විදේශ සංචාරය
සඳහා දුන් විනිමය මුදල්

திருமதி எஸ். ஜே. டி. எஸ். செனவிரத்னவுக்கும்
வனையோருக்கும் வழங்கப்பட்ட செலாவணி

EXCHANGE ALLOWED TO MRS. L. J. DE S.
SENEVIRATNE AND OTHERS

9. ජේ. ජී. භූතසේකර මයා. (බණ්ඩාර
වෙල)

(திரு. ஜே. ஜி. குணசேக்கர—பண்டார
வனம்)

(Mr. J. G. Gunasekera—Bandarawela)

මුදල් ඇමතිගෙන් ඇසූ ප්‍රශ්නය : (අ) 1965.3.23 වැනි දිනට පසුව, විදේශ සංචාරය සඳහාත් විදේශයේදී යැපීම් සඳහාත් පහත සඳහන් අයට විනිමය දෙනු ලැබූයේද? (i) පැල්මඩුල්ල කොට්ඨාශයේ එක්සත් ජාතික පක්ෂයේ ඡන්දාපේක්ෂිකා, එල්. ජේ. ද එස්. සෙනෙවිරත්න මිය., (ii) රජයේ වැඩ, තැපැල් හා විදුලි සන්දේශ ඇමතිගේ භාර්යාව වන මොන්ටේගු ජය වික්‍රම මැතිනිය, (iii) අගමැතිතුමාගේ මස්සිනා වන ජස්ටින් කොතලාවල මහතා, (iv) ජාතික පේෂ කර්මාන්ත සංයුක්ත මණ්ඩලයේ සභාපතිගේ භාර්යාව වන ලක්ෂ්මන් රාජපක්ෂ මැතිනිය, (v) ප්‍රවාහණ ඇමති ගරු ඊ. එල. බී. හුරුල්ලේ මහතා හා එම මැතිනිය, (vi) පළාත් පාලන ඇමතිගේ පාර්ලිමේන්තු ලේකම් ආර්. ප්‍රේමදාස මහතා හා එම මැතිනිය, (vii) බ්‍රවුන් සහ සමාගමේ සභාපති එඩ්මන්ඩ් ජේ. කුරේ මහතා හා ඔහුගේ පවුල, (viii) සෙනෙට් මන්ත්‍රී එන්. එම්. අප්පුහාමි සහ ඔහුගේ පුත්‍රයා. (ආ) එසේ නම්, ඒ එක් එක් අයට දෙන ලද විනිමය ප්‍රමාණය කොපමණ ද? ඔවුන් ගිය රටවල් මොනවාද?

நிதி அமைச்சரைக் கேட்ட வினா : (அ) வெளிநாடுகளுக்குச் சென்றதற்கும், அந்நாடுகளில் உணவுச் செலவுக்குமாகப் பின்வருபவர்களுக்கு 23.3.65 க்குப் பின் செலாவணி அளிக் கப்பட்டதா : (1) திருமதி எல். ஜே. டி. எஸ். செனவிரத்தன், பெல்மதுல்லைத் தொகுதி ஐ. தே. க. அபேட்சகர். (2) திருமதி மொன்றேகு ஜயவிக்ரம, அரசாங்க கட்டுவேலை, தபால், தந்திப் போக்குவரத்து அமைச்சரின் மனைவி. (3) திரு. ஜஸ்ரின் கொத்தலாவெல, பிரதம அமைச்சரின் மைத்துனர் (4) திருமதி இலக்ஷ் மன் இராஜபக்ஷ. தேசிய நெசவுத் துறையை

தாபனத் தலைவரின் மனைவி, (5) போக்கு வரத்து அமைச்சர் திரு. ஈ. எல். பி. ஹுருல்லையும் மனைவியும், (6) உள்ளூராட்சி அமைச்சரின் பாராளுமன்றக் காரியதரிசி திரு. ஆர். பிரேமதாசவும், மனைவியும். (7) பிறவுன்ஸ் குறாப் தலைவர் திரு. எட்மண்ட் ஜே. கூரேயும், அவரது குடும்பத்தினரும் (8) செனற்றர் என். எம். அப்புஹாமியும் அவரது மகனும், (ஆ) ஆமெனில், அவர்கள் ஒவ்வொரு வருக்கும் அனுமதிக்கப்பட்ட தொகை எவ்வளவு? அவர்கள் சென்ற நாடிகள் எவை?

asked the Minister of Finance :

(a) Was exchange allowed after 23rd March, 1965, for travel and subsistence abroad to the following persons: (i) Mrs. L. J. de S. Seneviratne, U. N. P. candidate for Pelmadulla, (ii) Mrs. Montague Jayawickrema, wife of the Minister of Public Works, Posts and Telecommunications, (iii) Mr. Justin Kotalawela, cousin of the Prime Minister, (iv) Mrs. Lakshman Rajapakse, wife of the Chairman of the National Textile Corporation, (v) Hon. E. L. B. Hurulle, Minister of Communications and his wife, (vi) Mr. R. Premadasa, Parliamentary Secretary to the Minister of Local Government and his wife, (vii) Mr. Edmund J. Cooray, Chairman of Browns Group, and his family, (viii) Senator N. M. Appuhamy and his son? (b) If so, how much was allowed in each case and to what countries did they go?

ගරු ජේ. ආර්. ජයවර්ධන (රාජ්‍ය ඇමති සහ අග්‍රාමාත්‍යතුමාගේ) රාජ්‍යාරක්ෂක හා විදේශ කටයුතු පිළිබඳ ඇමතිගේ පාර්ලිමේන්තු ලේකම් සහ වැඩ බලන මුදල් ඇමති)

(கௌரவ ஜே. ஆர். ஜயவர்தன—இராஜாங்க அமைச்சரும் பிரதம அமைச்சராகும் பாதுகாப்பு வெளிவிவகார அமைச்சராகும் பாராளுமன்றக் காரியதரிசியும் பதில் நிதி அமைச்சரும்)

(The Hon. J. R. Jayewardene—Minister of State and Parliamentary Secretary to the Prime Minister and Minister of Defence & External Affairs and Acting Minister of Finance)

(a) (i) Yes. £16—to Federal Republic of Germany and West Berlin (ii) No. (iii) No. (iv) No. (v)

வாசிக பிழிதர்

The Hon. Minister of Communications Mr. E. L. B. Hurulle applied for exchange of subsistence abroad to visit U. K. on official business. The permit has been returned unutilized. Mrs. Hurulle made no application. Both proceeded to U. K. (vi) Mr. and Mrs. Premadasa were allowed £. 10 each on the basis of 10 s. per day personal facility—proceeded to France, Britain and Federal Republic of Germany. (vii) Mr. E. J. Cooray was not allowed exchange after 23.3.65. The others in the family were allowed as follows :

Mrs. Cooray—£ 75 for maintenance for 1½ months—to proceed to U.K.

Master S. Cooray—(Grandson of Mr. Cooray)—£ 45 for maintenance and £ 150 for medical expenses to proceed to U.K.

Mrs. P. C. Fernando—(employee)—£ 45 for maintenance for 1½ months.

Mr. H. L. E. Cooray—(Son of Mr. E. J. Cooray)—£ 5 for out of pocket expenses and to pay locally the cost of one way passage to U.K.

Mrs. H. L. E. Cooray—£ 150 immigrant quota and one way passage to U.K.

Mr. J. R. C. Cooray—(Son of Mr. E. J. Cooray)—£ 75 on an employment voucher and cost of one way passage to U.K.

Miss M. P. S. Cooray—(Daughter of Mr. E. J. Cooray)—£ 75 on an employment voucher and cost of one way passage to U.K.

(viii) Yes. Senator Appuhamy was allowed a passage to U. K. plus an allowance of £ 20 for clothing and incidental expenses. Mr. N. M. Dharmadasa—Senator Appuhamy's son was allowed a nominal amount of exchange of £3 10. for incidental expenses to proceed to U.K. No exchange was allowed for passage expenses. (b) Does not arise in view of reply at (a).

வாசிக பிழிதர்

பி. சி. வி. கௌமன் மஹா. (மீடர் கௌமன்)
தூதர் மஹா.

(திரு. பி. ஜி. பி. கௌமன்—கொழும்பு
மத்தி மூன்றாம் அங்கத்தவர்)

(Mr. P. G. B. Keuneman—Third
Colombo Central)

In view of the fact that the Hon. Minister's statement reveals that in certain circumstances, for purposes other than that of employment or immigration, some persons whom he mentioned seem to have got different sums, for instance, Mr. and Mrs. Premadasa who got £ 10 each, and Senator Appuhamy who got £ 20 and clothing allowance, and in view of the fact that most other Ceylonese who applied recently for exchange when they went abroad, got a personal allowance of, I think, £ 3 10s., may I know from the Hon. Acting Minister of Finance what are the present regulations regarding exchange? Are they uniform? And under what circumstances do people get this clothing allowance?

மீடர் சி. பி. கௌமன்

(கௌமன் ஜி. ஆர். ஜயவர்தன)

(The Hon. J. R. Jayewardene)

I really do not know the regulations for the grant of exchange because they are so vague and so varied.

கௌமன் மஹா.

(திரு. கௌமன்)

(Mr. Keuneman)

I think some of them are illegal because they have not been published in the Gazette.

மீடர் சி. பி. கௌமன்

(கௌமன் ஜி. ஆர். ஜயவர்தன)

(The Hon. J. R. Jayewardene)

I quite agree. In some of these cases, attention is paid to individual requirements. For instance, in the case of Senator Cooray's grandson, I think, he was very seriously ill.

கௌமன் மஹா.

(திரு. கௌமன்)

(Mr. Keuneman)

I am not going into the question of persons going abroad to seek medical treatment. But there are

වෘත්ති විලිඳුරු

වෘත්ති විලිඳුරු

[කෙනමත් මයෝ.]

two cases that the Hon. Minister mentioned, the case of Mr. and Mrs. Premadasa who were given £ 10 each and that of Senator Appuhamy who was apparently given a clothing allowance. Now, is it the general principle, other than those specified instances, like sickness and so on, to allow £10 each as in the case of Mr. and Mrs. Premadasa, and an outfit allowance as in the case of Senator Appuhamy?

గర్ల జే. థార్. చయలక్ష్మి

(கௌரவ ஜே. ஆர். ஜயவர்தன)

(The Hon. J. R. Jayewardene)

I do not know whether any special consideration was given to the fact that national dress was worn by some of them.

කෙනෙත් මය.

(திரு. கெனமன்)

(Mr. Keuneman)

Will the Hon. Minister go into this matter please!

ഒരു കേ. ഫാർ. ഷിഫർമാൻ

(கௌரவ ஜே. ஆர். ஜயவர்தன)

(The Hon. J. R. Jayewardene)

Yes.

ඉංග්‍රීසියේ ඇති මිටියාවනක් වෙල් යායක්
කිවීම

இங்கிரியலிலுள்ள பள்ளத்தாக்கை நெல்
வயல்களாக மாற்றல்

CONVERSION OF VALLEY INTO PADDY LAND AT INGIRIYA

2. එම්. පී. ද සොයිසා සිව්වර්ධන මයා.
(මිනුවන්ගොඩ—රත්නසිරි වික්‍රමනායක
මයා.—හොරණ—වෙනවට)

(திரு. எம். பீ. டி. சொய்சா சிறிவர்தன—
மினுவாங்கொட—திரு. ரத்னசிரி விக்ரம
நாயக்க—ஹொறன—சார்பாக)

(Mr. M. P. de Zoysa Siriwardena—
Minuwangoda—on behalf of Mr. Ratnasiri
Wickramanayaka—Horana)

ඉඩම්, වාරිමාර්ග හා විදුලි බල ඇමති
ගෙන් ඇසූ ප්‍රශ්නය : (අ) 1964.9.24 වැනි
දින යොමු අංක සීපී/කේඑල්/325/63

දරණ ලිපියේ සඳහන් වන පරිදි ඉංගිරියේ අක්කර 200ක් පමණ ආති මිටියාවන වෙල් යායක් කිරීම සඳහා සැලසුම් සකස් කර නිම කිරීමට එතුමා කටයුතු කර තිබේද? (ආ) මෙම ඉඩම වන සංරක්ෂකයෙන් පවරා ගැනීමට එතුමා කටයුතු කර තිබේද? (ඉ) මෙම යෝජනා ක්‍රමයේ වැඩ පටන් ගන්නේ කවදාද?

காணி, நீர்ப்பாசன, மின்சக்தி அமைச்சரைக் கேட்ட வினா : (அ) சீ. பி./கே. எல்./325/63 ஆம் இலக்கங்கொண்ட 24.9.64 ஆம் தேதியிடப்பட்ட கடிதத்தில் குறிப்பிடப்பட்டுள்ள வாறு 200 ஏக்கர்கள் பரப்புள்ளதான இங்கிரியாவிலுள்ள பள்ளத்தாக்கொன்றினை நெல் வயல் நிலமாக மாற்றுவதற்கான திட்டங்களைப் பூர்த்தியாக்க அவர் நடவடிக்கைகள் எடுத்துள்ளாரா? (ஆ) வனப் பாதுகாவல் அபிப்பதியிடமிருந்து இக்காணியைப் பொறுப்பேற்பதற்கு அவர் நடவடிக்கைகள் மேற்கொண்டுள்ளாரா? (இ) இத்திட்டத்தில் எப்பொழுது வேலை ஆரம்பிக்கப்படும்?

asked the Minister of Land, Irrigation and Power: (a) Has he taken steps to finalise plans to convert a valley, at Ingiriya, about 200 acres in extent into a paddy field as mentioned in the letter bearing reference No. CP/KL/325/63 dated 24.9.64? (b) Has he taken steps to take over this land from the Conservator of Forest? (c) When will work be started on this scheme?

සී. පී. ජේ. සෙනෙවිරත්න මයා. (ඉංග්‍රීසි,
වාට්මාර්ග හා විදුලිබල ඇමතිගේ
පාර්ලිමේන්තු ලේකම්)

(திரு. சி. பி. ஜே. செனெவிரத்ன—காணி, நீர்ப்பாசன, மின்விசை அமைச்சரின் பாராளுமன்றக் காரியதரிசி)

(Mr. C. P. J. Seneviratne—Parliamentary Secretary to the Minister of Land, Irrigation and Power)

(අ) අංක සිපි/කේඇල්/325/63 හා 64. 9. 24 දින දරණ ලිපිය ලැබීමෙන් පසුව මෙම ප්‍රදේශය කවිවේරි නිලධාරීන් විසින් පරීක්ෂා කර තිබේ. මේ සම්බන්ධයෙන් කෘෂිකර්ම දෙපාර්තමේන්තුවේදී උපදෙස් දැන් ලබාගෙන ඇත. මෙහි අස්වැද්දිය හැකි ඉඩම් අක්කර 75 කට වඩා නොමැති බවද එම ඉඩම් ප්‍රමාණයද කළුගඟේ පිටාර

වෘත්ති පිළිතුරු

වෘත්තික පිළිතුරු

[ද සොසිසා සිරිවර්ධන මයා.]

அரசாங்க கட்டுவேலை, தபால், தந்திப் போக்கு வரத்து அமைச்சரைக் கேட்ட வினா : (அ) இரத்தினப்புரி-பாணந்துறை வீதியில் இங்கிரி யாவுக்குச் சமீபத்திலுள்ள 19/3 ஆம் இலக்க மதகு திருத்தப்படாத நிலையில் உள்ளது என்பதை அவர் அறிவாரா? (ஆ) இம்மதகைத் திருத்துவதற்கு அவர் விரைவில் நடவடிக்கை கள் மேற்கொள்வாரா?

asked the Minister of Public Works, Posts and Telecommunications :

(a) Is he aware that the culvert No. 19/3 close to Ingiriya, on the Ratnapura-Panadura road is in a state of disrepair? (b) Will he take early steps to repair this culvert?

විජයපාල මෙන්ඩිස් මයා. (රජයේ වැඩ,
තැපැල් හා විදුලි සන්නද්දේ ඇමතිගේ
පාර්ලිමේන්තු ලේකම්)

(திரு. விஜயபால மெண்டிஸ்—அரசாங்கக் கட்டுவேலை, தபால் தந்திப் போக்குவரத்து அமைச்சரின் பாராளுமன்றக் காரியதரிசி)

(Mr. Wijayapala Mendis—Parliamentary Secretary to the Minister of Public Works, Posts and Telecommunications)

(අ) දැනී. (ආ) ඔව්, නිසි කටයුතු කර
ගෙන යමි.

විශ්‍රාමික සී. පීටර් පෙරේරා මහතා

இளைப்பாறிய திரு. சீ. பீற்றர் பெரேரா

MR. C. PETER PERERA, PENSIONER

5. ලක්ෂ්මන් ජයගොඩ මයා. (දිවුල පිටිය)

(திரு. லக்ஷ்மன் ஜயக்கொடி—திவுலுபிட்
டிய)

(Mr. Lakshman Jayakody—Divulapitiya)

මුදල් ඇමතිගෙන් ඇසූ ප්‍රශ්නය : (අ) විශ්‍රාමික සී. පීටී. පෙරේරා මහතාට (පීඑන්/සීපී. 1542) මාසික විශ්‍රාම වැටුප වශයෙන් මසකට රුපියල් 10ක් පමණක් ලැබෙන්නේ මන්දැයි එතුමා සඳහන් කර වාද? (ආ) මසකට රුපියල් 10ක් ලැබීම ප්‍රමාණවත් නොවන විශ්‍රාම වැටුපක් බව එතුමා දන්නවාද? (ඉ) එසේ නම් ඔහුගේ විශ්‍රාම වැටුප වැඩි කිරීමට එතුමා වහාම කියා කරනවාද? ඒ කවදා සිටද?

நிதி அமைச்சரைக் கேட்ட வினா: (அ)
இளைப்பாற்றுச் சம்பளம் பெறுபவரான திரு.
சீ. பிற்றர் பெரேராவிற்கு (இல. PN/CG
1542) மாதாந்த இளைப்பாற்றுச் சம்பளமாக
10 ரூபா மாத்திரம் வழங்கப்படுவதென் என்
பதுபற்றி அவர் கூறுவாரா? (ஆ) மாதாந்தம்
10 ரூபா இளைப்பாற்றுச் சம்பளம் போதிய
தன்று என்பதை அவர் அறிவாரா? (இ)
ஆமெனில், அவரது இளைப்பாற்றுச் சம்ப
ளத்தை அதிகரிப்பதற்கு அவர் உடனடியாய்
நடவடிக்கை எடுப்பாரா? எப்பொழுதினி
ருந்து?

asked the Minister of Finance :

(a) Will he state why Mr. C. Peter Perera, Pensioner (PN/CG 1542) gets only Rs. 10 per month as a monthly pension? (b) Is he aware that Rs. 10 per month is an inadequate pension? (c) If so, will he take immediate steps to increase his pension and from when?

ගරු ජේ. ආර්. ජයවර්ධන

(கௌரவ ஜே. ஆர். ஜயவர்தன)

(The Hon. J. R. Jayewardene)

(අ) පීටර් පෙරේරා මහතාට ලැබෙන්නේ මාසික පුණ්‍යාධාර දීමනාවක් මිස මාසික විශ්‍රාම වැටුපක් නොවේ. (ආ) ඉහත (අ) දරන ප්‍රශ්නයට සැපයූ පිළිතුර අනුව මෙය පැන නඟින්නේ නැත. (ඉ) මේ ගෙවීම් වාර්ෂික සංශෝධනයන්ට පාත්‍ර වන බැවින්, ගෙවීම ආරම්භ කළ දිනයේ සිට අවුරුද්දක් ඉකුත්වූ පසු පෙරේරා මහතා පිළිබඳ කාරණය සමීක්ෂණයට භාජන කරනු ලැබේ.

ජයකොට්ඨ මය.

(திரு. ஜயக்கொடி)

(Mr. Jayakody)

ගරු ඇමතිතුමා දන්නවද, පීටර් පෙරේරා මහතා අවුරුදු විසි හතරක කාලයක් රජයේ මුද්‍රණාලයේ පොත් බිඳින්නකු වශයෙන් සේවය කර පසුව—1933 දී විශ්‍රාම ගොස් තවමත් ජීවත්ව සිටින බව. නමුත් මෙතෙක් කලක් ලැබුණේ රුපියල් 10ක් පමණයි. එම නිසා දුන් පිළිතුර සාධාරණය කියා මම හිතන්නේ නැහැ. ඒ මහතා විශ්‍රාම ගියේ 1933 දී; ලංකාවට නිදහස ලැබීමත් ප්‍රථමයෙන්. එම නිසයි.

வாசிக பிழிதூர்

வாசிக பிழிதூர்

வினா வடிவம் தீமம் திரணய கல்
 ஸ்தநே. பூந்யம் தீ துநி பிழிதூர் தியம்
 தந்நவ்யேந் ஸலகா லலா தம்தந்நாந்
 ஸேவ ஸபஸ்தலய கியா மம் கல்பநா
 கர்நநே துலா. தீ மதந்மய வினா
 தியே 1933 தபுர்த் தேதீதி. தீதா தீவ தீ
 தந்நலா ருபியல் ததயக வினா வடிவம்
 லுலேந்நே. பூந்யாமிர துமயக்த் தீதாந
 தீந்நே துலா, தபுர்த் 24 க காலயக்த்
 ரத்யே துதூலயே ஸேந் தீதீந்நக்த வல
 யேந் ஸேவய கர் திலேந தியா. தீ
 தியா தபுர்த் தபுலக்த் பமண வயக துநி
 தீ துதீலயா ஸத வினேத பதீக்தணயக்த்
 துலாந்விமம் தம்தந்நாந்ஸே தியா கர்ந
 தா? தீஸே பதீக்தணயக்த் துலாந்வேந
 தபஸ்தலவக்தீ யதீ யதீ காரணா துதீபதீ
 கீதீமம் தபவ தபகால ஸலகா தேதலா?

தூர் தீ. தா. தீயவதீதந

(கௌரவ ஜே. ஆர். ஜயவார்தன)

(The Hon. J. R. Jayewardene)

மம் லுலி துநி தாநாவே துபியம் ததீ
 தீவதீ தீதீதா மதநாந் தியிய தபுல
 வினா வடிவம் லுலிதீ ஸ்துலக்த் துலா.
 தம்தந் தீப தீவக்த் துதீ தியா, 1965 துலி
 தாஸயே 11 ததா, தீ ரத்ய யவநே,
 தநிக்த் ரத்யந் தீபயக்த் பூநிதேத
 கல் துதீதீமக்த் பூந்யாமிரயக்த் துபியம்
 தேந்ந தியம் கலா, தபே ஸதீர துதீ
 துலக்தீதூ. தீ தணத துலி கீதீமம் தபுர்த்
 தக்த் யத தூர் கல்பநா கர்ந்ந துலா,
 தியிய யவநே. தம்தந் தீ தபுர்த் தபுல
 துலா, துதீ துலக்தீதூமம் மம் கியந்நதீ
 தீ ஸத கல்பநா கர் ருபியல் 10 துலி
 கர்ந்ந தியா கர்ந்நதய கியா.

கோல/லிவேலோல தீதாலய

தீ தன்/பட்டெபால வித்தியாலயம்

CN/BATEPOLA VIDYALAYA

6. தீயகோலி மயா.

(திர. ஜயக்தொடி)

(Mr. Jayakody)

தபுலபத தா ஸஸ்தீகாதிக கலஸ்து
 துலக்தீதேந் துலு பூந்யம்: (த) கோல/
 லிவேலோல தீதாலயம் தயந் துலக்தீ
 பஸ்திய தபுர்த் தே கலா துலுல லிவந்,
 100'X20' பூலாணயே தபுந் துலக்தீ
 லக்த் துதீ கர்ந லேக துலக்தீதீ துதீதீ
 கர்ந லே லிவந் தீதூ துலக்தீதீ

(த) தபுந் துலக்தீதீதீ துதீ கீதீமம்
 தீதூ வலா தியா கர்நலா? துல
 தீஸே ததீ, தீ மந்?

கலவி, கலாச்சார விவகார அமைச்சரைக்
 கேட்ட வினா: (அ) CN/பட்டெபால வித்தி
 யாலயத்தின் கட்டடங்கள் கடந்த வருடம்
 சரிந்து விழுந்துவிட்டனவென்பதையும்,
 100' X 20' அளவினதான புதிய கட்டட
 மொன்று அமைப்பதற்கென அநேக வேண்டு
 கோள்கள் விடுக்கப்பட்டனவென்பதையும்
 அவர் அறிவாரா? (ஆ) புதிய கட்டட
 மொன்றை அமைப்பதற்கு அவர் உடனடியாக
 நடவடிக்கைகள் எடுப்பாரா? அன்றேல்,
 ஏன்?

asked the Minister of Education
 and Cultural Affairs: (a) Is he
 aware that the buildings belonging
 to CN/Batepola Vidyalaya collapsed
 last year and that various requests
 were made to construct a new
 100' X 20' building? (b) Will he
 take immediate steps to construct a
 new building and if not, why?

தூர் தாபாநீய லிவிதி. ததநாயக
 (ஸதேல கலஸ்து பிழிதூர் துலக்தீ—
 தபுலபத தா ஸஸ்தீகாதிக கலஸ்து துலக்தீ
 துலுல)

(கௌரவ கலாநிதி டபிள்யூ. தகநாயக—
 தன்நாட்டு விவகார அமைச்சர்—கலவி கலாச்சார
 விவகார அமைச்சர் சார்பாக)

(The Hon. Dr. W. Dahanayake—
 Minister of Home Affairs—on behalf of
 the Minister of Education and Cultural
 Affairs)

(த) 1965.1.13 துலி தீத (பஸ்திய
 தபுர்த் தே துலா) கோல/லிவேலோல தீதால
 யம் தயந் பரண துலக்தீதீதீ வலய
 கலா துலுல. தீ துலுல 100X20 பூலாண
 யே துலக்தீதீதீ துதீகர் தேந லேக
 பலாநே மந்நிதூலாநே தாநயேந் தீ
 கல தீவி தூர் துலக்தீதூலாநே தூர் தேதூர்
 ஸதீதீய துதீலா துலா. (த) துதீ துலக்தீ
 தியா தீ ஸத வலா தியா கீதீமம் துல
 துலக்தீ. துதீ பூலாணவந் தீ ததீ லுல
 துதீ தீதீதீதீ தீ துல துலக்தீதீ
 துலத ஸகக்த் கீதீமம் கலஸ்து கர்ந

பாவின பிழிதூர்

புயகோகி மலா.

(திரு. ஜயக்கொடி.)

(Mr. Jayakody)

மேல ரோமது கனோலிக பாசலக் பி
நிண கலிந் லி ஓவமி ப்ருநயகக் பன
நுலுணா. அமுராபதூர் ப்ருசுநிந் வனந்
சுது ஓவமின ரபயே ஸோவநுலிர்லக்
சுடந்நடு ரந்நனந் அபசர ப்ருந்நா.
புநடு பாடலாப பவந்நுலு கந்நே
பலர்லியே. லிபெகிந் மெகி புநி அபலு
நாப சலகா லுலந ம்ருடல் வகிசேடி மி பாட
லாப சாடா டேந்நடு லு புலநிநுலா சபிர்
போரோந்நடு டேந்நா?

லு புலாயி டுநாயக

(கௌரவ கலாநிதி தகநாயக்க)

(The Hon. Dr. Dahanayake)

பு ப்ருநய லு அபலாப புலநிநுலா
ஓடிபந் கரந்நமி, லியகியலிபுல
சுடந்ந கருண புநுப நமி பகி கந்நே
லி லு கடுபுலு லுலந வர்லியேடி ஓசு
லிய லு கடுபுலு.

காரகசலா நியோபு சலாபநிநுலா

(குழுக்களின் உப அக்கிராசனர் அவர்கள்)

(Mr. Deputy Chairman of Committees)

7 வந ப்ருநய.

செனேவிரந் மலா.

(திரு. செனேவிரத்ன)

(Mr. Seneviratne)

7 வந ப்ருநய பிழிதூர் டிமடு கலர்
புலமநா கரந்நா. அலா புநி ஓவமி கலி
லேரிய சடலா 4,000 க் பமன டேநா ஓலர்
லு ப்ரு ஓடிபந் கர நிபெந கெகிந் பு
லு அபலு கருண சோலா லுலிமடு சி
டேகக் பமன புலமநா கரந்நா.

ப்ருநய மது டிநகடி ஓடிபந் கிடுமடு நியோ
கரந லே.

லிபை மற்ருரு தினத்திற்குச் சமர்ப்பிக்க
ஆணையிடப்பட்டது.

Question ordered to stand down.

பாவின பிழிதூர்

ரந்நபுரே புரலிசு வந்நேந் ஓவமி
அந்நர் லுலி

இரத்தினபுரி, பரடைஸ் எஸ்டேட்டிலிருந்து காணி
கொள்ளல்

ACQUISITION OF LAND FROM PARADISE
ESTATE, RATNAPURA

8. கெனமன் மலா.

(திரு. கெனமன்)

(Mr. Keuneman)

ஓவமி, பாடுமாடுலா லு பிடுலிபு புலநிநுலு
புபு ப்ருநய : (அ) ரந்நபுர டிப்திந்
யே, கருலிபி கெர்லே லுலுபுலு வசமே கல
கெந்நுல கமே பிபிபி புரலிசு வந்நேந்
அந்நர் 65 க ப்ருலாயக புநி ஓவமி சமி
கந்நியேந் ஓவமி அந்நர் லுலிமே பந
நே 5 லுலி வந்நிய கடுநே ப்ருலாய
க, 1961.5.19 லுலி டிந அக 12,432 டுரந
புலுபுலு லுலி ப்ருயே பி கரந லே
டேடி? (பு) லி சடலந் கரந லே மல
பந கடுபுலு—“ஓவமி நுலி லுலிந்
லேடி டி” டு? (பு) ஓவமி அந்நர் லுலிமே
கடுபுலு டிபடு கர லுலி கடுபுலு லு லி
லேடி டிமடு லுலி லுலுபுலுலு லுலி
லாடி? நோலிசே நமி, பு ம்ருடி?

காணி, நிர்ப்பாசன மின்சக்தி அமைச்சரைக்
கேட்ட வினா : (அ) இரத்தினபுரி மாவட்டத்
தைச் சேர்ந்த குறுவிற்ற கோரலா, வலந்துற
வசமலுள்ள கடுகெனகம கிராமத்திலுள்ள
பரடைஸ் எஸ்டேட்டிலிருந்து 65 ஏக்கர் லிஸ்
கிராமலா காணியக கொள்வதற்கென
காணி கொள்வனவுச் சட்டத்தின் 5 ஆம் பி
லின் கிழ் 12,432 ஆம் இலக்கத்தைக் கொண்ட
19.5.1961 ஆம் தேதியிடப்பட்ட அரசாங்க
வர்த்தமானியில் பிரகடனம் லுலு லுலி
யிடப்பட்டிருந்ததா? (ஆ) அதில் குறிப்பிடப்
பட்டிருந்த பொது நோக்கம் “காணியற்ற
லிவசாயிகளுக்கு பராதினப்படுத்தல்” என்
பதா? (இ) இக்காணியக கொள்வனவு
செய்து பராதினப்படுத்துவது சம்பந்தமாய்
தொடர்ந்து நடவடிக்கை எடுப்பதற்கு லுலர்
உத்தேசிக்கின்றரா? இல்லையெனில், என்?

asked the Minister of Land, Irriga-
tion and Power : (a) Was a declara-
tion under Section 5 of the Land
Acquisition Act gazetted in Govern-
ment Gazette No. 12,432 of 19.5.1961,
in respect of a land 65 acres in ex-
tent from and out of Paradise Estate

வாசிக பிடிதூர்

வாசிக பிடிதூர்

படவிச ஸோவிசனபடசேர் லனவாரநாயக
மாவன

பண்டாரநாயக்க மாவத்த, பதவிய குடியேற்றம்

BANDARANAIKE MAWATA, PADAVIYA COLONY

11. டு ஸோசீசு ஸிரிவர்டன மஸ. (மேலேறி
பால ஸேனநாயக மஸ. வெறுவெ)

(திரு. டி. சோய்சா சிறிவர்தன—மைத்திரி
பால சேனநாயக்க சார்பாக)

(Mr. de Zoysa Siriwardena—on behalf
of Mr. Maithripala Senanayake)

ஓவதி, வாரிமாரி ஸா விட்டிலெ ஈமநிஸென்
ஈஸு ப்ரஸ்தஸ: (ஈ) லனவாரநாயக மாவ
னென் படவிச ஸோவி சனபடசேர் விஸால சன
ஸனஸகவ ஸேவஸக் ஸிடு வன லெ ஸ்ரும
டன்தவாடி? (ஈ) மெம பார ஓவா ஈவெந்
நந்நவஸக நினெ லெ ஸ்ரும டன்த
வாடி? (ஓ) மெம பாரவ லே டிமா நார டுதி
மவ ஸ்ரும க்ரீஸ கரந்நெ கவடி ட?

காணி, நீர்ப்பாசன, மின்சக்தி அமைச்சரைக்
கேட்ட வினா: (அ) பதவிய குடியேற்றத்தில்
உள்ள பெருந்தொகையான மக்கள் பண்டார
நாயக்க மாவத்தையைப் பயன்படுத்துகின்ற
னர் என்பதை அவர் அறிவாரா? (ஆ) இவ்
வீதி திருத்தப்படாது மிக மோசமான நிலை
யில் உள்ளதென்பதை அவர் அறிவாரா? (இ)
இவ்வீதிக்குக் கல்பரப்பித் தாரிவெதற்கு
அவர் எப்பொழுது நடவடிக்கை எடுப்பார்?

asked the Minister of Land, Irriga-
tion and Power: (a) Is he aware
that Bandaranaike Mawata serves a
large population of the Padaviya
Colony? (b) Is he aware that this
road is in a very poor state of
repair? (c) When will he take action
to metal and tar this road?

ஸெனேவிரத்ன மஸ.

(திரு. செனேவிரத்ன)

(Mr. Seneviratne)

(ஈ) லி. (ஈ) லி. (ஓ) சனபடவெ
ப்ரஸந பாரவெ பமனக் லே ஈதூர் நார
டுதிம ரசேர் ப்ரநபந்நிஸி. ஈந் ஸிஸ
பாரவெ லெரெ டுதிமென் பஸு ஸ்
நவந்நு கிரிம ஸடிஸா லி காயி ஸஸா
வெவ ஸார டேநு லெநி. மெம ப்ரஸ்தஸ
கெரெநி ப்ரஸந் பாலந ஈமநாயகஸே
ஸுலகிலே லெமூ கரவநு லெநி. ஓவதி

ஸவர்டன டேபார்தமென்நுவே காயிஸிஸ,
ஸலெக்ந வஸபாரஸெநி டுநவ நினெ
லுவிந் லனவாரநாயக மாவந ஈஸந்
வடீஸ கரந லேஸ ஸ்ரு டேபார்தமென்நுவெ
நியோசீத கரந லேடி.

சுஸகோதி மஸ.

(திரு. ஜயக்கொடி)

(Mr. Jayakody)

ஓவதி ஸவர்டன டேபார்தமென்நுவெ
ஈஸி சனபடவெ பாரவெவ நார டுதிம
க்ரீஸ கரந்நவ ப்ரஸவந்? லெக்
ஸுடிம நதி கரநவா. நலுந் நார டுதிம
டுநவ நலு. ஸ் நிஸ ஸ் பாரவெவ நார
டமந்நவ ப்ரஸவந்?

ஸெனேவிரத்ன மஸ.

(திரு. செனேவிரத்ன)

(Mr. Seneviratne)

மூடி லந்நவஸ ஈநுவ ஸலகா ஓவதி
கோமஸாரிஸ்ஸரஸவ ஈஸி பாரவெ ஈடிந்
நவ க்ரீஸ கரநவா.

படவிசேர் சனபட நிவாஸ

பதவியாவில் குடியேற்றவாசிகள் குடிசைகள்

COLONISTS COTTAGES IN PADAVIYA

12. டு ஸோசீசு ஸிரிவர்டன மஸ. (மேலேறி
பால ஸேனநாயக மஸ. வெறுவெ)

(திரு. டி. சோய்சா சிறிவர்தன—மினுவாங்
கொட—மைத்திரிபால சேனநாயக்க சார்
பாக)

(Mr. de Zoysa Siriwardena—on behalf
of Mr. Maithripala Senanayake)

ஓவதி, வாரிமாரி ஸா விட்டிலெ ஈமநிஸென்
ஈஸு ப்ரஸ்தஸ: (ஈ) 1964 டேஸுலெர் மஸ 22
வநி டிந ஈநிபு க்ரீஸவென் படவிசேர்
சனபட நிவாஸ கோபமன ஸஸவகவ ஸாநி
ஸிடு விடி? (ஈ) மெநெக் கோபமன ஸஸ
வக் ஈஸந்ஸுடீஸ கர நினெடி? (ஓ) நவ
கிஸக் ஈஸந்ஸுடீஸ கிரிம நினெடி? (ஓ)
ஈஸந்ஸுடீஸ கிரிம நிமகரந்நெ கவடி ட?

காணி, நீர்ப்பாசன, மின்சக்தி அமைச்சரைக்
கேட்ட வினா: (அ) 1964, டிசெம்பர் 22 ஆம்
தேதியன்று ஏற்பட்ட புயலின் விளைவாய் பத
வியாவில் குடியேற்றவாசிகளின் எத்தனை குடி
சைகள் சேதமடைந்தன? (ஆ) இதுவரை

ජනසතු සේවා ඇමතිගේ ප්‍රකාශය පිළිබඳ ආචාර්ය එන්. එම්. පෙරේරාගේ පොද්ගලික කරුණු පැහැදිලි කිරීම

பழுதுபார்க்கப்பட்டுள்ளவை எத்தனை? (இ) பழுதுபார்க்கப்படவேண்டியுள்ளவை எத்தனை? (ஈ) எத்தேதிவரையில் அவை பழுது பார்த்து முடிக்கப்படும்?

asked the Minister of Land, Irrigation and Power: (a) How many colonists' cottages were damaged as a result of the cyclone of December 22, 1964, at Padaviya? (b) How many have so far been repaired? (c) How many have yet to be repaired? (d) By what date will the repairs be concluded?

සෙනෙවිරත්න මයා.

(திரு. செனெவிரத்ன)

(Mr. Seneviratne)

(අ) ජනපද නිවාස 2,279 කට. (ආ) 1965 අගෝස්තු මස අවසානය වන විට 1,759 ක් අළුත්වැඩියා කර තිබේ. (ඇ) තව 520ක් අළුත්වැඩියා කිරීමට තිබේ. (ඊ) 1965 දෙසැම්බර් මාසයේ අවසානය වන විට.

මත්ති මණ්ඩලයේ කටයුතු

சபை அலுவல்

BUSINESS OF THE HOUSE

මතු පළවන යෝජනාව සහසම්මත විය:

பின்வரும் பிரேரணை ஏற்றுக்கொள்ளப்பட்டது :

Resolved:

“අංක 24 දරණ සචාර නියෝගයේ කුමක් සඳහන් වී තිබුණද, නායක පත්‍රයේ අංක 21 සිට 24 දක්වා ඇති විෂයයන් ගැන අද දින ක්‍රියා කළ යුතුය.”—[ගරු සී. පී. ද සිල්වා.]

ජනසතු සේවා ඇමතිගේ ප්‍රකාශය පිළිබඳ ආචාර්ය එන්. එම්. පෙරේරාගේ පොද්ගලික කරුණු පැහැදිලි කිරීම

தேசியமய சேவைகள் அமைச்சரது அறிக்கை பற்றி கலாநிதி என். எம். பெரேராவினது சொந்த விளக்கம்

PERSONAL EXPLANATION BY DR. N. M. PERERA RE STATEMENT OF THE MINISTER OF NATIONALIZED SERVICES

ආචාර්ය එන්. එම්. පෙරේරා (යටියන්තොට)

(கலாநிதி என். எம். பெரேரா—யட்டியாந்தோட்டை)

(Dr. N. M. Perera—Yatiyantota)

I do not know whether you are passing on to main Business because

ජනසතු සේවා ඇමතිගේ ප්‍රකාශය පිළිබඳ ආචාර්ය එන්. එම්. පෙරේරාගේ පොද්ගලික කරුණු පැහැදිලි කිරීම

I want to make a personal explanation. Are you passing on to main Business?

කාරකසභා නියෝජ්‍ය සභාපතිතුමා

(குழுக்களின் உப அக்கிராசனார் அவர்கள்) (Mr. Deputy Chairman of Committees)

Yes.

ආචාර්ය එන්. එම්. පෙරේරා

(கலாநிதி என். எம். பெரேரா)

(Dr. N. M. Perera)

May I have your permission to make a personal explanation? I was not here yesterday. I was expected to leave the Island, so I could not possibly come. Fortunately for me, the plane is delayed.

I find that the Minister of Nationalized Services in making a statement has quoted from a document purporting to be the minutes kept of a conference held after the lunch given to me at London. I repeat the statement that no minutes could have been possibly kept, and if any minutes had been kept it should have been brought to my notice. No notes were ever taken down. I repeat again: No notes were taken down, no minutes kept. Absolutely none.

I do not want him to say that I made an untrue statement. Apparently, these are supposed to be notes made by one of the D. S. Ts. All that I can say is this. If any notes had been made by the D. S. T. on the basis of which a memorandum had been prepared, it was grossly unfair, because no memorandum was submitted to me by the D. S. T. concerned. It would have been expected of him that the only party who participated in the discussion should have been confronted with the memorandum that had been prepared on the basis of the discussions we had. At no stage was it placed before me, and so, I cannot vouch for the accuracy of this statement. Surely, it should have been shown to me then and there. I am surprised that he should have had a memorandum prepared without any reference

ජනසතු සේවා ඇමතිගේ ප්‍රකාශය පිළිබඳ ආචාර්ය එන්. එම්. පෙරේරාගේ පෞද්ගලික කරුණු පැහැදිලි කිරීම

[ආචාර්ය එන්. එම්. පෙරේරා]
to me at all. It only shows that this is a memorandum prepared subsequently at the instance of the Ministers in order that they may have a document to be placed before this House. I repeat it.

The Hon. Minister undertook to table that report in this House. Has it been tabled? That is a matter that you have to take up. When Ministers and Members have been asked to table reports they must be available to Members, so that they can peruse them and verify the accuracy of the statements made therein.

I repeat that no notes were taken at that conference. It was an informal discussion. If a memorandum had been prepared by the D. S. T. it should have been submitted to me for verification of the accuracy of the statements. Nothing was ever submitted to me at any stage, and I am not responsible for any subsequent memorandum that has been prepared by any officer at the instance of this Government months later.

ගරු මන්ත්‍රීවරයෙක්

(කෙළරව අභිකල්පතවර් ඉරුවර්)

(An hon. Member)

They thought that you would be in London today.

ආචාර්ය එන්. එම්. පෙරේරා

(කලාභිති භන්. භම්. පෙරේරා)

(Dr. N. M. Perera)

Yes.

On a point of Order, Sir, we want this document tabled in the House. When a Minister undertakes to table a report or a document in this House, he must fulfil that undertaking so that the document is available for inspection and examination by any Member of the House at any time, but by not tabling that document the Minister has committed a contempt of this House. A Minister cannot make a promise that he would table a document and then take the document

සුරාබද්ධ (සංශෝධන) පණත් කෙටුම්පත
—දෙවනවර කියවීම

away. We do not know what document he will now place before the House. If a document is not tabled in the House after it has been read out, it is possible for a document to be cooked up and brought here later. It is a matter that affects the authenticity of the document. The Minister has committed a contempt of this House.

එෆ්. ආර්. ඩයස් බන්ධාරනායක මයා.

(දොම්පෙ)

(තිරු. භට්. ආර්. ධයස් පන්ඩාරනායක—
තොම්පෙ)

(Mr. F. R. Dias Bandaranaike—Dompe)

If the document is tabled, can we see it now?

සුරාබද්ධ (සංශෝධන) පණත් කෙටුම්පත

මනුවාරි (තිරුත්ත) මසොතා

EXCISE (AMENDMENT) BILL

දෙවන වර කියවීමේ නියෝගය කියවන ලදී

ඉරන්දාම මතිප්පිරිකාන කට්ටනි වාමිකප්පට්ටු.

Order for Second Reading read.

ගරු ආචාර්ය ඩබ්ලිව්. දහනායක

(කෙළරව කලාභිති ධපිභ්භු. තකනායක)

(The Hon. Dr. W. Dahanayake)

I move,

"That the Bill be now read a Second time."

Under the existing law, in cases where unlawfully manufactured liquor is transported and the person who so transports is convicted of the offence of having in his possession unlawfully manufactured liquor, the vehicle used for the commission of the offence is not liable to confiscation. The effect of the amendments made in this Bill will be that in such cases the vehicle used for the transport of unlawfully manufactured liquor will be liable to confiscation. This is really a non-controversial subject.

ප්‍රශ්නය සහතික කරන ලදී.

විනා භුදේතිග්‍රහණ පෙර්තත.

Question proposed.

—ଦେବନାବର କିୟତି

பி.எஃப். டியாஸ் பண்டாரநாயக்க மடா.
 (திரு. எப். ஆர். டயஸ் பண்டாரநாயக்க)
 (Mr. F. R. Dias Bandaranaike)

The Minister told us, after I had drawn his attention to it in the Committee stage of the Budget Debate, that he was aware of the Sessional Paper containing the report and the recommendations of the Prohibition Commission of which Sir Velupillai Coomaraswamy, who took over from Sir Richard Aluvihare, was chairman. The Minister in his reply on that occasion stated that the Commission's Report was published in 1957, at a time when he was also the Minister of a Government, and he said that the S. L. F. P. Governments thereafter had neglected the results of the commission, that nothing had been done

But how can you look at both when you yourself said that the evidence recorded is incomplete and that no recommendations had been made on it and that all you can act on are your own suggestions to the Select Committee. It does seem to us that it is a rather unsatisfactory way of looking at it when all sections of political opinion tried to take excise matters outside the purview of controversial party politics. As far as that matter is concerned, the Hon. Minister must proceed with the Select Committee by getting it reconvened and by asking the Select Committee to proceed with its deliberations and to come to some positive conclusion. But the Hon. Minister says, "I am not going to do that. I am at the moment

සුරාබදු (සංශෝධන) පනත් කෙටුම්පත

—දෙවනවර කියවීම

[එෆ්. ආර්. බයස් බණ්ඩාරනායක මයා.]

formulating my *magnum opus*; I propose to produce a Cabinet Paper which is now going to incorporate all the conceivable alterations to modernize these excise statutes and to bring them up to date". We only tell the Hon. Minister that we all agree that the laws have got to be modernized. But when he brings up piecemeal legislation of this character one cannot help wondering whether the Hon. Minister is really meaning to do anything practical. I think the correct word is "meaningful" when we talk about foreign aid—within a reasonable space of time.

I think the Hon. Minister is well aware that perhaps the excise machinery is one of those things which harass poor people in our villages. It creates all manner of difficulties for the ordinary villagers specially when excise officers of various ranks and degrees—merely because they like to have a whole lot of convictions under their belts to prove their usefulness to the State machinery—keep on instituting prosecutions of all kinds merely for the sake of creating problems.

We know that this Government, the National Government, is very concerned with eliminating bribery and corruption. We have also been trying to help them as far as possible in every respect to investigate ourselves. We have been willing to submit ourselves to quite a great deal of investigations. I think hon. Members of the Government will have to concede that. I remember, when they first introduced their Bribery Bill, they thought that it was going to be very controversial. They thought that we were going to debate it for days and days with the object of creating problems. The Hon. Minister of State said that. He said that we were filibustering when we were discussing the River Valleys Board (Amendment) Bill. He refused to give us a definite date for the two days we wanted to discuss a Vote of No Confidence in the Minister of Education unless and until we could give him

an assurance that we would pass the River Valleys Development Board (Amendment) Bill and the Bribery Bill. With regard to the River Valleys Bill we considered the matter and we said that unless the Government agreed to refer it to a Standing Committee of the House we were unable to finish the discussion on it. Once such an assurance was given we co-operated.

On the Bribery Bill what happened? On a Friday morning it was taken up, all sections of the House agreed and by 4 p.m. the Bill had been passed in all its stages in the House. We quite realized that that Bribery Bill was being passed to bring under review the actions of Members of Parliament among others and public officers, and to ascertain whether or not they have behaved correctly and properly. It is our Government—our old Government from 1956 onwards—which is going to be put on trial under the Bribery Bill. We knew it and yet we co-operated with you because we realized that it is in the best interests of the country.

Now under the excise laws what happens? We find a situation created of virtually giving cover to excise officers to make money by bribery. Officers have got all manner of powers. Look at the effect of this very section on unlawful transport. It is going to result in the confiscation of vehicles. Visualize to yourselves a position where a person owning a vehicle finds an excise officer stopping him on the road and claiming that he had been transporting unlawfully manufactured liquor. Now, which is the better alternative for him? Is it the alternative of having his car seized, taken to the law courts, kept there in the sun and the rain, exposed to the elements without any protection—and these are days cars are difficult to come by unless one has the good fortune to win a lottery under the Hon. Minister of Home Affairs—

සිරුබද්ධ (සංශෝධන) පණත කෙටුම්පත

—දෙවනවර කියවීම

ආචර්ය එන්. එම්. පෙරේරා

(கலாநிதி என். எம். பெரேரா)

(Dr. N. M. Perera)

The Hon. Minister of Home Affairs is well off with a car. He is now travelling in a car worth Rs. 23,000.

ඒම ආර්. ඩයස් බණ්ඩාරයාගේ මග.

(திரு. எப். ஆர். டயஸ் பண்டாரநாயக்க)

(Mr. F. R. Dias Bandaranaike)

—or is it much better for such a person to find a *modus vivendi* by a very simple technique—

ඩී. පී. ආර්. විරසේකර මයා. (දෙහිඔව්ව)

(திரு. டி. பி. ஆர். வீரசேக்கர—தெகியோற்ற)

(Mr. D. P. R. Weerasekera—Dehi-
owita)

He gets a travelling allowance.

ගරු ආචාර්ය දහනායක

(கௌரவ கலாநிதி தகநாயக்க)

(The Hon. Dr. Dahanayake)

I am travelling in my own car.

එෆ්. ආර්. ඩයස් බණ්ඩාරනායක මයා.

(திரு. எப். ஆர். டயஸ் பண்டாரநாயக்க)

(Mr. F. R. Dias Bandaranaike)

Sir, am I speaking or are other hon. Members having a private conversation? No one is trying to confiscate the car of the Hon. Minister of Home Affairs. He insists on talking about his own car as though he has been transporting unlawfully manufactured arrack. If he has been transporting any arrack then it must be Government arrack. I refuse to believe that he ever transports unlawfully manufactured arrack.

Anyway, Sir, that is not the subject matter of the Debate. What I am trying to say is this. When you give confiscating powers to an excise officer by multiplying and proliferating the offences, then, I say, there must be proper safeguards to ensure that the law is not made a vicious instrument by bureaucratic officers, is not made a means of proliferating corruption in this country, the elimination of which we are all very concerned in this House.

When price control matters have been the subject of discussion, I have seen Members of all parties standing up on the Floor of this House and saying that the best method to bring down the cost of living is to take away the price control inspectors from their areas. The more you keep them, say some hon. Members, the higher the prices go up. The very fact that a boutique-keeper has got to pay a levy to the price control inspector as the price of turning a blind eye results in this levy being added to the ultimate cost of an article which consumers are called upon to pay the retail trader. I see the Hon. Minister of Communications nodding his agreement with what I say.

If that were so in regard to little matters like price control offences, when you give powers to confiscate anything from a Benz to a Volkswagen, is it not important that appropriate safeguards be made by which, on detection of an offence, the excise officer is required to report at the nearest police station to a senior officer not below the rank of an inspector. The decision whether or not to release the car should be taken by a senior officer who should satisfy himself whether the car did, in fact, carry unlawfully manufactured arrack or not. For example, if the car had been borrowed from somebody to transport unlawfully manufactured arrack, what happens to the car? Is the car going to be kept stuck in the police station premises, exposed to the wind and the rain? These are practical problems and I want to know what consideration is being given by the Hon. Minister to practical things.

If you say that an excise officer may stop such vehicles as are transporting arrack and confiscate the arrack, then we are in complete agreement with you. That is not controversial. But if it is a question of confiscating a vehicle merely on an allegation by an excise officer—I do say it is only an allegation until it is proved—then we cannot agree with you. On an allegation by somebody,

සුරුබදු (සංශෝධන) පණත් කෙටුම්පත

—දෙවනවර කියවීම

[එෆ්. ආර්. ඩයස් බණ්ඩාරනායක මයා.]

as you are passing along the road, I stop the car, discover unlawfully manufactured arrack inside it, and I now claim the right to say "This vehicle must be confiscated". But, before that confiscation process is gone through I am going to file a prosecution. I seize the car and take the car to the court house. I keep the car there for months and months while the case is being decided, while somebody who had the misfortune to lend his car which had been put to some unlawful purpose, an allegedly unlawful purpose, will find himself completely deprived of his vehicle. What are the safeguards that the Hon. Minister has in mind?

Visualize the situation in which the Hon. Minister would be placed if one day when travelling in his Rs. 23,000 car he finds some voter, who is not so scrupulous, getting into the back seat with a suitcase and pulling out from inside it a bottle not of the old stuff but of the new stuff, the stuff that is manufactured illegally. The Minister will find himself evicted from the Benz car, from the Rs. 23,000 car, and find himself on the road compelled to travel by public transport. The car will be taken away from him and he would not get the car for a long, long while—I can assure him of that—through the process of law courts. I believe, some of our Supreme Court judges have recently been remarking, after inspecting the cases of some of the outstation minor courts, that there have been excise cases which have taken as long as three years to be disposed of for various reasons and now you go and give the power of confiscation. All that you are doing, I say, is to encourage bribery and corruption because any person in that situation would prefer to pay Rs. 100 or Rs. 50, or whatever he has got in his pocket, to the excise officer rather than run the risk of being put to all this inconvenience, whether he be guilty or innocent. I do say that when we in this House are always talking of bribery and corruption, we must not go and create the very

situation in which bribery and corruption arise by this kind of law.

As it is you can confiscate for possession, and now you say let us confiscate for transport also. Just consider what it means? Possession is a legal concept; possession carries with it a certain amount of mental activity, conscious and exclusive action on the part of the person possessing. Possession does not mean that we merely have something; it does not mean, shall I say, somebody slipping something into your pocket the existence of which you are not aware. Supposing my good Friend, the hon. Member for Kotte (Mr. Stanley Tillekeratne) slips into my pocket an envelope containing all the fees he has earned in the courts today—I know he earns a good deal—of which I am not aware, so I am not in possession of the money. It becomes legal possession only when I am in conscious and exclusive possession of it.

But, transport is not in that situation. Say, I am transporting an article, whether I am aware of it or not, it is no defense for me to say that I am not aware of what is in the luggage boot. If I am transporting something in a car, as far as transport is concerned, it is not so simple. Supposing I am the owner of a car, I lend my car to my good Friend, the hon. Member for Beliatta (Mr. A. J. Atapattu)—I do not think he would want my car because it is old and ramshackle—and he lends it to somebody and there was found unlawfully manufactured arrack in it, now although I know nothing about it, my car is liable for confiscation. I raise this question, therefore, with the Hon. Minister and ask, why do you not make an attempt to reorganize the whole excise law instead of bringing up bright ideas piecemeal? I do not think that the Hon. Minister himself mentioned this at the Select Committee. I do not think that he wanted transport to be made an offence for confiscation of vehicles. He dealt with much wider matters; he wanted us in Parliament

புரட்சி (சுனாமி) பின் கெடுதலை

—தேவதர கிஷித்

to consider seriously the entire revision of the excise laws. He considered them to be old colonial laws in those days. Now, he himself has changed his views and decided to support the colonial bureaucracy. I refuse to believe that the Hon. Minister who has served this House, who acted as the guardian of the rights of the Opposition throughout practically the whole of his political life, starting as the voice of Bibile and moving to the voice of Galle, has now become the voice of bureaucracy. That is the tragedy of it.

செ. ஸ்ரீராம் துரைசாமி

(கௌரவ கலாநிதி தகநாயக்க)

(The Hon. Dr. Dahanayake)

Certainly not.

சி. எஸ். டி. டயஸ் பண்டாரநாயக்க

(திரு. எம். ஆர். டயஸ் பண்டாரநாயக்க)

(Mr. F. R. Dias Bandaranaike)

This Bill proves it. If the Hon. Minister is not the voice of bureaucracy would he think in terms of introducing laws without any safeguards being provided for the confiscation of property of people who do not know what is being transported in their own vehicles?

I remember the Hon. Minister was so outspoken and critical of the police that he never wanted to be in charge of the Police Department. He even said he had a permanent quarrel with the Police Department running throughout his political career, and that it would, therefore, be a contradiction—[Interruption].

செ. ஸ்ரீராம் துரைசாமி

(கௌரவ கலாநிதி தகநாயக்க)

(The Hon. Dr. Dahanayake)

I still have.

சி. எஸ். டி. டயஸ் பண்டாரநாயக்க

(திரு. எம். ஆர். டயஸ் பண்டாரநாயக்க)

(Mr. F. R. Dias Bandaranaike)

I agree, but surely you think the same of the Excise? Surely, you do not take a different view of the excise officers? You will agree with me that excise officers are just as bad?

I appreciate that the Hon. Minister is anxious to safeguard democracy to enable people to breathe the air of freedom. If that were so, he is on the wrong side of the House, the proper side he belongs to is on this side. The Hon. Minister knows it and I know it. I have admired his debating talent—[Interruption].

செ. ஸ்ரீராம் துரைசாமி

(கௌரவ அங்கத்தவர் ஒருவர்)

(An hon. Member)

All that is lost now.

சி. எஸ். டி. டயஸ் பண்டாரநாயக்க

(திரு. எம். ஆர். டயஸ் பண்டாரநாயக்க)

(Mr. F. R. Dias Bandaranaike)

I have admired his debating talent from the Opposition when he used to raise his voice. He may talk of us as filibusterers, but you should have seen the Hon. Minister in his prime. You should have seen him when he held the Floor of this House for 12½ hours non-stop without even going out, Sir, for natural purposes. The Hon. Minister had that staying power.

And, now, what do we find? We find today he has tamely introduced laws saying "I want to substitute for the word 'possession' the words 'possession or transports', and the words 'manufactured liquor' with the words 'manufactured liquor or for the offence of transporting without lawful authority a quantity of unlawfully manufactured liquor.'"

Anybody who transports a little *kasippu*, or a little *Dudlige sudiya*, or a little of anything practically for that matter, is going to find himself in a situation of having his transport confiscated. I do submit that this will not do. Has the Hon. Minister addressed his mind to the fact that he will find himself confiscating the buses of the Hon. Minister of Nationalized Services? I say this because very often without the bus conductors or the drivers knowing anything, people bring in little bundles containing bottles, very suspicious bottles. This sometimes

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happens in the Southern Province. He will start confiscating the buses of the Hon. Minister of Nationalized Services.

The amending Bill in its present form is very unsatisfactory. There ought to be safeguards of a protecting character inserted into this law. Of course, we all are against unlawfully manufactured liquor. We are against it and the Hon. Minister is against it. When he was in the Opposition he was against it and I trust now that he is in the Government he will still be against it.

Therefore, I would mention to the Hon. Minister that when he introduces these laws not to say merely that the principle of the Bill is a simple one, it is not controversial. Of course, it is not controversial. I am not seeking to controvert it one little bit. All I am asking the Hon. Minister is, please do not put it this way, but refer it to a Standing Committee of this House. Do not take up a short Bill of two sections. Have you not got other changes to make? There are lots of changes that have to be made in this Bill—changes of a practical nature.

I want to say that in the case of a person who finds his car stopped on an allegation by an excise officer that it is containing contraband liquor—prohibited liquor—there are adequate safeguards provided—certainly it should be confiscated in an appropriate case—to ensure that it is not confiscated. This should not be made an instrument of oppression by unreasonable bureaucratic excise officers over whom, unfortunately, you are now in control.

I see the hon. Member for Ja-ela (Mr. Paris Perera) agreeing with me and nodding agreement; I see the hon. Member for Beruwala too (Mr. Abdul Bakeer Markar) nodding his agreement. Genuine nods of true patriots who appreciate the dangers of the bureaucratic approach into which the Hon. Minister has been fooled.

I will in this case sincerely and seriously appeal to you, Mr. Deputy Chairman, because you come from an area which has been famous for lawfully manufactured liquor. You, Sir, know perfectly well that even lawfully manufactured liquor is caught up in this provision. The illegal transport of lawfully manufactured liquor without a permit is caught up under Clause 2 (2) of the amending Bill. Therefore, Sir, from your point of view, too, it is a matter that requires careful thought. I have no doubt that you will not wish, as Deputy Chairman of Committees, to find yourself in a position of such grave importance so far as your constituents are concerned.

It is not such a simple matter as it seems. My Friends, the hon. Member for Yatiyantota (Dr. N. M. Perera) and the hon. Joint Member for Colombo South (Mr. Bernard Soysa) will also have a lot to say in this matter. They say, "Do you realize that all the lorries in the transport fleet of the Gal-Oya Development Board are going to be confiscated?" In other words, the Hon. Minister of Home Affairs has not given thought to the position of his Colleague. I do not know whether he is in the S.L.F.S.P. or in the U.N.P. It may be that that is the reason for all this uncertainty. But I should like to urge on the Hon. Minister that this Bill carries very grave implications, implications affecting the very liberty of the subject about which the Hon. Minister of Home Affairs raised his voice in horror a few months ago. Today, he wants to confiscate everybody's car. Even if what is carried is a small bottle of eau-de-cologne in the front pocket, one is in trouble. I do not know whether the Hon. Minister realizes that eau-de-cologne is unlawfully manufactured liquor, because it contains a certain amount of spirits.

I appeal to the Hon. Minister, therefore, to think about this matter a little more. He is going to submit a Cabinet Paper in which he is including a number of valuable sug-

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gestions, some from the report of the Select Committee, some from the report of the Prohibition Commission. I have every confidence that the Hon. Minister is quite capable, if he can shake off the influence of bureaucrats, to think clearly and solely of the basic interests of the people, which have been his prime concern right through his political career. I ask him, therefore, to please permit the introduction of the necessary safeguards into this law. We support him and we shall not create any difficulties for him in this matter, but, while we support him, we ask him to pay heed to what we have said, not in a spirit of wanting to filibuster on a two-clause Bill.

This idea of filibustering has been put into their heads by the newspapers. This idea was put into the head of the Hon. Leader of the House by the "Daily News" of yesterday morning, and he started introducing proposals to suspend Standing Order No. 8 without consulting anybody. He later consented to withdraw it. I congratulate the Hon. Leader of the House. If that is the effect of his changing over from the S.L.F.P. to the U.N.P., it is a good change. It has resulted in his becoming more democratic and wanting to give the Opposition a chance to voice its thoughts. This is the very air of freedom which the Hon. Leader of the House sought to protect and look after when he exercised his prerogative of the right to change his mind. I, therefore, ask the Hon. Leader of the House to please prevail upon his Colleague, the Hon. Minister of Home Affairs, to do likewise and to accept sane and sensible suggestions from Members of the Opposition.

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(திரு. பெர்னாட் சோய்ஸா—கொழும்புத் தெற்கு அங்கத்தவர்)

(Mr. Bernard Soysa—Colombo South)

The hon. Member for Dompe (Mr. F. R. Dias Bandaranaike) has covered most of the ground in relation to this matter. The Hon. Minister of Home Affairs is undoubtedly seeking to combat the

kasippu menace in some form, and it is obviously on the advice of officials of the Excise Department that the Hon. Minister has now brought this Bill before us. Everybody here will agree that we must do something to combat the menace of *kasippu*, of illegally and illicitly manufactured brews—hell brews most of them—which are undermining in a very serious way the health of the nation and increasing the spread of crime. That this menace must in some way be combated is a matter about which we are all agreed. But while there had been a lot of valuable thinking on this matter the formulation of policies had been caught up with a number of other issues. Those who wish to stand up as the champions of temperance, of prohibition which goes beyond temperance, have always brought a different attitude to bear upon this problem and thereby allowed a number of political considerations to mar the prospect of an effective handling of the matter.

The Colombo Municipal Council some years ago appointed a special committee to report on this matter—I was a member of that committee—and the United National Party majority in the Colombo Municipal Council unanimously accepted our report and our recommendations. One of the recommendations was that in order to wean people away from *kasippu* we should provide some cheaper wholesome liquor, some liquor which can be drunk in conditions which do not induce any lack of respectability, so to speak, or a sense of guilt or a sense of doing something dirty. It was pointed out that, free from all those considerations, a man should be able to take the liquor that he prefers and that some cheap liquor which is wholesome should be provided as an alternative. This was the point of view which was advocated very strongly by the Medical Superintendent of the Mental Hospital, by the Deputy Commissioner of Social Services, by the Probation Department and so many others who gave

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[බර්තෘච්ඡ සොයිසා මයා.]

evidence before that special committee. And it was in line with that that a colleague of mine in the Colombo Municipal Council—no longer a colleague of mine—the former M. M. C. for Kollupitiya, Mr. D. S. Mallawarachchi, brought a motion in that council advocating quarter bottles of arrack so that a person who is unable to find money to buy a whole bottle or half a bottle will be able to buy a quarter bottle. It was with that intention that he brought that motion which was accepted by that council.

It was in line with that recommendation and the same type of thinking that the hon. Member for Yatiyantota (Dr. N. M. Perera) suggested last year that there should be tapping of coconut trees, that tapping should be permitted on a nominal licence fee; and he hoped people would drink toddy and avoid *kasippu*—[*Interruption*].

As for the hon. Member who laughed, I know that his tastes in liquor are very colourful. Undoubtedly he engages in a horse-laugh, a very natural activity on his part whenever anything sensible is discussed on the Floor of this House. But unfortunately it is not possible for us to make any kind of recommendation here which comes down to his intellectual level. That, Sir, is a pity, but I trust he will make some attempt to rise above himself in this matter and try to preserve the dignity of this Assembly in the matter of discussion.

We are all in agreement with the Hon. Minister that something must be done in regard to this menace of *kasippu*. But there was an outcry last year when this whole matter about toddy was suggested in the Budget proposals. It never took legislative form in any way but people talked about a Toddy Bill which never existed. In any case, as a result of the appeals made by the Sangha, the then Government of the day last year withdrew that proposal in deference to the wishes of the Sangha.

The whole problem of *kasippu* has to be tackled from a social point of view. We have to deal with the problem on the basis of a recognition of the impulses that lead people to it—the conditions and circumstances in which people manufacture it and sell it and the circumstances in which people go to consume it. It has to be tackled from both those sides. While we have such a grave problem to address our minds to, to bring a Bill of this kind which merely makes it possible for you to confiscate the vehicle of a person using it to transport some illegally manufactured liquor from one place to another as a means of deterrence seems to me like attempting to cure a patient, who is suffering from tuberculosis, of a touch of eczema in the toes as a more important matter rather than attending to the tuberculosis. That seems to be the perspective of this Bill and that is why I want to ask the Hon. Minister to reconsider this whole question and to place this whole matter in a broader perspective. The menace of *kasippu* and illicitly manufactured brews has to be dealt with from the manufacturing side on the basis of the social calls that lead to the manufacture and the social calls that lead to consumption, both sides of it. This is the least of all the matters that has to be dealt with.

Then there is the question of transport from one place to another. Actually there is precious little *kasippu* transported in motor vehicles. I wonder whether the Hon. Minister has got power under this amendment to deal with that matter. What is transported is something else—excisable articles of a different kind—like narcotics, whether it be opium or ganja. These are imported. If he reads the main Ordinance, he will find that the intention of the original Section 47, read together with Section 54, was to make it unlawful to import an excisable article without the necessary permit.

ஐரூபி (ஃஸோமன) பன்ன் கெடுமீபன

—தேவனவர கியவீத

We had evidence from the Excise Department that over the last few years, from the days of the end of the last War, Colombo City has become the central point for a large narcotics racket in South-East Asia. Next to Singapore, the transmitting centre is the City of Colombo, and if you will examine the credentials of a number of persons allegedly dealing with drugs, textiles and a number of other commodities like that in 4th Cross Street, and Pettah, under permits given by the Import Controller and the Exchange Control Department, you will find that this is only a mask and a cover for the import of narcotics. If the Hon. Minister will read his own amendment, together with the principal enactment, he will find that it may be obligatory of him to confiscate aircraft belonging to the B. O. A. C. because a vehicle used for the purpose of importing an excisable article can be seized by him. It is not only the internal transport from place to place which he would have to seize, such as a C. T. B. bus, but also a vehicle, a ship, which calls at the Colombo Harbour and is known to have transported narcotics and excisable articles would have to be confiscated by him—anything used for the transport, anything used for the import, a ship, an airship.

உதி. ஸிவசிதம்பரம் மஃ. (உடுப்பிடீ) (திரு. எம். சிவசிதம்பரம்—உடுப்பிடீ)

(Mr. M. Sivasithamparam—Uduppidi)

Knowledge.

பெர்னாட் சோய்ஸா மஃ.

(திரு. பெர்னாட் சோய்ஸா)

(Mr. Bernard Soysa)

If knowledge is a pre-condition on the part of the person driving or owning the vehicle, then this amendment is valueless. You are not going to prove anything. You are not going to be in a position to prove that a necessary subjective statement existed. I agree with the hon. Member for Udupiddy. But, if the scope of this Bill is considered to be wide enough, even without that

necessary implication, to enable the Hon. Minister, through a court of law, by legal process, to seize the vehicle, then under this law as it stands, he will have to seize even B. O. A. C. airships which may bring a smuggler or a ship that comes here in which one has brought heroin. Both these are transported through Colombo. There is a tremendous racket, a very big racket in synthetic narcotics of which Colombo is the centre in South-East Asia. That is what the Hon. Minister has to give his mind to.

Among the younger generation in Colombo 7 there are a number of persons who are becoming drug addicts in the Western way—addicts of cocaine and heroin. Among the poorer section we have addicts of *ganja* and *opium*. But we find this fashionable. Cocain and heroin are now gradually spreading to Colombo 7 and Colombo 5 and Colombo is being used for this purpose—for the shipment of cocaine and heroin. These are the problems that the Hon. Minister must give his mind to.

What is the purpose of this Bill? This is brought in order to seize a vehicle in which some *kasippu* is taken from one place to another. *Kasippu* is not so transported. *Kasippu* is one of the few local industries you have in this country, brewed locally and consumed locally.

தேவனாவர்திர உதி. வி. நானாதன் (நல்லூர்)

(தொக்டர் ஈ. எம். வி. நாகநாதன்—நல்லூர்)

(Dr. E. M. V. Naganathan—Nallur)

Hear, hear!

கொ. பி. பி. கார். குணவர்தன (கோதேவனா)

(கொளவ டி. பி. கார். குணவர்தன—கொதேவனா, கடற்றொழில் அமைச்சர்)

(The Hon. D. P. R. Gunawardena—Minister of Industries and Fisheries)

Ask the hon. Member for Kotte, he will tell you how *kasippu* is transported.

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(திரு. பெர்னாட் சொய்ஸா)

(Mr. Bernard Soysa)

I do not know whether the Hon. Minister for Industries would like to have this whole matter also under his wing.

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(கௌரவ டி. பி. ஆர். குணவர்தன)

(The Hon. D. P. R. Gunawardena)

No, not for the time being.

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(திரு. பெர்னாட் சொய்ஸா)

(Mr. Bernard Soysa)

Probably the Hon. Minister wants a complete survey of the consumption of the *dangkuda* on the basis of which he wants to site his industries. The siting of industries, according to the Hon. Minister, depends upon the consumption of the *dangkuda* in various parts of the island. That was his Budget speech. Probably in this respect, too, he is waiting to conduct a survey and site it.

I want to tell the Hon. Minister of Home Affairs that this is a matter where he is treating a patient for pimples when he is suffering from small-pox. That is one aspect of this whole matter. There is another aspect, and that is *vis-a-vis* the National Government, we have to develop the kind of attitude that bureaucracy develops of it. We had the gravest years in regard to the misuse of provision of this kind. I have known instances in the past and we have had occasion to complain to persons in authority of how certain evilly-minded police officers—I am not saying all police officers are so minded but some evilly-minded police officers—introduced narcotics into the office of a political party, which was under attack by the Government of the day, had the place raided and took in charge a number of persons who were brought for trial on the ground that they were trading in *ganja*. If you can get police officers to do that, if you find

police officers who, unable to frame a person whom they feel to be built and who has eluded them, thereafter, in order to catch him use time and again *ganja* or something else to frame a person whom they do not like, then they can easily make use of a section like this. That is why, from the point of view of protecting the liberty of the subject, I think, it is necessary that this matter be considered once again in regard to all its implications. There are very distinguished persons, some of them on the other side, whose cars were used for the transport of drugs in the old days and even passed the excise guards at Elephant Pass. There were persons who had special containers fixed to their vehicles and who were given a certain degree of immunity in regard to search and inspection. They were used by smugglers in the old days for the purpose of bringing narcotics to Colombo. It is very well known. There is the hon. Member for Nallur nodding. He is aware of the persons.

வேதநாலாட்சிய நானை

(டொக்டர் நாகநாதன்)

(Dr. Naganathan)

V. I. Ps.

බර්නාඩ් සොයිසා මයා.

(திரு. பெர்னாட் சொய்ஸா)

(Mr. Bernard Soysa)

And V. V. I. Ps. The Hon. Minister of Industries is well aware of the fact. He had a minor exercise in fisticuffs in the old assembly, the former assembly that ruled this country, with a gentleman over the fact of having accused that party of participating in that kind of venture. The Hon. Minister of Industries will remember that fact. So in that situation this whole question of catching a person who transports a little *kasippu* from one place to another in a vehicle and of seizing that vehicle is an irrelevancy. It is not a matter to be dealt with. I have to ask the Hon. Minister in order to keep up to his principles, expounded when he was here, in defence of the liberty of the subject, in defence of

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—දෙවනවර කියවීම

the ordinary decencies of human existence, in order not to put another instrument into the hands of the bureaucracy, of evilly-minded officials in the Excise Department or the Police Department by passing this kind of law, to withdraw this Bill.

I appeal to him to withdraw this Bill and have the matter properly considered. We will give him all the co-operation in regard to any measure taken for combating the *kasippu* menace. We are entirely one with him in regard to that matter and we want him to give his mind to it in a big way. We want him to see that the matter is considered in all its perspectives. Until then, I would like to appeal to him to withdraw this Bill because it is an instrument which is equally perverse. It can be used in a very bad way to harass people. Why add further to the harassment of people, the villagers, on behalf of whom the Minister always spoke when he was in the Opposition as Member for Galle? Those are the people who would be harassed in this kind of matter. The small man in the village who is unable to stand up to the bureaucracy—these are the people whom they will select and harass over this kind of matter. All the big people will get away. So why introduce a meaningless amendment of this kind, an irrelevancy of this kind?

I want to appeal to the Hon. Minister to withdraw this Bill and give his mind to the proper aspects of this matter, to bring it in a serious legal form which we can all support, to combat the *kasippu* menace. With this appeal to the Hon. Minister I want to ask the honourable House, through you, to plead with the Minister to see that this Bill is taken back on this occasion and brought back in a new form, in a manner which is acceptable to all of us where we can help the Hon. Minister to deal with this very serious problem of *kasippu*.

අ. භා. 3.9

වෛද්‍යාචාර්ය නාගනාතන්

(දොக்டර් நாகநாதன்)

(Dr. Naganathan)

Mr. Deputy Chairman, it is always a pleasure to listen to the hon. Member for Colombo South. His speeches are always very interesting and instructive. But today I must say he was rather disappointing because he was splitting hairs about a very innocent amendment to the Excise Ordinance.

I do not think the Government or the Minister concerned will say that this particular amendment is not going to leave any loopholes or will prevent all excise offences. This is an attempt to stop this mence from one direction, namely the transport of excisable goods. My good Friend says that if you use the word "transport" the BOAC aeroplane—

බර්නාඩ් සොයිසා මයා.

(திரு. பெர்னாட் சொய்ஸா)

(Mr. Bernard Soysa)

The world "import" is there. Read that in Section 54.

වෛද්‍යාචාර්ය නාගනාතන්

(දොக்டර් நாகநாதன்)

(Dr. Naganathan)

I do not think the airline imports anything. A certain person imports.

බර්නාඩ් සොයිසා මයා.

(திரு. பெர்னாட் சொய்ஸா)

(Mr. Bernard Soysa)

Anything used for the import of it. That is what Section 54 says.

වෛද්‍යාචාර්ය නාගනාතන්

(දොக்டර් நாகநாதன்)

(Dr. Naganathan)

For instance, there is a man who carries a little snow in his pocket. He travels by a C. T. B. bus. Why should the C. T. B. bus be confiscated for it? Suppose a person travels from Jaffna by train and carries in his pocket a little *ganja*. Are you going to confiscate the train or question the engine

ஐராவிட்ட (ஊனோமின) பனன் கெவ்விபன

[வேலையாடீய நானைநன்]

driver? There must be some sense in the law. Any law must be applied with reason and common sense. You cannot try to make fun of everything. This amendment is not going to stop this menace altogether. But it is certainly going to act as a deterrent. If drivers of hiring cars—they are the main offenders who transport these things—know that their cars or their lorries are going to be confiscated or that they may be confiscated, there will be a deterrent if they are made to realize that, it will be a deterrent, and to a large extent it will stop this kind of traffic. That is all this amendment to the Excise Ordinance is expected to do and that is all it will do. To that extent it will be useful.

There is no law passed by man which can close all loopholes against all the rogues and all the brains that are pitted against it. We will have to find other ways of dealing with the problem.

My good Friend referred to the previous Minister of Finance, the hon. Member for Yatiyantota, and said that he solved the problem to some extent.

ஐர்வன் டி கிலேரத்ன மயா. (கோரீவெ)

(திரு. ஸ்டான்லி திலக்கரத்ன—கோட்டே)

(Mr. Stanley Tillekeratne—Kotte)

Refer to Section 54 sub-Section (2). You are a Doctor of Law are you not?

வேலையாடீய நானைநன்

(டாக்டர் நாகநாதன்)

(Dr. Naganathan)

I will enter into a controversy with my Friend after I make my point.

ஐர்வன் டி கிலேரத்ன மயா.

(திரு. ஸ்டான்லி திலக்கரத்ன)

(Mr. Stanley Tillekeratne)

Come to the point, then.

வேலையாடீய நானைநன்

(டாக்டர் நாகநாதன்)

(Dr. Naganathan)

Sir, the point is this: we were told that when the hon. Member for Yatiyantota was the Minister of

—வேலையாடீய நானைநன்

Finance, he had conceived of a plan to stop to a large extent the manufacture and sale of *kasippu*. It was said that he had a plan to make people drink toddy instead. Now, I think the procedure the hon. Member for Yatiyantota adopted at that time was wrong. The whole idea of stopping the *kasippu* industry was wrong. I say that because the man who goes for *kasippu* will go for nothing else. Offer him whisky, brandy or the best of champagne, he will have none of it. He will have *kasippu* or nothing. He is not going to take brandy or whisky or toddy as a substitute for *kasippu* because he will not get from those other drinks the “kick” that he gets from *kasippu*. That is one point.

The other point is that trying to amend the Excise Ordinance under cover of a Finance Bill is a very novel way of trying to by-pass the normal procedure of the Legislature. When the then Minister of Finance introduced this proposal of allowing a more widespread tapping of coconut trees for toddy I was not against it. But I do say that it was not done in the proper way. Did he come here and say how many millions of coconut trees there are in the country and of them how many were expected to be tapped? Did he say what the additional strength of the excise force he envisaged was in order to collect the taxes and dues? How much, naturally, of that amount he expected would not be collected because of various difficulties? What was the extra expense to the Government by having this additional excise force? Did he tell us what would be the effect of this toddy-tapping on the production of coconut and copra? Did he tell us what the loss would be to revenue if there was a fall in the production of coconut and copra? Naturally, Sir, if a large number of trees are tapped the production of coconut and copra will fall.

All this is what the then Minister of Finance should have told us. He should have made all those statistics available to this House. He should

have said, "I expect so many millions of trees to be tapped. I expect so much revenue to be collected—so many millions more or less. We require so many men more to collect the dues and so much will be the extra cost to Government on that score. As a result of the tapping we will lose so much revenue from copra and coconut", and so on.

But, we knew nothing about these things. Introducing the Finance Bill, he said he was going to do this, and his action was against all normal procedure. I was provoked to say that, Sir, because my Friends opposite come here and challenge the procedure, something which they themselves have never observed, which they themselves have always broken.

All that this amendment says is that it is going to be some kind of deterrent. The people who are most involved in dealing with ganja, opium and other things of that kind are motor-car drivers and lorry drivers. If they are warned, if they know, that their cars and lorries, which are very difficult to replace now, will be confiscated, that is bound to be a deterrent to some extent.

Now, as far as international trade in narcotics is concerned, I do not think that can be covered by this Bill, and to say that Ceylon, by passing the Bill which our Hon. Minister has presented, is going to check the international trade in narcotics is a little foolish. Of course we have to co-operate with Interpol and other Governments in their preventive measures and, if necessary, amend the law to be in tune with that of the international body. In this particular case, we aim at nothing very high. We are only trying to prevent

some of those big mischief-makers from carrying on this nefarious trade.

අ. හා. 3.17

ස්ටැන්ලි තිලෙකරත්න මයා.

(කිතු. ස්ටැන්ලි තිලෙකරත්න)

(Mr. Stanley Tillekeratne)

In point of fact, in regard to this matter, we have found very recently the Hon. Minister of Home Affairs being given the title of "Minister for Heavenly Affairs" in view of his very religious approach to some of these questions.

I was travelling by train last evening from Anuradhapura, and I noticed that people were just waiting for the D-Day when the Hon. Minister would stop the sale of liquor in our trains. In point of fact, I am very unhappy that he will be denying certain pleasures to the people which probably, at one time, he had been very fortunate in enjoying. Anyhow, as time goes on, as age comes to people, they sometimes think of the next world to which they are going. Fortunately, in this case, the Hon. Minister has only to take himself, and has nobody to leave behind.—[interruption]. I have been asked by the hon. fair Member for Mirigama (Mrs. Obeyesekere) "How do you know that?" Well, I do not know whether there is any more. For any information I could get on this matter, I should be very pleased, Sir, because on that matter my knowledge only boils down to the existence of the hon. Member for Galle who is also the Hon. Minister of Home Affairs.

In point of fact, people are getting embarrassed by this type of *ad hoc* legislation. People would occasionally like to drink a little beer, the "Three Coins" beer sold in our trains, about which the Hon. Minister of Public Works had so much to say on some visit some time back. People like to drink a little beer when they go on a long distance train journey. But unfortunately, by the end of October, as a result of the policy being pursued

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—දෙවනවර කියවීම

[ස්ථානීය නිලධාරීන් මඟින්]

by the Hon. Minister, those people will have to go without it. I do not know whether this has been done with the concurrence of this Government or whether it is just his fancy.

Then we have another position. The Excise Ordinance has been the best salary concessions that have been given to the bureaucracy. Why do I say it? Sir, your years of experience occupying the Bench as Magistrate and also as District Judge, and also as a lawyer, would be enough of an edifice on which I can build my arguments because you realize that even in the absence of any salary increase or salary revision, most of the police officers and excise officers are very happy. I do not know whether this is really a sop that is being given by the Hon. Minister to corrupt excise and police officers to make money on the threat of a car being confiscated and also to see that when the case comes up the necessary evidence is not led before court in order to prevent, as one sometimes may say, knowledge of exclusive possession.

The only thing, as it appears to me, is that the Hon. Minister wants to be an *upasakaya*. We have no objection. Anyhow, when he has to go to heaven, they will stop him at the gate and take account of his past also, because those are matters in which those in charge of heaven are very careful about. They will not only look into his present credentials of bringing an Excise (Amendment) Bill before this House or the fact that he has been bold enough to take a decision to stop the sale of liquor in trains from somewhere about the end of October, but as I said, into his past as well.

Now, the present Excise Ordinance is sufficient to meet the present situation in the absence of a complete

change in the law. In point of fact, I would have been very happy in my practice as a lawyer to call you, Your Lordship.

Section 54, sub-Section (2) of our Excise Ordinance lays down :

(2) Any excisable article lawfully imported, transported, manufactured, had in possession, or sold along with, or in addition to, any excisable article liable to confiscation under this section, and the receptacles, packages, and coverings in which any such excisable article, materials, still, utensil, implement, or apparatus as aforesaid is found, and the other contents, if any, of the receptacles or packages in which the same is found, and the animals,—”

Very important—for you, those on that side!—[*Interruption.*] I am only referring to the various words that have been used.

“—carts, vessels, or other conveyance used in carrying the same, shall likewise be liable to confiscation.”

You will see, Sir, that this section yet provides for magistrates in the course of proceedings and after, particularly when an accused has been found guilty of conscious and unlawful possession of unlawfully manufactured arrack, to advise the police to charge the owner of the vehicle or even to ask the owner of the vehicle to show cause as to why his vehicle should not be confiscated. In point of fact, the hon. Member for Uduppiddy (Mr. M. Sivasithamparam) knows well the number of instances where magistrates have asked the owners of vehicles to show cause as to why their vehicles should not be confiscated, and I am glad the hon. Member for Uduppiddy has interrupted by saying that knowledge has to be proved, or, knowledge has to be there, in order to make a person liable under this section.

What is going to happen? This section that is brought in—does it improve the position? No. The amendment here says :

“manufactured liquor or for the offence of transporting without lawful authority a quantity of unlawfully manufactured

ஐரவித (சுண்டி) பணம் கெட்டுப்ப

—தேவநிவர கியலி

In point of fact, here also we will be faced with the same position. For instance, Mr. Deputy Chairman, you come all the way from Negombo to Colombo and on the way you see one of your voters by the side of the road. Surely, out of courtesy you will stop the car and ask him where he is going. It is also good to have a voter on your side. If he is also going in the same direction you will give him a lift. You are not going to examine his bag or whatever he is carrying before he gets into your car. If you do that you lose a vote. Courtesy also demands that you should not. You are not going to examine the bag of every gentleman or lady to whom you give a lift.

காரகசலா நியோசர் சலாபநிதூல

(குழுக்களின் உப அக்கிராசனர் அவர்கள்)
(Mr. Deputy Chairman of Committees)

I do not propose to give a lift to anybody.

சீலநீலி திலகரத்ன லல.

(திரு. ஸ்டான்லி திலக்கரத்ன)

(Mr. Stanley Tillekeratne)

If you do not propose to give lifts to ladies I think it is well advised. Anyhow, I am glad you want to keep trouble away from your domestic waters. Whatever it may be, the other aspect of the question comes in. Any person to whom you give a lift can introduce it into your car. You would have known, while being a magistrate and a district judge, that the defence that is always taken in this type of case is that the police or the excise introduced it into the car. This amendment, *ad hoc* amendment, if placed on the Statute Book, will be very dangerous. In point of fact, I do not think the hon. Member for Ja-ela (Mr. Paris Perera) is very happy about this. I do not think the hon. Member for Wattala (Mr. Shelton Jayasinghe) is very happy. The hon.

Member for Nallur (Dr. Nagantha) is a doctor. His drugging is of a different type. But the argument developed by the hon. Joint Member for Colombo South (Mr. Bernard Soysa) was that under the provisions of this amendment, read in conjunction with Section 54, it will mean that if any one transports or imports liquor into this country without authority, the vehicle that is used for transport is liable to confiscation. Of course, if someone says that the owner of the vehicle must act in collusion, that the owner of the vehicle should be an accomplice, that the owner should have a guilty knowledge, then, in point of fact, even without the present amendment, Section 54 will suffice to deal with a situation like this.

தரு ஸாபீல தானையக

(கௌரவ கலாநிதி தகநாயக்க)

(The Hon. Dr. Dahanayake)

No. The Supreme Court has held that it is not sufficient. That is the main point.

சீலநீலி திலகரத்ன லல.

(திரு. ஸ்டான்லி திலக்கரத்ன)

(Mr. Stanley Tillekeratne)

Mr. Justice Abeysundera's judgment is a matter that has to be canvassed. If you look through the New Law Reports you will find that from time to time many judgments have been canvassed, and Mr. Justice Abeysundera is not the final authority on the interpretation of Section 54 of the Excise Ordinance.

If that is the intention of the Minister, then it should be laid down here quite clearly that, irrespective of whether the owner or the driver of the vehicle had knowledge that unlawfully manufactured liquor is being transported, he is guilty of an offence and the vehicle can be confiscated. I do not know whether that is what this section

සුරාබදු (සංශෝධන) පනත් කෙටුම්පත

—දෙවනවර කියවීම

[ස්පීකර් නිලකරණය මය.]

If this type of *ad hoc* legislation is allowed to be passed, then none of us would be safe. Indeed, this may be a cunning device to confiscate the cars of many an hon. Member on the other side!

As the Hon. Minister of Industries has stated there are many industries that have survived without Government assistance, and the *kasippu* industry in my area is that. But there are no exports or imports. We are self-sufficient. The people produce liquor for their own consumption. But, Sir, I know of a number of cases in my area where innocent people have been brought to court and charged with excise offences—an innocent taxi driver who gives somebody a lift is brought to court.

If this type of *ad hoc* legislation is passed, what will happen is that taxi drivers will start opening our bags before agreeing to a hire. You cannot object because he can turn round and say that if he does not examine the contents of the bag he can be convicted of an offence under the Excise Ordinance and his car will be confiscated.

I must say that the Excise Department is stinking with corruption, and there are policemen who can handle a difficult excise case with finesse, with that police touch, and with a law like this on the Statute Book it would not be difficult for them to introduce unlawfully manufactured liquor into the vehicle of a political enemy or rival; and there are officers who are prepared to do this type of thing in the absence of salary concessions granted by your Government or by our Government. Legislation of this type is very dangerous.

Then, Sir, what about the recommendations of the Prohibition Commission? I think, the Prime Minister supported them. Are you going to implement those recommendations or not? I think it is the duty of the Minister to discuss the matter with the Parliamentary Group

and then tell us whether the Government is going to lay it down for the people of this country that they are going to enforce temperance in this country. I know there are some temperamental cases on your side, but if that is your policy then you must legislate in conformity to that policy.

I am not against the Hon. Minister, but I wish to state that if they are given a free vote on this matter many hon. Members on the other side will not vote for this Bill, because they are aware of the hardships and the sufferings of their constituents, and they will not be able to tell them, "That was a good Bill and so we voted for it." Before you decide to have legislation of this type you must consider the consequences.

I appeal to the Minister to consider this. He is now an *upasaka*. When I, too, grow old I would be a better *upasaka* than he! But just at present my chances of going to the other world are very remote. In point of fact, the hon. Member for Colombo South says that I will not be released even from this world.

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(டொக்டர் நாகநாதன்)

(Dr. Naganathan)

Illicit emigrant?

ස්පීකර් නිලකරණය මය.

(திரு. ஸ்டான்லி திலக்கராதன்)

(Mr. Stanley Tillekeratne)

Whatever is said and done on the Floor of this House we are prepared to assist the Hon. Minister in evolving a fiscal policy for this country, in evolving a policy regarding the amendment of the Excise Ordinance, in the light of what is best suited for the country. In that, we will co-operate. After a full discussion of this matter on the Floor of this House it will be most advisable for him to withdraw this amending Bill and think about it a little more soberly. Officers of his Ministry

ஐரவிடி (ஊனெடு) பன்னு கெடுபிண

—தேவநெடு கிணெடு

should also think soberly about this matter, for if the "Excise influence" is there in his own Ministry then he will get into trouble again. I am sure, Mr. Deputy Chairman, if you are asked to vote as a free person in this House you will vote against these amendments. Therefore, I advise the Hon. Minister to consider this matter carefully and withdraw this amending Bill.

அ. ஊ. 3.32

சி. வி. ஐரவிடி (கடுபிணெடு)

(திரு. ஈ. பி. சுபசிங்க—கட்டுகம்பொல)

(Mr. T. B. Subasinghe—Katugampola)

I will not take much of your time. But coming from a coconut growing district as I do, I think I also can claim to know something about the problem that has arisen in our area in connection with the illicit manufacture of arrack—*kasippu*. It is true that in our part of the country the brewing of *kasippu* has become a domestic industry. It is not that I am approving of it, but the economic and social conditions in our villages are such that inevitably people are being driven to brew illicit arrack as a mode of employment. Not only has it become a regular industry, it has also become a very important branch of trade in our areas. There is illicit arrack—

There is a regular traffic in illicit arrack from certain areas specially along the coast line of the N.W.P. to the N.C.P. Motor cars are being employed and I can assure the Hon. Minister that this traffic takes place under the very nose of the excise and police authorities. It is a fact that is known to very responsible people that regular payments are made to police officers and excise officers to permit these transporters to get this arrack into the interior of this country.

Does the Hon. Minister think that by amending this ordinance to enable the authorities—the magistrates—to confiscate the motor car in which this arrack is carried the offence would subside? That is the point that I am raising with the Hon. Minister. Already illicit arrack is being transported under the very nose of the officials. Those who are responsible for implementing this Ordinance are getting regular payments from these illicit brewers. Now you enact this legislation to make it possible for the very people who are already in collusion with the offenders to ask for the confiscation of the vehicles in which illicit arrack is being transported. What will happen? It is not the volume of the offences that will be reduced, it is the price that the offender has to pay to the officers in the Excise Department and the Police Department that will be enhanced.

தேவநெடு கிணெடு

(டாக்டர் நாகநாதன்)

(Dr. Naganathan)

It is a menace to the public health!

தேவநெடு கிணெடு

(டாக்டர் நாகநாதன்)

(Dr. Naganathan)

Even that will be a deterrent.

ஐரவிடி (கடுபிணெடு)

(திரு. சுபசிங்க)

(Mr. Subasinghe)

I do not want to pursue the various lines that the hon. Member for Nallur would like me to pursue. I am speaking on a very serious matter; please let me build up my argument. I hope the Hon. Minister will please pay attention to what I say.

ஐரவிடி (கடுபிணெடு)

(திரு. சுபசிங்க)

(Mr. Subasinghe)

Well, I know the traffic that goes on between Velvettiturai and the South and the hon. Member for Nallur knows that. Has any law of the land acted as a deterrent against that traffic? No matter what legislation you pass, no matter how deterrent you expect this legislation to be,

සුරාබදු (සංශෝධන) පනත් කෙටුම්පත

[සුබසිංහ මය.]

the offenders will continue to commit the offence—only, the price they have to pay will now be much higher.

I have not the slightest doubt that that is not the intention of the Hon. Minister. I do not think the Hon. Minister wants to be a party to it.

In my own area there are a number of small people who own private motor cars and run them for hire. As I said before, there are many people who brew *kasippu* or illicit arrack. If a man who brews such illicit liquor puts some bottles of such liquor in a gunny bag or *malla*, hires a car and goes to some other place to deliver them, what happens to that man who owns the motor car who ran an innocent hire? The driver does not know that he is transporting illicit liquor—it is true that knowledge on his part is necessary to prove the offence against him. But he can get caught and be punished. In our district, I know the various subterfuges adopted by the authorities to make extra money every month. With powers of this nature the possibility of doing that kind of thing will be enhanced.

The Hon. Minister, I think, knows about the conditions of life of the ordinary man and woman in this country more than anybody else on the other side of the House—but, certainly, not more than many of us on this side. Does the Hon. Minister, by resorting to this kind of *ad hoc* legislation, merely want to add to the corruption that prevails in one of the departments under his control? I am sure he does not. If not, as the hon. Member for Dompe, the hon. Member for Colombo South and the hon. Member for Kotte suggested, let the Hon. Minister reconsider this question and present before us a comprehensive, new excise law taking into consideration the social and economic aspects of this problem which have given rise to this illicit arrack industry, and try to find a solution. We will all be then with

—දෙවනවර කියවීම

you. I would earnestly appeal to the Hon. Minister to reconsider this and withdraw the Bill.

අ. ආ. 3.40

එම්. සිවසිනම්පරම් මය.

(திரு. எம். சிவசிதம்பரம்)

(Mr. M. Sivasithamparam)

While I agree with most of what the hon. Members opposite said that it is necessary to revise the excise policy and work out a comprehensive policy, and so on. I think the hon. Members of the Opposition have failed to appreciate the necessity for this amending Bill. The need for this amending Bill arose as a result of a judgment delivered by Justice Abeysundera reported in 1964 New Law Reports at page 436, in an appeal argued by no less a person than Dr. Colvin R. de Silva, whereby the learned Judge held that a car which is transporting unlawfully manufactured liquor is not liable to confiscation, but the same car, if it transports lawfully manufactured liquor, becomes liable to confiscation.

So, an anomalous position, arose, in that a car transporting lawfully manufactured liquor like arrack and so on becomes liable for confiscation but a car which transports unlawfully manufactured liquor like *kasippu*, or whatever you want to call it, is free from confiscation. I think the Opposition will agree that such a situation cannot be allowed to exist.

The principle of confiscation is not anything new in the Excise Ordinance. Right along, Section 54 of the Excise Ordinance has empowered the magistrates to confiscate a vehicle if they are satisfied that the owner of the vehicle was involved in the transport of the excisable article concerned. Therefore, the principle of confiscation has always been there. The complication arose as a result of a judgment of Justice Abeysundera whereby he excluded a car transporting unlawfully manufactured

සුරාබදු (සංශෝධන) පනත කෙටුම්පත

—දෙවනවර කියවීම

liquor from liability to confiscation. I am sure, hon. Members of the Opposition will appreciate that the position arose in that way. There is no new principle of confiscation being introduced, no new material is being added to the Excise Ordinance. All that the amendment seeks to remove is the anomalous situation arising from the judgment of Justice Abey-sundera, whereby a car, as I said, transporting Government arrack without a permit becomes liable to confiscation but the same car carrying *kasippu*, an unlawfully manufactured brew, does not become liable to confiscation. I am sure, whatever our views on excise matters may be, or whatever our views on the question of education and so on may be, I think, everybody will agree that an anomalous situation like this cannot certainly be allowed to exist in the Excise Ordinance, whereby a person cannot transport lawfully manufactured liquor like arrack, but he is free to transport any amount of *kasippu*, I think it is in that way that this amendment, in this particular form, arose.

I was, therefore, surprised that the hon. Member for Dompe (Mr. F. R. Dias Bandaranaike) should have made the sort of speech he did make. I do not know whether he made that speech purely to create mischief or whether he has forgotten the law during the short period of time he was in the Front-benches of this House. In fact, he was trying to argue that this Bill was giving the power of confiscation of cars to the excise officers. I do not think it does anything of that sort. All it seeks to do is to see that a car transporting unlawfully manufactured liquor becomes liable to confiscation; under Section 54, it still has to be done by a magistrate. I think there is a long line of decided cases of which hon. Members may be aware where a car is not confiscated unless a magistrate is satisfied that the owner of the car was aware that excisable articles were transported in the car, unless the prosecution is able to prove that

the owner of the car had knowledge that excisable articles were being transported. A magistrate will not confiscate a car until he is fully satisfied. Therefore, this fear that innocent persons might be troubled, innocent persons might lose their cars, is not justified because the law is very clear. Unless the owner of the car had knowledge of or was privy to the transporting of excisable articles, the car does not become liable to confiscation.

I entirely agree with the hon. Members of the Opposition that legislation of this nature is not going to stop the *kasippu* menace as much as price control will not put a stop to profiteering, as much as any other law will not put a stop to all the breaches of the laws. I am certain that the hon. Members of the Opposition will agree that the anomalous position that has been created as a result of the judgment of Justice Abey-sundera cannot be allowed to exist under our law.

I think the Hon. Minister of Home Affairs, quite rightly—I think the hon. Member for Kotte (Mr. Stanley Tillekeratne) was trying to pooh-pooh it—banned the sale of liquor in trains. I was one of those who personally entreated the Hon. Minister of Home Affairs to stop the sale of liquor, at least in the trains to the North, and it was for this reason: when these people start consuming liquor in the trains to the North they become a nuisance to every other person who travels in the train. I have no objection to anybody taking liquor, and I am not one of those who think that a person should be denied the pleasure he seeks from liquor. But I certainly think, when it comes to a question where he becomes a nuisance to other people, it is the duty of the State to step in and see that he does not become a nuisance to other people. That was the reason why the Hon. Minister of Home Affairs had to ban the sale of liquor on the trains.

Therefore, I would like to tell the hon. Members of the Opposition that I entirely agree with them that

සුරුබදු (සංශෝධන) පණත් කෙටුම්පත

—දෙවනවර කියවීම

[ඵම. සිවසිතම්පරම් මයා.]

there is such a lot that has to be done in the matter of shaping a comprehensive excise policy, this particular amendment was meant to catch up the anomalous situation that has arisen as a result of a judgment of Justice Abeyesundera, ably got out by no less a person than Dr. Colvin R. de Silva. Therefore, to remove that anomalous position this amendment is absolutely essential. I am sure that the hon. Members of the Opposition will appreciate, whatever their views may be on these matters, that it would be rather unjust and unfair that a car which is transporting lawfully manufactured liquor should be liable to confiscation, while a car transporting *kasippu* does not become liable to confiscation. The purpose of this amendment is really to catch up with that anomalous situation that has arisen as a result of that judgment and no more. Therefore, I ask the hon. Members of the Opposition to look at the amendments from the point of view of what I have just stated.

අ. හා. 3.46

ශ්‍රී ආචාර්ය දහනායක

(கௌரவ கலாநிதி தகநாயக்க)

(The Hon. Dr. Dahanayake)

I am very thankful to the hon. Members who took part in the debate for certain very constructive ideas that they have put forward in the course of the discussion.

Reference was made to the formulation of an Excise policy by this Government. I would like to inform the House that the Cabinet is considering that question very actively. I have placed a Cabinet Paper on this whole question and that Cabinet Paper was a result of the study of all the evidence that was placed before the Select Committee of the House and the Report of the Prohibition Commission of 1955.

You will remember, Sir, that when for the third time the Government sought to reappoint the Select Committee on Excise matters, the House,

particularly the hon. Members of the Opposition last year, said that they did not want a reappointment of the Select Committee, because all the evidence that was necessary was already before the Government. Therefore, the House did not consider it necessary that the Select Committee should consider the question any further.

I must say that from a perusal of all the papers on the subject, I think, the Government has before it a very comprehensive view of the whole problem and I agree with most of the observations that were made by hon. Members of both sides of the House in regard to a definite Excise policy for the country. Most of the views that were expressed certainly have my sympathy, and I agree with them. But to say that this piece of legislation is not necessary because we have not yet formulated a full or comprehensive Excise policy, is not quite a sensible thing to do.

I would like to explain the history of this piece of legislation. There was a Magistrate's Court case in Colombo, No. 1456E filed by the Peliyagoda Police. In that case the Magistrate made order directing the confiscation of the car in which illicit liquor was transported. This case went up in appeal, and the appeal was argued before Mr. Justice A. W. H. Abeyesundera. The counsel for the appellant were Dr. Colvin R. de Silva and Mr. A. R. M. Munsoor. The Judge held that sub-Section (2) of Section 54 of the Excise Ordinance, which provided for the confiscation of any conveyance used in carrying any excisable article, does not apply to the case that was before the court, because the Judge held that Section 54 referred to excisable articles, whereas illicitly manufactured liquor, is not an excisable article as such. It became necessary, therefore, to introduce an amendment to the law. This amendment to the law was asked for by the Excise Department, which found that in quite a large number of cases where the magistrate wished to have the vehicle confiscated, the Supreme Court judgment prevented

සුරුලු (සංශෝධන) පනත් කෙටුම්පත

—දෙවනවර කියවීම

him from doing so. The Excise Commissioner made the following minute to the Minister of Home Affairs :

“Our department has to deal very often with cases of possession of unlawfully manufactured arrack. If this article is detected while it is being transported by a car, for instance, as the act of transporting itself is not specifically penalized by Section 47, the charge has to be restricted to one of possession. I would point out that the Supreme Court has held that possession and transport of the same excisable article are two distinct offences. This is a great handicap, as unlawfully manufactured arrack is now, to a very great extent, transported from the manufacturing centres in cars belonging to the manufacturers. The amendment asked for will greatly strengthen the hands of the excise and the police, and the confiscation of a few vehicles will no doubt serve as a deterrent and a curb on the activities of the *kasippu mudalalis*.”

You will thus see that the purpose of this amending Bill is very limited. There is not the slightest doubt that we cannot fight the *kasippu* menace by *ad hoc* legislation of this type. But this type of legislation is also necessary to serve as a deterrent. We should all fight the bigger evil, but that does not mean that we should stand in the way of the evil being partially fought effectively. I grant that there is much corruption in the police and in the excise, but the way to deal with that problem is not through this type of legislation. This legislation has become necessary in order that there may be some sort of deterrent so far as those who transport illicitly manufactured liquor are concerned.

Reference was also made in the course of the debate, although it was not quite relevant, to the ban on the sale of liquor in trains from the 1st of October, that is, next month. I should like to inform the House that this ban was ordered by me on representations made by twelve Members of Parliament, who were unanimous that the sale of liquor in trains has become something very offensive.

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(திரு. கௌமன்)

(Mr. Keuneman)

I am sure the hon. Member for Wattala (Mr. Shelton Jayasinghe) was one of them.

ගරු ආචාර්ය දහනායක

(கௌரவ கலாநிதி தகநாயக்க)

(The Hon. Dr. Dahanayake)

I had to listen to the twelve hon. Members who made representations to me because I found that there were innumerable complaints from the public too. I also found that one of the recommendations of the Prohibition Commission of 1955 was that there should be no sale of liquor in trains. If hon. Members disagree with my decision, it is for them to canvass it openly on the Floor of the House. What I feel is that I have responded to the voice of popular and responsible opinion in this country.

I assure the House that without much delay we shall formulate some definite and comprehensive excise policy because a Cabinet Paper on such a policy is just now before the Cabinet. I ask that this piece of legislation be approved wholeheartedly by the House.

ප්‍රශ්නය විමසන ලදීත්, සහසම්මත විය.

කෙටුම්පත් පනත ඊට අනුකූලව දෙවන වර කියවන ලදී.

வினா விடுக்கப்பட்டு ஏற்றுக்கொள்ளப்பட்டது.

அதன்படி, மசோதா இரண்டாம் முறையாக மதிப்பிடப்பெற்றது.

Question put, and agreed to.

Bill accordingly read a Second time.

මතු පළ වන සෝජනාව සහසම්මත විය.

“කෙටුම්පත් පනත පූර්ණ වන්නී මෙබඳු කාරක සභාවට පැවරිය යුතුය.”—[ගරු ආචාර්ය ඩබ්ලිව්. දහනායක.]

பின்வரும் பிரேரணை ஏற்றுக்கொள்ளப்பட்டது.

“மசோதா முழுச்சபைக்குமுடிக்கு சாட்டப்படுமாக ”.

—[கௌரவ கலாநிதி டபிளியு. தகநாயக்க]

Resolved :

“That the Bill be referred to a Committee of the Whole House.”—[The Hon. Dr. W. Dahanayake.]

දුමකොළ තිරුබදු (සංශෝධන) පණත් කෙටුම්පත යුතුය කියා මා සිතන්නේ නැහැ. නමුත් දුමකොළ තිරුබදු සම්බන්ධයෙන් කරුණු දෙක තුනක් ගැන ඇමතිතුමාගේ අවධානයට යොමු කිරීම සඳහායි, මා නැගී සිටියෙ.

දුමකොළ තිරුබදුවලින් ආණ්ඩුවට රුපියල් 10 කෝටි 80 ලක්ෂයක ආදායමක් ලැබෙනවා. දුමකොළ රාත්තලකින් රුපියල් 28 බැගින් තිරු බදු වශයෙන් අය කර ගැනීම නිසයි, එතරම් මුදලක් ආදායම වශයෙන් ලැබෙන්නේ. ඉතා විශාල ප්‍රමාණයක් දුමකොළ නිපදවීම කෙරෙන ප්‍රදේශයක් හැටියට මගේ කොට්ඨාශය පෙන්වා දෙන්නට පුළුවනි. අද තත්ත්වයේ හැටියට රජය දුමකොළ රාත්තලකින් රුපියල් 28ක මුදලක් ගන්නා අතර, එම ආදායමේ ඉතිරි ප්‍රමාණය තව රුපියල් 20ක් පමණ වේයයි සිතන්නට පුළුවනි. එත කොට, දුමකොළ රාත්තලකින් රුපියල් 48ක් පමණ ලැබෙනවා. ඒ රුපියල් 48 න් දුමකොළ නිපදවන්නාට ලැබෙන්නේ රාත්තලකට—

කාරකසභා නියෝජ්‍ය සභාපතිතුමා

(சுழங்ககளின் உப அக்கிராசனார் அவர்கள்)
(Mr. Deputy Chairman of Committees)

සිගරට් දුමකොළ, සහ පයිප්ප දුමකොළ යන දෙවර්ගය අතර ඇති වෙනස ගැනද කතා කරන්නේ?

ගරු ආචාර්ය දහනායක

(கௌரவ கலாநிதி தகநாயக்க)
(The Hon. Dr. Dahanayake)

“සිගරට් දුමකොළ” සහ “පයිප්ප දුමකොළ” යන වචනවල අර්ථ නිරූපනය නීතියට අඩංගු කරන්න යනවා.

පී. බී. එම්. හේරත් මයා.

(திரு. பி. எம். ஹேரத்)
(Mr. T. B. M. Herath)

මා කතා කරන්නේ, සිගරට් දුමකොළ ගැනයි. මෙම පණත සංශෝධනය කරන වෙලාවෙදී තමුන්නාන්සේගේ සැලකිල්ලට යොමු කරන්න මා අදහස් කරනවා, දුමකොළ තිරුබද්ද සම්බන්ධයෙන් ගොවියාට විදින්නට සිදු වී ඇති හිරිහැර කරදර කීපයක්. මේ සංශෝධනයට මගේ විරුද්ධයක් නැහැ. දුමකොළ රාත්තලකින් රුපියල්

—දෙවනවර කියවීම

28 ක බද්දක් රජය ලබා ගන්නවා. මේ රටේ ප්‍රධාන ආදායම් මාර්ගයක් හැටියට එය සලකන්නට පුළුවනි. දුමකොළ රාත්තලකින් රජයට රුපියල් 28 ක් ලැබෙන අතර, ඒවා නිපදවන ගොවියාට ලැබෙන්නේ රුපියල් 2 ක පමණ මුදලකුයි. මෙහි නිබේන අසාධාරණකම ගැන ඇමතිතුමාගේ විශේෂ අවධානයට යොමු කරන්නට ඕනැ. දුමකොළ රාත්තලකින් මුළු ආදායම රුපියල් 48 ක් පමණ ලැබෙන බව මා මුලින්ද සඳහන් කළා. ආණ්ඩුවට ඒ මුදලින් රුපියල් 28ක් යනවා. සාමාන්‍යයෙන් සිගරට් නිෂ්පාදනය සඳහා රාත්තලකට රුපියල් 5 ක් පමණ වෙන් කරන්නට පුළුවනි. රාත්තලකින් රුපියල් 12.50 ක් පමණ සමාගමට ලාබ වශයෙන් ලැබෙනවා. මේ විධියට බලන විට ගොවියාට රුපියල් 2 කට 2.50 කට වඩා ලැබෙන්නේ නැහැ. එක පැත්තකින් ආණ්ඩුවට දුමකොළ රාත්තලකින් රුපියල් 28 ක් පමණ ලැබෙන අතර, අනික් පැත්තෙන් දුමකොළ සමාගමට රුපියල් 12.50 ක් පමණ ලාබ වශයෙන් ලැබෙනවා. නමුත්, දුමකොළ වවන්නාට ලැබෙන ලාබය කුමක්ද?

ආණ්ඩුව අය කරන රුපියල් 28 න් රුපියලක් අඩු කර, ඒ රුපියල දුමකොළ වවන්නාට ගෙවන්නට කටයුතු සලස්වන වාය කියන විධියේ පොරොන්දුවක් මැති වරණ සමයේදී සමහර අපේක්ෂකයන් විසින් දෙන්නට යෙදුණා. ඒ ආකාරයට එම රුපියල් 28 න් රුපියලක් අඩු කර එම රුපියල දුමකොළ වවන්නාට ලබා දෙන්න මාර්ගයක් සලස්වනවාද කියා මා ප්‍රශ්න කරනවා. එසේ නැති නම් දුමකොළ සමාගම් වලට අයුතු ලාබ ගන්න බැරි ආකාරයට ගොවියාට ගෙවන මිලෙහි සීමාවක්—මිල නියමයක්—කරනවාද කියා මා ප්‍රශ්න කරනවා. රජයේ මුදලින් එය කරන්නට ගියොත් රුපියල් 40 ලක්ෂයක පමණ පාඩුවක් විදින්නට සිදු වේවි. සමාගම්වලට ලැබෙන ලාබය මේ රටේ ඉතිරි වන්නේ නැහැ. ඒ ලාබය පිටරටවලටයි යන්නේ. එම නිසා ඒ රුපියල එහෙත් ලබා ගෙන හෝ ගොවියාගේ ආදායම් තත්ත්වය වැඩි කරන්නට කල්පනා නොකළොත් ඔහුට මුහුණ පාන්නට සිදු වන්නේ ඉතා භයානක තත්ත්වයකටයි. වලපනේ, හඟුරන්කෙත වැනි පළාත් වල දුමකොළ රාත්තල් 25 ලක්ෂයක්

—කුරක පිහිට

අ. හ. 4.37

(Dr. Naganathan)

[MR. DEPUTY CHAIRMAN OF COMMITTEES
in the Chair.]

தேவையாக இருக்க (சம்மதம்) பதில் கெட்டுப்பத
—காரக சபை

1 வன வனத்திய சபை 2 வன வனத்திய கெட்டுப்பத
பதில் பதனத்தி கெட்டுப்பத ஸ்தலம் தித்ய ஸ்தலம்
திரைக்க காரக தே.

புதுப்பி வனத்திய சபை தாமத கெட்டுப்பத
பதனத்தி கெட்டுப்பத ஸ்தலம் தித்ய ஸ்தலம் திரைக்க
காரக தே.

கெட்டுப்பத பதனத்தி, சம்மதம் ரகிதம், வர்த்த
காரக தே.

1 ஆம் வாசகமும் 2 ஆம் வாசகமும் மசோ
தாவின் பகுதியாக இருக்க வேண்டுமென ஆணை
விடப்பட்டது.

சட்டமாக வாசகமும் தலைப்பும் மசோதாவின் பகுதி
யாக இருக்க வேண்டுமென ஆணைவிடப்பட்டது.

மசோதா திருத்தமின்றி ஏற்றுக் கொள்ளப்பட்ட
தாக அறிவிக்கப்பட்டது.

Clauses 1 and 2 ordered to stand part
of the Bill.

Enacting Clause and Title ordered to
stand part of the Bill.

Bill reported, without Amendment.

சுரு. ஸ்தலம் திரைக்க

(கௌரவ கலாநிதி தகநாயக்க)

(The Hon. Dr. Dahanayake)

I move,

"That the Bill be now read the Third
time."

புதுப்பி திரைக்க தே, சபைசபை திரைக்க.

கெட்டுப்பத பதனத்தி ரகிதம் திரைக்க தே
தித்ய சபை காரக தே.

வினா விடுக்கப்பட்டு ஏற்றுக்கொள்ளப்பட்டது.

அதன்படி, மசோதா மூன்றாம் முறையாக மதிப்பிடப்
பெற்று நிறைவேற்றப் பெற்றது.

Question put, and agreed to.

Bill accordingly read the Third time,
and passed.

காரகசபை திரைக்க சபைசபை

(குழுக்களின் உப அக்கிராசனர் அவர்கள்)

(Mr. Deputy Chairman of Committees)

The next item is No. 3—Excess
Votes. The Resolution has been
moved and the House goes into
Committee.

வட சபைசபை திரைக்க, 1962-63

—காரக சபை

வட சபைசபை திரைக்க

1962-63

வாக்குப்பணங்களில் மிகைச்செலவு 1962-63

EXCESS VOTES, 1962-63

காரக சபைசபை திரைக்க சபைசபை தே.

[காரக சபை திரைக்க சபைசபை திரைக்க
திரைக்க.]

குழுவில் ஆராயப்பெற்றது.

[குழுக்களின் உப அக்கிராசனர் திரைக்க
திரைக்க]

Considered in Committee.

[MR. DEPUTY CHAIRMAN OF COMMITTEES
in the Chair.]

கெட்டுப்பத திரைக்க.

(திரு. கெனமன்)

(Mr. Keuneman)

I want to suggest that you take up
all these items together.

சுரு. ஸ்தலம் திரைக்க

(கௌரவ ஜே. ஆர். ஜயவர்தன)

(The Hon. J. R. Jayewardene)

I move,

(1) "That a sum not exceeding
Rs. 460,105.92 be granted to make good
an excess reported by the Public Accounts
Committee on Head 24, Vote 2, Estimates
1962-63."

(2) "That a sum not exceeding
Rs. 1,120,152.08 be granted to make good
an excess reported by the Public Accounts
Committee on Head 41, Vote 2, Estimates
1962-63."

(3) "That a sum not exceeding
Rs. 2,307.91 be granted to make good an
excess reported by the Public Accounts
Committee on Head 70, Vote 1, Estimates
1962-63."

(4) "That a sum not exceeding
Rs. 40,001.92 be granted to make good an
excess reported by the Public Accounts
Committee on Head 70, Vote 2, Estimates
1962-63."

(5) "That a sum not exceeding
Rs. 6,583,321.92 be granted to make good
an excess reported by the Public Accounts
Committee on Head 102, Vote 7, Estimates
1962-63."

(6) "That a sum not exceeding
Rs. 1,523.61 be granted to make good an
excess reported by the Public Accounts
Committee on Head 126, Vote 1, Estimates
1962-63."

(7) "That a sum not exceeding
Rs. 35,368.78 be granted to make good an
excess reported by the Public Accounts
Committee on Head 138, Vote 2, Estimates
1962-63."

වැය සම්මතවල අතිරික්ත, 1962-63

—කාරක සභාව

[කරු ජේ. ආර්. ජයවර්ධන]

(8) "That a sum not exceeding Rs. 75,654.14 be granted to make good an excess reported by the Public Accounts Committee on Head 148, Vote 1, Estimates 1962-63."

(9) "That a sum not exceeding Rs. 1,340,653.11 be granted to make good an excess reported by the Public Accounts Committee on Head 164, Vote 1, Estimates 1962-63."

(10) "That a sum not exceeding Rs. 374,089.70 be granted to make good an excess reported by the Public Accounts Committee on Head 164, Vote 2, Estimates 1962-63."

(11) "That a sum not exceeding Rs. 2,786,178.77 be granted to make good an excess reported by the Public Accounts Committee on Head 164, Vote 6, Estimates 1962-63."

(12) "That a sum not exceeding Rs. 5,118,040.51 be granted to make good an excess reported by the Public Accounts Committee on Head 164, Vote 7, Estimates 1962-63."

(13) "That a sum not exceeding Rs. 211.49 be granted to make good an excess reported by the Public Accounts Committee on Head 167, Vote 3, Estimates 1962-63."

(14) "That a sum not exceeding Rs. 185,529.34 be granted to make good an excess reported by the Public Accounts Committee on Head 168, Vote 6, Estimates 1962-63."

(15) "That a sum not exceeding Rs. 363.62 be granted to make good an excess reported by the Public Accounts Committee on Head 170, Vote 2, Estimates 1962-63."

(16) "That a sum not exceeding Rs. 592,468.90 be granted to make good an excess reported by the Public Accounts Committee on Head 103, Vote 7, Estimates 1962-63."

(17) "That a sum not exceeding Rs. 1,228,152.39 be granted to make good an excess reported by the Public Accounts Committee on Head 107, Vote 7, Estimates 1962-63."

(18) "That a sum not exceeding Rs. 2,531,142.74 be granted to make good an excess reported by the Public Accounts Committee on Head 169, Vote 7, Estimates 1962-63."

ප්‍රශ්නය සභාපතිවරයා කරන ලදී.

வினா எடுத்தியம்பப் பெற்றது.

Question proposed.

කෙනෙත් මයා.

(திரு. கௌமன்)

(Mr. Keuneman)

There is not very much that arises from these Excess Votes. I remember, the Public Accounts Committee considered them and reported to this House. There is only one matter which is referred to in the Report of the Public Accounts Committee to which I think it is necessary to draw the attention of the House.

The situation arose that the Public Accounts Committee desired to examine the Clerk to the Senate in regard to a certain item that appeared in the Report of the Auditor-General. When the Clerk to the Senate was communicated with, he took up the position that he was a servant of the Senate and it would not be correct for him to appear before a committee of this House. Fortunately, the information which the Public Accounts Committee required became available through another source and therefore the issue did not come to a head. But, nevertheless, the Public Accounts Committee had to draw the attention of this House to that fact.

I think the situation is very unsatisfactory. There is a tradition that Members of the Senate inasmuch as they are Members of what is known as "another place" resist any attempts to summon them to appear before any committee of this House.

Many years ago a question arose. There was a distinguished person—I was also a member of the Public Accounts Committee at that time—whom we wished to examine. He was Sir Oliver Goonetilleke. The committee wished to examine him in relation to certain matters that had transpired when he was Civil Defence Commissioner. I think at that time Sir Oliver Goonetilleke was Minister of Finance and a Member of the Senate. The question arose as to whether a Member of the Senate could appear before our Public Accounts Committee to answer to certain matters which he alone had knowledge of. However, the whole

මිය සම්මතවල අතිරික්ත, 1962-63

—කාරක සභාව

question was resolved. Sir Oliver Goonetilleke agreed, when the matter was put to him, voluntarily to appear. Although he was both a Senator and Minister of Finance at that time, nevertheless he came before the Public Accounts Committee and cleared up the question which was before the committee.

The Public Accounts Committee would always be in a great difficulty in this matter if the position taken by the Clerk of the Senate is persisted in. It is true he is the main officer of another place, but he is also the chief accounting officer of a certain department, as it were. He is the main officer in charge of these accounts and it is only from him that this House or the Public Accounts Committee on behalf of this House can ever get the necessary information in order to satisfy itself that all the regulations have been complied with.

I bring this matter to the notice of the House and the notice of the Government not because we could do anything about it at this moment—in fact I discuss this Motion in order to establish this question—but if we do not take some action about this, I feel the Public Accounts Committee's powers and therefore the powers of this House would be restricted and we should not easily accede to such a position.

I hope that this matter will be given serious consideration by the entire House because it is a matter which concerns the authority of the House as a whole and of the Public Accounts Committee.

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(සිරු. பெர்னாட் சொய்ஸா)

(Mr. Bernard Soysa)

Mr. Chairman my Friend the hon. Third Member for Colombo Central, I believe, has placed before this House the anomalous situation created by the refusal of the Clerk to the Senate to come before the Public Accounts Committee to explain an excess on a Vote. The matter was reported by me

to Mr. Speaker and I believe Mr. Speaker intended to have a fuller discussion on that matter with the leaders of the parties in this honourable House as well as with the authorities in the Senate for the purpose of resolving this matter in a satisfactory way, so that in future such a situation would not arise. The Public Accounts Committee has been placed in a very embarrassing position because I believe in the whole history of this committee this is the first time that anybody has refused to appear before it. The Standing Order is quite clear on the matter. It says:

“The P. A. C. shall have the right to send for persons and documents.”

I, therefore, tried to ascertain what validity the Standing Orders have in respect of the powers of these two Houses. I find that the only reference in the Constitution is to the fact that the first Standing Orders of each House have to be made by the Governor in the first instance, and thereafter they would be subject to amendment by each of the two Houses. Beyond that nothing further is stated and it is necessary for us to go to British parliamentary practice to see what further sanctions can be invoked under the Standing Orders. There are various ways in which, of course, if this House is so minded, it will be possible to retaliate against the Senate. We can, of course, on the basis that the Senate is refusing to recognize the powers of this House in regard to financial matters, refuse to pass their Votes. We can adopt various sanctions against them, and this matter will very easily become a major battle between the two Houses. That is not exactly what the Public Accounts Committee and I propose. We are not suggesting that the House should so conduct the battle. We want this matter brought to the notice of this House not because we are asking you to adopt sanctions against the Senate or even asking you to make an appeal to the Senate to adopt sanctions against the particular officer concerned.

உய சமீதவல அநிசீக, 1962-63

—காரக சகாவ

[பரீகாதி சோசீக மய.]

As a person that particular officer is a respectable individual. We all know him very well. He was here before he went there. This is not a personal matter relating to him. This is a matter in which possible embarrassment can be caused to the Public Accounts Committee in the future.

I want to bring to your notice first that there is the Public Service Commission. The Public Service Commission is created by the powers of, or within the provisions of, the Constitution and it is an independent body. If the Secretary to the Public Service Commission should adopt the position that he cannot appear before a Committee of this House because the Public Service Commission is independently constituted and it is not a Government department, what would be the situation?

Or, for instance, if the Auditor-General should take up that position what would be the situation? If the Auditor-General, in the course of his investigations into the accounts of the year, finds that there has been an excess of expenditure in the Auditor-General's Department itself, and if the accounting officer of that department refuses to come before the Public Accounts Committee, that would create a very bad precedent and a very bad situation.

Take the Commissioner of Elections. The Commissioner of Elections is under no particular Ministry. His department cannot be treated as a Government department in that way. If on that ground the Commissioner of Elections refuses to come before the Public Accounts Committee, that is going to create a situation which cuts across what the Public Accounts Committee is expected to do.

So, from that point of view, I want to bring to the notice of the Hon. Ministers and Mr. Speaker that this is a matter that should be properly discussed with a view to arriving at a solution so that this anomalous

புது நுபுதுபுதுகதி பனவிலே (விசேச விசிவிமான) பனந் கெடுதிலை—தேவனவர கியிலே

situation would not be permitted to continue in regard to future deliberations of a Committee of this House.

புன்கய விசேச டீன, சகாசமீத விச.

வினா விடுக்கப்பட்டு ஏற்றுக்கொள்ளப்பட்டது.

Question put, and agreed to.

சமீதவி 1 சிப 18 டீன்கு சகாசமீத ரகிதவி பனந் கெடுதிலே.

வாக்குப்பணம் 1 இவ் இருந்து 18 வரை திருத்த மெதுவுமின்றி ஏற்றுக் கொள்ளப்பட்டதாக அறிவிக்கப்பட்டது.

Resolutions 1 to 18 reported, without amendment.

சுரு சே. ஸார். சயவர்தன

(கௌரவ ஜே. ஆர். ஜயவர்தன)

(The Hon. J. R. Jayewardene)

I move,

"That the House doth agree with the Committee in the said Resolutions."

புன்கய விசேச டீன, சகாசமீத விச.

வினா விடுக்கப்பட்டு ஏற்றுக் கொள்ளப்பட்டது.

Question put, and agreed to.

புது நுபுதுபுதுகதி பனவிலே (விசேச விசிவிமான) பனந் கெடுதிலை

குடியுரிமைத் தகுதியினங்கள் விதித்தல்
(விசேச ஏற்பாடுகள்) மசோதா

IMPOSITION OF CIVIC DISABILITIES (SPECIAL PROVISIONS) BILL

தேவனவர கியிலே நியோசக கியிலை டீ.

இரண்டாம் மதிப்பிற்கான கட்டளை வா சிக்கப்பட்டது.

Order for Second Reading read.

அ.கா. 4.53

சுரு சே. ஸார். சயவர்தன

(கௌரவ ஜே. ஆர். ஜயவர்தன)

(The Hon. J. R. Jayewardene)

I move,

"That the Imposition of Civic Disabilities (Special Provisions) Bill be read a Second time."

The hon. Parliamentary Secretary to the Minister of Justice will explain the Bill.

புது நுழைப்புகள் பற்றியே (வினா வினாவிடம்)
பதில் கெடுப்பதற்கு

—தேவநகர கிளப்பி

එම. එම. එම. නයිනා මරික්කාර් මයා.
(අධිකරණ ඇමතිගේ පාර්ලිමේන්තු
ලේකම්)

(ஜனாப் எம். எச். எம். நயினா மரிக்கார்—நீதி
அமைச்சரின் பாராளுமன்றக் காரியதரிசி)

(Mr. M. H. M. Naina Marikkar—Parliamentary Secretary to the Minister of Justice)

Mr. Chairman, I am glad—

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(திரு. நீல் டி அல்விஸ்—பத்தேகம)

(Mr. Neal de Alwis—Baddegama)

Are we taking a vote today?

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(ஜனாப் நயினா மரிக்கார்)

(Mr. Naina Marikar)

—at long last, that I have been given this opportunity of presenting a Bill which removes, as it were, a stigma on the House. This is really a very important matter, Mr. Deputy Chairman, a matter which affects the integrity, the character and the honour of this House, and which has been hanging fire for the last six years or so, from the time the Thalgodapitiya Commission submitted its report. The commissioners found a certain number of Members of Parliament guilty of bribery, and we had been trying to disqualify them by means of special legislation. But unfortunately, we did not succeed in placing on the statute book a piece of legislation to disqualify them because, as you know, the history of the attempt to do so has been very much confused by a number of factors into which I need not go. Although I am confident that this Bill will receive the unanimous support of the Members of this House and will be passed by a two-thirds majority to give validity to it in terms of our Constitution, I am a little nervous and apprehensive that some unknown hoodoo might, as in the past, frustrate our intentions.

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(திரு. கெனமன்)

(Mr. Keuneman)

Why?

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(ஜனாப் நயினா மரிக்கார்)

(Mr. Naina Marikar)

But I have not the slightest doubt that hon. Members of this House are anxious that a number of our—

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(திரு. கெனமன்)

(Mr. Keuneman)

A very sinister remark you made about a hoodoo.

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(ஜனாப் நயினா மரிக்கார்)

(Mr. Naina Marikar)

—Parliamentarians who bear the stigma of bribery should not exercise their civic rights because they have been found to have committed the offence of bribery by the Thalgodapitiya Commission. You will remember, Sir, that when the Bribery (Amendment) Bill, was under discussion a large number of our Members asked me very pointedly as to when this Bill would be placed before the House, and I gave them the assurance that I would do so in a matter of a few weeks, and I am glad that this Bill has been presented by the Hon. Minister of State, as promised, at the earliest opportunity.

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(திரு. கெனமன்)

(Mr. Keuneman)

You have taken more than two weeks.

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(ஜனாப் நயினா மரிக்கார்)

(Mr. Naina Marikar)

Hon. Members will appreciate that we were very much engrossed in the Committee stage of the Budget. As soon as the Budget was over, I thought it was proper and necessary that this most important piece of legislation should be placed before the House for its consideration and approval. As you are aware, Sir, this Bill cannot be valid unless we have a two-thirds majority of the Members voting for it, and I am happy that,

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පනත් කෙටුම්පත

—දෙවනවර කියවීම

[නයිකා මටික්කාර් මයා.]

as far as the Opposition is concerned, they have very graciously offered to co-operate with us and would endeavour, according to their undertaking, to see that this Bill is passed to-day itself. Of course, they may make their comments and criticisms, they may make their suggestions. But, I am sure, considering the importance of this Bill about which we are all anxious and which we must see to it is passed today, this Bill will not, on account of the want of a majority, a two-thirds majority be postponed for another day. Therefore, I do not expect a long drawn-out debate on this Bill because we are all agreed as to the purpose of this Bill, and I am confident that the Bill will receive the sanction of the House within the time agreed upon by us.

I do not think it is necessary for me to go into the details of the attempts that we have made in trying to disqualify and disenfranchise some of our fellow M.P.s who have been found guilty under the Thalgodapitiya Commission. If it were necessary, one could read past HANSARDS to see the tortuous and the sordid course, if I may use that word, this Bill which attempted to disqualify them had to take. If this Bill had taken such a long time, such a long process, it is not we who are to be blamed but the previous Government who should have really brought this Bill and passed it within their term of office.

Perhaps, I ought to say one or two words as to the origin of this Bill. I do not want to take too much time because I am also anxious as much as the other hon. Members are to see that this Bill is passed. I do not want to enter into any controversy; I do not want to make allegations of any kind as to who is at fault and who is not. I want to refer to just the main, the salient facts, so that hon. Members who are considering this Bill will be able to appreciate what it is this Bill is attempting to do.

I think, in 1959, in this very House a large number of Members—I believe 14—of the then Opposition

asked for a commission to inquire into acts of bribery committed by Members of Parliament and other public officers. At that time, unfortunately, there was no resolution passed in this House. If that Resolution had been passed then in terms of the Constitution Order in Council, Section 13, the problem that we are now facing today would not have arisen at all. Instead of a commission instituted under a Resolution of this House the then Prime Minister, the late Mr. Bandaranaike, promised a commission of inquiry under the Commissions of Inquiry Act, with the result that a commission was appointed under the Commissions of Inquiry Act in terms of Section 2, and the members of that commission, as we know, were Mr. Thalgodapitiya, Mr. Roberts and Mr. Schokman.

The terms of reference, very roughly,—I do not want to read the entire terms of reference which are published in the Report of the Parliamentary Bribery Commission—were that they should investigate into allegations of bribery against Ministers, Parliamentary Secretaries, Members of the Senate and the House of Representatives or any Minister appointed under the Ceylon State Council Order in Council of 1931, and the period within which they were expected to investigate was the period from 1943 to 1959. In accordance with the terms of reference of that commission, these gentlemen proceeded to investigate into the allegations of bribery which, according to the report, amounted to 118.

I do not want to go into the details of all the matters connected with the commission, but after due investigation the commission found that there were six Members of Parliament who were guilty of accepting bribes according to the evidence placed before it.

I do not think anything could be said against the competency and the efficiency of the commission. The commissioners carefully sifted the evidence. They brought to bear a high standard of proof. They carefully analysed the evidence placed

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පනත් කෙටුම්පත

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[එෆ්. ආර්. ඩයස් බණ්ඩාරනායක මහ.]

before them. I do not think there is anything that could be said against the findings of the commission. In fact, I think, we are all agreed that the commissioners did their work efficiently and competently. But that is not the matter that we have got to consider.

In spite of the findings of the commission, it was impossible, under the terms of reference, for the persons who were found guilty of bribery and corruption to be disfranchised, because the Commissions of Inquiry Act gave the commission only the power of investigation and report and did not empower it to impose any penalties whatsoever on those persons found guilty.

Hon. Members are aware that after the findings of the commission, on a number of occasions in this very House, we urged the then Government in power to bring a Bill to disfranchise and disqualify those Members of Parliament who had been found guilty by the commission, because it was felt that owing to a technicality they had escaped the normal consequences that flow from such a finding or a conviction of bribery. Therefore, both on moral grounds as well as on previous precedents we had in this House, it was thought necessary and desirable that these persons should be disfranchised and disqualified from exercising their civic rights.

I do not know why the past Government took such a long time over this matter, but we do know that the Prime Minister when he was Leader of the Opposition brought a Bill in this very House in regard to that matter. In fact, he gave notice of that as early as October 1961, but owing to certain procedural difficulties and may be for other reasons also, the Bill was actually presented on 8th August 1962, and as hon. Members are aware the debate took place in this House on 6th December 1962.

The proceedings of that debate can be read in Volume 50 of HANSARD by

those interested. I do not want to go into that, but we do know that what happened eventually was that the then Government refused to support that Bill on the ground that there must be a right of appeal. A lot of speeches were made on that occasion to justify that stand, and we thought that the Government was evading the issue by not supporting the Bill.

From that time onwards until now nothing had been done to disqualify and disfranchise the six Members of Parliament who had been found guilty under the Thalgodapitiya Commission. Therefore, we thought that as soon as we came into power we should present this Bill not only because we felt that this is a very necessary and very urgent matter but also because of the conviction of hon. Members on the other side that this Bill should be passed in order to legalize the position and remove the stigma that has been hanging over this House for the last so many years because the public are asking, "What is it that you have done in order to punish and penalize your own Members who have taken bribes in the course of their duties?"

As far as I can see there is nothing substantially different between the Bill presented by the Hon. Prime Minister, then Leader of the Opposition, in 1961, and the present Bill except for two important matters. One is that the term of punishment is increased to seven years in respect of the House of Representatives as well as local authorities; and the other is that the punishment is prospective.

The principle of prospective punishment—that is, this Bill is to be operative from the time it is passed and those who are caught up by it will be unable to assume their civic rights for a period of seven years—is a principle that most hon. Members of this House are agreed on. The simple reason is that for the last so many years, although technically these people are guilty, they have got away with it and have been able to exercise their civic rights. They have been able to take part in elections to local bodies—

புது இயக்கத்தினை உருவிலே (விசேஷ விதிவிலகம்)
புது கெட்டுப்போக

—தேவநல்லு கி.வி.

நாளை உருவிலே உருவிலே.

(ஜனாப் நயினா மரிக்கார்)

(Mr. Naina Marikar)

This is really a special Bill. You cannot consider it as part of the Constitution in that way. I think what it attempts to do is to have special legislation to meet a special legal situation and I do not think in the broad sense of the word it can be considered as part and parcel of the Constitution because every amendment, every Bill, is in fact an attempt to modify and alter some existing Act.

Then you find Clause 10 (4) where it very clearly states that in the event of any conflict or inconsistency this Bill will override all other provisions.

நாளை உருவிலே உருவிலே.

(திரு. ஸ்டான்லி திலக்கரத்ன)

(Mr. Stanley Tillekeratne)

But it should be a part of the Ceylon Constitution.

நாளை உருவிலே உருவிலே.

(ஜனாப் நயினா மரிக்கார்)

(Mr. Naina Marikar)

I think it indirectly becomes part of the Constitution.

நாளை உருவிலே உருவிலே.

(திரு. ஸ்டான்லி திலக்கரத்ன)

(Mr. Stanley Tillekeratne)

No, directly.

நாளை உருவிலே உருவிலே.

(ஜனாப் நயினா மரிக்கார்)

(Mr. Naina Marikar)

That is a matter of law to be decided.

Clause 11 gives the definition of "appropriate law", "candidate", "local authority", "person to whom this Act applies". "Person to whom this Act applies" means each person specified in the Schedule to this Act in regard to whom the relevant commission in its reports found that any allegation or allegations of bribery had been proved.

Those are very simple and clear directions. But one can see that this Bill is brought with a view to disqualifying and disenfranchizing those people whose names are mentioned in the Schedule, namely, Henry Abeywickrema, Manameldura Piyadasa de Zoysa, Mohamed Samsudeen Kariapper, Robert Edward Jayatilleke, Casila Abdul Samed Marikkar and Dharmasena Bandara Monnekulame.

நாளை உருவிலே உருவிலே.

(திரு. ஸ்டான்லி திலக்கரத்ன)

(Mr. Stanley Tillekeratne)

Are you going to include those names in the Ceylon Constitution also?

நாளை உருவிலே உருவிலே.

(ஜனாப் நயினா மரிக்கார்)

(Mr. Naina Marikar)

You see, therefore, that this is a non-controversial Bill. This Bill has been presented not only because there is an urgency but also because it is the desire of all hon. Members of this House that this disqualification should be imposed upon these people who, by a technical advantage, have so far escaped the consequences of their conviction of the offence of taking bribes. Therefore, I do not think this Bill requires any great elucidation. Certainly, I would invite hon. Members to make their comments and observations. I do appeal to them that this Bill, after their due consideration, be passed in accordance with the provisions of our Constitution, namely, by a two-thirds majority. I commend the Bill to the House.

புது கெட்டுப்போக கருதுக.

வினா எடுத்தியம்பப்பெற்றது.

Question proposed.

அ. ஐ. 5.17

பி.பி. ஐ.பி. உருவிலே உருவிலே.

(திரு. எப். ஆர். டயஸ் பண்டாரநாயக்க)

(Mr. F. R. Dias Bandaranaike)

First and foremost, I should like to congratulate the hon. Parliamentary Secretary to the Minister of Justice for a clear exposition of the provisions of law which he has just

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පනත් කෙටුම්පත

—දෙවනවර කියවීම

[එෆ්. ආර්. බයස් බණ්ඩාරනායක මයා.]

placed before the House and for seeking to explain to us exactly what each of the sections of the draft law that he has introduced hopes to attain. I have something to say in regard to the actual drafting and the text of the law. I shall come to that presently.

So far as the principle of the Bill is concerned, I do not know exactly what the principle of the Bill is unless one were to say that it is to disqualify the six people whose names appear in the Schedule of the draft law for a period of seven years from the date on which this Bill takes effect as law, retrospectively; to ensure that they shall not enjoy the rights of Members of this House, of standing for election as Members of this House, of standing for election as members of local authorities, and of being members of the Public Service Commission for that period of seven years. If that is what this Bill seeks to achieve I do not think there is any question of difference of opinion, as far as any sections of the House are concerned. We shall certainly give the hon. Parliamentary Secretary and the Government our fullest support in achieving that objective they have in this Bill by passing it with a two-thirds majority.

I think, the hon. Parliamentary Secretary will agree with me that as far as the two-thirds majority is concerned they have already ninety Members, and if it is a question of wanting us to give fifteen votes, we shall not only give fifteen votes, but the fullest strength we have in the Opposition; every single person in the Opposition here will vote and support the Bill to enable you to get a two-thirds majority. I think, we have in the Opposition at the moment more than fifteen Members. I am sorry to notice—it may be due to bad planning—that we do not have hundred and five Members present in the House today. That being so, we shall certainly agree, for the sake of ensuring that this Bill gets a two-thirds majority, to

allow the vote to be taken, but not today because we want your Bill to be passed effectively and lawfully. If there is a question of your wanting our co-operation—we have already issued a document in all the three languages on the subject—I should like to say that special telegrams went out yesterday asking them to be present. I do not know whether the Government has taken any such precaution; we of the Opposition did it. If you want only ten to fifteen votes from the Opposition—there are many more in the Lobby—we shall try to make up the numbers for you. But if you have any difficulty with regard to the numbers we shall certainly agree to put off the formal vote being taken so that you will be able to get your numbers.

Now, Sir in regard to the actual Bill, the hon. Parliamentary Secretary tried to avoid all controversial matters in regard to the history of the Bill and its formulation. It is very necessary, while I do not wish to engage in controversies, to say something, on behalf of the former Government, of the history of this Bill so that the matter may be quite plain to both sides of the House. I think, there is no question of our taking sides with bribe-takers or seeking to lay a smoke-screen to cover the bribe-takers. If the implication has been made in the past by the Members of this Government for political propaganda and for election purposes that we take two different views in regard to bribery, I wish to say to the Members of this House and the general public at large that it is not factually correct. There is no question of peaceful co-existence with bribery and corruption by any section of this House; it is not something that is feasible or possible. We on our part feel it is our duty and the bounden duty of the Government and we shall give our fullest support to achieve that objective. We have already proved on more than one occasion, when an amendment to the Bribery Bill came before this House

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පනත් කෙටුම්පත

—දෙවනවර කියවීම

what our position was. I have already mentioned to you that on that occasion you received our fullest co-operation; your Bill was debated and passed in the course of one day in Parliament. It is due to our co-operation that it is possible for you to investigate through the Bribery Commissioner, and through the Attorney-General to take up by way of an indictment before the District Court any person who in the course of the last Government or the previous Government before that—from 1956 onwards—was guilty of bribery and corruption under the law. All this has become possible with the co-operation of the S.L.F.P. and of the whole Opposition.

Sir, as far as this Bill is concerned, I wish to inform the hon. Members, particularly the new Members who may not be aware of it, that the Bribery Act which we recently amended came into operation only in 1956 or 1957. The first Act was enacted by the late Mr. Bandaranaike's Government, many Ministers of which are now Members of the present National Government.—*[Interruption]*. I am sorry, it was amended and made more effective in 1956. Yes, bribery was made illegal, the Bribery Act was brought into force and under this Act Members of Parliament were subjected to investigation; Members of Parliament also came under the purview of this Act, but prior to that Members of Parliament were not subject to investigation by public officers. In other words, the Bribery Commissioner as a Government servant would have had no jurisdiction to inquire into the conduct of Members of this House, except possibly under the Penal Code. The Penal Code required very special powers to bring into operation the Attorney-General himself, who was in a sense a Member of the Government at times. In the early colonial days he functioned as a Minister of Government. It was almost impossible to investigate such cases pertaining to Government Members of Parliament under the Penal Code.

Therefore, it was necessary from the earliest times, when allegations of bribery and corruption came up, to move for the appointment of special Parliamentary commissions either by the State Council or by Resolution of Parliament, for purposes of conducting, on independent authority, an enquiry into the conduct of hon. Members of this House, whether or not they had transgressed the dignity of this House or whether they had maintained the purity of public life that ought to be maintained.

We have had, in point of fact, in the days of the State Council, such commissions appointed where certain individuals were found guilty of bribery. Then it became necessary for the State Council itself to take appropriate action to disqualify and remove them. There were some who, notwithstanding the findings of that commission, persisted in sitting in the House and refused to go away. Action, therefore, had to be taken to send them away. It remains to the credit of the Ceylon Legislature that none of the persons continued to sit in the House after the findings of the commission were known. They continued to be members of political parties thereafter, but certainly they did not continue to sit in the House.

As far as we are concerned, this particular commission was also introduced not by a resolution of the House but by virtue of the powers under the Commissions of Inquiry Act, a special Act under which His Excellency the Governor-General was authorized and empowered to appoint a commission for purposes of finding out the facts in relation to any particular matter. There have been many such commissions in the recent past. To quote a few instances, the Press Commission of the previous Government is of that order. The C.W.E. Commission was set up under the Commissions of Inquiry Act; the Navy Commission which investigated into the smuggling of certain goods by certain

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naval officers, was also set up under the Commissions of Inquiry Act. In the same way, the Thalgodapitiya Commission, as it was then called, was appointed for the purpose of ascertaining the facts as to whether any Members of Parliament, between certain dates, had taken bribes or not.

Now, Sir, under the Constitution had that Bribery Commission been appointed by a Resolution of the House, we would not have today to debate the Imposition of Civic Disabilities (Special Provisions) Bill, because under the Constitution the disqualifications that follow on a finding of bribery by a commission appointed by the House are automatic. In this instance, that procedure was not followed. That was a fact-finding commission of inquiry.

The ultimate finding of that particular commission was quite clear. It found that six persons had taken bribes. The report of that commission was published. It is a document which is available to all of us. The evidence of that commission has not been published and it is only available to those particular members who went before the commission and received copies at the time of the inquiry. Various allegations were made before the commission, some of which were investigated and found false and some not investigated for lack of material, and so on. However, the commission found that these six persons had transgressed the canons of conduct which we as Parliamentarians expect of Members.

I do not know whether you, Sir, or any of the other Members of this House have really studied the provisions of the Commissions of Inquiry Act. No person goes before a commission of inquiry appointed under the Commissions of Inquiry Act in the position of an accused. Under the Commissions of Inquiry Act there is no provision for a formal charge to be framed against anybody. All that a fact-finding commission under the

Commissions of Inquiry Act does is that it proceeds against a person as a witness. Everybody examined by the commission is a witness. You do not even have an automatic right of legal representation under that Act. You may, with the permission of the commissioners, be represented by your lawyers to watch your interests while you are being questioned.—
[Interruption].

I do not know about natural justice for a witness, except, perhaps, that he should be given the chance to explain any answers he has given.

If you look at the Commissions of Inquiry Act you will find that there is no automatic right of representation. It is only allowed by permission of the commissioners. I am not saying that any of these persons are deprived of that right, nor am I making any objection to it. I am merely informing hon. Members of the House of the procedure.

We have read in the newspapers reports of the particular forms which different commissions of inquiry took. Under the Press Commission, for example, I remember the manner and form of the inquiry, and I also remember Members of the present Government raising their voices in horror and telling us how thoroughly unsatisfactory was the procedure adopted by that particular commission of inquiry when it sought to investigate the ways in which the so-called national newspapers, which we regard as political newspapers, were then conducting their affairs. They were not on trial. The Lake House group of newspapers was not on trial, nor were the "Times" and the "Dawasa". Persons from each of these newspapers went before the commission of inquiry and gave evidence as witnesses. There were certain findings by that Press Commission in regard to how the newspapers had conducted themselves, but one cannot say that those newspapers were in the position of accused.

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பகன் கெடுதல்பத

—தேவநவர் கியிதே

Take the case of the Navy Commission which investigated the smuggling of liquor. There were findings against various officers; there were commissions withdrawn; there were cases still pending in regard to the withdrawal of those commissions from officers. I do not propose for a single moment to talk about the rightness or the wrongness of those decisions, but the fact is that that commission of inquiry dealt with these people on the footing that they were witnesses, not accused persons to whom notice was given of a formal charge that they had been put on trial, a charge they were called upon to meet under the law.

In fact, however, I rather think the commissions did their job in a way in which there was no doubt that all these persons were on trial. They were told, "There is a complaint against you; so-and-so says that you have taken a bribe. We are inquiring into it, and if there is anything you can do to help to enlighten us, we want your assistance." I accept that fact. The evidence is still not available to us. But I am satisfied in my own mind, from what I have heard and from what I have read, that the commissions did exactly that, at least so far as the Bribery Commission is concerned. And that is one of the reasons why we are giving you support.

நாசினா மகேக் கார்க் மலா.

(ஜனாப் நயினா மரிக்காரர்)

(Mr. Naina Marikar)

They can be represented. It is there.

பி.பி. ஈர். டியஸ் பண்டாரநாயக்க மலா.

(திரு. எப். ஆர். டயஸ் பண்டாரநாயக்க)

(Mr. F. R. Dias Bandaranaike)

With the permission of the commissioners. I know, because I have looked it up particularly. I know perfectly well what the law says for the simple reason that I have examined the matter.

Even where the C. W. E. commission of inquiry is concerned, the persons examined there have no

right, no automatic legal right; they are merely witnesses. All that the commission is doing is to examine and investigate facts. There is no question of a charge against anybody. They have the right, with permission, to seek to take their legal representatives—I said that—and that is all. There is no automatic right of being informed of any charges. The findings are made subsequently in a report, the evidence of which is not published, unlike a court record, which anybody can move to obtain a certified copy of. You can look at it, see for yourself whether the judgment is borne out by the facts of the evidence. But, in regard to recent commissions, it is sad to relate, Members of the Opposition have had occasion to tell us more than once just how far short of these standards these commissions appointed under the Commissions of Inquiry Act have fallen. What happened? Under the Commissions of Inquiry Act, in this instance, the three commissioners functioned and held their inquiry. It is a matter of fact and, I think, a matter of record from the earlier debates too, that this particular commission was appointed by a Warrant on the 11th of September 1959, when the country was placed in the situation of the assassination of the Prime Minister and the whole Government of the country thrown into the melting pot, so to speak, from then onwards. By December there was a dissolution of Parliament, then there was a Caretaker Government for a long period till March followed by a general election. The Government that came into office was defeated on the first Throne Speech when a second dissolution occurred, and ultimately we had another Caretaker Government until July 1960. In other words, we lived in very unsettled political conditions just at that time. I am not blaming anybody for it. I am merely stating it as a question of fact.

And during this period the relevant commission sat and they arrived at certain findings. I myself do not know how anyone can say by looking

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[එෆ්. ආර්. ඩයස් බණ්ඩාරනායක මයා]

at the findings that those findings are wrong. No human being can say it. Nobody has ever seen what evidence was recorded. Nobody to this date knows what the commission did, what witnesses they examined beyond the newspaper reports that were read from day to day as the proceedings went on. The commissioners themselves were concerned with finding facts, and the commission was told that they must find their facts in the best possible methods. I remember, at one stage, one of the commissioners actually put a notice in the newspapers asking for information. At one stage, one of the commissioners made an announcement in the public press saying that he proposes to go round the clubs and collect as much information as he could. It is perfectly proper. There is nothing wrong in it so long as the commission is functioning in a fact-finding spirit. But having found a prima facie case the essential thing is one must function in a judicial way and that, I think, the commissioners probably did. It is not for us to say one way or the other how they did and did not function. All we know is, at that time, there were many complaints by the particular six persons or some of them at least whose names appear in the schedule.

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(திரு. ஸ்டான்லி திலக்கரத்ன)

(Mr. Stanley Tillekeratne)

One of the commissioners subsequently held a meeting with one of these people present with him.

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(திரு. எப். ஆர். டயஸ் பண்டாரநாயக்க)

(Mr. F. R. Dias Bandaranaike)

That is also true. One of the commissioners, the Chairman of this relevant commission, I believe, on one occasion praised one of the gentlemen in the schedule and described him as a second Dutugemunu along with others too. That does not matter.

As far as we are concerned we say that you cannot have a lack of finality in this matter. I myself at one time genuinely thought that just as much as some political parties have always argued against retroactive punishment—we heard arguments time and time again; sometimes right through the night we have been talking about retroactive punishment and about the viciousness of imposing penalties which were not in contemplation at the time; we were talking in terms of ensuring that natural justice is done and conserving rights of appeal as far as the Privy Council—it would be fair to allow a review of the findings of a commission by some appellate tribunal, and I argued before this House, on one occasion at least when this matter was discussed, that, some such opportunity should be allowed. But as I have recently stated I have changed my view, and I no longer think that the right of appeal should be allowed in respect of this matter. My reason for changing my view is that one cannot conceive of justice being done on an act years and years after the event. The Opposition did not at that time think of the right to allow a right of appeal to these six persons. And you were then the Opposition. You thought that no such right should be allowed when we thought that it should be allowed. In view of your decision it was not possible to grant that right of appeal. These people were found guilty in 1960. Till 1965, at least, there was no possibility of an appeal because that was not the wish of this House, and since it was not the wish of this House that there should be an appeal, I do not see how by allowing an appeal at this time in 1965 one can hope to achieve any form of justice. I do not think for a single moment that there is much purpose served in having rights of appeal, not even by all the fanciful arguments against retroactive legislation, the theoretical needs to breathe an air of freedom or democracy or anything else. I think it is meaningless that these people should indeed be given such an oppor-

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புகுநு கெடுபுகு

tunity. Why I am unhappy about it is that it was done under the Commissions of Inquiry Act and not by means of a procedure by which accused persons were fixed with notice, and indeed that would be under the Bribery Act. Under the present law which we have got, which we recently passed in Parliament, when the Bribery Commissioner initiates any action, the accused person is fully aware of what he is doing. He is brought up for trial before a district court. He has all the possible rights of appeal which he ought to have under the law and he runs the risk of being sentenced to seven years in addition to every other loss of civic rights.

In this instance, now that no right of appeal has been allowed because while the Government was in the Opposition they thought that no right of appeal should be allowed, we say from the Opposition today that whatever may have been our views then, we no longer think it will serve the purpose of justice to argue for a right of appeal on any basis. Whether those people feel that they have a grievance or not, it would be manifestly stupid and wrong to think in terms of an appeal at this time.

In other words, finality is essential to this episode. One cannot have it going on for ever. Six persons have been found guilty by a commission under the Commissions of Inquiry Act. I myself would have preferred it not to have been under the Commissions of Inquiry Act. I sincerely hope and trust that in the future, if we are going to have parliamentary commissions to investigate the conduct of hon. Members, it will not be under this procedure, whatever we are investigating—

புகுநு கெடுபுகு

(திரு. ஸ்டான்லி திலக்கரத்ன)

(Mr. Stanley Tillekeratne)

On the 3rd of December?

—தேவநகர கிண்பி

புகு. புர. கிண்பி கிண்பி கிண்பி கிண்பி

(திரு. எப். ஆர். டயஸ் பண்டாரநாயக்க)

(Mr. F. R. Dias Bandaranaike)

—I am not asking for any special procedure. Whatever we are investigating—let it be our conduct now or in future or at any other time—I sincerely hope and trust that we shall do it by means of a commission appointed by a Resolution of this House, or, if not, under the provisions of the Bribery Act under which all the safeguards are there.

But having followed this procedure, we must have a finality to this episode and therefore we in the Opposition declare unhesitatingly that we are not going to argue theoretical rights of people. We are not going to argue, as indeed hon. Members of the Government argued once, in favour of persons perhaps who do not deserve the consideration, trotting out every conceivable legal argument in their favour. We do not propose to argue in favour of the interests of wrong-doers. We do not propose to argue in favour of the proposition that it is better that every criminal should escape rather than that one innocent man should be found guilty—

புகுநு கெடுபுகு

(திரு. ஸ்டான்லி திலக்கரத்ன)

(Mr. Stanley Tillekeratne)

There are a number of others who have escaped.

புகு. புர. கிண்பி கிண்பி கிண்பி கிண்பி

(திரு. எப். ஆர். டயஸ் பண்டாரநாயக்க)

(Mr. F. R. Dias Bandaranaike)

—we feel it is far better to deal with the problem having regard to the interests at stake. The interests at stake are the interests of the country as a whole. The country as a whole has a right to demand that we in Parliament observe the highest standards—the highest possible standards—and the Government and the Opposition both, I think, have a duty to set the highest possible standards before we start complaining that all the minor bureaucrats down the line are taking little bribes.

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[ඒෆ්. ආර්. ඩයස් බණ්ඩාරනායක මයා.]

It has become customary in this House for charges of bribery to be bandied around merely for the sake of throwing them around, if possible to gain some political advantage. I think we are getting tired of it. I think it certainly behoves us all to adopt the highest standards than accuse each other without the slightest material.

We had the example the other day of the hon. Parliamentary Secretary to the Minister of Nationalized Services in the course of the Budget Debate telling us, "Here is a list of letters written by your former Ministers." He produced them. He read them here saying, "Look at the kind of letters you have been writing asking that people should be given jobs in the Ceylon Transport Board". He did not talk of bribery as such, true. But what was the implication? That it was wrongful conduct, that it was improper conduct on the part of an Hon. Minister. He was telling us, "This kind of letter should never be written. You are virtually using your position and authority". I think he read letters from my good Friend and Colleague, the hon. Member for Kegalla (Mr. Kalugalla), saying this kind of letter should not be written. Well, Sir, as he was trying to tell us, this is the kind of conduct I deplore, which Members of this House should not resort to, which we must abhor in future if we want to preserve purity of standards in public life. I am completely in agreement with the hon. Member.

But, on the other hand, his purpose was to tell us, "Well, you did that kind of thing in your time, we propose to go on doing the same thing. Now that the boot is on the other foot, now that we have got the chance to write letters like that effectively, I propose to see that we make the maximum use of it, and your mouth is shut. You shall not complain because you all wrote letters like that too." Sir, we have reached a sorry pass.

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(ஜனாப் அப்துல் பாக்கீர் மாக்கார்—வேருவலை)

(Mr. Abdul Bakeer Markar—Beruwala)
Has anyone written letters like that?

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(திரு. எப். ஆர். டயஸ் பண்டாரநாயக்க)
(Mr. F. R. Dias Bandaranaike)

May I produce photostat copies of letters that you all have written after the General Election? I have got three of them here and I shall table them. I will also read them. The first letter is by my good Friend, the Hon. Minister of Home Affairs. Written on the 4th of June, 1965, after the General Election, on the letter-head of the Ministry of Home Affairs, he says:

"My dear R. T.,

I presume this refers to the Chairman of the Ceylon Transport Board.

—annexed are three applications from Mr. de Joedt, of 589, Hokandara Road, Pannipitiya, and he is fit for any one of the posts he has applied for. He was not given a chance by the previous management, although I tried my best. He is a brilliant young man.—

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(திரு. ரி. பி. எம். ஹேரத்)

(Mr. T. B. M. Herath)

He must be a handsome chap.

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(திரு. எப். ஆர். டயஸ் பண்டாரநாயக்க)

(Mr. F. R. Dias Bandaranaike)

—please take him to one of the posts he applied for.

Yours sincerely,

W. Dahanayake,
M/H.A."

The second letter I should like to place before you is written on the House of Representatives note-paper with the seal of R. Premadasa, Parliamentary Secretary to the Ministry of Local Government.

"Chairman,
Ceylon Transport Board,
Colombo.

Dear Sir,

Bearer, A. Kularatne, is a constituent of mine. He is seeking employment. Kindly look into this matter and do the needful.

Yours sincerely,
R. Premadasa."

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(கௌரவ அங்கத்தவர் ஒருவர்)
(An hon. Member)

Whom is he asking to do the needful?

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(තිரு. எப். ஆர். டயஸ் பண்டாரநாயக்க)
(Mr. F. R. Dias Bandaranaike)

Asking the Chairman of the C. T. B. to do the needful, not Mr. Dahanayake to do the needful.

Here is the letter dated 23rd August 1965 signed by Senator A. Ratnayake.

"Colombo,
23rd August, 1965,

My Dear R. T.

Y. U. Peiris of—[*Interruption*].

I am producing the Transport Board letters because the hon. Parliamentary Secretary talked of Transport Board letters. I am merely talking about the standards which are held against us.

—Yatawara, Wattegama, was an employee in the P. S. Bus service. He did not get a job in the C. T. B. He is without employment. The accompanying petition states his case. I shall be glad if you could give him a suitable job in the C. T. B.

Yours sincerely,
Senator A. Ratnayake."

My respectful submission is this, why are we adopting dual standards? We do not want corruption in public life. I know that when letters of this sort are written sometimes allegations come in—I am not saying anything in regard to these letters, nor am I saying anything even in regard to the letters produced by my good Friend, the hon. Parliamentary Secretary—this kind of letter asking people to do the needful, to give them jobs, creates the impression that Members of Parliament are taking upon themselves tasks which are not theirs.

You find at the C. W. E. inquiry great play is made of this matter before a commission of inquiry. We are finding letters being produced,

“Here is a letter from someone or other.” The Chairman of the commission—he is concerned with his rights—turns round and says, “What are you doing here, letters from Members of Parliament are being written; wrong standards of the S. L. F. P. Government in office; see the low depth to which Mrs. Bandaranaike and her Government has sunk.”

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(திரு. ஸ்டான்லி திலக்கரத்ன)
(Mr. Stanley Tillekeratne)

The commission has sunk lower than that.

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(திரு. எப். ஆர். டயஸ் பண்டாரநாயக்க)
(Mr. F. R. Dias Bandaranaike)

I know the identical thing is going on today. Our example, at least, was of a sectarian Government of a particular crowd. But you represent the whole nation. See what disrepute you are bringing the nation. That is the danger in this. In other words, let us not have people coming here and pretending to be whitened sepulchures. There are many among us like in any other group who are at fault. Let us be honest with ourselves, let us demonstrate against corruption in all its forms. Let us set for ourselves standards of what we should and should not do. If you think it is wrong for us to write letters, it is wrong for you too. I threw out the challenge to the Minister whether he could honestly tell us that none of their Ministers or Parliamentary Secretaries since March 22nd have written letters of the kind produced before the Commission of Inquiry and the Minister hung his head and remained silent in reply.

In other words, these matters are above party politics. There is no point in looking at this question and saying, "You are for bribe-takers, we are against bribe-takers. We are an honest lot. You are the ones who wrote letters." Unfortunately,

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—දෙවන වර කියවීම

පනත් කෙටුම්පත

[එෆ්. ආර්. ඩයස් බණ්ඩාරනායක මයා.]

the truth of the matter is that there are pressures brought to bear on every Member of Parliament. Some people write letters very innocently. Other people, I am afraid, do feel tempted sometimes to write this kind of letter for a consideration. It is a sad but true fact that such things have happened, that sometimes even letters of this type from Members of Parliament have had a money value placed upon them. Some such examples have been placed. Some people have said that there have been other considerations. I think that is true. Such things happen.

Would it not be much better for us on both sides of the House if we, by agreement, were determined to set standards for ourselves not to write letters of this type to anybody and that we stood by such good intentions? But, of course, it cannot be one-sided. It has to be that the Government must set us an example. If we as a Government set a bad example, is there any reason why you, who represent the whole nation, should set a bad example to us?

So, Mr. Chairman, what I wish to state is this, if we are now giving you complete co-operation on behalf of the Opposition, it is not because we have not got different views in this matter. I myself speaking as a lawyer would like to state straightway that I would have been very much happier if a cleaner procedure had been adopted, of not having to go through the Commissions of Inquiry Act, of not dealing with people like witnesses brought up before an inquiry and treated as accused facing trial and denied legal representation. That would have been a much better position. That was not followed. And it is much too late now to talk of a right of appeal five years after.

I appealed to the Parliamentary Secretary in the course of the Debate on the Throne Speech and I remember asking him in plain and

specific terms to give us an assurance that the Bill would be prospective. The Bill has been prospective. I must thank him for keeping his promise. The disqualification contained in this Bill is prospective for seven years. It will operate from the time His Excellency the Governor-General assents to the Bill. And, as far as we are concerned, that is the proper thing to do in the circumstances.

Of course, the hon. Parliamentary Secretary did tell us that the Bill would be tabled within two weeks. I myself think it is a good thing if it has been so tabled. I am not going to make a point about the time it was tabled. But it cannot be a coincidence that it was only just after a Bill was advertised by my good Friend, the stormy petrel from Dam-badeniya who also tabled a Bill. It happened to be the identical Bill drafted by the Hon. Prime Minister when he was Leader of the Opposition.

The Bill you have produced now is not the identical Bill. It is a Bill which you think constitutes an improvement on the old Bill. I should, therefore, like at this time to indicate very briefly some comments in regard to the sections themselves which you were pleased to explain to us a moment ago.

Mr. Chairman, I think the intention of the Bill is quite plain. The intention of the Bill is to disqualify these six persons and only these six persons as far as this law is concerned. The intention is to disqualify them from various activities, namely (1) from sitting and voting in this House, (2) from voting at parliamentary elections or local elections, (3) from contesting as a candidate or receiving nomination at elections. But you will find that the wording of the law falls short of what we want when it comes down to the actual form and purpose.

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If I may be permitted to take the first point, "person to whom this Act applies"—I read at the top of page 5.

"'person to whom this Act applies' means each person specified in the Schedule to this Act in regard to whom the relevant Commission in its Reports found that any allegation or allegations of bribery had been proved".

Now, Sir, would it not have been very much better and cleaner, in my respectful submission, to say "'person to whom this Act applies' means each person specified in the Schedule to this Act" and stopped there? By going to add anything further it immediately brings in an element of proof. That is, you have got to establish by producing the Commission Report that the persons in the schedule are the persons named in the report. You have got to establish that there were charges against them, that there were "allegation or allegations of bribery" against that person and that those "allegation or allegations of bribery" have been proved.

My point is this : take the situation on a nomination day, shall we say? Say, one of these six persons comes forward with a nomination paper at a particular Parliamentary General Election. Let us take a case we are all familiar with. What is the procedure? The moment you take objection and say that he is a person to whom this Act applies, he is a person disqualified, you have got to be armed with Commission Reports, you have to find what the allegations were against him and you have to say that there has been a finding against the particular gentleman concerned, before you can do anything.

My respectful submission is this : let us shorten it to a practical form and say, "'the person to whom this Act applies' means each person specified in the Schedule to this Act", and let us explain in the preamble that these six persons were, in point of fact, found guilty by the Thalgodapitiya Bribery Commission.

Secondly, there is the section dealing with nominations—Clause 4. It provides :

"No person to whom this Act applies shall, for a period of seven years computed from the relevant date, be qualified to be nominated as a candidate at any election of a member of the House of Representatives or of any local authority; and accordingly the disqualification imposed by the preceding provisions of this section shall be deemed, for all purposes, to be a ground on which—

- (a) any objection may be taken at the time of the nomination of candidates at such election, under any appropriate law, to any nomination paper submitted by him or on his behalf in respect of his candidature at such election ;"

Let us stop there.

My point is this : if you want to say that such persons are disqualified from being nominated, say so. Let us leave it at that. They are disqualified from being nominated for the purposes of the General Election. By this particular wording what happens? By putting in those words, "under any appropriate law" you nullify the whole effect of what you intend to do because "under the appropriate law" means, the Parliamentary Elections Order in Council. The objection must be taken to the nomination of a candidate "under the appropriate law." It will be pointed out at once, "Under the appropriate law we are very sorry we cannot disqualify this gentleman".

One of the grounds on which you can object to a nomination paper under the ordinary law is where a person is not qualified under Section 13 of the Constitution. You can always take an objection on nomination day on that ground.

Supposing, for example, a candidate objects to the nomination paper of his opposing candidate on the ground that the opposing candidate has a contract with the Crown. That is a disqualification under Section 13. The returning officer will say, "I am sorry, I cannot go into this. This is a matter for an election petition. I cannot say, on the face of his nomination

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[එෆ්. ආර්. ඩයස් බණ්ඩාරනායක මය.]

paper, that he is disqualified". It is only on the face of the nomination paper that a returning officer can go. He is not expected to go beyond it under the appropriate law. What will happen the moment you raise an objection under clause 4 as drafted drafting. I am not objecting to your here? It is only an objection to the intention. I know your intentions are good. I know you intend to disqualify those people from being nominated. But, for goodness' sake, do not disqualify them ineffectively. If you want to disqualify them, disqualify them, and disqualify them in plain language. Let us not get into a controversy about what is being done under the "appropriate law". The moment you have it done under the appropriate law, the returning officer is powerless: He has no powers in spite of this Bill to disqualify such a person because, under the appropriate law, his objections are restricted to objections on the face of the nomination paper. Let us suppose that on the face of the nomination paper any one of these six persons uses a different name.

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ආහාර ඇමති)

(கௌரவ எம். டி. பண்டா—விவசாய,
உணவு அமைச்சர்)

(The Hon. M. D. Banda—Minister of
Agriculture and Food)

Change of name?

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(திரு. எம். ஆர். டயஸ் பண்டாரநாயக்க)

(Mr. F. R. Dias Bandaranaike)

Let us suppose that he uses a different name. My point is that the returning officer will say it is a matter for an election petition. It is not apparent on the face of the nomination paper to prevent him actually from standing for election. Of course, the disqualification will hold good to the extent that he will not be able to take his seat in this House. Your law is sufficiently effective for that. But it is clearly after going through the form of an election, the trouble

of an election, of having a poll, that you will be able to adjudicate on that.

I noticed that my hon. Friend the Member for Kotte (Mr. Stanley Tillekeratne), asked this question to which I am now about to refer in an indirect form. If you look at Clause 10, the intention is quite clear that you want to make this law operate as though it was an amendment to the Constitution. That is clearly your intention. You want to disqualify these people from having civic rights, but by putting in this particular wording, "Where any provisions of this Act are supplementary to, or inconsistent or in conflict with, any provisions of any appropriate law other than the Order in Council," I think, you will leave room for lawyers to argue for hours and hours and hours as to whether any particular provision is supplementary to or inconsistent with the provisions of the law. Why not specify the provisions you have in mind? You want the disqualification from nomination in Clause 4 to apply; you want the disqualification from getting on the register of voters in Clause 2 to apply; you want the disqualification on voting at elections to apply; if that is so, why not say these disqualifications shall operate notwithstanding anything in the Constitution, and to the extent that these disqualifications apply, the Order in Council shall be of no force and effect as far as these six persons are concerned? If you want to say that, say it. But do not word it in such a way as to leave loop-holes and escape clauses.

In that respect, Mr. Parliamentary Secretary, I should like to say that the original draft of your Prime Minister was far superior to your present draft. That draft made it quite plain that Section 13 of the Constitution was being amended to the extent that these six names were being actually listed in the category of persons under Section 13 for a period of seven years.

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(கௌரவ எம். டி. பண்டா)

(The Hon. M. D. Banda)

This has been drafted by the Legal
Draftsman.

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(திரு. எப். ஆர். டயஸ் பண்டாரநாயக்க)

(Mr. F. R. Dias Bandaranaike)

I know. But the draft of your Prime Minister was approved by the Legal Draftsman.

అర్చ. తే. భాగ. పయవర్ధన

(கௌரவ ஜே. ஆர். ஜயவர்தன)

(The Hon. J. R. Jayewardene)

My draft.

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(திரு. எப். ஆர். டயஸ் பண்டாரநாயக்க)

(Mr. F. R. Dias Bandaranaike)

May be his draft. I appreciate it, Sir. The Hon. Prime Minister is only the Government; the Hon. Minister of State is the State.

May be it is his draft. And if the Legal Draftsman has okayed his draft, I cannot imagine perfection being made more perfect.—[*Interruption*]. You know perfectly well that when the Prime Minister produced his draft, as a Private Member, his draft was sent to the Legal Draftsman under the normal procedure. It was referred to the Minister of Justice. It was only after it received the okay of the Legal Draftsman in its legal form that it came back to this House. So, you cannot say that the Legal Draftsman's draft is so different from your own.

I do not know whether it is a good draft or a bad draft. I do not know whether you want the names of these six gentlemen permanently enshrined in the Constitution. I myself would hate to see our Constitution defaced with the names of these six persons. But, Sir, I want it to be effective. I do not want it to be done in a form in which on nomination day you will be called upon by the returning officer to prove the

impossible, or undergo the risk of an election petition against these six persons.

So that, if you want to do it, I say we are prepared to get together to work out a form which we can say is complete and effective. I do not think that is difficult at the Committee stage. We offer you our full co-operation to achieve every one of these objectives in this draft and to that extent we hope and trust that your efforts to rid this country of bribery and corruption will be more successful than ours. We also hope and trust that if you want to make it more successful than ours, you will have to eschew the very bad practices that, for example, take the shape and form of letters such as this. You will have to ensure that when you talk you do not talk with your tongue in your cheek. When you talk in terms of protecting the innocent, when you talk of protecting persons and giving them the right of appeal up to the Privy Council and ensure that the Attorney-General does not oppose their application for leave to appeal, when you ensure that when your Ministers go and violate the law, the Attorney-General must take over the prosecutions and quash the prosecutions against them, you must ensure that things like that are just not done. After all, any Minister can break the law; our Ministers might have broken the law; we in the Opposition might break the law. But please do not ask the Attorney-General not to prosecute us. If we break any law, go ahead and prosecute. After all, we must be subject to the law just as much as you. Supremacy of the law is essential. If people commit murders, please do not go and pardon them even if it is Wesak or any other time. If you find that it is an appropriate case for pardon on merit, please pardon; but if it is not a case for pardon on merit, please do not pardon. Merely because you can always find some festival—I have no doubt that with this National Government in power you can find any number of festivals—please do not

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I think it is extremely important that high standards must be maintained in these matters, and we cannot take political advantage in these things to use the political stick to belabour one another. Whether we are on this side of the House or on the other side, high standards are essential, and those high standards are the things that you yourself wanted when you were on this side of the House.

Therefore, I appeal to you, do not rely on these commissions of inquiry, like the C.W.E. Commission of Inquiry, which are set up to sling mud at people, by getting letters produced by Crown Counsel. If it is a case of producing letters we have got a file of them—[Interruption]. You will be glad to know—

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(කෙළරව எம். டி. பண்டா)
(The Hon. M. D. Banda)

Are you paying people for collecting these?

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(திரு. எப். ஆர். டயஸ் பண்டாரநாயக்க)
(Mr. F. R. Dias Bandaranaike)

I am not. But I can assure you that we are making the collection entirely from voluntary contributions from people who are fed up with the kind of corruption that is rampant now. And you better set your staff and try to eliminate all the “sabateurs” who are giving these things to us.—[Interruption]. I will produce a bigger file than you have ever been able to make.

These documents are not from people who never think anything of it, but who possibly found themselves unable to resist the political pressure. I do say that this is not the way to approach everything that we have done or—[Interruption]. I do not think this kind of thing is going to take us anywhere. Certainly, there have been some valuable

letters produced before the C.W.E. Commission. But is this the kind of standard that should be adopted? Is this the manner in which you approach these matters?—[Interruption]. But you are doing the same thing. Why do you not tell your commissioners: “After all we are doing the same thing and we are going to continue to do the same thing”? Then your commissioners will begin to see daylight, will begin to understand the realities of what is happening politically.

Therefore, I do appeal, if you really mean business, to make an appeal to all your Members of Parliament not to give letters to people asking for employment. Start now.

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(கௌரவ அங்கத்தவர் ஒருவர்)
(An hon. Member)

That is an impossibility.

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(திரு. எப். ஆர். டயஸ் பண்டாரநாயக்க)
(Mr. F. R. Dias Bandaranaike)

If that is an impossibility, why do you blame us? If you have fallen prey to an impossibility, why do you —[Interruption]. What does it mean if the Minister tells Mr. R. T. de Silva: “I want you to give this man a job.”?—[Interruption]. A Minister telling somebody: “Give this man a job”—[Interruption].

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(கலநிதி என். எம். பெரேரா)
(Dr. N. M. Perera)

Do not be a hypocrite also.

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(திரு. எப். ஆர். டயஸ் பண்டாரநாயக்க)
(Mr. F. R. Dias Bandaranaike)

I have read them and tabled them. Unlike the Hon. Minister of Nationalized Services, when I table a document I table it. I do not take it away with me. You see, Sir, when I speak on this matter I speak with perfect sincerity. We do want high standards in public life. With the

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පනත් කෙටුම්පත

—දෙවනවර කියවීම

passing of the Bribery Act and now the Imposition of Civic Disabilities (Special Provisions) Bill, I sincerely hope and trust that the Government and the Opposition both will together strive to maintain purer standards of public life, will strive to ensure that the best people are appointed to suitable jobs, will strive as far as possible to eliminate defeated candidates from being appointed to boards of corporations and strive to ensure that people with the necessary qualifications are appointed to posts.

We were told that Mr. Deshapriya Senanayake was unsuitable for appointment to a post. He was qualified as an advocate but it was said that that did not matter much because he had not much of a practice. He had been a journalist. But for whatever it was worth he is qualified as an advocate. Before the C. W. E. Commission it was said that he was a poonac inspector. But I notice that some of the people who are now appointed to boards of corporation by the present National Government are not even fit to be poonac inspectors. Some of them have no qualifications whatsoever except the fact that their political connections are right and that they had the good fortune to lose at the elections, and now some of them earn more money than you who have won your seats. We, no doubt, appointed politically acceptable persons but they had the necessary academic background and competence; we did not appoint persons who did not have the necessary academic background—[Interruption].

These are undoubtedly questions of importance and it is not enough to inveigh against bribery in the abstract, to talk in terms of imposing punishment on six persons. That is not the sum and substance of this problem.

If we want to maintain higher standards, we must make a practical approach to the problem and

seriously attempt to clean ourselves from within and it is in that way that we can get on with this problem.

අ. භා. 6.10

අබ්දුල් බකීර් මාකර් මයා.

(ஜனாப் அப்துல் பாக்கீர் மாக்கார்)

(Mr. Abdul Bakeer Markar)

There is only one point, Mr. Deputy Chairman, that I wish to raise and that is about the letters spoken of by the hon. Member for Dompe (Mr. F. R. Dias Bandaranaike)

I remember the occasion when the former Minister of Nationalized Services challenged us on the Floor of this House to point to any instance when he had asked that any person be appointed to a post. I got up here and pointed to instance after instance—[Interruption].

ආචාර්ය එන්. එම්. පෙරේරා

(கலநிதி என். எம். பெரேரா)

(Dr. N. M. Perera)

You produced one letter—

අබ්දුල් බකීර් මාකර් මයා.

(ஜனாப் அப்துல் பாக்கீர் மாக்கார்)

(Mr. Abdul Bakeer Markar)

Instance after instance, I repeat—three, four, five—about eight. I pointed out to instances where the Minister, the former Minister had ordered that certain persons be given employment.—[Interruption]. The illogical manner in which he argued his case—[Interruption].

ස්ටැන්ලි තිලෙකරත්න මයා.

(திரு. ஸ்டான்லி திலக்கரத்ன)

(Mr. Stanley Tillekeratne)

Read out the letters that were just tabled and which you now have in your hand.

අබ්දුල් බකීර් මාකර් මයා.

(ஜனாப் அப்துல் பாக்கீர் மாக்கார்)

(Mr. Abdul Bakeer Markar)

There is not one letter here where a subordinate officer has been asked to take a man in—[Interruption]

புது ஐயுறுகிற பாவிலே (வினேஷ் விவிவின)
பவன் கெடுபிசை

சுடன்தி கிலகரன்னை மன.

(திரு. ஸ்டான்லி திலக்கரத்ன)

(Mr. Stanley Tillekeratne)

"Here is a young Man. Do the needful." What does that mean?

அப்துல் கைர் மகர் மன.

(ஐனாப் அப்துல் பாக்கீர் மாக்கார்)

(Mr. Abdul Bakeer Markar)

I do not know how an advocate of repute can come here and produce letters of this sort and attempt to mislead this House.—[Interruption]. Why do you shout? Giving a person a recommendation is not the same thing as asking that he be given a job.—[Interruption].

சுடன்திவரு

(கௌரவ அங்கத்தினர்கள்)

(Hon. Members)

Read out the letters.

அப்துல் கைர் மகர் மன.

(ஐனாப் அப்துல் பாக்கீர் மாக்கார்)

(Mr. Abdul Bakeer Markar)

You can shout when you are caught.

சுடன்திவரு

(கௌரவ அங்கத்தினர்கள்)

(Hon. Members)

Read them out.

அப்துல் கைர் மகர் மன.

(ஐனாப் அப்துல் பாக்கீர் மாக்கார்)

(Mr. Abdul Bakeer Markar)

I am not here to carry out your orders! You heard the letters being read. So did I. What is the necessity for a second reading of those letters?

சுடன்தி கிலகரன்னை மன.

(திரு. ஸ்டான்லி திலக்கரத்ன)

(Mr. Stanley Tillekeratne)

I will read it.

அப்துல் கைர் மகர் மன.

(ஐனாப் அப்துல் பாக்கீர் மாக்கார்)

(Mr. Abdul Bakeer Markar)

The Hon. Minister of Home Affairs has not given a letter to either his Permanent Secretary or to anybody

—தேவனவர் கியிலே

working under him saying, "Please employ him." He is only writing to a friend asking that an injustice be put right.

அவரேய் உன். உம். பேரேர்

(கலாநிதி என். எம். பெரேரா)

(Dr. N. M. Perera)

Friend! Friend!

சுடன்திவரு அப்துல் கைர் மகர் மன.

(கௌரவ கலாநிதி தகநாயக்க)

(The Hon. Dr. Dahanayake)

I want to offer a personal explanation—

அப்துல் கைர் மகர் மன.

(ஐனாப் அப்துல் பாக்கீர் மாக்கார்)

(Mr. Abdul Bakeer Markar)

This is a letter which he has written to another person over whom he has no control and has given certain details. He has said, "My dear R. T., Here is a man who has been overlooked. Will you consider his case?"

கௌரவ மன.

(திரு. கௌரவ மன)

(Mr. Keuneman)

Consider? You have said, "appoint him"—[Interruption].

அப்துல் கைர் மகர் மன.

(ஐனாப் அப்துல் பாக்கீர் மாக்கார்)

(Mr. Abdul Bakeer Markar)

You will get a chance to reply, so do not interrupt me.

காரகஸலா நியோஜன சபாபதிவரு

(குழுக்களின் பிரதி அக்கிராசனர்)

(Mr. Deputy Chairman of Committees)

Order please! If you are not going to carry out my orders I will have to take some steps. You can read the letters yourself when you get the opportunity.

அப்துல் கைர் மகர் மன.

(ஐனாப் அப்துல் பாக்கீர் மாக்கார்)

(Mr. Abdul Bakeer Markar)

The other letters is about a former employee of a bus company. The writer says that an application had

ප්‍රජා කුසුදුසුකම් පැනවීමේ (විශේෂ විධිවිධාන)
පනත් කෙටුම්පත

—දෙවනවර කියවීම

been made by this person for a job in the C. T. B. but he was overlooked. He is asking the present Chairman of the C. T. B. to review his case and see whether he is fit to be employed.

When we give a certificate we mention the qualifications and say, "I recommend so-and-so for such-and-such a job." But in the case of the former Minister of Nationalized Services it was not that. He ordered his subordinates, "I am sending so-and-so; please employ him". This is corruption.—[Interruption].

ආචාර්ය එන්. එම්. පෙරේරා
(கலாநிதி என். எம். பெரேரா)
(Dr. N. M. Perera)

It is a lie!

අබ්දුල් බකීර් මාකර් මය.
(ஜனாப் அப்துல் பாக்கீர் மாக்கார்)
(Mr. Abdul Bakeer Markar)

In spite of saboteurs and in spite of your stooges in these departments, you cannot prove one instance of any Minister or a single Member of this Government having used his authority in this way and made such orders. Hon. Members of the National Government are men of integrity—[Interruption]. Can the Opposition point out one instance where a Minister had given a direction or an order to employ a particular individual?

ආචාර්ය එන්. එම්. පෙරේරා
(கலாநிதி என். எம். பெரேரா)
(Dr. N. M. Perera)

There is more than one! There are 30,000 such instances!

අබ්දුල් බකීර් මාකර් මය.
(ஜனாப் அப்துல் பாக்கீர் மாக்கார்)
(Mr. Abdul Bakeer Markar)

If they can point out one instance where one Minister of this Government had misused his power we are prepared to face any charge.

காரகஸனா நியோජ්‍ය සහාපතිතුමා
(குழுக்களின் உப அக்கிராசனர் அவர்கள்)
(Mr. Deputy Chairman of Committees)

Order, please! I think you have said enough on this subject.

අබ්දුල් බකීර් මාකර් මය.
(ஜனாப் அப்துல் பாக்கீர் மாக்கார்)
(Mr. Abdul Bakeer Markar)

I only want to point out to the hon. Member for Dompe that those on this side of the House have not resorted to corruption.—[Interruption]. They are not men of that sort who use their authority to take undue advantage of the situation in which they are placed.

ස්ටැන්ලි තිලකරත්න මය.
(திரு. ஸ்டான்லி திலக்கரத்ன)
(Mr. Stanley Tillekeratne)

May I—

ශ්‍රී ආචාර්ය දහනායක
(கௌரவ கலாநிதி தகநாயக்க)
(The Hon. Dr. Dahanayake)

As a letter written by me has been called in question I hope you will permit me to offer an explanation. The letter is as follows:

“ Colombo 7,
4th June, 1965.

My dear R. T.,

Annexed are 3 applications from Mr. de Joedit of 589, Hokandara Road, Pannipitiya, and he is fit for any one of the posts he has applied for. He was not given a chance by the previous management, although I tried my best. He is a brilliant young man—

ආචාර්ය එන්. එම්. පෙරේරා
(கலாநிதி என். எம். பெரேரா)
(Dr. N. M. Perera)
“Brilliant young man”!

ශ්‍රී ආචාර්ය දහනායක
(கௌரவ கலாநிதி தகநாயக்க)
(The Hon. Dr. Dahanayake)

“Please take him on to one of the posts he applies for.

Yours sincerely,
(Sgd.) W. Dahanayake,
M/H. A.”

ආචාර්ය එන්. එම්. පෙරේරා
(கலாநிதி என். எம். பெரேரா)
(Dr. N. M. Perera)
“Take him on”!

புக னுபுதுகுகி புகவிலே (வினேச விவிவிவின)
புகன் கெடுபுக

—தேவனவர கியிலே

செ. ஸாஸி ததநாயக

(கெளரவ கலாநிதி ததநாயக)

(The Hon. Dr. Dahanayake)

The facts of this case are—[Interruption].

காரகஸஸ நியோஜித பஸபநிதூ

(குழுக்களின் உப அக்கிராசனார் அவர்கள்)

(Mr. Deputy Chairman of Committees)

If you go on interrupting we cannot continue with the proceedings.

செ. ஸாஸி ததநாயக

(கெளரவ கலாநிதி ததநாயக)

(The Hon. Dr. Dahanayake)

This letter must be taken in the content of his application. This gentleman is technically qualified. He applied for a post in the C. T. B.—

செ. ஸ்டான்லி திலக்கரத்ன

(திரு. ஸ்டான்லி திலக்கரத்ன)

(Mr. Stanley Tillekeratne)

What was his age?

செ. ஸாஸி ததநாயக

(கெளரவ கலாநிதி ததநாயக)

(The Hon. Dr. Dahanayake)

—when it was under the S. L. F. P. Government; he was passed for employment but he was not taken because of the wrong policy followed by the previous Government. That is why I have said he was not given a chance by the previous management. Now, Sir, I consider it my duty, wherever facts are pointed out to me, to see that injustices are set right. I will always fight for the cause that needs assistance, and the injustice that needs resistance. I shall do so whether I am a Minister or whether I am a back-bencher or whether I am an ordinary private citizen.

செ. ஸ்டான்லி திலக்கரத்ன

(திரு. ஸ்டான்லி திலக்கரத்ன)

(Mr. Stanley Tillekeratne)

May I have the letters, Sir?

Unfortunately, in our case we had no occasion to recommend very admirably, young men for jobs.

காரகஸஸ நியோஜித பஸபநிதூ

(குழுக்களின் உப அக்கிராசனார் அவர்கள்)

(Mr. Deputy Chairman of Committees)

You need not dwell very much on these letters.

செ. ஸ்டான்லி திலக்கரத்ன

(திரு. ஸ்டான்லி திலக்கரத்ன)

(Mr. Stanley Tillekeratne)

You will be pleased to hold with me on this matter, Sir. This is a letter given to one de Hoedt or Joedt. In point of fact, it is a very interesting letter. During our time also we had Mr. R. T. de Silva—our dear old R. T.—as the Chairman of the Ceylon Transport Board. This letter is very important because it does not just state, "The bearer, de Hoedt, applies for a post. He is honest. He bears a good character." And if it ends by saying, "I will be pleased if you give this matter your consideration" or "I will be pleased if you consider him for appointment", then we may say that that is the normal type of letter given to candidates for jobs. But this letter is not of that type. Sir, I do not know the age limits for this particular type of job.

சி. என். மதியூ (கொலொன்னை)

(திரு. சி. என். மதியூ—கொலொன்னை)

(Mr. C. N. Mathew—Kolonna)

Why are you so worried about the age limit?

செ. ஸ்டான்லி திலக்கரத்ன

(திரு. ஸ்டான்லி திலக்கரத்ன)

(Mr. Stanley Tillekeratne)

Sir, the hon. Member for Kolonna was a student of mine for just two months. I was worried about his own age. Now he has gone and joined the U. N. P. and I hope they will spare him in time to come.

காரகஸஸ நியோஜித பஸபநிதூ

(குழுக்களின் உப அக்கிராசனார் அவர்கள்)

(Mr. Deputy Chairman of Committees)

Will the hon. Member speak on the Bill?

புது இயக்கத்தை உருவிலே (பிஷேப் விபிவினா)
பதன் கெடுதலாக

ஸ்டான்லி திலக்கரத்ன உரை.

(திரு. ஸ்டான்லி திலக்கரத்ன)

(Mr. Stanley Tillekeratne)

You will be pleased to see, Sir, that this letter is not only a recommendation for a job, but it lays down very clearly that the young man is brilliant—[Interruption]. I have not seen this brilliant young man. These brilliant young men are a matter of taste! Now, may I read the letter? It states, "Please take him on to one of the posts he applies for."

ஓர் ஐயத்தின் உதாரணம்

(கௌரவ கலாநிதி தகநாயக்க)

(The Hon. Dr. Dahanayake)

I read that myself.

ஸ்டான்லி திலக்கரத்ன உரை.

(திரு. ஸ்டான்லி திலக்கரத்ன)

(Mr. Stanley Tillekeratne)

What are the posts? The posts which have been advertised. Of the ten posts advertised, fill one with this brilliant young man. That is what it amounts to. The other applicants may be considered for the balance nine posts. Now, Sir, there was a wise old monkey which said, "Small things go a long way."

காரைக்கல நியோகப் பண்பாடு

(குழுக்களின் உப அக்கிராசனர் அவர்கள்)

(Mr. Deputy Chairman of Committees)

Will you please come back to the Bill?

ஸ்டான்லி திலக்கரத்ன உரை.

(திரு. ஸ்டான்லி திலக்கரத்ன)

(Mr. Stanley Tillekeratne)

If this National Government is going to start like the monkey by allowing small things to go a long way, then at the end of five years we will get a good number of them caught within the ambit of the operation of this Bill. A Government can start after its baptism period with little bits of sin—([Interruption]). This Government has just started on its career. [Interruption]. Some of the appointments in the various corporations are not meant—[Interruption].

காரைக்கல நியோகப் பண்பாடு

(குழுக்களின் உப அக்கிராசனர் அவர்கள்)

(Mr. Deputy Chairman of Committees)

Are you coming back to the Bill or not?

ஸ்டான்லி திலக்கரத்ன உரை.

(திரு. ஸ்டான்லி திலக்கரத்ன)

(Mr. Stanley Tillekeratne)

I am coming, Sir. I am coming down to the Bill. Now, Sir, when the relevant sections of this Bill go into operation and if the correct men are not put in the correct places, I am sure, they themselves will come within the purview of this Bill. It is my duty while discussing this Bill to caution the Government as to the nature of the appointments that they are making. In point of fact, they have started in a very bad way. It is in time that I am giving this advice to a Government that is going to be very national. In point of fact, I should like to refer to the appointments made to the Port (Cargo) Corporation, to the Ceylon Transport Board, the National Textile Corporation, and also the very good diplomatic appointment to Ghana—they call it "gahanawa". That is the only good appointment. Now, I should like to talk about the appointment to the People's Republic of China. You will be surprised to see, very soon when the people's of China call for volunteers, that the first man who will be in the queue to join the Viet Cong, in their fight, will be Ceylon's Ambassador to Peking. Then this Government will get embarrassed and call him back, but the Viet Cong will not allow him to come; and the day he comes he will come with the Viet Cong forces and I do not know where he will march from. I think that they are regretting his appointment.

காரைக்கல நியோகப் பண்பாடு

(குழுக்களின் உப அக்கிராசனர் அவர்கள்)

(Mr. Deputy Chairman of Committees)

I see that the hon. Member is going outside the Bill.

புது நுழைப்புகள் புகுவதில் (விசேஷ விதிவிலகம்)
பணம் கெட்டுப்போக

ஸ்டான்லி திலக்கரத்ன மஹோ.
(திரு. ஸ்டான்லி திலக்கரத்ன)
(Mr. Stanley Tillekeratne)
I am coming to the Bill.

காரகஸஸா நியோஜீனா ஸபாபதிநும
(குழுக்களின் உப அக்கிராசனார் அவர்கள்)
(Mr. Deputy Chairman of Committees)
Order, please ! Most of what you
say is irrelevant.

ஸ்டான்லி திலக்கரத்ன மஹோ.
(திரு. ஸ்டான்லி திலக்கரத்ன)
(Mr. Stanley Tillekeratne)
Sir, I am coming to the Bill.

காரகஸஸா நியோஜீனா ஸபாபதிநும
(குழுக்களின் உப அக்கிராசனார் அவர்கள்)
(Mr. Deputy Chairman of Committees)
Order, please ! Will you listen to
me ? You are going outside the
Bill.

டாக்டர் என். எம். பெரேரா
(கலாநிதி என். எம். பெரேரா)
(Dr. N. M. Perera)

We are discussing the principle of
the Bill, the whole question of
bribery and corruption. So, why is
it out of Order when you are
discussing the general question of
bribery and corruption.

காரகஸஸா நியோஜீனா ஸபாபதிநும
(குழுக்களின் உப அக்கிராசனார் அவர்கள்)
(Mr. Deputy Chairman of Committees)
Of course, he can speak on bribery
and corruption.

டாக்டர் என். எம். பெரேரா
(கலாநிதி என். எம். பெரேரா)
(Dr. N. M. Perera)

Do not have different rules for
that side and different rules this
side.

காரகஸஸா நியோஜீனா ஸபாபதிநும
(குழுக்களின் உப அக்கிராசனார் அவர்கள்)
(Mr. Deputy Chairman of Committees)
I will treat all alike.

—தேவநல்லூர் கிளப்பி

கெனமன் மஹோ.
(திரு. கெனமன்)
(Mr. Keuneman)

We want to avoid the situation of
discussing the provisions of this
Bill over and over again. The hon.
Member for Kotte is giving the
Government very good advice so
that we would not have five years
later to go into the question.—
[Interruption]. He is performing a
national service.

ஸ்டான்லி திலக்கரத்ன மஹோ.
(திரு. ஸ்டான்லி திலக்கரத்ன)
(Mr. Stanley Tillekeratne)

Sir, as a very young Member of
this House I am ready to abide by
your Order. I will, as far as pos-
sible, not digress from the main
provisions of the Bill and matters
connected therewith. There is one
matter which I wish to place on
record. They may be very happy
that they are cleaning the public
life of this country of bribery and
corruption ; but, we know how in
the past the U. N. P. administration
functioned in local authorities.
Their members were found guilty of
bribery and corruption. We are
also aware of the rate at which these
appointments are being made and
very soon some of the gentlemen
who are appointed to these Embas-
sies abroad will finally be found
guilty of racketeering in liquor and
foreign exchange in the Embassies
they have got appointments if
correct men are not put in correct
places.

I wish now to refer to a very
respectable gentleman who sat in
that place where you sit. He came
down to the level of politics ; he had
published a booklet where he made
frivolous allegations against hon.
Members of this House. In point of
fact, it was a very respectable
gentleman of this House, the former
Clerk to this House, who turned
round and told him in very plain
and simple language that he was a
liar, that his allegations were not
true ; and he was even prepared to
face a court inquiry on these

ප්‍රජා නුසුදුසුකම් පැනවීමේ (විශේෂ විධිවිධාන)
පනත් කෙටුම්පත

—දෙවනවර කියවීම

allegations, but the former Mr. Speaker was not prepared to file an action for defamation.

Now, Sir, I must caution you ; we are glad that you are in the Chair. I know that whatever my lapses might be you are not going to send me out of this House. Anyhow, these facts must be kept in mind. Sir, it is this very same gentleman who has been making wild allegations on election platforms, who has written a book and published it—this booklet contains defamation of certain individuals in regard to various matters—who I hear is to be given a diplomatic appointment for the dirty and scavenging services he rendered during the last election.

I am glad the hon. Member for Dompe wanted to read the proceedings—[*Interruption*]. In point of fact, I have a fair comment to make on the conduct of the commissioner who one day—[*Interruption*].

So many references have been made about the C.W.E. Commission. I say this commission will go down to history as a political commission that was appointed by this Government to launder its political suits for the future. The Commissioners are just political launderers and nothing else.

We had a good commission comprising Messrs. Walter Thalagodapitiya, Thomas Webb Roberts and Samuel John Charles Schokman. I am leaving Mr. Roberts and Mr. Schokman out. These are respected gentlemen who, after they went out of office as commissioners lived as respectable men. But, it was this Walter Thalagodapitiya, the Chairman—[*Interruption*]. Sir, I leave these boys to be dealt with by the Deputy Speaker.

In point of fact, I must place this on record. Mr. Walter Thalagodapitiya, the Chairman of this commission, found this Casila Abdul Samed Marikkar—the great Marikkar whose house is built on the climbs of Kadugannawa where he

can fight a foreign army and defend the Sinhala army there—he was a Minister—[*Interruption*].

කාරකසභා නියෝජ්‍ය සභාපතිතුමා

(ප්‍රඥාප්තිමය උප අතිරේක සභාපතිතුමා)

(Mr. Deputy Chairman of Committees)

Order, please !

ස්ටැන්ලි තිලෙකරත්න මයා.

(ති.රු. ස්ථාන්ති තිලකරත්න)

(Mr. Stanley Tillekeratne)

I am coming down, Sir. There are a number on their side whose conduct on the 3rd of December 1964, has to be investigated.—[*Interruption*].

After all, we had the courage to appoint a commission. That commission was a fact-finding commission. The fact-finding commission had found Casila Abdul Samed Marikkar guilty of the offence of bribery. It was during the election that Walter Thalagodapitiya held a meeting in the up-country area and on behalf of the up-country Sinhala people put Mr. Marikkar on the back of an elephant—[*Interruption*].

ශ්‍රී මන්ත්‍රීවරයෙක්

(කෙළරාව අභිමතවරුන් ඉදිරිපත්)

(An hon. Member)

How about Dambadeniya ?

ස්ටැන්ලි තිලෙකරත්න මයා.

(ති.රු. ස්ථාන්ති තිලකරත්න)

(Mr. Stanley Tillekeratne)

The hon. Member for Dambadeniya (Mr. R. G. Senanayake) was really a hero—[*Interruption*]. Wherever the hon. Member for Dambadeniya flashes his walking stick the Federal Party is driven to silence.

ශ්‍රී මන්ත්‍රීවරයෙක්

(කෙළරාව අභිමතවරුන් ඉදිරිපත්)

(An hon. Member)

That is all right. Leave the Federal Party aside.

ප්‍රජා නුසුදුසුකම් පැනවීමේ (විශේෂ විධිවිධාන)
පනත් කෙටුම්පත

—දෙවනවර කියවීම

ස්ටැන්ලි තිලකරත්න මයා.

(திரு. ஸ்டான்லி திலக்கரத்ன)

(Mr. Stanley Tillekeratne)

Also the hon Appointed Members who are sitting on the other side—
[Interruption]. In the country they call that walking stick of his “a great Sinhala polla” that will lead the Sinhala army. In point of fact, it is very powerful sometimes—
[Interruption].

Now, let us come back to this. It is this same commissioner, Mr. Thalagodapitiya, who put the great Marikkar on the back of an elephant and proclaimed to the people of the up-country, and the U. N. P. boys who were there, “This is the real Dutugemunu.” I am making this comment.

රො මන්ත්‍රීවරයෙක්

(கௌரவ அங்கத்தவர் ஒருவர்)

(An hon. Member)

What happened to the elephant?

ස්ටැන්ලි තිලකරත්න මයා.

(திரு. ஸ்டான்லி திலக்கரத்ன)

(Mr. Stanley Tillekeratne)

The elephant had a sorrowful and painful death on that very same day, and the veterinary surgeons at Peradeniya were of opinion that it had died with its vertebral column broken into pieces—[Interruption].

Now we come back to the Bill. We on this side of the House, the S. L. F. P., the L. S. S. P. and the Ceylon Communist Party, in point of fact—

මැතිව මයා.

(திரு. மதியூ)

(Mr. Mathew)

What are you?

ස්ටැන්ලි තිලකරත්න මයා.

(திரு. ஸ்டான்லி திலக்கரத்ன)

(Mr. Stanley Tillekeratne)

Just imagine their ignorance! I tried to teach them when they were students and they all failed. And they joined the U. N. P. after that.

In point of fact, my political affiliations would have been well known when they read about my nomination in the papers and how I got elected. Anyway, I feel I must deal with wise men and not with students like these.

Now, coming back to the Bill, no doubt bribes and bribery are things we must stamp out of the public life of this country. Let it be kept in mind that on the 3rd of December 1964, there were a number of hon. Members who crossed from that side of the House to this side. Some of them sought election subsequently, and some did not. In point of fact, a special commission under the Commissions of Inquiry Act has to be appointed, and this must be supported by Members on both sides of this House. I know that the Leaders of the United National Party, particularly the Hon. Prime Minister and a gentleman of the calibre of the Hon. Minister of State, will not tolerate this type of thing in the public life of this country. A commission has to be appointed to go into the conduct of these gentlemen, to investigate how some of them redeemed mortgages on land in Nawala in my constituency, redeemed their cars, bought cars. The commission will also have to investigate how the S. L. F. S. P. got their election funds for the election campaign. These are matters that have to be investigated. These are matters of which you are yourself aware, Sir. They took place when you were the hon. Member for Negombo and before you took office as Deputy Chairman of Committees. There are allegations that some of them got a lakh of rupees, some fifty thousand rupees, and that the money was distributed at the house of an ex-Senator situated at Turret Road. I do not say that all those who crossed over took money, but I do say that some of them are in contracts, some of them have redeemed all their debts, some of them lead prosperous lives. One harmless man an ex-Member of this House, who came into the House and decided not to vote, is I am made to understand, to be employed in a newly

ප්‍රජා නුසුදුසුකම් පැනවීමේ (විශේෂ විධිවිධාන)
පනත් කෙටුම්පත

—දෙවන වර කියවීම

floated company of Lake House "Jana Hitha". I do not want to name people. I want their conduct investigated in the interests of the purity of public life in this country. When these very same S.L.F.S.P. men are trying to enter the portals of the U.N.P., you will not only have to screen them politically but screen their anatomy as well because sediments of misconduct still remain. I do not know how you are going to tolerate the admission of certain people to your party. After all, the U.N.P., whatever its failings may have been in the past, is a new party, as you say. It has a new leadership and it does not want this dishonesty to prevail.

These are matters that should be inquired into, even if it is done for one reason alone, namely, that there will be a day when history will lay it down that there were many on the Government side who were there due to influence, bribe, and money—distributed at the Turret road house of an ex-Senator. Cases of whisky, money in lumps and bundles, motor cars, and a jeep were given.

මැතිව් මයා.

(තිரு. මතිඥ)
(Mr. Mathew)

Why are you defending rogues of our party?

ස්ටැන්ලි තිලෙකරත්න මයා.

(තිரு. ස්ටැන්ලි තිලෙකරත්න)
(Mr. Stanley Tillekeratne)

I know the father of this Gentleman. He was considered to be a political hookworm.

මැතිව් මයා.

(තිரு. මතිඥ)
(Mr. Mathew)

Have you a father?

ස්ටැන්ලි තිලෙකරත්න මයා.

(තිரு. ස්ටැන්ලි තිලෙකරත්න)
(Mr. Stanley Tillekeratne)

I advise the hon. Member to look at the column "Married or not" in his birth certificate. In his case the

birth certificate says "unmarried". But my real strength he will feel at the correct and proper time, and placed in the context of the proper position of his own father he will realize that short men are also destined to do big things for him. If he comes down to that level I am prepared to give him at that level.

This is a matter that has to be gone into very carefully, because as much as you are pointing a finger of accusation against so many, on the side of the Government and outside the Government, lobbying for various appointments, going to meet various Ministers and asking them, "Get me a job, get me a job!", these are men who, on December 3rd, accepted large sums of money and fled away on to that side and voted and out-voted the Government that was there.

මැතිව් මයා.

(තිரு. මතිඥ)
(Mr. Mathew)

And toppled the Government.

ස්ටැන්ලි තිලෙකරත්න මයා.

(තිரு. ස්ටැන්ලි තිලෙකරත්න)
(Mr. Stanley Tillekeratne)

Toppled with dirty bribe-takers. This was how the politics of December 3rd began. I am glad that we are enacting this legislation but, of course, the little regret is that it becomes prospective. In five years some of these gentlemen resigned from this House and went away, but anyhow they contested seats at the election. In point of fact, I am not prepared to pass sentence on these people, but yet, as their names are found in the schedule and the commission has found them guilty we are prepared to consider this position of imposing disabilities on them. But one fact remains. As pointed out by the hon. Member for Dompe (Mr. F. R. Dias Bandaranaike) you have six names here. If one changed one's name in the meantime, what are you going to do?

புது ஐயுடையது உதவிலே (விசேஷ விதிவிடாது)
புது கெடுதலுதவ

—தேவனவர கியவிலே

மேனிலே மை.

(திரு. மதியூ)

(Mr. Mathew)

He is trying to teach us.

மேனிலே திலகரத்ன மை.

(திரு. ஸ்டான்லி திலக்கரத்ன)

(Mr. Stanley Tillekeratne)

Look at this! He cannot understand the problem.

மேனிலே மை.

(கௌரவ அங்கத்தவர் ஒருவர்)

(An hon. Member)

He is a buffoon.

மேனிலே திலகரத்ன மை.

(திரு. ஸ்டான்லி திலக்கரத்ன)

(Mr. Stanley Tillekeratne)

Buffoon is the apt term—a political buffoon.

காரகஸஸா நியோஜீத சபாபதிநுமே.

(குழுக்களின் உப அங்கிராசனார் அவர்கள்)

(Mr. Deputy Chairman of Committees)

I do not want any hon. Member to use the word "buffoon" in referring to an hon. Member in this House. Hon. Members should be ashamed of themselves.

மேனிலே திலகரத்ன மை.

(திரு. ஸ்டான்லி திலக்கரத்ன)

(Mr. Stanley Tillekeratne)

There are six people here. If any one of these six men were to change his name, or if on the voters' list his name is found differently and if he presents his nomination papers before the returning officer, how is that officer going to reject that nomination paper? In point of fact, I am glad that the Bill that has been presented and brought some time back gives us a different procedure as regards how offenders should be brought to book. I agree with the hon. Member for Dompe on one matter. I feel that some higher body should have been made available to them to state their case. Now it is too late, but sometimes one may ask the question, if

justice is to be meted out, however late it is, are you not going to make provision for it?

We have taken up the position that we will stand by the findings of this commission in this matter. I also appreciate the position of the Government when it moved the last Bill. It laid down the procedure for a preliminary inquiry to be held by the Bribery Commissioner and said that after a *prima facie* case had been made out, the necessary papers and statements will be produced in due course to the Attorney-General, who in turn would frame the indictment. But I must advise that Bribery Commissioner on the Floor of this House that when he does so he should do it not in such a way as to seek political advantage for others. That will be bad because all these commissions and commissioners who have been appointed have been appointed as dredging commissions in order to sling mud on the names of others. That was why in spite of a number of applications which were sent, most of which were frivolous and some vexatious, the Bribery Commissioner decided to select the name of one particular person because it was thought that that was the proper way to sling mud on the reputation of the previous Government—[Interruption]. Why, there was an allegation made against the former Speaker. There was an allegation, which I say was purely frivolous and vexatious, against the Private Secretary to the Prime Minister at that time. Why did the Bribery Commissioner take that up? Why did the press of this country make political capital of this? Why was a photograph put across the newspapers? Why was it that the U.N.P. and their supporters tried to make capital out of it? Because they thought that was the best way of discrediting the last Government. It must be said of our last Prime Minister who held office in this country for nearly 4½ years and also of those who worked under her in the capacity as Private Secretary or other members of her family, some of whom are even Members of

ප්‍රජා නුසුදුසුකම් පැනවීමේ (විශේෂ විධිවිධාන)
පනත් කෙටුම්පත

—දෙවනවර කියවීම

this House now, that if there is any allegation to be brought, it is not an allegation of this type. Whatever may be the outcome, there will be one fundamental principle which will stand vindicated: it was the hon. Leader of the Opposition, Mrs. Sirimavo Bandaranaike, who honestly ran this country for 4½ years.—[Interruption]. There cannot be a single allegation against her conduct in any matter or against the conduct of her brothers—[Interruption]. But a combined campaign has been launched by the dredgers and the grave diggers of their own future. Here are the grave-diggers of their own future.

I find the Commissioners appointed to go into the C.W.E. had called a gentleman up and asked him as to why he had said that this commission was dragging on till the next General Election. That is the purpose for which you have appointed that commission. It is a political commission. It is a commission you have appointed to shield your men and there will be a day when others in authority will come to the position where you are.—[Interruption]. They would lay down standards.

ශ්‍රී එම්. ඩී. බන්දා

(கௌரவ எம். டி. பண்டா)

(The Hon. M. D. Banda)

You seem to be worried.

ස්ටැන්ලි තිලකරත්න මයා.

(திரு. ஸ்டான்லி திலக்கரத்ன)

(Mr. Stanley Tillekeratne)

Mr. Banda, hold your breath. When they have to pass judgment over you, a number of you, I say most respectfully, will come under the provisions of the Bribery Act.—[Interruption]. Do not use these positions when you are secure there. Do not use your positions to lick your political adversaries who are out of office. Do not try to use it in order to have a halo for the corrupt appointments you are making.—[Interruption]. You will have to go before the country and the country will pass judgment after

your term of office when at least half of you will come under the provisions of this Act.—[Interruption].

I am glad the Hon. Leader of the House is showing signs of impatience. I know his conscience hurts him so much. In point of fact, he knows the circumstances under which he walked over to the other side that day to vote against the Government. I look at his face and charge him as one of those men—

ශ්‍රී සී. පී. ඩී. සිල්වා

(கௌரவ சி. பி. டி. சில்வா)

(The Hon. C. P. de Silva)

Can he do that? He must withdraw that.

කාරකසභා නියෝජ්‍ය සභාපතිතුමා

(குழுக்களின் உப அக்கிராசனர் அவர்கள்)

(Mr. Deputy Chairman of Committees)

Order, please! Will you please withdraw that? Why did you not make an allegation at that time?

ස්ටැන්ලි තිලකරත්න මයා.

(திரு. ஸ்டான்லி திலக்கரத்ன)

(Mr. Stanley Tillekeratne)

May I explain? If I say the Hon. Leader of the House has an uneasy conscience, what is there to withdraw?—[Interruption].

ශ්‍රී එම්. ඩී. බන්දා

(கௌரவ எம். டி. பண்டா)

(The Hon. M. D. Banda)

You are allowing this House to be reduced to a comic opera.

ස්ටැන්ලි තිලකරත්න මයා.

(திரு. ஸ்டான்லி திலக்கரத்ன)

(Mr. Stanley Tillekeratne)

I am prepared to abide by your Orders. You have been a judge of the district court and a magistrate. How can I withdraw a charge unless I place the charge before you? I am not placing the charge before him. The real charge before him will be placed the day the next

புது இயக்குகை உதவியை (விசேஷ விதிவிலகம்)

பதன் கெடுதல்கள்

—தேவதர கியதே

[புதுநீதி கிடைக்காத கையாடல்]

Bribery Commission will be appointed. That is the day when the real charge will be placed against him.—[Interruption].

In point of fact, we are going to extend to this Government the co-operation that it wants.

சுரு. மன்றம்

(கௌரவ அங்கத்தினர்கள்)

(Hon. Members)

We do not want.

புதுநீதி கிடைக்காத கையாடல்.

(திரு. ஸ்டான்லி திலக்கரத்ன)

(Mr. Stanley Tillekeratne)

We are prepared to extend to this Government the co-operation that it needs to wipe out bribery whether it be on our side or whether bribery accumulates on that side as you see them today.—[Interruption]. I make no allegation against a single Member of the U. N. P. I have no allegations to make. I have no facts. Now, when the next bribery commission sits real charges will be made against the conduct of the Leader of the House and also other Members.

சுரு. மன்றம்

(டாக்டர் நாகநாதன்)

(Dr. Naganathan)

Sir, I rise to a point of Order.

சுரு. மன்றம்

(கௌரவ அங்கத்தினர்கள்)

(Hon. Members)

Sit down.—[Interruption].

காரகஸி நியோஜன கமிட்டி

(குழுக்களின் உப அங்கிராசனர் அவர்கள்)

(Mr. Deputy Chairman of Committees)

Order, please. Will you sit down? There is a point of Order raised by the hon. Member for Nallur.

சுரு. மன்றம்

(டாக்டர் நாகநாதன்)

(Dr. Naganathan)

Sir, I maintain that no Member of this House can charge another with being a bribe-taker.

சுரு. மன்றம்

(கலாநிதி என். எம். பெரேரா)

(Dr. N. M. Perera)

Nobody charged.

சுரு. மன்றம்

(டாக்டர் நாகநாதன்)

(Dr. Naganathan)

The hon. Member is making a specific charge of bribery.

சுரு. மன்றம்

(கலாநிதி என். எம். பெரேரா)

(Dr. N. M. Perera)

No charge is made against him.

சுரு. மன்றம்

(டாக்டர் நாகநாதன்)

(Dr. Naganathan)

You cannot impute any motive against a Member of this House and say, "You will be accused before the next bribery commission." That is the statement of a coward and a rogue.

சுரு. மன்றம்

(திரு. கெனமன்)

(Mr. Keuneman)

On a point of Order, Sir, the word "rogue" used by the hon. Member for Nallur against a Member of the House is completely wrong. It is unparliamentary.

சுரு. மன்றம்

(கௌரவ எம். டி. பண்டா)

(The Hon. M. D. Banda)

When the other side is thus addressed you are silent.

சுரு. மன்றம்

(கலாநிதி என். எம். பெரேரா)

(Dr. N. M. Perera)

If he says so he must withdraw.

புது நுழைக்கல் புகுவீதே (விசேஷ விதிவிலகம்)
புதுந் கெடுதலுத

சுரு. சி. அனீலா

(கௌரவ எம். டி. பண்டா)

(The Hon. M. D. Banda)

Then you must withdraw that also.

சுரு. சி. அனீலா

(கலாநிதி என். எம். பெரேரா)

(Dr. N. M. Perera)

You must withdraw that word.

காரகஸஸா நியோசு சபாபதிகும

(குழுக்களின் உப அக்கிராசனர் அவர்கள்)

(Mr. Deputy Chairman of Committees)

You cannot say—[Interruption].

கௌரவ மெ.

(திரு. கௌரவ மெ.)

(Mr. Keuneman)

What is it that he said that is objectionable?

சுரு. சி. அனீலா

(திரு. ஸ்டான்லி திலக்கரத்ன)

(Mr. Stanley Tillekeratne)

I only say this: the charge will be brought against him, it may be read out to him and he will be asked to plead guilty or not guilty only when the next commission sits. I am not making that charge today.

சுரு. சி. அனீலா

(டாக்டர் நாகநாதன்)

(Dr. Naganathan)

On a point of Order, Sir, he cannot make insinuations unless there is a resolution.

சுரு. சி. அனீலா

(கௌரவ எம். டி. பண்டா)

(The Hon. M. D. Banda)

The hon. Member for Nallur has raised a point of Order and you must give a Ruling on that first, Sir.

—செவ்வ வர 'கிவீதே

கௌரவ மெ.

(திரு. கௌரவ மெ.)

(Mr. Keuneman)

I do not know what words of the hon. Member for Kotte they object to. I am objecting to the word "rogue" used by the hon. Member for Nallur.

சுரு. சி. அ. அ. அனீலா

(கௌரவ மெ. பி. ஆர். குணவர்தன)

(The Hon. D. P. R. Gunawardena)

We have had enough from you. You ask your Member to withdraw. Ask him to withdraw first.

காரகஸஸா நியோசு சபாபதிகும

(குழுக்களின் உப அக்கிராசனர் அவர்கள்)

(Mr. Deputy Chairman of Committees)

It is against Standing Orders, for any hon. Member to call another hon. Member of this House a rogue.

சுரு. சி. அ. அ. அனீலா

(திரு. அமிர்தலிங்கம்)

(Mr. Amirthalingam)

The hon. Member for Nallur has raised a point of Order. In support of that I wish to urge that the statement of the hon. Member for Kotte definitely contains an innuendo to the effect that the hon. Leader of the House will be charged before a bribery commission. You cannot impute that. You know what an innuendo is and this is a definite innuendo. Therefore, Sir, either the hon. Member for Kotte should withdraw that or you should make him withdraw.

சுரு. சி. அ. அ. அனீலா

(கலாநிதி என். எம். பெரேரா)

(Dr. N. M. Perera)

Under what section of the Standing Orders is that an innuendo? There is no Standing Order which says that you cannot make an innuendo in this House.—[Interruption].

சுரு. சி. அ. அ. அனீலா

(கௌரவ சி. பி. டி. சில்வா)

(The Hon. C. P. de Silva)

Sir, I do not care what he says.

புது நுபுதுபுகல் புகுவிலே (வினேய வினேயின)
பனந் கெடுபுக

—தேவனவர கியிலே

காரகபலா நியோஜன பஸாபநிதூம

(குழுக்களின் உப அக்கிராசனார் அவர்கள்)
(Mr. Deputy Chairman of Committees)

You made an allegation that a Member of this House is to be charged for bribery. You must withdraw that. Are you withdrawing that? [Pause]. Will you withdraw it? I want to know whether you are withdrawing it or not. I want you to withdraw that. Will you listen to me?

புனந் கெடுபுக நியோஜன மன.

(திரு. ஸ்டான்லி திலக்கரத்ன)
(Mr. Stanley Tillekeratne)

What should I withdraw?

காரகபலா நியோஜன பஸாபநிதூம

(குழுக்களின் உப அக்கிராசனார் அவர்கள்)
(Mr. Deputy Chairman of Committees)

You made a sort of statement, you made a statement to presume that he was a bribe-taker.

புனந் கெடுபுக நியோஜன மன.

(திரு. ஸ்டான்லி திலக்கரத்ன)
(Mr. Stanley Tillekeratne)
No.

கெடு மனந் திரை

(கௌரவ அங்கத்தவர்கள்)
(Hon. Members)
Withdraw it.

காரகபலா நியோஜன பஸாபநிதூம

(குழுக்களின் உப அக்கிராசனார் அவர்கள்)
(Mr. Deputy Chairman of Committees)
You must withdraw it.

புனந் கெடுபுக நியோஜன மன.

(திரு. ஸ்டான்லி திலக்கரத்ன)
(Mr. Stanley Tillekeratne)

In point of fact, may I state—

கெடு மனந் திரை

(கௌரவ அங்கத்தவர்கள்)
(Hon. Members)
No, no. Withdraw it.

காரகபலா நியோஜன பஸாபநிதூம

(குழுக்களின் உப அக்கிராசனார் அவர்கள்)
(Mr. Deputy Chairman of Committees)

I want you to withdraw it. What you said was this, that he will be charged. You said that a *prima facie* case has been made out.

கெடு மனந் திரை

(கௌரவ எம். டி. பண்டா)

(The Hon. M. D. Banda)

Of course, you said that.

புனந் கெடுபுக நியோஜன மன.

(திரு. ஸ்டான்லி திலக்கரத்ன)
(Mr. Stanley Tillekeratne)

No.

காரகபலா நியோஜன பஸாபநிதூம

(குழுக்களின் உப அக்கிராசனார் அவர்கள்)
(Mr. Deputy Chairman of Committees)

That I cannot allow. You must withdraw that.

கெடு மனந் திரை

(கௌரவ கலாநிதி தகநாயக்க)
(The Hon. Dr. Dahanayake)

Withdraw it.

புனந் கெடுபுக நியோஜன மன.

(திரு. ஸ்டான்லி திலக்கரத்ன)
(Mr. Stanley Tillekeratne)

I did not say “Bribery Commission”.

காரகபலா நியோஜன பஸாபநிதூம

(குழுக்களின் உப அக்கிராசனார் அவர்கள்)
(Mr. Deputy Chairman of Committees)

You said that he will be charged. Will you withdraw that?

புனந் கெடுபுக நியோஜன மன.

(திரு. ஸ்டான்லி திலக்கரத்ன)
(Mr. Stanley Tillekeratne)

I did not say that, I only said that a commission will be appointed to go into it.

புது இயந்திரம் புகுவதே (விசேஷ விதிவிலகம்)
பதன் கெடுதலாக

சுரு மன்றிவரு

(கௌரவ அங்கத்தவர்கள்)
(Hon. Members)

Withdraw it ; withdraw it.

சுருமன்றி விசேஷம் மன.

(திரு. ஸ்டான்லி திலக்கரத்ன)
(Mr. Stanley Tillekeratne)

I will withdraw "bribery".

செல்வன் சீசங்க மன.

(திரு. செல்வன் ஜயசிங்ஹ)
(Mr. Shelton Jayasinghe)

No, no. You must withdraw the words that he will be charged.

சுருமன்றி உன். உம். செல்வன்

(கலாநிதி என். எம். பெரேரா)
(Dr. N. M. Perera)

But the Member for Nallur must withdraw the word "rogue".

சுருமன்றி விசேஷம் மன.

(திரு. ஸ்டான்லி திலக்கரத்ன)
(Mr. Stanley Tillekeratne)

I withdraw the word "bribery".

சுருமன்றி விசேஷம் மன.

(சுருமன்றி உன் அங்கத்தவர்கள்)
(Mr. Deputy Chairman of Committees)

Have you withdrawn it?

சுருமன்றி விசேஷம் மன.

(திரு. ஸ்டான்லி திலக்கரத்ன)
(Mr. Stanley Tillekeratne)

I withdraw the word "bribery".

சுருமன்றி விசேஷம் மன.

(சுருமன்றி உன் அங்கத்தவர்கள்)
(Mr. Deputy Chairman of Committees)

You said, charged with bribery.

சுருமன்றி விசேஷம் மன.

(திரு. ஸ்டான்லி திலக்கரத்ன)
(Mr. Stanley Tillekeratne)

No, Sir. I did not say that.

சுருமன்றி விசேஷம் மன.

(சுருமன்றி உன் அங்கத்தவர்கள்)
(Mr. Deputy Chairman of Committees)

You said he will be asked to plead guilty or not guilty giving the presumption thereby that he has committed an act. As a lawyer you know what an innuendo means? Will you withdraw that now?

சுருமன்றி விசேஷம் மன.

(திரு. ஸ்டான்லி திலக்கரத்ன)
(Mr. Stanley Tillekeratne)

What is an innuendo? Innuendo has nothing to do with this. All right, if you are insisting that I should withdraw this allegation of bribery against the Leader of the House and place it before some other body I will do so.

சுரு உன். உம். செல்வன்

(கௌரவ என். எம். பெரேரா)
(The Hon. M. D. Banda)

That makes it worse.

சுருமன்றி விசேஷம் மன.

(திரு. ஸ்டான்லி திலக்கரத்ன)
(Mr. Stanley Tillekeratne)

All right, I will withdraw it. I am withdrawing it.

செல்வன் மன.

(திரு. கௌரவ)
(Mr. Keuneman)

The Member for Nallur called another Member a rogue. The word "rogue" is unparliamentary. It assails the character of another Member. He must withdraw the word "rogue".

சுரு உன். உம். செல்வன்

(கௌரவ என். எம். பெரேரா)
(The Hon. M. D. Banda)

You cannot get out of it like that.

செல்வன் மன.

(திரு. கௌரவ)
(Mr. Keuneman)

He must withdraw the word "rogue."

புது ஐக்கியகதி புகுவீதே (வினேச விவிவின)
புதன் கெடுதிலுபுத — தேவனெவ கியவீத

கலர் நுவித

வேலேநாடாடீய நானானன்

(டொக்டர் நாகநாதன்)

(Dr. Naganathan)

I withdraw the word "rogue".

ஸ்டான்லி திலேகரத்ன மியா.

(திரு. ஸ்டான்லி திலேகரத்ன)

(Mr. Stanley Tillekeratne)

Now may I state, as far as we are concerned, any Government will have our support to wipe out bribery whether we are on this side or the other. As far as we are concerned, I can assure the Government that if they do not have the necessary votes, we are prepared to give them the necessary votes to amend the Constitution. In this matter let us fight together and see that bribery is stamped out of this country for ever.

ஒரு மன்றிவரேசன்

(கௌரவ அங்கத்தவர் ஒருவர்)

(An hon. Member)

Let the Question be put.

ஃபீ. ஃபீ. டியஸ் டிவீவரநாயக மியா.

(திரு. எப். ஆர். டயஸ் பண்டாரநாயக்க)

(Mr. F. R. Dias Bandaranaike)

We are ready for the vote. If the Government wants to put it to the vote we are ready. If the Government is not ready, we cannot help it. We are ready.

கௌரவ மியா.

(திரு. கௌரவ மியா)

(Mr. Keuneman)

If the Government wants to vote we are ready.

டி டிவீவரநாயக மியா.

(திரு. டி. டிவீவரநாயக மியா)

(Mr. de Zoysa Siriwardena)

We are ready with the votes.
—[Interruption].

புதன் கெடுதிலுபுத டி. 7 இயேன் கெடுதிலுபுத
புதன் கெடுதிலுபுத, தேவனெவ கலர் நுவித

புதன் கெடுதிலுபுத 1965 டிசம்பர் 24 உத
கெடுதிலுபுத புகுவீதே.—[ஒரு கி. பி. டி. கெடுதிலுபுத.]

அப்போது பி. ப. 7 மணியாகிவிடவே சபையின்
நடவடிக்கைகள் இடைநிறுத்தப்பட்டு, விவாதம்
ஒத்திவைக்கப்பெற்றது.

விவாதம் 1965, செப்டம்பர் 24, வெள்ளிக்கிழமை
ஆரம்பமாகும்.

It being 7 P.M., Business was inter-
rupted, and the Debate stood adjourned.

Debate to be resumed on Friday,
24th September 1965.

கலர் நுவித

ஒத்திவைப்பு

ADJOURNMENT

கௌரவ டிவீவரநாயக மியா கலர் நுவித
புகுவீதே.

"மன்றி மனேவலெ டிவீவரநாயக மியா கலர் நுவித
புகுவீதே.—[ஒரு கி. பி. டி. கெடுதிலுபுத.]

"சபை இப்பொழுது ஒத்திவைக்கப் பெறுமாக"—
[கௌரவ டி. பி. த சிவ்வா] எனும் பிரேரணை பிரே
ரணிக்கப்பட்டு வினா எடுத்தியம்பப்பெற்றது.

Motion made, and Question proposed,
"That the House do now adjourn".—
[Hon. C. P. de Silva.]

கௌரவ மியா.

(திரு. கௌரவ மியா)

(Mr. Keuneman)

Mr. Chairman, I have been trying without success to raise a matter when the Hon. Minister of Education is here. I gave notice yesterday of my intention to raise the matter, but I was informed that the Hon. Minister would be unable to be present. I gave notice again today of my intention to raise this matter but once again, in spite of the Government Whip, the Hon. Minister of Education is not present.

If my Friends can give me an assurance that the Hon. Minister or even his Parliamentary Secretary will be here tomorrow, I will raise the matter tomorrow. As the matter is urgent I would like to raise it this week, I would not like to raise this matter in the absence of the Hon. Minister. I do not know whether the Hon. Minister will be here tomorrow.

ஒரு டி. டி. டிவீவரநாயக மியா

(கௌரவ ஜி. ஆர். ஜயவர்தன)

(The Hon. J. R. Jayewardene)

He will be here.

කල් තැබීම

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(திரு. கெனமன்)

(Mr. Keuneman)

On that assurance, may I merely indicate the matter because I will raise it in greater detail when the Hon. Minister of Education is present. But, in order that the House may know about it, as certain action has to be taken, I wish to just give the broad lines of the question I intend to pursue in detail tomorrow.

You will recall that on the 15th of this month I asked the Hon. Minister of Education and Cultural Affairs a question regarding the admission of students to the Medical Faculty of the University of Ceylon. I was particularly anxious to discover whether all students who had passed in four subjects would be admitted to the University. On that occasion, the Hon. Minister made the following statement. I quote from column 3055 of the HANSARD of the 15th September, 1965. I asked the question: "All will be admitted?" and the Hon. Minister of Education replied: "Yes. All those who have got through in four subjects will be admitted. In addition, we are admitting 14 more."

Sir, I was very pleased with the assurance given by Hon. Minister that fourteen of those who had passed in four subjects would be admitted. But it has been brought to my notice that although the Minister told us this will happen, in practice, this is not happening so far as the University of Ceylon authorities are concerned. I am aware that there are eight students who have passed in four subjects but who have not been admitted.

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(கௌரவ எம். டி. பண்டா)

(The Hon. M. D. Banda)

What is the faculty?

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(திரு. கெனமன்)

(Mr. Keuneman)

The Medical Faculty. They have passed in four subjects, but they have not been admitted. You will recall, Sir, what the Hon. Minister stated. He gave figures which were not exactly accurate regarding the quota, but as he was speaking off the cuff, I do not blame him for that. But you will recall that basically he stated that the university authorities intended to take in not only those students who had passed in four subjects into the Faculty of Medicine, but also 13 or 14 more students who had got the highest aggregate of marks among those who had passed in three subjects. Now, in practice, I find that there are eight students who have passed in four subjects but who are not being admitted. I have not got all the names, but I can give the names of four of them. They are: Iranganie Ranasinghe, W. S. Ratnatunge from Royal College, G. A. Gunawardena from Mahinda College, and W. T. B. Abeydeera from Pembroke. All these students have passed in four subjects. I think they have the necessary qualifications, the G.C.E. (Advanced Level) in four subjects.

The real problem that has arisen, which apparently is the crux of the matter, is that a new rule was introduced by the admitting authorities of the university regarding the need to have passed a practical test in Organic Chemistry. I have gone into the matter and I find that the University Senate has stated on the 21st of August that the students should have a pass in Organic Chemistry. It does not say anything about the practical test.—[Interruption]. The examination is rather complicated. There are various theory papers as well as practical papers. Now, a pass in Organic Chemistry has always been the aggregate of all the marks, the practical including the theoretical. But for some rather peculiar reason even though many of the students referred to have got all those requisite marks to give

[කෙතමන් මය.]

them an aggregate for passing in Organic Chemistry as a whole it was suddenly left out on the basis that they had not got the necessary marks in the practical test—Organic Chemistry—[Interruption.]

I am glad that there is a Minister following. It is a rather complicated question. In the case of those 13 persons who had passed in three subjects, the aggregate of all the marks had been taken into account, and they have been admitted. But here are persons who have passed in four subjects. Many of them have more than the necessary aggregate for what would have been a normal pass in Organic Chemistry. But suddenly, for some reason or other, the practical paper in Organic Chemistry has been taken separately.

All sorts of stories are being spread in the whole campus about this. There is a story going that the Vice-Chancellor has stated that he is determined to see that the daughter of a certain professor who, apparently, is included in this number will never be admitted because he has had a fight with this other professor regarding some election. I do not know whether these things are correct or not. These statements are being made by quite responsible people. I hesitate to accept them. I am extremely sorry if that is the state of affairs. But it does seem to be thoroughly bad that any sort of personal feeling should come into this matter. I would like this matter brought to the notice of the Minister of Education, so that he could personally scrutinize this matter and see whether this is correct—that there are eight students who are qualified for admission, who have passed in four subjects, but who are not being admitted, even though 13 others less qualified are being admitted. If the Minister would look into this matter closely we will all be deeply grateful.

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(திரு. எப். ஆர். டயஸ் பண்டாரநாயக்க)
(Mr. F. R. Dias Bandaranaike)

I wish to raise two small matters.

The first is in relation to education. I myself have not had any experience with regard to medical students, but there is a question I should like to pose to the Minister in regard to the need to publish the rules relating to university entrance arts subjects, so that every one is quite clear in regard to the principle being followed in respect of admission to the arts faculty. As far as members of the public are concerned, we are fortunate that this year, for the first time, a large number of children from rural areas who never previously had the chance of getting university education, are now able to do so, largely due to the efforts in education, starting from the efforts of the hon. Member for Galle when he was Minister of Education in 1956 and the efforts particularly after the 1960 period.

I wish, particularly, to bring to the notice of the Minister a typical case of what I mean. A young lady by the name of G. A. Dharmawathie, 19 years of age, from a school in my electorate called Padmawathie Maha Vidyalaya, Dekatana, passed the H. S. C. Examination in December 1964 in four subjects—the four subjects being Sinhala, Government, History and Geography.

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(கௌரவ எம். டி. பண்டா)
(The Hon. M. D. Banda)

Advanced Level ?

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(திரு. எப். ஆர். டயஸ் பண்டாரநாயக்க)
(Mr. F. R. Dias Bandaranaike)

Yes, the H. S. C. Examination, with two credits in Sinhala and Government. She got over 180 marks in the aggregate. The children were all asked, subject to the results of the H. S. C. Examination being communicated to the school, to apply if they

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wished to gain admission to the university. She was also one of the students who applied. Subsequently when admissions were made to the university, the children have heard that many children who have passed in only three subjects have been admitted. This young lady who has passed in four subjects with two credits has not been admitted.

The children will be admitted from 1st of October. The matter is of urgency. This young lady herself was in this House waiting till just now, hoping the Minister or his Parliamentary Secretary would show themselves in this House in the course of today. Unfortunately neither of them came, and so I am taking this opportunity to raise this matter on the Adjournment Motion. I myself do not know whether this lady is entitled to be admitted to the university or not, whether this is a mistake, or whether this is according to the rules or not. The problem is that nobody knows the rules. They have never been communicated. Therefore, I ask the Government: Why not take some action to see that the rules are well known, so that everybody will know where he stands?

செ. டாஹனாயக்க

(கௌரவ கலாநிதி டபிள்யூ. தகநாயக்க)

(The Hon. Dr. Dahanayake)

When I referred a similar case to the Registrar he told me that there are a number of cases like that—nearly 30—and he would go into every one of them on Monday between 9 and 12.

எஃப். டி. டியஸ் பண்டாரநாயக்க

(திரு. எஃப். டி. டயஸ் பண்டாரநாயக்க)

(Mr. F. R. Dias Bandaranaike)

May I ask the Hon. Minister of Home Affairs to please take up my case as well—[Interruption.] My case is now in good hands.

I wish to raise one or two other matters as well. Now that we have a large number of children from rural areas entering the university, I think

it is very important that the Government should give its mind to the question of providing for a wider system of bursaries and scholarships to enable children to take advantage of university education. Many of these children come from poor homes, and they require some financial assistance. I do not think the Government can possibly meet the education bill of the whole country, but in respect of university education in the matter of paying for their hostel education, their fees and everything else, a wider system of assistance is definitely required.

One further question pertaining, I think, to the Minister of Commerce. I want to raise this point in regard to clock manufacturers. Messrs. U. N. Wijetunge and Company, who were recently summoned by the C. W. E. Commission of Inquiry on an alleged contempt, have succeeded in persuading the Minister of Commerce to give them an additional quota in respect of clock parts for the purpose of assembling clocks.

Against that, there was an industry recently started by another group of people, a firm called Wimaladharma Brothers. Neither of them is our political supporter although I raise this question. Wimaladharma Brothers started their business on the basis of manufacturing and making wall clocks. I think they have not yet got as far as making Westminster chimes. They have been only able to produce what is called "Bim Bam" chimes which sound the notes for the half hour and the hour. They start their manufacturing process by importing only sheets of brass, sheets of steel and brass rods. All the other items are manufactured in this country including the clock faces and everything else. The only manufactured parts, apart from the brass sheets, steel sheets and brass rods, are the springs for the clocks.

These people, I think, have been making an effort to manufacture in a real sense, and they find that in consequence of these quotas being issued to assemblers of clocks their entire business is at stake.

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I do not know whether the Government has given its mind or consideration as to whether it is its policy to encourage industrialists who are actually seeking to manufacture the article rather than to assemble it.

The price of these clocks is not excessive. I find that they range from Rs. 100 to Rs. 120—the finished product. All the distributors say that it is of extremely high quality and nobody has made any complaint about the time-keeping mechanism.

I think the Hon. Minister of Industries should consider the matter with the Hon. Minister of Commerce. I think this decision was taken by the Minister of Commerce. I do not know whether he was consulted or whether it was done on his recommendation. But I am told that this is going to affect the efficiency and the output of the new business and possibly drive the new business into a situation where it will not be able to continue. The names of the clocks manufactured are "Winston" and "Wembly". I myself do not own one of these clocks and I do not know very much about them. But if it is true that Wimaladharma Brothers are manufacturing the entire clocks out of brass rods, brass sheets and steel sheets, I do think that to permit additional quotas for the import of clock parts is a wrong policy and might possibly result in damaging one of the new industries.

I am not raising this question for political grounds at all. I hardly know either of these firms. I only know that Messrs. U. N. Wijetunge and Company have gone before the C. W. E. Commission—I read this in the papers recently—and admitted that they handled smuggled goods. They admitted before the C. W. E. Commission that they are people who are dealing in smuggled goods. Is this the class of person who should qualify himself for quotas at the expense of people who are really making an honest effort to manufacture goods in this country?

This is a matter worthy of the consideration of the Government.

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(திரு. பெர்னாட் சோய்ஸா)

(Mr. Bernard Soysa)

It is my misfortune that not one of the Hon. Ministers regarding whose matters I wish to raise questions is here, but there are two matters on which I think the Minister of State could possibly give answers.

The first matter is one which concerns the Hon. Minister of State also as it is in respect of a school in our constituency—the Jinaraja School in Kollupitiya.

Certain allocations had been made in regard to certain class rooms and renovations which were required, out of the Vote last year. The money has apparently not been spent upon the matters which require to be attended to, and the school, as the Hon. Minister of State knows very well, is continuing in a very bad way as a result of buildings which have perished long ago and whose conditions is still further deteriorating.

I want to ask the Hon. Minister of Education, through the Hon. Minister of State, in regard to this school which is in a constituency which we jointly represent, to get the necessary allocations made in order to enable this school, one of the oldest schools in the Island and one of the first started by the Buddhist Theosophical Society by Colonel Olcott, to flourish as it ought to.

The second question is in regard to telecommunications, to which I think the Hon. Minister of State, who would know something about the functioning of the police force, would be able to give a reply. I have been told by a number of persons—and I have received a number of complaints—that there is a telephone tapping going on. We have made

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complaints several times during the lifetime of various governments that the undemocratic practice of telephone tapping had been resorted to. There was a Minister of the former U. N. P. Government who failed to answer a question on this subject when it was addressed to him. The matter was raised again subsequently during the lifetime of other Governments.

During the lifetime of the last Government there were various complaints made by—

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(කෙළරඳු ජේ. ආර්. ජයවර්ධන)

(The Hon. J. R. Jayewardene)

N. Q. Dias admitted it.

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(තිரு. පෙරිනාඩ් සොයිසා)

(Mr. Bernard Soysa)

There was a long article recently in the Lake House press with regard to the details of telephone tapping, about how it is done and the various points at which it is done. I have received several complaints from people that this is so. I want to ask the Hon. Minister of State whether it is within his knowledge that telephone tapping is going on, whether he would make inquiries to find out whether telephone tapping is taking place, and if so whether he would take the necessary steps to see that it is stopped. Unfortunately, the Hon. Minister of Telecommunications is not present for he would be the proper person to whom I should have addressed this question.

The Minister or the Parliamentary Secretary to whom I should address the third question is also not here.

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(කෙළරඳු ජේ. ආර්. ජයවර්ධන)

(The Hon. J. R. Jayewardene)

Did you not inform them beforehand?

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(තිரு. පෙරිනාඩ් සොයිසා)

(Mr. Bernard Soysa)

No.

ගරු ජේ. ආර්. ජයවර්ධන

(කෙළරඳු ජේ. ආර්. ජයවර්ධන)

(The Hon. J. R. Jayewardene)

They should have been informed.

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(තිரு. පෙරිනාඩ් සොයිසා)

(Mr. Bernard Soysa)

Even if they are not informed it is the courtesy of Hon. Ministers to be present.

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(කෙළරඳු ජේ. ආර්. ජයවර්ධන)

(The Hon. J. R. Jayewardene)

There is a rule now that you must give notice.

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(තිரு. පෙරිනාඩ් සොයිසා)

(Mr. Bernard Soysa)

It is certainly helpful from the point of view of giving an answer if you can give notice. When the Hon. Minister of State was only the First Member for Colombo South he said that Hon. Ministers should be present in the House during the Adjournment; and when the Hon. Minister of Industries was only the hon. Member for Avissawella he too said so. Anyway, we are prepared to co-operate. I shall give notice in future of any question that I propose to ask. However, I trust that in spite of the inadequate notice these matters will elicit the necessary replies.

බී. ඩබ්. තුඩාවේ මයා. (මාතර)

(තිரு. පී. ඩබ්. තුඩාවේ—මාතර)

(Mr. B. Y. Tudawe—Matara)

ගරු නියෝජ්‍ය සභාපතිතුමනි, ගරු කෘෂිකම් ආමති තුමාගෙන් දැනගෙන තුබුණත් තවදුරටත් කිසිදු කාරණයක් නොවේ. ඉදිරි කාලය තුළදී කෘෂිකම් පාඨශාලා විෂයයක් හැටියට පාසල්වල උගන්වන්නට ගරු අධ්‍යාපන ආමතිතුමා බලාපොරොත්තු වන බව ගරු කෘෂිකම් ආමතිතුමා දන්නට ඇති කෘෂි

[தெர்தவ் சயசின மய.]

in some instances they do not fit into the clocks manufactured by Messrs. U. N. Wijetunge & Co. To put them on an equal footing so that one may not have an unfair advantage over the other, an allocation of Rs. 30,000 was allowed to Messrs. U. N. Wijetunge & Co., to import that component part which is not available for that type of clock.

அரு. உமி. டி. லனலா

(கௌரவ எம். டி. பண்டா)

(The Hon. M. D. Banda)

மூதர அரு. மந்திரிதூது அஃசு ப்ரஸ்தய அரு. அமிசாபத அமநிதூதுமனே ஸுலகிலீலவ யேழி விச யுது கருணக. உ் ஸமனவவ

உதுமவ டிச யுது ருபதேசு அப விசின டி நினவ.

ப்ரஸ்தய விமசன டீதன், ஸஸாஸமமத விச.

வினா விடுக்கப்பட்டு, ஏற்றுக்கொள்ளப்பட்டது.

Question put, and agreed to.

மந்திரி மனோலலய டிவ அதுகூலவ அ.ஸ. 7.28 வ, 1965 ஸுப்துமலர் 24 வன ஸிதூரூடி பூ.ஸ. 10 வன தைக் கல கியேச.

அதன்படி சபை, பி. ப. 7.28 மணிகூ, 1965, செப்டம்பர் 24, வெள்ளிக்கிழமை மு. ப. 10 மணிவரை ஒத்திவைக்கப் பெற்றது.

Adjourned accordingly at 7.28 P.M. until 10 A.M. on 24th September 1965.

දශක இடல் : இடல் எவ்வை டீனென் பஸ்வ அரணென உயலே டிவ உய 12ம் ஈடல
 ரூ. 32.00ஃ. அனெய்ன பிவலன் ஈடல நல் ரூ. 35.00ஃ. உய 6 ஈவ ஸன்யுவென் ஈவலி.
 பிவலன் ஈவ 30ஃ. நுபுலென் ஈவ 45ஃ. இடல், ஈலெலி ஸாடு இவடெர், உயலே ஈலி
 ஈர்யுலே ரல் ஸுலுல ஈர்யுலே ஈவலி ஈவ ஈலன் உயல ஈவல.

1966

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1966

Subscriptions : 12 months commencing from month following date of payment
 Rs. 32.00 (uncorrected copies Rs. 35.00). Half rates for 6 months. Each part
 30 cents, by post 45 cents, payable in advance to the SUPERINTENDENT,
 GOVERNMENT PUBLICATIONS BUREAU, P. O. Box, 500, Colombo 1.

1966