63 වන කාණ්ඩය
10 වන කලාපය

බ්‍රහස්පතින්දා
1965 ඔක්තෝබර් 7

පාර්ලිමේන්තු විවාද

(හැන්සාඩ්)

නියෝජිත මන්ත්‍රී මණ්ඩලයේ

නිල වාර්තාව

අන්තර්ගත ප්‍රධාන කරුණු

ලංකා ඛනිජ තෙල් වන්දි (විදේශික හිමිකම් පැවරීම්) පනත් කෙටුම්පත [නී. 1311] :

දෙවනවර කියවා "ඒ" ස්ථාවර කාරක සභාවට පවරන ලදි.

தொகுதி 63
இல. 10

வியாழக்கிழமை
7 ஒக்ரோபர், 1965

பாராளுமன்ற விவாதங்கள்

(ஹன்சாட்)

பிரதிநிதிகள் சபை

அதிகாரபூர்வமான அறிக்கை

பிரதான உள்ளடக்கம்

Volume 63
No. 10

Thursday,
7th October 1965

PARLIAMENTARY DEBATES

(HANSARD)

HOUSE OF REPRESENTATIVES

OFFICIAL REPORT

PRINCIPAL CONTENTS

නියෝජිත මන්ත්‍රී මණ්ඩලය

பிரதிநிதிகள் சபை

House of Representatives

1965 ඔක්තෝබර් 7 වන බ්‍රහස්පතින්දා

வியாழக்கிழமை 7, ஒக்டோபர் 1965

Thursday, 7th October 1965

අ. භා. 2ට මන්ත්‍රී මණ්ඩලය රැස් විය. කථානායකතුමා [ශ්‍රීමත් ඇල්බට් එෆ්. පීරිස් කේ.බී.ඊ.] මූලාසනාරූඪ විය.

சபை, பி. ப. 2 மணிக்குக் கூடியது. சபாநாயகர் அவர்கள் [கௌரவ ஸ்ரீமான் அல்பட் எப். பீரிஸ், கே.பி.ஈ.) தலைமை தாங்கினார்கள்.

The House met at 2 P.M., Mr. Speaker [The Hon. Sir Albert F. Peries, K.B.E.] in the Chair.

ලංකා ඛනිජ තෙල් වන්දි (විදේශික හිමිකම් පැමි) පනත් කෙටුම්පත

இலங்கைப் பெற்ரோலியம் (வெளிநாட்டுக் கோரிக்கைகள்) நட்டஈட்டு மசோதா

Ceylon Petroleum (Foreign Claims) Compensation Bill

කල් තබන ලද විවාදය නව දුරටත් පවත්වනු පිණිස නියෝග කියවන ලදී. ඊට අදාළ ප්‍රශ්නය [සැප්තැම්බර් 21.]

"කෙටුම්පත් පණත දැන් දෙවන වර කියවිය යුතුය"—[ගරු ජේ. ආර්. ජයවර්ධන.]

ප්‍රශ්නය යළින් සභාභිමුඛ කරන ලදී.

බිල්ල මීදාන ඉදිරිවෙක්කප්පෙට්ට විවාදතම් මීළ ආරම්පිප්පදර්කාන කට්ටළෙ වාසික්කප්පට්ටදු—[21, செப்டம்பர்].

"மசோதா இப்பொழுது இரண்டாம் முறை மதிப்பிடப்படுமாக".—[கௌரவ ஜே. ஆர். ஜயவர்த்தன].

බිල්ල මීණ්ඩුම් එදුත්තියම්පප්පෙට්ටදු.

Order read for resuming Adjourned Debate on Question—[21st September.]

"That the Bill be now read a Second time"—[Hon J. R. Jayewardene]

Question again proposed.

ප්‍රින්ස් ගුණසේකර මයා. (හබරාදුව)

(திரு. பிறின்ஸ் குணசேக்கர—ஹபரதுவ)

(Mr. Prins Gunasekera—Habaraduwa)

ගරු කථානායකතුමනි, ගිය බදාදා මේ සභාව කල් දැමූ අවස්ථාවේදී මා විස්තර කරමින් සිටියේ මේ රටේ පමණක් නොව වෙනත් රටවලද, ජාත්‍යන්තර වශයෙන්, තෙල් කොම්පැනි තමන් අකැමති කිසි යම් දේශපාලන පක්ෂයක් තිබෙනවා නම්, තමන්ට අහිතවත් කිසි යම් ආණ්ඩුවක් තිබෙනවා නම්, තෙල් කොම්පැනිවල අයිති වාසිකම්වලට විරුද්ධව ඇඟිල්ලක්වත් එස වූ කිසියම් රජයක් තිබෙනවා නම්, කොයි රටේ වුවත්, ඒ ආණ්ඩුව පෙරළා දමා, තෙල් කොම්පැනිවලට ගැතිකම් කරන, තෙල් කොම්පැනිවලට හිස පහත් කරන, තෙල් කොම්පැනි ඉදිරියේ දණ නමා නමස්කාර කරන, පක්ෂයක් බලයට පත් කිරීම සිරිතක් බව නූතන ලෝක ඉතිහාසයෙන් පෙන්වන්නට පුළුවන් බවයි.

ගිය සතියේ ඉන්දුනීසියාවේ වෙන්න ගිය මහා භයානක සිඩිය පිළිබඳව තමුන්නාන්සේ පත්‍ර මාර්ගයෙන් දැනගන්න ඇති. ආචාර්ය සුකර්ණ ජනාධිපතිතුමාගේ නායකත්වයෙන් තිබෙන ඒ ජාති හිතෛෂී ප්‍රගතිශීලි රජය පෙරළා දමා ඒ වෙනුවට මා මගේ කථාවෙන් විස්තර කර සිටි ඇමරිකන් රහස් ඔත්තු සංවිධානය මඟින් චරපුරුෂ සේවයට කැමති ආණ්ඩුවක් ඉන්දුනීසියාවේ පිහිටුවා ගැනීමට දැන් දවස් තුන හතරකට පෙර අසාමීක උත්සාහයක් ගත්තා. ජාත්‍යන්තර වශයෙන් බලන විට මෙය ඇමරිකන් ඔත්තුකාරයින්ගේ සහාය ඇතිව—සී. අයි. ඒ. කියන රහස් සංවිධානයේ සහාය ඇතිව—ප්‍රගතිශීලි ආණ්ඩු පෙරලීමට ගෙනයන ලෝක ව්‍යාපාරයේ එක් තරා සිද්ධියක් හැටියට හඳුන්වන්න පුළුවන්. එහි ලැබී තිබෙන ආරංචි අනුව

[ප්‍රින්ස් ගුණසේකර මයා.]

ඉන්දුනීසියාවේ ඇති ප්‍රගතිශීලි ආණ්ඩුව පෙරලා දැමීමට ඇමරිකන් ඔත්තුකාරයින්ට බැරි වී තිබෙනවා. දකුණු ඇමෙරිකාවේ පමණක් නොව, මැද පෙරදිග පමණක් නොව, ආසියාවේ අනිකුත් රටවලත් ඇමෙරිකන් ආධිපත්‍යය තහවුරු කර ගැනීම සඳහා, ඩොලර් බලයෙන් මෙවැනි විප්ලවකාරී වැඩ ගෙන යන බවට සාධකයක්, ඊයේ පෙරෙදා ඉන්දුනීසියාවේ ඇති වූ සිඛිය.

ගරු කථානායකතුමනි, මේවායින් අපට නිගමනය කරන්න පුළුවන් කුමක්ද? මේ තෙල් සමාගම් දේශපාලන වශයෙන් කොයි තරම් දුරට විදේශීය රාජ්‍යවල කටයුතුවලට ඇඟිලි ගසනවාද යන්නයි. මේ විධියේ දේශපාලන ඇඟිලි ගැසීම් නිසා, දේශපාලන බලපෑම් නිසා, ඇමෙරිකන් ඩොලර්වල බලපෑම් නිසා නොයෙකුත් රටවල ආණ්ඩු වෙනස් වීමේදී අපට දකින්නට ලැබුණු, ඉතාම පහසුවෙන් හඳුනා ගත හැකි, ලකුණු රාශියක් පසුගිය මැතිවරණ කාලයේදී මේ රටෙත් දකින්නට ලැබුණු බව මගේ කථාව ආරම්භයේදී මම විස්තර කළා. අද ඡන්දය විමසීමට නියමිතව තිබෙන මේ පනත, දේශපාලන වශයෙන් සලකා බලන විට, ඇමෙරිකන් ඔත්තුකාරයන්ගේ බලපෑම් අනුව, තෙල් කොම්පැනිවල බලපෑම් අනුව, ඇමෙරිකන් ආණ්ඩුවේ බලපෑම් අනුව මේ එක්සත් ජාතික පක්ෂයේ රජය විසින් නීතිය කඩා ඒ තෙල් සමාගම්වලට ගෙවන ලද මුදලක් නීත්‍යානුකූල මුදලක් බවට පත් කිරීමට ගන්නා උත්සාහයක් බවයි, මා එදා කියා සිටියේ. මේ තෙල් සමාගම්වල දේශපාලන ස්වරූපය ගැන විස්තර කිරීම මදකට නවතා, මේ ගිවිසුමත්, මේ ගිවිසුමට ඇතුළත් වගන්තිත් අනුව ආර්ථික වශයෙන් මේ ගිවිසුම අනුමත කරන්නට අපට පුළුවන්ද, බැරිද යන කාරණය තමුන්නාන්සේට විස්තර කරන්නට මම අදහස් කරනවා.

ගරු කථානායකතුමනි, Ceylon Petroleum (Foreign Claims) Compensation Bill හෙවත් තෙල් සමාගම්වලට විදේශීය වශයෙන් ගෙවන මුදල නියම කරන මේ පනතේ කොටසක් හැටියට සලකන්න පුළුවන්, මේ ආණ්ඩුවේ නියෝජිතයා හැටියට ගරු මුදල් ඇමතිතුමා ඒ තෙල් සමාගම් තුන සමඟ වෙන් වෙන් වශයෙන් එළඹ ඇති ගිවිසුම් තුන. ඒ එක ගිවිසුමක් අනුව "ෂෙල්" සමාගමට රුපියල් 3,30,00,000 ක් ගෙවන්න නියම වී තිබෙනවා. අනික් ගිවිසුම් දෙක ඇති කරගෙන තිබෙන්නේ "කැල්ටෙක්ස්" සමාගම සහ "එසෝ" සමාගම සමඟයි. ජාත්‍යන්තර වශයෙන් හැඳින්වීමේදී "ෂෙල්" සමාගම බ්‍රිතාන්‍ය සමාගම හැටියටත්, අනික් සමාගම් දෙක ඇමෙරිකන් සමාගම් හැටියටත් හැඳින්වෙනවා. කැල්ටෙක්ස් සමාගමට රුපියල් 1,10,00,000 කුත්, එසෝ සමාගමට රුපියල් 1,10,00,000 කුත් වශයෙන් රුපියල් 5,50,00,000 ක මුදලක් මෙම සමාගම් තුනේ දේපොළ රජය සතු කර ගත්තාට වන්දි වශයෙන් ගෙවීමටයි, මේ පනත ඉදිරිපත් කර තිබෙන්නෙ.

ගරු කථානායකතුමනි, වන්දි ගිවිසුමේ ආරම්භයේ සුළු හැඳින්වීමක් ඇතුළත් කර තිබෙනවා, තෙල් සමාගම්වල දේපොළ රජය සතු කර ගැනීම ආදිය සම්බන්ධයෙන්. මම ඒ හැඳින්වීමේ එක ඡේදයක් පමණක් කියවන්නම්:

"තවද, ඒ සාකච්ඡාවල ප්‍රතිඵලයක් වශයෙන්, ගෙවිය යුතු සුදුසු වන්දිය තීරණය කිරීමේ දී සාධාරණ වෙළෙඳ අගය පිළිබඳ සිද්ධාන්තය සම්පූර්ණ බෙරුම් කිරීමට අදාළ වන ලෙස පිළිගැනීමට රජය සහ ෂෙල් සමාගම එකඟ වී සිටින හෙයින්ද,"

ඒ ඡේදයෙන් පැහැදිලි වෙනව, මේ ගිවිසුමට එළඹ තිබෙන්නෙ එක්තරා සිද්ධාන්තයක් පිළිගෙන බව. දැන් අපි බලමු, මේ කියන සිද්ධාන්තය අනුව වන්දි මුදල් ගෙවීම හරිද කියා. ගිවිසුමේ කියන විධියට පිළිගෙන තිබෙන සිද්ධාන්තය මොකක්ද?

"සුදුසු වන්දිය තීරණය කිරීමේදී සාධාරණ වෙළෙඳ අගය පිළිබඳ සිද්ධාන්තය සම්පූර්ණ බේරුම් කිරීමට අදාළ වන ලෙස පිළිගැනීමට රජය සහ ෂෙල් සමාගම එකඟ වී සිටින හෙයින්ද,"

එතකොට පිළිගෙන තිබෙන සිද්ධාන්තය, සාධාරණ වෙළඳ අගය පිළිබඳ සිද්ධාන්තයයි. දැන් අපි විග්‍රහ කර බලමු, මේ ගෙවන්ට යන වන්දි මුදල් නිශ්චය කර තිබෙන්නේ, සාධාරණ වෙළඳ අගය පිළිබඳ සිද්ධාන්තය මතද කියා. ඒක ක්‍රියාවට නැගී තිබෙනවාදැයි බලමු. මේ ඡේදය හරියට සිංහලට පරිවර්තනය කර තිබෙනවාදැයි මා දන්නෙ නැහැ. ඉංග්‍රීසියෙන් තිබෙන්නෙ "The principle of fair market value be recognized" කියායි.

ගරු කථානායකතුමනි, සාධාරණ වෙළඳ අගය පිළිබඳ සිද්ධාන්තය මේ වන්දිවලට ගලපා බැලීමේදී අපට එක කරුණක් පැහැදිලි වෙනව. තෙල් සමාගම් තුනම සන්තක දේපොළවල වටිනාකම රුපියල් 100 ක් නම්, මේ වන්දි මුදල් ගෙවීමට බෙදා තිබෙන ක්‍රමය අනුව ෂෙල් සමාගමට රුපියල් 60 කුත්, කැල්ටෙක්ස් සමාගමට රුපියල් 20 කුත් එසෝ සමාගමට රුපියල් 20 කුත් වශයෙන් ඒ රුපියල් 100 සමාගම් තුන අතරේ බෙදී යා යුතුයි. 3,30,00,000 ත්, 1,10,00,000 ත් 1,10,00,000 ත් සමාන කර බැලුවාම ෂෙල් සමාගමට සියයට 60 යි, කැල්ටෙක්ස් සමාගමට සියයට 20 යි, එසෝ සමාගමට සියයට 20 යි. ගෙවිය යුතු වන්දි මුදල රුපියල් 5 කෝටි 50 ලක්ෂයක් යයි තීරණය කරල, එයින් සියයට 60 ක් එක සමාගමකටත්, සියයට 20 ක් අනික් සමාගමටත්, ඉතුරු සියයට 20 තුන් වෙනි සමාගමටත් දී තිබෙනව. එතකොට මෙතැන සාධාරණ වෙළඳ අගය පිළිබඳ සිද්ධාන්තයක් නැහැ. තෙල් වන්දි මුදල් ගෙවා තිබෙන්නෙ, තෙල් සමාගම් ලංකාවේ කරගෙන ගිය වෙළඳාමේ ප්‍රමාණය අනුවයි. ෂෙල් සමාගමට සියයට 60 ක වෙළඳාමක් තිබුණාය, කැල්ටෙක්ස් සමාගමට සියයට 20 ක වෙළඳාමක් තිබුණාය, එසෝ සමාගමට සියයට 20 ක වෙළඳාමක් තිබුණාය යනුවෙන් සලකා වෙළඳාමේ ප්‍රමාණය අනුවයි, වන්දි මුදල් බෙදා තිබෙන්නෙ. එතකොට තමුන්නාන්සේට පෙනී යනව, වන්දි මුදල් ගෙවීමේදී පදනම් කර ගත්තේ සාධාරණ වෙළෙඳ අගය පිළිබඳ සිද්ධාන්තය යයි මෙතැන කිව්වත්, ඇත්ත වශයෙන්ම මුදල් ගෙවා තිබෙන්නෙ සාධාරණ වෙළෙඳ අගය පිළිබඳ සිද්ධාන්තය—බඩු වල වටිනාකම අනුව—නොවෙයි, කියා. වන්දි මුදල් බෙදා තිබෙන්නෙ ඒ ඒ සමාගම්වලට තිබුණු ජාවාරමේ ප්‍රමාණය අනුවයි. ෂෙල් සමාගම තෙල් ගැලුම් 60 ක් වික්කා නම් ඒ ගොල්ලන්ට සියයට 60 ක් ගෙවා තිබෙනවා. පාවිච්චි කළ බඩුවල අගය අනුව නොවෙයි, ගෙවා තිබෙන්නෙ. එම සිද්ධාන්තය මෙහිදී පිළිපැද තිබෙනවය කියන්ට බැහැ. සිද්ධාන්තය ගැන ගිවිසුමෙහි කුමන ආකාරයකට සඳහන් වුණත්, වන්දි බෙදා තිබෙන්නෙ ඊට සම්පූර්ණයෙන්ම වෙනස් සිද්ධාන්තයක් අනුවයි. ඒ බව එකහෙලාම පැහැදිලි වෙනව. නීතියෙන් ප්‍රකාශ කර තිබෙන්නෙ එක විධියකටයි. මුදල් ගෙවා තිබෙන්නෙ තවත් විධියකටයි.

ආර්ථික වශයෙන් බොහෝ දෙනා පිළිගන්නා සිද්ධාන්තයක් තමයි, සාධාරණ වෙළඳ අගය පිළිබඳ සිද්ධාන්තය. යම් බඩුවක් යමෙකු විසින් සන්තක

[ප්‍රින්ස් ගුණසේකර මයා.]

කර ගනු ලැබීමෙදී මෙම සිද්ධාන්තය අනුව ක්‍රියා කෙරෙනවා. මෙරට රජය, තෙල් සමාගම්වල දේපොළ තමන් සන්තක කර ගත්ත. සාධාරණ වෙළඳ අගය පිළිබඳ සිද්ධාන්තය අනුව නම්, ඒ සමාගම්වලින් ලබා ගත් දේපොළවල අදට ඇති වටිනාකම කොතෙක්ද කියා අපි සොයා බලන්ට ඕනෑ. ඒ අනුව ගණන් බලනවා නම්, කෝටි පහ මාරක් නොවෙයි, ශත පහක්වත් ඒ අයට ගෙවනවට විරුද්ධ වෙන්ට ඕනෑ. ශත පහක වන්දියක් වත් ඒ අයට නොගෙවිය යුතු බව මා කරුණු ඇතිව පැහැදිලි කරන්නම්. නමුත්, එය වෙනම තර්කයක්. නමුත් රජයට ලබා ගත් දේපොළ කෙරෙහි සාධාරණ වෙළඳ අගය පිළිබඳ සිද්ධාන්තය ගලපා ඒ අනුසාරයෙන් එම දේපොළවල වටිනාකම ගණන් බලා නැති බවයි පෙනෙන්නෙ. තෙල් කොම්පැනිවලින් ලබා ගත් දේපොළවලට සාධාරණ වෙළඳ අගය පිළිබඳ සිද්ධාන්තය ගැලපුවොත් සියයට 60, සියයට 20 සහ සියයට 20 යන ආකාරයට ශතයක්වත් අඩුපාඩුවක් නොවෙන්න මුදල් බෙදන්න බැහැ. ඒ වෙළඳ සමාගම් ගෙන්වන ලද දේපොළ පිළිබඳව යම් කිසි ගිවිසුමක් තිබුණෙ නැහැ. ඒ කියන්නෙ, "මෙම පෙල් සමාගමට සියයට 60ක දේපොළ ගෙන්වන්ට ඕනෑය; කැල්ටෙක්ස් සමාගමට සියයට 20ක දේපොළ ගෙන්වන්ට ඕනෑය; එසෝ සමාගමට සියයට 20ක දේපොළ ගෙන්වන්ට ඕනෑය" කියන විධියෙ ගිවිසුමක් ඒ තෙල් සමාගම් සමග අත්සන් කර තිබුණෙ නැහැ. තමතමන්ට ඕනෑ ඕනෑ වෙලාවට, තමතමන්ට ඕනෑ ඕනෑ දේවල් ඔවුන් ගෙන්වා තිබෙනවා. එසේ නම් මෙම සමාගම් තුන සන්තක සියළුම දේපොළ මේ විධියට සියයට 60, සියයට 20 සහ සියයට 20 යන ආකාරයෙන් බෙදෙන්ට පුළුවන්කමක් නැහැ.

පුද්ගලයන් අතර යම් කිසි දේපොළක් හුවමාරු කෙරෙන විට ගණන් බලන නිවැරදි පිළිගත් සිද්ධාන්තයක් පිළිගන්න අපි හැමදෙනාම ලෑස්තියි. එක මනුස්සයෙක් තවත් මනුස්සයකු සමග මේ විධියෙ කාර්යයක් කරන විට ඒ අන්දමේ සිද්ධාන්ත අනුගමනය කරනවා. අපි සිතමු, එක් වෙළඳ සමාගමක් තමන් සන්තක දේපොළ තවත් වෙළඳ සමාගමකට විකුණන්නවාය කියා. එවැනි අවස්ථාවකදි එම දේපොළවල වටිනාකම, සාධාරණ වෙළඳ අගය පිළිබඳ සිද්ධාන්තය අනුව ගණන් බැලීම නිවැරදියි. නමුත් දේපොළ ගණන් බැලීමේ හැම අවස්ථාවකදීම සාධාරණ වෙළඳ අගය පිළිබඳ සිද්ධාන්තය අනුගමනය කරන්නය කියා මා ප්‍රකාශ කරන්නෙ නැහැ. එම සිද්ධාන්තය වෙනස් වෙන අවස්ථා බොහෝ විට තිබෙනවා. යම් රජයක් තම රටවැසියකුගෙ දේපොළක් ගැනීමෙදි මෙම සිද්ධාන්තය බලපාන්නෙ නැහැ. එසේම යම් රජයක් තම රටවැසියන් නොවන අයගෙ දේපොළ සන්තක කර ගැනීමෙදි සමහරවිට මෙම සිද්ධාන්තයට කොහෙත්ම සැලකිල්ලක් නොදක්වා, ඊට පසින් ගසා දමා ක්‍රියා කරන්න සිදු වන අවස්ථා තියෙනවා. වර්තමාන දේශපාලන තත්ත්වය අනුව, පුද්ගලයන් දෙදෙනකු අතර කෙරෙන කටයුත්තකදි එම ආර්ථික සිද්ධාන්තය පිළිගන්නව වුණත්, රජයක් සහ වෙළඳ සමාගම් අතර කෙරෙන කටයුත්තකදි එය පිළිගතයුතු සිද්ධාන්තයක්ය කියා මා කියන්නෙ නැහැ. මෙවැනි සිද්ධාන්ත කිසිවක් ක්‍රියාවෙ නොයොදවා බොහෝ වටිනාකම් ඇති දේපොළ සහ ව්‍යාපාර යනාදිය ජනසතු කළ රටවල් ඕනෑ තරම් තියෙනවා. සමහර අවස්ථාවලදි ශතයක්වත් වන්දි වශයෙන් නොගෙවා එවැනි දේ ජනසතු කර

තිබෙනවා. විදේශීය සමාගම් සන්තක දේපොළ රජය සන්තක කර ගැනීමෙදි එම සිද්ධාන්තය අනුගමනය කළයුතුය කීවොත් එයින් සමහරවිට ලොකු අමාරු තත්ත්වයකට මුහුණ පාන්නට අපට සිදු වන්නට පුළුවනි.

ගරු කථානායකතුමනි, යම් දවසක අපට සිදු වෙයි, කඳුකරයෙ තියෙන නිල් වන් තේවතු ටික අපේ ජාතිය සන්තක කර ගන්ට. එසේ කිරීමේදී සාධාරණ වෙළෙඳ අගය පිළිබඳ සිද්ධාන්තය ඊට සම්බන්ධ කරන්නේ කොහොමද? තේ වතු සඳහා ගෙවිය යුතු මුදල් කොහෙන් ගෙවන්නද? මෙල් කොම්පැනිය එංගලන්තයෙන් ගෙනා පොම්ප ටිකත්, කැල්ටෙක්ස් කොම්පැනිය ඇමෙරිකාවෙන් ගෙනා තෙල් ටැංකි ටිකත්, එසෝ කොම්පැනිය ඇමෙරිකාවෙන් ගෙනා රථවාහන ටිකත් සඳහා වන්දි ගෙවිය යුත්තේ ඒවා ඒ ඒ රටින් ගෙනෙන ලද නිසා නම් අපේ කඳුකරයේ තිබෙන තේ වතු ටික ජනසතු කිරීමට සිදු වුණොත් ඒ සම්බන්ධයෙන් සාධාරණ වෙළෙඳ අගය පිළිබඳ සිද්ධාන්තය ක්‍රියාත්මක කරන්නේ කොහොමද? කඳුකරයේ තිබෙන්නේ එංගලන්තයෙන් ගෙනා තේද? එංගලන්තයෙන් ගෙනා දේශගුණයද? තේ වතුවල වැඩ කරන්නේ එංගලන්තයෙන් ගෙනා කම්කරුවන්ද? තේ වතුවලට දමන්නෙ එංගලන්තයෙන් ගෙනා පෝරද? ඒ අනුව කල්පනා කරන විට සාධාරණ වෙළෙඳ අගය පිළිබඳ සිද්ධාන්තය තේ වතු සම්බන්ධයෙන් ක්‍රියාත්මක කරන්නේ කෙසේද කියා මා ප්‍රශ්න කරනවා. අපේ රටේ උපන් මිනිසුන්ගේ දාඩිය මහන්සිය නිසා, අපේ පොළොව නිසා, අපේ මිනිසුන් අතින් යොදන පෝර නිසා, අපේ රටේ දේශගුණය නිසා උඩරට තැනින් එකක් නැහැ. මෙම විවාදයට කඳුකරයේ තේ ගස් හොඳින් වැවෙනවා. ඉතින් සාධාරණ වෙළෙඳ අගය පිළිබඳ සිද්ධාන්තය උපයෝගී කර ගනිමින් ඒ තේ වතු සඳහා වන්දි ගෙවන්නේ කොහොමද? වන්දි ගෙවන්නට ගියත් ඒ සඳහා සල්ලි තියෙන්නේ කොහේද? මේ අනුව බලන විට හැම තැනකදීම මේ සාධාරණ වෙළඳ අගය පිළිබඳ සිදධාන්තය මිනුම් දණ්ඩ කර ගනිමින් වන්දි ගෙවන්නට යනවා නම් අප ඒකට විරුද්ධ වෙනවා.

අවුරුදු තිහකටත් වැඩි කාලයක් තිස්සේ මේ රට සූරා කෑ තෙල් කොම්පැනිකාරයන් මේ රටේ මේ තරම් කලක් වත් තබා ගැනීම ගැන ඇත්ත වශයෙන්ම ඔවුන් අපට නමස්කාර කරමින් පිට වී යා යුතුයි. අප ඔවුන්ට වන්දි ගෙවන්නට වුවමනාවක් නැහැ.

ගරු කථානායකතුමනි, පසුගිය අවුරුදු තිහකටත් අධික කාලයක් තුළදී තෙල් කොම්පැනි මේ රටේ තම ව්‍යාපාර පවත්වා ගෙන යෑමෙන් ලබන ලද ලාභය කෙතෙක් දැයි සොයා ගන්නට හැකිදැයි තමුන්නාන්සේ උත්සාහ කර බලන්න. මේ ගරු සභාව මේ රටේ තිබෙන ලොකුම සංස්ථාවයි. එහි ඉතාමත්ම වැදගත් තන තුර දරන්නේ තමුන්නාන්සේයි. එහෙව් තමුන්නාන්සේටවත් තෙල් කොම්පැනි සමග සම්බන්ධකම් තිබෙන විනිමය පාලන අංශයෙන් හෝ වෙනත් ආණ්ඩුවේ දෙපාර්තමේන්තුවකින් හෝ පසුගිය අවුරුදු තිහක කාලය තුළදී ඒ තෙල් කොම්පැනි විසින් අවුරුදු පතා ලබන ලද ලාභය කෙතෙක්ද කියාත්, ඒ ලාභ මුදල් අවුරුදු පතා කුමන ආකාරයකින් මේ රටින් පිට කර තිබෙනවාද කියාත් දැන ගන්නට හැකි වේ යයි හිතන්නට අමාරුයි. ඔව්, කවදාකවත් ඒ ගැන නම් දැන ගන්නට එකක් නැහැ. මෙම විවාදයට

[ප්‍රින්ස් ගුණසේකර මයා.]

සහභාගි වීමේ බලාපොරොත්තුවෙන් මෙම කරුණු දැන ගන්නට මා උත්සාහ කළා. වෙන එකක් තබා ඛනිජ තෙල් නීතිගත සංස්ථාවෙනුත් මා ඒ ගැන විමසා බැලුවා. දැනට අවුරුදු කීපයක සිට ඛනිජ තෙල් නීතිගත සංස්ථාව කටයුතු කරගෙන යනවා. එම සංස්ථාව විසින් තෙල් කොම්පැනි තුනක දේපල පවරා ගෙන කටයුතු කර ගෙන යනවත්, ඒ තෙල් කොම්පැනි තුන පසුගිය නිස් අවුරුදු කාලසීමාව තුළදී කොපමණ ලාභයක් ලබාගෙන තිබෙනවාදැයි එම සංස්ථාව දන්නේ නැහැ. නමුත් එම සංස්ථාව පටන් ගත් දා සිට අද දක්වා කොපමණ ලාභයක් ලබාගෙන තිබෙනවා දැයි අපට දැන ගන්නට පුළුවනි. දැන ගත නොහැකි වී ඇත්තේ විදේශීය තෙල් කොම්පැනි නිස් අවුරුදු කාලයක් තුළදී ලබන ලද ලාභය හා එම මුදල් පිටරට යවන ලද්දේ කෙසේද යන්නයි. එම තෙල් කොම්පැනි හැරෙන්නට මේ කාරණා වෙන කිසිවකු දන්නේ නැහැ. සාධාරණ වෙළෙඳ අගය පිළිබඳ සිද්ධාන්තය පිළිබඳ මිම්මෙන් වෙළෙඳාමේ වටිනාකම ගණන් බලනවා නම් පසුගිය නිස් අවුරුදු කාල සීමාව ඇතුළත මෙම විදේශීය තෙල් සමාගම් තුන කොපමණ මුදලක් ලාභ වශයෙන් ලබා ගත්තාද යන්නත් එම කාරණයට හුඟක් දුරට අදාළ වෙනවා. එසේ නැතිව, හරි වන්දි මුදල නියම කිරීමට පුළුවන් කමක් නැහැ. මේ කරුණ මම තවත් පැහැදිලි කර දෙන්නම්.

ෂෙල්, එසෝ හා කැල්ටෙක්ස් යන කොම්පැනි තුනම ඒ කොම්පැනි පළමුවෙන්ම පිහිටෙව්ව අවස්ථාවේ, එංගලන්තයෙනුත් ඇමෙරිකාවෙනුත් ලංකාවට ගෙනා සම්පූර්ණ දේපොළවල වටිනාකම—ගණන් බැලීමේ පහසුව පිණිස—රුපියල් 1,000 ක්ය කියා අපි මොහොතකට සිතමු. මේ කොම්පැනි තුනම අවුරුදුපතාම ලාභ වින්දාය කියලයි මා හිතන්නෙ. එමෙන්ම පසුගිය අවුරුදු 30 තුළදී වරින් වර තව තවත් දේපොළ ගෙනෙන්නත් ඇති. පසුගිය අවුරුදු 30 තුළ ඔවුන් ලැබූ ලාභය ගණන් බැලුවොත්, මුලින් ගෙනා ඒ රුපියල් 1,000ක් වටිනා දේපොළ මෙන් හතර පස් ගුණයක ලාභයක් අවුරුදු පතා ඔවුන් විසින් උපයා තිබෙන බව පෙනී යනවා ඇති. ලංකාවට ගෙනා සම්පූර්ණ දේපොළවල මුල් වටිනාකම රුපියල් 1000 නම්, පසුගිය අවුරුදු 30 ක කාලය තුළ ඔවුන් අවුරුදු පතා එකතු කළ ලාභය රුපියල් 4,500 කට වැඩියි. එත කොට සාධාරණ වෙළඳ අගයක් මතු වන්නේ කොහොමද? රුපියල් 1000 ක් පමණක් යොදා ලාභ වශයෙන් මේ රටින් රුපියල් 4,500 ක් පමණ උපදවා, ඒවා තම තමන්ගේ මව් රටවලට ගෙන ගොස් තිබෙනවා නම්, මෙහි ඉතිරිව තිබෙන කබල් දේපොල ටික නැවත ගණන් බැලී මේදී සාධාරණ වෙළඳ අගය පිළිබඳ සිද්ධාන්තය මතුවන්නේ කොතැනද? ගෙනා වේ රුපියල් 1000 නම්, රුපියල් 4,500 ක් අරගෙන ගියානම්, ඒ අනුව අපේ රටට තවත් රුපියල් 3,500 ක් ඔවුන් ණයයි. ගණන් බලන්න ඕනෑ ඒ අන්දමට නේද? ඒ නිසා "තමුසෙලා මෙපමණ කාලයක් තුළ මෙපමණ ලාභයක් උපදවා තිබෙනවා; ඒවා ආපසු ගෙනෙන්නය කියා අපි කියන්නෙ නැහැ; එහෙයින්, තමුසෙලාට අත්දෙක පිසදමා ගෙන ආපසු යන්න ඔන්න අපි අවසර දුන්නා" කියා ඒ තෙල් කොම්පැනිකාරයින්ට නියම කරන්න ඕනෑ. එහෙත් මේ ආණ්ඩුව කරන්නෙ මොකක්ද? ආණ්ඩුව බලයට පත්වී මාසයක් ගෙවෙන්නටත් පළමු, මේ මන්ත්‍රී මණ්ඩලයට හෝ රටට කිසිම හැඟවීමක් නොකර, හොර රහසේම, පැදුරට වත් නොකියා, තෙල් කොම්පැනිකාරයින් ළඟට දනගා ගෙන ගොස්, ලක්ෂ ගණනක් බෙදා දුන්නා.

මේ ඉදිරිපත් කර තිබෙන සංශෝධන පනත අනුව මේ මුදල ගෙව්වේ කවුද යන්න පැහැදිලි නැහැ. මේ පනතෙහි 2 වැනි ඡේදයේ "බී" කොටසෙහි කියා තිබෙන්නේ මොකක්ද? යම්කිසි මුදලක් ගෙව්වා නම්, එය එසේ ගෙවන අවස්ථාවේ දිත් ඊට පසුවත් එය නීත්‍යානුකූල ගෙවීමක් හැටියට සැලකෙනවාය කියන එකයි, එහි සඳහන් වන්නෙ. ඒ මුදල ගෙව්වේ ගරු මුදල් ඇමතිතුමාද, එහෙම නැත්නම් තෙල් සංයුක්ත මණ්ඩලයද කියන එක පැහැදිලි නැහැ. අනුමතිය සඳහා මේ ගරු සභාව ඉදිරියේ

තිබෙන මේ පනතින් එය පැහැදිලි නැහැ. යම්කිසි විධියකින් පසුගිය මැතිවරණයේදී තෙල් සමාගම් වලින් එක්සත් ජාතික පක්ෂයට ලැබුණු ආධාර නිසා, එයට කළ ගුණ සැලකීමක් වශයෙන් දුවගෙන ගොස් තෙල් කොම්පැනිකාරයින්ගේ උකුලේ සල්ලි පොදියක් තැබීමක් නම් මේ කර තිබෙන්නෙ එය ගෙව්වේ කොහොමද කියන එක අපි දැනගන්න ඕනෑ. ඒ මුදල ගෙව්වේ ලංකාණඩුවේ මුදලින් නම්, එසේ කර තිබෙන්නේ ලංකාණඩුක්‍රම ව්‍යවස්ථාව උල්ලංඝණය කරමිනුයි. ලංකාණඩුවේ මුදලින් මේ විධියට තෙල් සමාගම් වලට හෝ වෙන කිසියම්ම දේකට පාර්ලිමේන්තුවේ අවසරයක් නැතිව මුදල් දෙන්න මුදල් ඇමතිතුමාට බලයක් නැහැ.

ගරු කථානායකතුමනි, ආණ්ඩු ක්‍රම ව්‍යවස්ථාවේ 66 වන වගන්තියේ කුමක් සඳහන්වී තිබෙනවාද කියා තමුන්නාන්සේ දන්නවා. ලංකා ආණ්ඩු ක්‍රම ව්‍යවස්ථාව තවමත් තිබෙන්නෙ ඉංග්‍රීසියෙන්. නමුත් භාග්‍යයකට මෙන් මීට අවුරුදු දහයකට ප්‍රථමයෙන් බණ්ඩාරනායක හිටපු අගමැතිතුමාගේ ආරාධනය ඇතිව ලංකා ආණ්ඩු ක්‍රම ව්‍යවස්ථාව සිංහල භාෂාවට පරිවර්තනය කරන්නට මට අවස්ථාව සැලසුණා. ඒ මගේම පරිවර්තනයෙන් ආණ්ඩු ක්‍රම ව්‍යවස්ථාවේ 66 වන වගන්තිය කියවන්නම්:

"VIII වැනි කොටස

මුදල්

66. (1) වෙනම කාර්යයන් සඳහා මහ අරමුදල නීතිය මගින් වෙන් නොකළ දිවයිනේ අරමුදල් එකම මහ අරමුදලක් වශයෙන් සැදිය යුතුයි. සියලු අය බදු අය කිරීම්, කුලී හා තීරු බදුවලින් ලැබෙන මුදල් සහ වෙනම කාර්යයන් සඳහා වෙන් නොකළ දිවයිනේ අනික් සියලු ආදයම් ද එම අරමුදලට එකතු විය යුතුය.

(2) මහජන ණය මුදලේ පොලිය, ණය ගෙවන අරමුදලේ ගෙවීම්, මහ අරමුදල එකතු කිරීම, පාලනය හා මුදල් බාර ගැනීම පිළිබඳ වූ අමතර වියදම්, ගාස්තු හා ගෙවීම් සහ පාර්ලිමේන්තුව තීරණය කරන අනිකුත් එබඳු ව්‍යතිරේකයන් මහ අරමුදලින් ගෙවිය යුතුය.

—දෙවනවර කියවීම

67. (1) මේ ඡේදයේ (3) වැනි අනු ඡේදයෙන් පැහැදිලිවම විධානය කර ඇති පරිදි හැරුණු විට මුදල් ඇමතිවරයාගේ අත්සන් සහිත බලපත්‍රයක බලය යටතේ මිස, මහ අරමුදලින් කිසිම මුදලක් ආපසු ගත නොහැකිය. මහ අරමුදලින් මුදල් ආපසු ගැනීම.

(2) පාර්ලිමේන්තුවේ යෝජනා ස්ථිරත්වයෙන් හෝ කිසියම් නීතියකින් ඒ මුදල, ආපසු ගතයුතු මුදල් වර්ෂය තුළ, නියමිත රජයේ සේවයන් සඳහා දෙන කල්හි හෝ අන් අයුරින් මහ අරමුදලින් නීත්‍යානුකූලව ගෙවන ලද කල්හි හෝ මිස, එබඳු බල පත්‍රයක් නිකුත් නොකළ යුතුය."

මේ අනුව, වෙනත් වචනවලින් කියනවා නම්, පාර්ලිමේන්තුවේ බලයක් හෝ අනුදැනීමක් නැතිව මහ අරමුදලින් නැත්නම් "කොන්සොලිඩේටඩ් fපන්ඩ්" එකෙන් මේ විධියට වියදම් කරන්න මුදල් ඇමතිතුමාට පුළුවන්කමක් නැහැ. එසේ නම්, තෙල් සමාගම්වලට මේ දක්වා ගෙවා තිබෙන මුදල මහ අරමුදලින් ගෙව්වා නම් ආණ්ඩු ක්‍රම ව්‍යවස්ථාව අනුව මුදල් ඇමතිතුමා එහි වගන්ති දෙකක් උල්ලංඝනය කර තිබෙනවා. ඊළඟට, ආණ්ඩු ක්‍රම ව්‍යවස්ථාවේ වගන්ති දෙකක් උල්ලංඝනය කිරීමේ ඒ ක්‍රියාව මෙවැනි පනතකින් නීත්‍යානුකූල ක්‍රියාවක් කළහැකිද කියා මා ප්‍රශ්න කරන්නට සතුටුයි. ආණ්ඩු ක්‍රම ව්‍යවස්ථාව උල්ලංඝනය කළා නම් මෙවැනි පනත් කෙටුම්පතකින් ඒ වැරැද්ද හරි ගස්සන්න පුළුවන්කමක් තිබෙනවාය කියා මා සිතන්නෙ නැහැ. මේ මුදල මහ අරමුදලෙන් ගෙව්වේ නැත්නම් වෙනත් කාගේවත් මුදලකින් එය ගෙව්වාය කියා මේ පනත් කෙටුම්පතේ සඳහන් කර නැහැ. ඛනිජ තෙල් සංස්ථාවට අයත් මුදලකින් ගෙව්වාය කියාවත් මේ පනත් කෙටුම්පතේ සඳහන් කර නැහැ. ඇත්ත වශයෙන්ම කොයි ආකාරයට මේ මුදල ගෙව්වාද කියා මේ දක්වාම අපි දන්නෙ නැහැ. මේ පනත් කෙටුම්පතේ කොතනකවත් ඒ සම්බන්ධයෙන් සටහනක් නැහැ. පනත් කෙටුම්පතේ කියා තිබෙන්නේ යම්කිසි මුදලක් ගෙව්වා නම් ඒ මුදල ගෙවන අවස්ථාවේදී එය නීත්‍යානුකූල අන්දමින් ගෙවූ හැටියට සලකන බවයි. ඒ නිසා අඩු වශයෙන් මේ අවස්ථාවේදීවත්, මේ තරම් ප්‍රමාදවීමටත්, කොයි විධියට මේ මුදල

[ප්‍රින්ස් ගුණසේකර මයා.]

ගෙව්වාද කියා මේ ගරු සභාවට ප්‍රකාශ කරන්නට ආණ්ඩුවේ ගරු ඇමතිවරුන්ට යුතුකමක් තිබෙනවා.

ගරු කථානායකතුමනි, සාධාරණ වෙළඳ අගය පිළිබඳ කරුණුත් ආණ්ඩු ක්‍රම ව්‍යවස්ථා පවා උල්ලංඝනය කරමින් මේ ආණ්ඩුව මුදල් ගෙවා තිබෙන බවත් මට සඳහන් කරන්නට සිදුවුණේ මේ ආණ්ඩුව, එක්සත් ජාතික පක්ෂය, තෙල් සමාගම්වලට දක්වන ඉතාමත් නින්දනීය ගැති බව පැහැදිළිව පෙන්වා දීමටයි. අපේ ආණ්ඩු ක්‍රම ව්‍යවස්ථාවේ මොනවා සඳහන් වී තිබුණත්, අපේ නීතිවල මොනවා සඳහන් වී තිබුණත් ඒවා සියල්ලම අමතක කර ඒවාට පයින් ගසා තමන්ගේ ස්වාමිවරුන් හැටියට සලකන මේ තෙල් සමාගම් කාරයින්ගේ අණට කීකරු වීමට පමණයි මේ ආණ්ඩුවට වුවමනා කරන්නෙ.

ගරු කථානායකතුමනි, මුදල් රැගෙන මේ රටින් ඉවත් වී යන්න හදනවය කියන මේ තෙල් සමාගම් තුන අපට බොහොම ලොකු උදව්වක් කර තිබෙන බව හැඟවීමට උත්සාහ දරා තිබෙනවා. වන්දි ගෙවන්න පටන් ගන්න දිනය වන තුරු කිසිම පොළී යක් අය කරන්නෙ නැතිලු. වන්දි මුදල නියම නොකර තිබියදී අවිනිශ්චිත මුදලක් වෙනුවෙන් පොළියක් අය කරන්නෙ කොහොමද? මෙය හරියට නිකම් ඇස් බැන්දුමක් වගේ වැඩක් හැටියටයි පෙනෙන්නෙ. මුදල් ගෙවන්න පටන් ගන්න දවස වන තුරු පොළියක් ගන්නෙ නැතිලු. මුදල් ගෙවන්න පටන් ගත් හැටියෙම අවුරුද්දකට සියේට තුන බැගින් කෝටි පහකට පොළී ගන්න යනවලු. අවුරුදු පහකදී සෑහෙන මුදලක් එකතු වෙනවා පොළී වශයෙන්. මොකක්ද මෙහි තේරුම? තෙල් කොම්පැනිකාරයින් දැන් මේ රටේ ජාවාරම් නොකළත් තවත් අවුරුදු පහක් යන තුරු ඇත්තෙන්ම ජාවාරම් කරන්නාක් මෙන්—ලාභ උපදවන්නාක් මෙන්—ඉස්සර බොහොම මහන්සි වෙලා වැඩ කර ලාභ උපදවා මුදල් ගෙන ගියාක් මෙන්—ඉදිරියටත් මේ රටින් මුදල් උපයා ගන්නව. මුදල ගෙවා නිම වන තුරු පොළිය ගෙවිය යුතුයි. වැරදි විධියට ගණන් බැලූ වන්දි මුදල් වුවත් කොටස් වශයෙන් දී ඉවර කරන්න හැදුවත් මොවුන් එයින් සෑහීමකට පත් වන්නෙ නැහැ. ගෙවිය යුතු මුදල කොටස් වශයෙන් කඩා පොළිය ගෙවන්න ඕනෑය කියනව. ඒක හරියට මොවුන් මේ රටේ තෙල් ජාවාරම් කරන කාලයේ මහන්සියෙන් මුදල් හරි හම්බ කර ගත්තා වගේම ඉදිරි කාලයේ නිකම් ඉදගෙන—ඇඟිල්ලක්වත් උස්සන්නෙ නැතුව, දහඩිය බින්දුවක් පවා වගුරු වන්නෙ නැතුව—පොළී වශයෙන් හෝ කවර නමකින් හෝ විශාල ලාභයක් ඇති කර ගැනීමක් නොවෙයිද? වන්දි ගෙවන වය කියා වැරදි සිද්ධාන්තයක් උඩ මුදලක් නියම කර වැරදි විධියට අවුරුදු පහා කොටස් වශයෙන් මේ රටේ මුදල් ඉදිරි කාලයේදී ගෙන යාමට තෙල් කොම්පැනි වලට ඉඩ දෙන්නයි යන්නෙ.

සිද්ධස්ථාන වන්දනා කිරීම සඳහා ඉන්දියාවට යන්න මුදල් බල පත්‍රයක් ඉල්ලන මනුෂ්‍යයෙකුට එය දෙන්න මේ ආණ්ඩුව බොහොම අකැමතියි. ගරු කථානායකතුමනි, තමුන්නාන්සේ කතෝලික භක්තිකයෙක් නිසා තමුන්නාන්සෙ පවා දන්න කාරණයක් තමයි කතෝලික බැතිමතුන් රෝමය වැනි පූජනීය ස්ථානවලත්, ලුර්දු නගරයේ සහ වෙනත් එවැනි ස්ථානවලත් ආගමික කටයුතු සඳහා යන්න බොහොම ආසාවෙන් ඉන්න බව. වන්දනා ගමනක් යන්න මුදල් බලපත්‍ර ඉල්ලුවොත් මේ ආණ්ඩුව කියන්නෙ විදේශ විනිමය ආරක්ෂා කර ගන්න ඕනෑ නිසා දෙන්න බැරි බවයි. හින්දු භක්තිකයන් ඉන්දියාවට වන්දනා වේ යන්න කැමතියි. බෞද්ධයින් දඹදිව හෙවත් උතුරු ඉන්දියාවේ තිබෙන තොයෙක් බෞද්ධ සිද්ධස්ථාන වැඳ පුදා ගන්න යන්න ආසයි. අවුරුදු පහකට වරක් වත් එවැනි ගමනකට බෞද්ධ, හින්දු, කතෝලික ආදී බැතිමතුන් මුදල් බලපත්‍ර ඉල්ලුවොත් කියන්නෙ මුදල් තත්ත්වය නරක නිසා නැත්නම් විදේශ විනිමය ආරක්ෂා කර ගන්න ඕනෑ නිසා ඒ තරම් මුදල් වියදම් කරන්න බැහැ යන්නයි. බෞද්ධ උපාසක මහත්මයෙකු හෝ උපාසක අම්මා කෙනකු හෝ අනිත් වන්දනා ගමන් වෙනුවෙන් වියදම් වන්නේ ඉතා සුළු මුදලක්. කෝටි පහක් කවදාවත් වියදම් වන්නේ නැහැ. එහෙත් ඒ අයට බලපත්‍ර දෙන්න සුදුනම් නැහැ. ඒ කොයි හැටි

වෙනත් තෙල් කොම්පැනිකාරයින් ඉල්ලූ වාම කෝටි ගණන් ලියා දෙනව. ඒත් නිකම්ම නොවෙයි; අවුරුදු පහක් යන තුරු, ආණ්ඩුවෙන් කිසිම අවසර පත්‍රයක් නැතිව, අවුරුදු පහ තුළ ඕනෑම වේලාවක, පොළියත් සමග ගෙන යන්නයි ඉඩ දෙන්නෙ. පොළියත් එක්ක දෙන්නම්; ඒකත් අරන් යන්න කියා ලියා දී ඉවරයි, නීතියෙන්.

ගරු කථානායකතුමනි, මේ අනුව බලන විට, මේ ආණ්ඩුව තෙල් සමාගම්වලට වන්දි මුදල් ගෙවීමට තීරණය කිරීමත් ඒ සඳහා නීතානුකූලව බලය ලැබෙන්නටත් පෙර වන්දි මුදලෙන් කොටසක් ගෙවීමත් දේශපාලන වශයෙන් විග්‍රහ කළත් ආර්ථික වශයෙන් විග්‍රහ කළත් එකම විධිය කටයි තේරුම් කරන්නට පුළුවන් වන්නෙ. මේ ආණ්ඩුව තෙල් සමාගම්වලට බයෙන් ලජ්ජා නැති විධියට අපේ රට තෙල් කොම්පැනිවලට යටත් කළ බවයි කියන්නට තිබෙන්නෙ. මේ රටට හිතවත් කමක් ඇති, ආත්ම ගරුත්වයක් තිබෙන කිසිම රට වැසියෙක් කිසිම ලාංකිකයෙක් මේ ආණ්ඩුවේ ප්‍රතිපත්තිය අනුමත කරයි කියා හිතන්නට පුළුවන්කමක් නෑ.

ගරු කථානායකතුමනි, අපේ රට පුංචි රටක් වුවත් අප දුප්පත් ජාතියක් වුවත් තෙල් කොම්පැනිවලටවත් ඔවුන්ගේ බලවත් ආණ්ඩුවලටවත් යට වන්නට කැමති නැහැ. නිදහස් රටක් හැටියටත් ප්‍රෞඪ අතීතයක් මෙන්ම දීප්තිමත් අනාගතයක් ද ඇති ජාතියක් හැටියටත් මේ රටේ ප්‍රගතිශීලී ජනතාව කවදාවත් තෙල් කොම්පැනිකාරයින් ඉදිරියේ දණ නැමීමටවත් හිස පහත් කිරීමටවත් සූදානම් නැති බව මම කියා සිටිනව. වෙන රටවල් තෙලේ බලෙන් යට කළ විධියට මේ පුංචි ලංකාව යට කරන්නට එන්නට එපායයි අපි මේ තෙල් කොම්පැනිකාරයින්ට එඩිතරව කියා සිටිනව. සවාධීන රටක් හැටියට මේ රට හැමදාම ආරක්ෂා කර ගැනීමට මේ රටේ ගොවි ජනතාව තෙල් කොම්පැනිකාරයින් සමග පමණක් නොව වෙනත් ඕනෑම කෙනකු සමග වුවත් සටන් කිරීමට සූදානම් වෙනවා ඇති. "අපේ වන්දි මුදල් නුදුන් නොත් නුඹලාට අපි ණය දෙන්නේ නැත" කියා ඇඟිල්ල උරුක් කර තර්ජනයෙන් අප බය ගන්වන්නට තෙල් කොම්පැනිකාරයින් මේ විධියට සූදානම් වුණොත් අපට ලොකු අහස් යාත්‍රා නැතත්, අපට මහ නැව් නැතත්, අපට මහ කාලතුවක්කු නැතත් මේ රටේ සිටින ජාතිහිතෛෂී ප්‍රගතිශීලී ගොවි ජනතාව ඔවුන්ට තිබෙන එකම ආයුධය වන උදැල්ලත් අලවංගු කොටෙත් අරගෙන ඉදිරියට ඇවිත් සටන් කරන බව තෙල් කොම්පැනිකාරයින්ට මම කියා සිටිනව. අන්න ඒ පණිවුඩය, තෙල් සමාගම්වලට ගැතිකම් කරන මෙම ආණ්ඩුව මගින්, ඇමෙරිකාවටත් එංගලන්තයටත් දැනගන්නට සලස්වන ලෙස ඉල්ලමින් මගේ කථාව කෙළවර කරනව.

අ. භා. 2.44

පී. ජී. බී. කෙනමන් මයා. (මැද කොළඹ තුන්වන මන්ත්‍රී)

(திரு. பீ. ஜீ. பி. கெனமன்—கொழும்பு மத்தி மூன்றும் அங்கத்தவர்)

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

Mr. Speaker, when he opened the Debate on this scandalous Bill, the Hon. Minister of State tried to restrict the discussion to the limited question of the amount of money that this Government had agreed to pay the three foreign oil companies as compensation. The Hon. Minister of State must now have realized that what he said was in vain. He must have realized that this side of the House was not prepared to allow him to get away with it so easily. He must realize that hon. Members from this side of the House have in great detail and with considerable indignation exposed, from many points of view, the total sell-out of Ceylon's interests by this Government to the imperialists.

It is not only in the matter of the amount of compensation that the betrayal of Ceylon's interests by this Government is to be seen. It has already been pointed out that the Government has agreed to pay these three foreign companies in cash, mainly in foreign exchange, almost twice as much as their nationalized assets are worth, and almost three times as much in terms of cash plus tax exemptions. That is one aspect of the matter.

[කෙනමන් මයා.]

But I should like to bring to your attention that there are other issues more fundamental in a way than the amount of cash involved, to which this House should pay attention, and on the basis of which the Government must be roundly condemned. Some hon. Members have accused this Government of yielding to the political and economic blackmail of the United States Government and the British Government. In fact, several speakers opposite tried to turn this into a defence. The Hon. Minister of Nationalized Services and Sports, who is now pursuing his sporting career round the world, told us in this House while taking part in the Debate that there was nothing else they could do. The hon. Parliamentary Secretary to the Minister of Industries, in a rare burst of candour, told us that the foreign governments and the international monetary organizations were twisting the arms of the Government, and what else could they do but yield.

No, Sir. I wish to say that this Government has done something worse than that. It has joined hands with political and economic blackmailers to play out the people of this country. Yielding to blackmail is one thing; that only shows that you are weak or a coward, to take the side of blackmailers against the people of your own country is an act of political treachery.

The Government has gone further in this matter. I intend to show that in these agreements it has conceded to the oil companies so-called principles for which these oil monopolists have been fighting stubbornly all over the world wherever their assets have been nationalized or threatened. The Government has accepted in these agreements principles to which the oil companies attached more importance than to the Rs. 100 million that they originally asked for as compensation. Thus, the Government by these agreements with the three oil companies has sold out not only the interests of Ceylon and its people but it has also sold out the interests of all the new emerging nations who are struggling, one way or another, to rid themselves from the domination of the international oil cartels. That is the gravamen of my charge.

I do not intend to take up a lot of time in repeating what other hon. Members have said. I should like to refer to this aspect of the matter because it has not yet been brought to the attention of the House. Hon. Members opposite have acted as traitors not only to their own country but also to all developing nations.

From what we have read about its Kurunegala sessions, there seems to be some trouble in the United National Party between old guards and young guards. I do not know what it is. The Prime Minister even made a speech warning against "old guardism." I am not interested in domestic problems of theirs. But may I just mention this?

ගරු ජේ. ආර්. ජයවර්ධන (රාජ්‍ය ඇමති සහ අග්‍රාමාත්‍යතුමාගේත් රාජ්‍යාරක්ෂක හා විදේශ කටයුතු පිළිබඳ ඇමතිගේත් පාර්ලිමේන්තු ලේකම්)

(கௌரவ ஜே. ஆர். ஜயவர்தன—இராஜாங்க அமைச்சரும் பிரதம அமைச்சரதும் பாதுகாப்பு வெளிவிவகார அமைச்சரதும் பாராளுமன்றக் காரியதரியும்)

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

Freedom of speech.

කෙනමන් මයා.

(திரு. கெனமன்)

(Mr. Keuneman)

Freedom of the wild ass.

This Government gets a lot of support from some Ceylonese capitalists. Some of the Ceylonese capitalists have worked heart and soul for the Government and its major party, the United National Party.—[*Interruption*]. No capitalists worked for me. I want to say that, when it comes to

dealing with the foreign oil companies, this Government, led by the Minister of State, tumbles over itself to give them prompt and vast compensation. But when it comes to Ceylonese whose businesses were nationalized, they do not show the same concern, even though the Ceylonese capitalists supported them.

I remember that when the former Government nationalized Ceylonese interests in the Bank of Ceylon—even the bus companies—how these Gentlemen opposite, when they were on this side of the House, protested, "What about the Ceylonese capitalists who have been nationalized"—the poor bus *mudalalis* like the hon. Member for Dehiwala-Mt. Lavinia (Mr. S. de S. Jayasinghe) who has just come in ? They all were having a very bad time, according to the Members Opposite—[*Interruption*]. It reminded me, when I saw him, that he was such a gentleman in distress. All of them used to speak in that way. Still they have not bothered to come round to paying compensation to their domestic capitalist friends, but when it comes to their foreign friends and supporters, they fall over each other ; they break the law in order to compensate them.

If my hon. Friend, the Minister of State, thinks that we are going to be side-tracked and give our consent to this Bill which seeks to give covering sanction to a breach of the law by the Government and its collective contempt of the House, he is very much mistaken.

Ceylon is a small country. We have had to fight a difficult, arduous and complicated struggle against the three foreign oil companies which operated in Ceylon. Each of these companies is part of international cartels that are richer and more powerful than the Government of Ceylon itself. I have with me an authoritative book on the subject written by Mr. Harvey O'Connor—"The World Crisis in Oil". Incidentally, Mr. O'Connor refers to Ceylon also.

In this book, in the very first page, Mr. O'Connor tells us what were the assets and incomes of all these oil companies in the year 1960—that is just before we began the process of nationalization. I am not going to read the whole lot. I will just mention a few facts from it.

In 1960 the assets of Standard Oil-Esso were 10,090 million U. S. dollars. Its net income after taxation all over the world for that year was 684 million U. S. dollars. Then we will take the Shell Company, the second biggest in the world, although it is the biggest in Ceylon. Its assets in 1960 were 8,874 million U. S. dollars. Its net income for the year 1960 was 497 million U. S. dollars. The third company is Caltex, part of Socony-Mobil. Its assets in 1960 were 3,455 million dollars and its net income for the year 1960 was 183 million dollars. This Government would be very glad if even 1/10th of that income was the national revenue of Ceylon.

We are a small country and we started a fight against these giants. It is a credit to the hon. Leader of the Opposition that it was when she was Prime Minister, the Government that she led courageously began the struggle. Now we have come to a new stage in this fight, a stage at which the oil companies have gained a temporary victory and Ceylon has suffered a temporary defeat due to this U. N. P.-F. P. *hath hawula* Government.

I do not want to range over the whole question of the activities—may I say the nefarious activities ?—of these oil companies in Ceylon. More than one hon. Member has spoken very eloquently about them. There are only three oil companies, two American and one British. At the highest point, their investment in Ceylon was Rs. 73 million. In

[කෙනමන් මයා.]

1961 when we began the process of nationalization the value of their assets was only Rs. 33 million.

How much more has been spent by earlier Governments of Ceylon to keep these oil companies going? When I spoke on the original Bill I gave facts and figures. They are in HANSARD and I do not want to repeat them. We built an oil jetty at Government expense which was used only by their tankers. The Government and the people of Ceylon paid for it. We installed the pipe line to Kolonnawa. It was paid for by previous Governments and the people of Ceylon and the oil companies paid us the princely sum of 2 cents a gallon for the privilege of using this pipeline. They made huge money with such a small investment.

I agree with the hon. Member for Habaraduwa (Mr. Prins Gunasekera) that nobody, not even the Inland Revenue Department, knew the real profits of these oil companies from their operations in Ceylon. But, today, we can have some indication of how much they made out of us. We have the Annual Report of the Ceylon Petroleum Corporation for the year 1964. This was the year in which the entire internal distribution of oil products was taken over by the corporation, and in this year, that is to say 1964, the Ceylon Petroleum Corporation was able to make a profit of Rs. 30.4 million, according to its own report. Mind you, Sir, we should remember that this profit of Rs. 30.4 million was secured when the Ceylon Petroleum Corporation was handling only 60 per cent. of the oil sales in Ceylon, because 40 per cent. is still in the hands of the oil companies in the form of bunkering and supplying aviation fuel. With only 60 per cent. of the total business in its hands, the Ceylon Petroleum Corporation made a profit of Rs. 30.4 million in one year. So, we can have some idea of how much the companies were making as profit.

Secondly, there is another aspect of the matter. The prices of oil imported and supplied to the consumer by the corporation are known to us. The prices were reduced in the case of kerosene and certain other products. In the case of supplies from the companies nobody knew how their so-called posted prices were made up. Nobody knew what their hidden and secret profits were, because nobody in Ceylon knew anything about what happened until the oil arrived in the Colombo Harbour. In spite of all that, the Ceylon Petroleum Corporation, in the one year in which it handled only 60 per cent. of the distribution of oil products, made Rs. 30.4 million as profit. If that is the case, then we can say these oil companies were making as much as or more than the total value of their assets every year by way of profit. If you take their hidden profits into consideration, then every year they were making practically the total value of their assets.

I do not want to go into the question whether these people should be given compensation at all. I always believe that compensation is a matter of tactics rather than a matter of principle. But our party too accepted the fact that compensation, according to the 1961 law, should be given.

I must say that I am totally in agreement, from the political and theoretical point of view, with the idea expressed by the hon. Member for Habaraduwa—that is, if there is one set of persons who do not deserve the compensation, it is the oil companies. In point of fact, they should compensate Ceylon for the wrongs they have done us rather than having us compensate them. For the sake of unanimity, for the sake of getting the corporation started—because this amounted to the first major break through in the struggle against foreign vested interests—we accepted the principle of compensation in the 1961 Act which we thought laid down at least the

most equitable way of paying compensation. But at that time our party, in supporting the Bill—despite the fact that at that time only part of the internal distribution of oil was handled by the Corporation—raised the question that we will have to face as a country and as a people a long and bitter struggle from these oil companies.

I do not usually enjoy reading my own speeches, but perhaps you will forgive me if I read a sentence or two from what I said in my speech on the 1961 Bill on behalf of the Communist Party, because it sets out the warning we gave on that occasion and also sets out in a summarized form our assessment of the forces against whom we were fighting, an assessment which has been fully confirmed by the facts. This is what I said at column 4394:

"We support this Bill because we want to see that the benefits from economic activities in this country accrue to the people of Ceylon and not to foreign imperialist monopolies. We all know that it is not an easy matter to challenge the power of the oil cartels. These oil monopolists have made and unmade governments in different parts of the world. They have provoked wars and financed counter-revolutions. They have kept the press and politicians on their payroll. They have fought openly and insidiously against every attempt to limit their power or their profits. We saw how they overthrew Mossadeq and his Government in Iran. We have seen how they make and unmake Governments in Latin America. We have experienced the stink of oil politics in the imperialist intrigues in the Middle East and today we are seeing it in the criminal American invasion of Cuba. The United States of America launched a criminal attack on the independence and integrity of Cuba because the Cuban Government under Castro decided to take over the American oil companies in that country. It is no secret that the American oil companies, especially the Caltex Company, openly boasted of the tens of thousands of dollars they have paid to counter-revolutionary elements who are now, under American direction, carrying out an invasion of Cuba to upset and overthrow that Government, to destroy the integrity of the Cuban State and the independence of its people.

These are the type of people we are dealing with. We are not dealing with ordinary businessmen. We are not dealing with petty swindlers. We are dealing with financial empires more powerful than the Government of this country and the Governments of many other countries. Many a sordid chapter in the criminal history of imperialism has been written in oil—in profits for the oil monopolists and in blood and death for the common people."—[OFFICIAL REPORT, 21st September, 1961; Vol. 42, c. 4394.]

එෆ්. ආර්. ඩයස් බණ්ඩාරනායක මයා. (දොම්පෙ)
(திரு. எப். ஆர். டயஸ் பண்டாரநாயக்க—தொம்பே)
(Mr. F. R. Dias Bandaranaike—Dompe)

Blood, oil, tears and sweat.

කෙනමන් මයා.
(திரு. கெனமன்)
(Mr. Keuneman)

On that occasion, on behalf of the Communist Party, we warned about the seriousness of this matter. We warned that there will be a continuous attempt to overthrow the Government that introduced the Bill, to sabotage the activities of the corporation in one way or another, and to return to power, directly or indirectly.

It is only a question of the amount of money involved. It is true that our experience in the struggle against the oil companies and their supporters has not been a bloody one.

එෆ්. ආර්. ඩයස් බණ්ඩාරනායක මයා.
(திரு. எப். ஆர். டயஸ் பண்டாரநாயக்க)
(Mr. F. R. Dias Bandaranaike)

Oily business!

කෙනමන් මයා.
(திரு. கெனமன்)
(Mr. Keuneman)

A lot of oily business, a lot of lubrication involved. But our experience has been as drastic as that of the other countries. We remember it very well. From the word

[කෙනමන් මයා.]

"go", when the Hon. T. B. Ilangaratne—all honour to him for it; he is not in the House, but let us pay a tribute to him for introducing that Bill—when the Hon. T. B. Ilangaratne tabled on the Floor of the House the Petroleum Corporation Bill of 1961, it was then that the war against Ceylon and its people started on behalf of the oil companies. We had to fight it all along the line. We had to meet the oil lobby, as referred to by my Friend, the hon. Member for Habaraduwa (Mr. Prins Gunasekera). We had to meet a hostile press. The United National Party was also caught short in this fight. They fought it tooth and nail until it came to the Floor of this House. And because they had suddenly decided to change their political tactics, they got up and said: Well, we also support it—having opposed it tooth and nail in the municipal council ten days earlier, having got the support of the oil companies in the 1960 elections, having had Mr. Dudley Senanayake's photograph put up by every single petrol station in the country!

Sir, the first speaker for the U.N.P. in that Debate in 1961 was the hon. Member for Homagama. He was new to the House, and therefore he did not understand the tactics of the U.N.P. He was not such a tricky, able, political manoeuvrer as the Hon. Minister of State who led the fight on that occasion—led the retreat, shall I say, on that occasion. Mr. Gamani Jayasuriya reflected the real feelings of the U.N.P., and also reflected his dilemma in the very first opening speech. This is what he said:

"... We could easily sabotage this Bill, but we do not want to do it at this stage because the finances of the country are in a very bad condition and we cannot allow our finances to be washed away and lost."

Then:

"(THE HON. F. R. DIAS BANDARANAIKE:

Are you going to sabotage this at some other stage?

(MR. JAYASURIYA):

We cannot do that—"

Perhaps, he did not know the capacity of the Hon. Minister of State—

"(THE HON. F. R. DIAS BANDARANAIKE):

You said you were not going to sabotage it at this stage.

(MR. JAYASURIYA):

Because our finances are in a bad condition.

(THE HON. F. R. DIAS BANDARANAIKE):

Are you going to sabotage it at some later stage?

(MR. JAYASURIYA):

We will consider it at that time!" [OFFICIAL REPORT, 21st April 1961; Vol. 42, c. 4478.]

එෆ්. ආර්. ඩයස් බණ්ඩාරනායක මයා.
(திரு. எப். ஆர். டயஸ் பண்டாரநாயக்க)
(Mr. F. R. Dias Bandaranaike)

It has now happened.

කෙනමන් මයා.
(திரு. கெனமன்)
(Mr. Keuneman)

The time has come.

එෆ්. ආර්. ඩයස් බණ්ඩාරනායක මයා.
(திரு. எப். ஆர். டயஸ் பண்டாரநாயக்க)
(Mr. F. R. Dias Bandaranaike)

It has come to pass.

කෙනමන් මයා.
(திரு. கெனமன்)
(Mr. Keuneman)

The Hon. Minister of State was embarrassed by this frankness of this young Member. At that time he got up and said: "He is a young Member; he has not understood the politics of this." No, Sir. He understood the real meaning of what the U.N.P. was after, and he said it in his frank and open way.

Well, the wheel has gone the full circle, and that stage has come. Hon. Members opposite who beat a tactical retreat in 1961 saying that they

supported the Bill and did not want to sabotage it at that stage are back in power and able to sabotage it now.

That is the real situation. Now their real intentions are manifest. Now we know what was going on behind all those tactics.

In the Budget Debate I quoted the speech of the Hon. Minister of State —his advice to the Coalition Government of the day during the Debate on the Budget of the hon. Member for Yatiyantota. He told us: You settle this question with the oil companies, and America will give you all the aid you want. You will have no Budget deficit at all. We now know that he is the villain of the piece, the chief author of the agreement, the man who put the whole thing through. The Minister of Nationalized Services divested himself of all responsibility. He said; No, it is the Minister of State who did it. I will show later that some of his theories are going wrong.

You would recall that the nationalization of the internal distribution of oil went through three distinct stages, and at every stage we had a big fight with the oil companies, the oil lobbies and their supporters in and outside this House. The first stage was the setting up of the Ceylon Petroleum Corporation by the Act of 1961. That was not a total nationalization of the internal distribution of oil. Only 41 per cent of the distribution of oil was taken into the hands of the Ceylon Petroleum Corporation at that time. Only certain assets—not all the assets —of the oil companies were taken over. The idea the Government had at that time—an idea against which I warned them and told them that it was not possible to carry on in competition with the oil companies and that there must be a complete take-over—was to start a national corporation and compete with the oil companies. That was the first stage. But at that stage also there was this tremendous opposition. There were all these stories about the Government bringing Russian oil to this country. We were told that motor cars cannot run on Russian oil. All motor cars including the motor car of the Hon. Minister of State are now running on Russian oil, and they are running very well.

එෆ්. ආර්. ඩයස් බණ්ඩාරනායක මයා.
(திரு. எப். ஆர். டயஸ் பண்டாரநாயக்க)
(Mr. F. R. Dias Bandaranaike)
Running well without Shell!

කෙනමන් මයා.
(திரு. கெனமன்)
(Mr. Keuneman)
They are all running very well without Shell. We are working our factories on diesel oil from the Soviet Union, from Rumania, from the U. A. R.; and even from the United States we are getting a small quantity of lubricants.

Yes, there was a big fight on that occasion, a fight which is relevant to this question of compensation. This was the period in which the oil companies carried on a campaign against the Government of Ceylon not only domestically but abroad, and it culminated in their getting the Government of the United States of America arbitrarily to cut off its so-called aid to Ceylon on the grounds that we were not taking effective steps to give prompt compensation. I will deal with that in a moment.

The second stage was when the Government, after the United States had cut off aid, took the decision to introduce a c.i.f. ceiling price for the import of oil. That was a step further, but it was not one that lasted long because the oil companies were able to retaliate. And, finally in 1963, it became necessary to take the logical step of vesting the entire internal distribution of oil products in the Ceylon Petroleum Corporation.

That was the major break through in the struggle for economic independence. It was one of the most important steps taken by the last Government in challenging the

[කෙනමන් මයා.]

foreign vested interests in this country, in making even a dent into their monopoly. That is why it was so enthusiastically supported by all the Ceylonese people who valued progress and economic independence. That is why a small country like Ceylon got such a high reputation in the world as being able to stand up to these international monopolists and not to give in to their threats, blackmail and arm-twisting. The Government of the hon. Leader of the Opposition, Mrs. Sirimavo R. D. Bandaranaike, at that time won a very great prestige for standing up for the national interests of Ceylon, a prestige not only among the people of this country but also abroad, because the national self-respect and the national integrity of Ceylon was maintained. The oil companies were told : We may be a small people, we may be weak, we may be poor, but our honour and our country are not for sale, not to be bartered. If you want to deal with us deal with us properly, do not try and deal with us with a gun on the table. The respect this country got the reputation this country got, was frittered away, by this Government which is so lacking in concern for the national self-respect of Ceylon.

At every stage, we had to face threats, economic boycott and political blackmail. You will recall that the oil companies even put pressure on the Government of Iran to stop buying tea from Ceylon. They took steps to use their influence among the Middle-Eastern Governments to buckle our tea market in the Middle-East in retaliation for this assertion of our economic independence in taking over the distribution of oil products from the three monopoly companies. The Government had a choice at that time either to yield to blackmail or stand firm, and they stood firm. It adds to their credit.

Even now the oil companies have very little to complain about. Still 40 per cent. of the total sales of petroleum products is in their hands. 400,000 tons of oil are being sold by them as bunkering fuel for a year from the sea and airports of Ceylon. They are making undisclosed and untaxed profits on them. I do not know how much they make. All I can say is they make a tremendous sum.

The Petroleum Corporation, under the last Government, entered into competition even in this bunkering trade. About 4½ per cent. of the bunkering trade is now controlled by the Ceylon Petroleum Corporation, mostly, the supply to ships from the socialist countries and other free emerging states. On this per cent. they made Rs. 4.7 million profit last year on the trade of bunkering only. On those figures alone those companies must be making Rs. 35 to 40 million a year as profit on bunkering.

I am aware that it has been held by the Privy Council that you cannot levy a tax on bunkering. But there is nothing to prevent us changing our Customs Ordinance. If we change the Customs Ordinance and make that also as an article that is dutiable, capable of leving a tax, there is then a very considerable source of revenue to us. But these companies have taken shield under a legal decision and say, "Well, we do not accept your right to tax us, we are merely holding the trade in bunkering."

I think, the hon. Member for Nallur (Dr. Naganathan) who made a very big speech on this matter is becoming one of the chief spokesmen of vested interest in this House. Yesterday he made a speech in this House on behalf of the estate employees. The day before yesterday he made a speech on behalf of the petroleum companies. I wish it were possible for you to find a still more eloquent and effective spokesman like the hon. Appointed Member (Mr. Singleton-Salmon). If I may say so with all due respect, the hon. Appointed Member (Mr. Jonklaas) made a very able advocate's speech putting forward the view of the oil companies. May I take this opportunity to congratulate the hon. Member on his advocacy, if not on the contents of his speech ? That is the least we could expect from a distinguished Queen's Counsel.

The hon. Member for Nallur said that this was very much like somebody who comes and puts an article in bond and then takes it away. That is what he said.

එෆ්. ආර්. ඩයස් බණ්ඩාරනායක මයා.
(திரு. எப். ஆர். டயஸ் பண்டாரநாயக்க)
(Mr. F. R. Dias Bandaranaike)

Not imported.

කෙනමන් මයා.
(திரு. கெனமன்)
(Mr. Keuneman)

It is not imported. The point is the sale is taking place in Ceylon. It is not outside the three mile limit, but it is done within our territorial waters, and within our territory. The sale of oil is taking place within our territory. It is done in our harbours, in our airfields, and if we amend our Customs regulations, as we should, we can levy a tax on it. All these installations are run at our expense, and are operated by Ceylonese labour. This is not something like a passenger or tourist who comes here for a day, who does not want to take his luggage to the hotel, but who keeps it in bond and takes it away. It is nothing of that sort. These are commercial transactions carried on where profits are made without one penny, one cent, being given by way of taxes to the Government of this country.

As you are aware, the fight of the oil companies and their supporters had gone on at several levels; there was political and economic blackmail of the country, there were all the activities of the lubricated oil lobby and there were the political manoeuvres to overthrow the Government and to kick out Mr. Ilangaratne from the Government. In addition to that, a very stubborn fight was put up by the oil companies to assert certain set principles in conflict which they have to face increasingly in the world as ever new emergent nations take action against their monopolies. Sir, to us Rs. 55 million is a big sum of money, but to the oil companies it is nothing, to them it is like small change. I am sure, they will give the whole of the Rs. 100 million, it is about three years profits, to get those principles established. What this Government has conceded in principle is worth much more than the Rs. 100 million which they asked for. They have spent more than this amount to overthrow Moosadeq in Iran and to make themselves secure in Latin America, and they will spend more in breaking Governments in Ceylon. [*Interruption*]. I cannot say about that, but I would like to say this. I am told that they spent. The Treasurer of the U. N. P., Mr. Mashoor, will be able to say, I do not know. What I want to say is that the oil companies fought such a stubborn battle against the past Government and against the Bill not merely because they were interested in defending their vested intests here but because they felt that they had a duty cast upon them to wreck the Oil Bill to establish their principles, their laws, so that when this matter came up again in another part of the world Ceylon would not be held up as a precedent under their nose. That is what they were worried about. I say that much more was at stake than this Rs. 100 million that they originally claimed or the Rs. 55 million or the Rs. 83 million which the Government has, in fact given. Sir, it is not cash that was important to them, although cash was important, but principles, principles of high morality, principles by which they could justify their domination throughout the world.

You will recall, Sir, that in February 1963 the United States of America cut off the so-called aid to Ceylon on the alleged ground that Ceylon was not taking meaningful steps in regard to the payment of compensation to the oil companies. The United States Government, acting in the interests of the oil companies, took the step of cutting off aid to Ceylon under the so-called Hickenlooper Amendment. Now, this Government is asking this House by this Bill to endorse the

[කෙනමන් මයා.]

Hickenlooper Amendment. They want to make the Hickenlooper Amendment part of the law of Ceylon.

Under the Hickenlooper Amendment, the United States of America on behalf of the oil companies reiterated the famous 19th century principle—which the Hon. Minister of Industries called the *puskapu* 19th century principle—that compensation for nationalized properties by aliens should be "prompt, adequate and effective". This is the famous yardstick: compensation must be prompt, compensation must be adequate, and compensation must be effective. And the Government of Mrs. Sirimavo Bandaranaike was accused of being neither prompt, nor adequate, nor effective in paying compensation for the nationalized assets of the oil companies.

It is true that the cutting off of American aid was an attempt to attach political conditions to such aid, it was an attempt at economic blackmail, of twisting the arm of the Government and getting them to agree to the exorbitant demands of the oil companies. But is also outraged even the established interpretations given to this 19th century *puskapu* doctrine of prompt, adequate and effective compensation.

Incidentally, I must say, this was an imperialist doctrine by imperialist countries, though it is supposed to be a big doctrine of international law. You must bear with me for a moment if I deal with some of the elements of this doctrine because these are the questions involved in this campaign. Let us examine each of these elements. Let us first take the element of promptness.

How lacking in promptness was the Government of Ceylon in the matter of compensation? How did the position here compare with what the oil companies had agreed to elsewhere? You will then see the extent to which these principles which are supposed to be international law have been stretched in an attempt at political and economic blackmail.

The first country that took steps to expropriate the oil companies was Mexico, and the very same principle for which the oil companies fought such a stubborn battle here became part of the battle against the Mexican Government. You have gone and yielded in the same way in this their second real test. I do not want to go through the whole question of the Mexican expropriation of the oil companies.

කථානායකතුමා
(சபாநாயகர் அவர்கள்)
(Mr. Speaker)

I think the hon. Member will finish by a quarter to four?

කෙනමන් මයා.
(திரு. கெனமன்)
(Mr. Keuneman)

No, Sir. We will finish altogether in time.

එෆ්. ආර්. ඩයස් බණ්ඩාරනායක මයා.
(திரு. எப். ஆர். டயஸ் பண்டாரநாயக்க)
(Mr. F. R. Dias Bandaranaike)

We will finish the Debate in time.

කථානායකතුමා
(சபாநாயகர் அவர்கள்)
(Mr. Speaker)

I think you will have to finish by 5 o'clock for the Hon. Minister of State to start his reply.

එෆ්. ආර්. ඩයස් බණ්ඩාරනායක මයා.
(திரு. எப். ஆர். டயஸ் பண்டாரநாயக்க)
(Mr. F. R. Dias Bandaranaike)

By six o'clock.

එම්. පී. ද සොයිසා සිරිවර්ධන මයා. (මිනුවන්ගොඩ)
(திரு. எம். பீ. டி சொய்ஸா சிரிவர்தன—மினுவாங்கொடை)
(Mr. M. P. de Zoysa Siriwardena—Minuwangoda)

I think the Government was allowed only two hours.

එෆ්. ආර්. ඩයස් බණ්ඩාරනායක මයා.
(திரு. எப். ஆர். டயஸ் பண்டாரநாயக்க)
(Mr. F. R. Dias Bandaranaike)

May I point out that at the party leaders' meeting we came to a certain agreement?

කථානායකතුමා

(சபாநாயகர் அவர்கள்)

(Mr. Speaker)

There is one hour left for the Government. The Opposition will have to finish by 6 o'clock. The Hon. Minister of State will commence his reply at 6 o'clock, and I shall put the Question at 7 o'clock.

කෙනමන් මයා.

(திரு. கெனமன்)

(Mr. Keuneman)

I shall only deal with the question of the Mexican decree in relation to the oil issue in Ceylon. The law—or decree, as they called it—in Mexico, expropriating the oil business, was issued on 18th March 1938. The first attempt to do anything about it, that is to say, to do something concrete about compensation, came four years later, on 17th April 1942, when a mixed commission of experts was appointed to value the expropriated properties. It was only nine years later, on 30th September 1947, that an agreement on compensation was reached. In the case of the British and the Dutch oil properties in Mexico, a settlement was reached for payment which would finish eight years after expropriation, that is, in February 1946. In the case of the other oil companies—the American oil companies—it was practically the same position. That was the position in regard to Mexico. There was a delay of eight to nine years.

What happened in Ceylon? How "unprompt" was the Government of Ceylon in promptness? Hon. Members opposite were blaming the Government, saying that it was not prompt. The facts are known. The Ceylon Petroleum Corporation Act became law on 29th May 1961. The corporation was set up in June 1961. It commenced business in April 1962. The U. S. A. cut off its aid in February 1963. In other words, the U. S. A., at the instigation of the oil companies, cut off aid less than one year—a matter of months—after the corporation had begun business and less than two years after the law was passed. Nine years in Mexico, less than two years here, and we are supposed to be "unprompt"!

What happened? Faced with the second act of total expropriation—at that time only partial—of their property, they were fighting for the principle that compensation must be paid not only how they wanted but when they wanted. What they could not achieve in their fight with Mexico, they tried to achieve in Ceylon. And they achieved it, thanks to this Government.

The other elements of this doctrine —adequate and effective compensation—did not arise at that time because the proceedings for getting the compensation assessed had not started at the time the U. S. A. cut off its aid. But you will recall, Sir, that subsequently, in all their negotiations, in all their talks with the Government, in all their public and private attitudes, the oil companies fought hard for the acceptance of two principles which they considered vital to them. The first point that we noticed was this: it was the reluctance of the oil companies to submit themselves to Ceylon law and the adjudication of a compensation tribunal set up under the law of Ceylon. The oil companies never like to regard themselves as another business firm subject to the laws of the country in which they operate. They regard themselves as a supergovernment above the laws of any Government and open only to a Governmental level dealing. It is a principle that you are now conceding.

The Petroleum Corporation Report of 1964, at page 14, gives a short account of the attitude of the oil companies on this matter. This is what it says:

"The Companies, however, did not disclose their basis at any stage but during the proceedings they questioned the jurisdiction of the Tribunal to hear and determine this matter. They contended that the Tribunal was wrongly constituted. The Government undertook to honour

[කෙනමන් මයා.]

any award made by the Tribunal notwithstanding this alleged lack of jurisdiction. The Companies, however, persisted in their objections but were overruled by the Tribunal. The objection was taken again before the second panel of the Tribunal but with the same result. The Companies thereafter filed papers in the Supreme Court and moved for Writ of Quo Warranto and Certiorari on the Tribunal. The matter awaits determination by a Full Bench while the sittings of the Tribunal stand suspended until a decision is known."

The hon. Appointed Member (Mr. Jonklaas) also gave a detailed account from the other point of view but what he said was substantially the same, that the companies were determined not to submit themselves to this law, not to submit themselves to an adjudication of the tribunal which was set up by law which was unanimously passed by the House, because, if they did, all over the world they would have to submit themselves to the same sort of position.

Secondly, the oil companies fought tooth and nail for what they called the principle of fair market value as the basis for compensation. That is also another matter brought out by the speech of the hon. Appointed Member (Mr. Jonklaas). He touched on that point. That was their fight ; that was their objection. They said that the Bill, which we had passed unanimously in 1961, with the United National Party also supporting it, as a result of its last minute change of tactics, denied the concept of fair market value. Of course, it did. That was the merit of the Bill. It set out a very just form of compensation. It decided that the form of compensation will be determined by the people in whose country the oil companies have been making the money and not by them or their lawyers or the international governments backing them.

They were totally opposed to all the criteria of value set out in the Act of 1961. You will remember all these criteria that were set out in such detail in the 1961 Act were designed to cut out concepts like goodwill, loss of future profits and all these other intangibles in the concept of the fair market value, and it laid down very clearly the basis on which the compensation should be determined. Section 47, you will recall, sets out the concept of the actual price—actual price paid for the property at the point of purchase plus a reasonable value for any additions and improvements. Where the purchase price was not ascertainable, the compensation was to be based on the price the property would have fetched if it had been sold in the open market on the day it was vested in the Corporation. Sections 47, 48 and 49 also continue to develop the concept of the actual price as against fair market value as the basis for compensation. The oil companies fought against this in Mexico too. In Mexico they even went to court on the ground that they should be compensated for loss of profits and the courts held against them. But in each of these cases they are fighting for this concept of fair market value. In other words, they want to determine and dictate what should be the amount of compensation and the principles on which the compensation should be assessed. If they had agreed and given in to this principle here they would have had to accept it in every other country of the world.

Look at the agreement which this U. N. P. headed by the Hon. Minister of State in this matter has signed with the oil companies. I draw your attention to the fact that in each one of these agreements the principle of fair market value is specifically conceded by the Government. That is part of the surrender. That is the clause that will be used against every other emerging country that will have the courage to fight these monopolies. Our Government has accepted this principle, the one principle for which they fought tooth and nail, the principle which they valued far more than this difference between Rs. 55 million and Rs. 100 million or Rs. 85 million and Rs. 100 million that they originally asked for.

Take the agreement. This is how the preamble reads:

"AND WHEREAS as a result of such negotiations the Government and the Shell Company have agreed that in determining the appropriate compensation due the principle of fair market value be recognised as applying to the overall settlement."

You will find the very same conditions in the agreement with Esso and Caltex too.

In other words, the two major premises for which they were fighting—their right not to subordinate themselves to Ceylon laws and their right to be compensated on their own terms of fair market value—have been conceded in these agreements by the Government.

වෛද්‍යාචාර්ය එස්. ඒ. විකුමසිංහ (අකුරැස්ස)

(டொக்டர் எஸ். ஏ. விக்ரமசிங்ஹ—அக்குறஸ்ஸ)

(Dr. S. A. Wickremasinghe—Akuressa)

Shame !

කෙනමන් මයා.

(திரு. கெனமன்)

(Mr. Keuneman)

In other words, this is a complete surrender. You have hauled the flag of the Petroleum Corporation down and thrown up the flag of the oil companies. It is not only a betrayal of this country alone but a betrayal of all the emerging countries that are fighting these oil monopolies.

This question is disguised by the device of a lump sum payment. This lump sum payment is the same device that these companies used in Mexico. They want to assert a premise. They want to keep themselves open for manoeuvring so as to be able to meet all possibilities. Here we have the example, an apparently unchallenged fact, where the written down assets of the companies were only Rs. 33 million. The Government has given a lump sum of Rs. 55 million plus interest of Rs. 5 million.—[*Interruption*]. You will give them Rs. 58 million.

ගරු ජේ. ආර්. ජයවර්ධන

(கௌரவ ஜே. ஆர். ஜயவர்தன)

(The Hon. J. R. Jayewardene)

No interest.

කෙනමන් මයා.

(திரு. கெனமன்)

(Mr. Keuneman)

You are going to pay interest for the future.—[*Interruption*]. It is a couple of millions more or less. Supposing you gave Rs. 55 million, it comes to Rs. 57 or Rs. 58 million.

ගරු ජේ. ආර්. ජයවර්ධන

(கௌரவ ஜே. ஆர். ஜயவர்தன)

(The Hon. J. R. Jayewardene)

Rs. 55 million and interest in full payment.

කෙනමන් මයා.

(திரு. கெனமன்)

(Mr. Keuneman)

It will come to about Rs. 57 million. Let us——

ගරු ජේ. ආර්. ජයවර්ධන

(கௌரவ ஜே. ஆர். ஜயவர்தன)

(The Hon. J. R. Jayewardene)

Fair enough !

කෙනමන් මයා.

(திரு. கெனமன்)

(Mr. Keuneman)

It is a small matter of accounting. I am concerned with a major argument.

By this device of lump sum payment the companies are free to say that all sorts of concepts have entered into this payment—goodwill, loss of profits and any other intangibles that they assert have entered on the basis of fair market value. I ask the Minister of State, "Please tell us all the elements that have entered into this Rs. 55 million."

ඩී. ෂෙල්ටන් ජයසිංහ මයා. (කර්මාන්ත හා ධීවර ඇමතිගේ පාර්ලිමේන්තු ලේකම්)
(திரு. டீ. ஷெல்ற்றன் ஜயசிங்க—கைத்தொழில், கடற்றொழில் அமைச்சரின் பாராளுமன்றக் காரியதரிசி)
(Mr. D. Shelton Jayasinghe—Parliamentary Secretary to the Minister of Industries and Fisheries)

Market value.

කෙනමන් මයා.
(திரு. கெனமன்)
(Mr. Keuneman)

Is it market value alone ?

ෂෙල්ටන් ජයසිංහ මයා.
(திரு. ஷெல்ற்றன் ஜயசிங்ஹ)
(Mr. Shelton Jayasinghe)

Yes.

කෙනමන් මයා.
(திரு. கெனமன்)
(Mr. Keuneman)

Fair market value. ?

ෂෙල්ටන් ජයසිංහ මයා.
(திரு. ஷெல்ற்றன் ஜயசிங்ஹ)
(Mr. Shelton Jayasinghe)

Yes.

කෙනමන් මයා.
(திரு. கெனமன்)
(Mr. Keuneman)

Did the concept of goodwill come into it ?

ෂෙල්ටන් ජයසිංහ මයා.
(திரு. ஷெல்ற்றன் ஜயசிங்ஹ)
(Mr. Shelton Jayasinghe)

Nothing of the sort !

කෙනමන් මයා.
(திரு. கெனமன்)
(Mr. Keuneman)

Sir, I would like some responsible person to answer me. This is the trouble with the Government : when you ask them a serious question the responsible people keep quiet and the irresponsible people shout.

කථානායකතුමා
(சபாநாயகர் அவர்கள்)
(Mr. Speaker)

The Hon. Minister of State will reply.

කෙනමන් මයා.
(திரு. கெனமன்)
(Mr. Keuneman)

I am inviting him, through you, Mr. Speaker, to answer my question when he replies.

ගරු මන්ත්‍රිවරයෙක්
(கௌரவ அங்கத்தவர் ஒருவர்)
(An hon. Member)

The hon. Member said the hon. Parliamentary Secretary is irresponsible!

කෙනමන් මයා.
(திரு. கெனமன்)
(Mr. Keuneman)

If the hon. Member to whom I referred agrees that he is irresponsible, what can I do ? He is acting without responsibility.

කථානායකතුමා
(சபாநாயகர் அவர்கள்)
(Mr. Speaker)

Please go on.

කෙනමන් මයා.
(திரு. கெனமன்)
(Mr. Keuneman)

Will the Hon. Minister of State tell us when he replies ; did the concept of goodwill come into the agreement? Did the concept of loss of profits come into it ? How was this Rs. 55 million arrived at ?

In practice, my hon. Friends have conceded exactly what the oil companies wanted. This is something far more important than this question of a few million rupees here and there. I certainly think you have paid them far more compensation than you should have. You have conceded far bigger questions than money. You have conceded them their right to go on exploiting all the countries in Asia, Africa and Latin America if they take action against their oil companies.

As far as the Communist Party is concerned, we have always insisted that the two Acts of 1961 and 1963, which were passed unanimously by this House should be respected and adhered to. When the previous Governments began talks with the oil companies outside the Act, on behalf of the Communist Party, I specifically raised the question in this House. That was on 2nd April 1963. When I learnt that the then Minister of Commerce, Mr. T. B. Ilangaratne, had begun some talks with the Shell Company, I raised this question. If I may quote :

"I ask the Hon. Minister or any other Minister to give this House the solemn assurance that the Government is not trying any separate negotiations with the Shell Co. because, if they are doing that, they are treating this House with complete contempt in this respect. We demand that the law passed by this House should be respected not only by the Government of the United States but by the Government of Ceylon also."—[OFFICIAL REPORT, 2nd April 1963 ; Vol. 51, cs. 122-23.]

To the credit of Mr. Ilangaratne, it must be said that he very frankly told us, " Yes, I am having some talks with these people, but it is not the intention of the Government to go outside the law or the tribunal. " That was clearly and categorically stated in this House, and it was quoted by the hon. Member for Yatiyantota (Dr. N. M. Perera) in his speech. It is one thing to have a talk, but another thing to come to an agreement behind the back of the House, against the laws of the country, and to make a payment which constitute an offence against the law punishable by jail or fine, and then come to the House and ask us to give covering sanction to these illegalities. In this matter, they should be in the dock together with their Ministers !

එෆ්. ආර්. ඩයස් බණ්ඩාරනායක මයා.
(திரு. எப். ஆர். டயஸ் பண்டாரநாயக்க)
(Mr. F. R. Dias Bandaranaike)

They are in the dock !

කෙනමන් මයා.
(திரு. கெனமன்)
(Mr. Keuneman)

A question was raised regarding the talks the then Minister of Finance, the hon. Member for Yatiyantota, had with some people of the Shell Company when he was in London. That discussion and Mr. Ilangaratne's discussion were supposed to be the reason for the Government of the day to suddenly decide to have their own agreement and make a payment. I do not want to comment on whether the hon. Member for Yatiyantota (Dr. N. M. Perera) was wise in having these discussions or not. I would honestly say that if I were in his position I would not have had those discussions. The hon. Member for Yatiyantota specifically stated that these were exploratory talks and that the Government had no intention whatsoever of by-passing the law or the tribunal.

ගරු ජේ. ආර්. ජයවර්ධන
(கௌரவ ஜே. ஆர். ஜயவர்தன)
(The Hon. J. R. Jayewardene)

How ?

කෙනමන් මයා.
(திரு. கெனமன்)
(Mr. Keuneman)

The hon. Member for Yatiyantota specifically stated so. I would prefer to accept his word that that was the intention of the Government of the day—[*Interruption.*]

ගරු ජේ. ආර්. ජයවර්ධන
(கௌரவ ஜே. ஆர். ஜயவர்தன)
(The Hon. J. R. Jayewardene)

You cannot do it.

එම්. අබ්දුල් බකීර් මාකර් මයා. (බේරුවල)
(ஜனுப் அப்துல் பாக்கீர் மாக்கார்—வேரு வலை)
(Mr. M. Abdul Bakeer Markar—Beruwala)

He was the Minister of Finance.

කෙනමන් මයා.
(திரு. கெனமன்)
(Mr. Keuneman)
That is why I said that if I were in his position I would not have had those discussions.

ගරු ජේ. ආර්. ජයවර්ධන
(கௌரவ ஜே. ஆர். ஜயவர்தன)
(The Hon. J. R. Jayewardene)
Why would you not have done it ?

කෙනමන් මයා.
(திரு. கெனமன்)
(Mr. Keuneman)
I think it would not have been correct when they are having a fight to have talks with these people. That is my idea. At the same time, I do not blame him.

ගරු ජේ. ආර්. ජයවර්ධන
(கௌரவ ஜே. ஆர். ஜயவர்தன)
(The Hon. J. R. Jayewardene)
Why do you blame us ?

කෙනමන් මයා.
(திரு. கெனமன்)
(Mr. Keuneman)
With the wisdom of what he did I disagree, but you have done more. You did not talk. My hon. Friends have been guilty of a collective gross contempt of this House. That is what I want to say.

If they did not want to act outside the law, what should they have done ? They should have come to this House with an amending Bill, got the House to agree to it, then enter into discussions and sign an agreement. That would be respect to this House.

The discussions which the hon. Member for Yatiyántota had or those that Mr. Ilangaratne had came to nothing. They were discussions and the only thing they revealed was that the oil companies were more anxious to bring that Government down than to get a hundred million rupees. They wanted to keep the issue boiling until they succeeded in defeating the Government and get a Government which would calmly accept their dictates. That is quite clear.

Why did my hon. Friends accept that ? They concluded an agreement. If it were their serious intention not to by-pass the tribunal, not to flout the law, but to respect this House, to respect the law for which they voted, they should have them come back to the House, brought forward an amending Bill, got the agreement of this House to change the law, and then proceeded to take the step that they took. Now they are bringing a Bill to cover up what is almost a criminal act on their part. Certainly, this is a penal offence on their part. They are asking us to give covering sanction. They say it is a small matter. To them selling the country is a small matter ; violation of the laws of the country is a small matter ; violation of the laws of the Government, the laws for which they voted, is a small matter. It is like the famous story of the lady who had an illegitimate child who, when she was upbraided for her departure from the straight and narrow path, said, " it may be illegitimate, but it is only a little one." That is what they are trying to say. They have done an act of illegitimacy and now they say it is a little one.

Mr. Speaker, when we and they were in the Opposition, how they used to talk about retroactive legislation ; how they used to say, "what a terrible thing this retroactive legislation is ?" I remember about the Coup Bill, how they howled about retroactive legislation. Actually, they are the people who started this business of retroactive legislation. The first piece of retroactive legislation that I am aware of was after the hartal when Mr. Dudley Senanayake brought forward an amendment to the Public Security Act whereby certain acts done before the date of the Bill would be an offence. There are many other examples. These matters will be dealt with by other speakers.

Now my hon. Friends are taking this high and moral attitude. I notice that the Government has agreed without contest to allow an appeal to the

Privy Council by persons convicted in the coup case. In a communique dated 10th June 1965, they expressed their curious conduct in this matter as to why the Government did not, at least, formally object to this. This is what they said, among other things :

"In this particular case important Constitutional and legal issues arise for determination, namely, the validity and propriety of the special legislation which was of a retroactive and *ad hoc* character."

That was in 1965. Now they are allowing all sorts of appeals to the Privy Council to determine the morality, and so on and so forth. They speak of ad hoc, retroactive legislation and they introduce the same thing in this House.

කථානායකතුමා
(சபாநாயகர் அவர்கள்)
(Mr. Speaker)
It is 4 p.m. now.

කෙනෙමන් මයා.
(திரு. கெனமன்)
(Mr. Keuneman)
I thought we are going on without a tea interval.

කථානායකතුමා
(சபாநாயகர் அவர்கள்)
(Mr. Speaker)
We will have a tea interval.

The Sitting is suspended till 4.30 p.m. On resumption, the Hon. Deputy Chairman of Committees will take the Chair.

රැස්වීම ඊට අනුකූලව තාවකාලික අන්ඔටුවන ලදින් අ. භා. 4.30 ට කාරක සභා නියෝජ්‍ය සභාපති තැන්පත් ටී. ක්වින්ටින් ප්‍රනාන්දු මහතාගේ සභාපතිත්වයෙන් නැවත පවත්වන ලදී.

இதன்படி அமர்வு பி.ப. 4.30 மணிவரை இடை நிறுத்தப்பட்டு, மீண்டும் ஆரம்பமாயிற்று. குழுக்களின் உப அக்கிராசனர் [திரு. ரி. குவின்ரன் பெர்ணாண்டோ] தலைமைதாங்கினார்.

Sitting accordingly suspended till 4.30 P.M. *and then resumed,* MR. DEPUTY CHAIRMAN OF COMMITTEES [MR. T. QUENTIN FERNANDO] *in the Chair.*

කෙනෙමන් මයා.
(திரு. கெனமன்)
(Mr. Keuneman)
Mr. Deputy Chairman, when we adjourned for tea I was placing before the House evidence to show the double-faced policy of this Government and particularly of the U. N. P. in relation to retroactive legislation. I do not wish to digress on that subject because there are other speakers who will deal more fully and more effectively than I can with it.

All I would like to say is this : if the government feels—not only at the time of the *coup* case but even in 1965—that retroactive and *ad hoc* legislation is so abhorrent, how does it justify its present Bill which accepts *inter alia* the validity, retroactively, of agreements that the Government has entered into with the oil companies contrary to law, and payments which the Government has made to the oil companies even though such payments constitute a penal offence under the law ? We would like to hear, Sir, their view on this retroactive aspect, this *ad hoc* aspect, of its proposal.

I showed, before we adjourned for tea, how this Government has nothing but gross contempt for this House. It has no respect for this House, it has no respect for its own courts either. I strongly condemn the attitude of the Government in getting the Attorney-General or the Solicitor-General to intervene in a case in which a private plaint has been filed against the Minister of Nationalized Services for aiding and abetting certain officials to make payments contrary to law.

I can understand the Attorney-General intervening in a private plaint if he feels that the matter is of great importance and if he feels that the plaintiff is not sufficiently well represented, and that his case might go by default. But in this case the attorney for the plaintiff, Mr. Sarath Navanna, has openly stated in open court that he suspects that the action of the Government in taking this step is for the purpose of suppressing that

[කෙනමන් මයා.]

prosecution, and I am in complete agreement with the learned counsel in that matter. I think events will show that the Government is using all means, whether they involve disrespect to this House or the courts, to prevent any challenge to their gross flouting of the laws for which they themselves voted.

Hon. Members opposite have said that they have given a little to get a lot. I do not want to go into the whole question of aid. But it does not seem to be working out as well as the Government expected. That is all I have to say. In actual fact, they are not giving a little to get a lot. They are selling the country twice over, once in an extravagant gesture to the oil companies. And what are they getting in return? Even the aid comes in driblets, rather than as a flood as they expected. It is not coming as gifts. It is coming as money lent by certain countries to us to buy goods from them. We have to pay the money back together with interest.

So do not think it is possible for us to agree with the views expressed by the hon. Member for Udupiddy (Mr. M. Sivasithamparam) and other hon. Members that we give a little to get a lot.

One last point, Sir. We cannot help wondering whether these agreements are the end of the matter. I do not want to allege that there are secret clauses to the agreement. But I would like to have certain clarifications on certain matters before I can come to the conclusion that there are no secret clauses to this agreement.

I have already spoken on the question of bunkering. What is the policy of the Government regarding bunkering in future? Will it continue to press forward with the bunkering activities of the Ceylon Petroleum Corporation? Does it intend to make further inroads into the monopoly enjoyed by these three companies in the matter of bunker sales of oil? When we know that we will know whether there are secret clauses to this agreement.

A much more important matter is the question of the oil refinery. It was dealt with in some detail by the hon. Member for Panadura (Mr. Leslie Goonewardene), and I do not want to repeat what he said. I will only say this: The most profitable enterprise will be the refinery. It has been established beyond all doubt that you can recoup your entire capital investment in three years by the establishment of this oil refinery. I ask my hon. Friends: Have you not either abandoned the oil refinery or are you now thinking of changing what has happened up to now? Is the question of the oil refinery going to be the back-door through which the oil companies will come back to Ceylon?

ෂෙල්ටන් ජයසිංහ මයා.
(திரு. ஷெல்ற்றன் ஜயசிங்ஹ)
(Mr. Shelton Jayasinghe)
No.

කෙනමන් මයා.
(திரு. கெனமன்)
(Mr. Keuneman)
Is it going to be a question of the oil companies who lost the monopoly distribution, getting it back through the monopoly of refining?

The last Government took a number of steps in this matter. I have personally criticized them when they were there. They were much too slow about it. All the Members of our party spoke several times insisting that some quick action, some quick decision, should be taken. But we have now come to the position of a decision to be taken. It is not a very big question. On the 25th of June 1964, the site decided upon by that Government was that it should be at Hapugaskanda. Tenders were invited on a turn-key basis. Five companies were asked to tender—an Italian company, The E. N. I.; a Japanese company, The Toyo Engineering Corporation; a French company, ENSA; a U. S. A. co-operative company, The International Co-operative Petroleum Association; and a Czech company, Technoexport. Early this year, only three of these companies

did submit tenders—The E. N. I., The Toyo Engineering Corporation, and the Technoexport of Czechoslovakia.

The last Government could not take a decision because of the elections.—[*Interruption*]. They should have taken a decision in spite of the elections, but they did not take a decision. I ask you: What are you going to do? Are you going to re-open the whole question? Are you going to make a decision? It is on that basis we can come to a conclusion as to whether or not there are secret clauses in the agreement. I use the words "secret clause" in a figurative sense, not in the sense that something has been signed and secretly kept in the pocket. But there are other understandings on the basis of which these agreements have been reached. Mr. Chairman, I have done.

The sell-out to the oil companies was the first of a long series of sell-outs that this Government has done. It is for that reason that we have fought this so hard and so bitterly and we will still continue to fight it, against all these attempts to belittle the national self-respect of Ceylon, against all these attempts to act against the national interest of Ceylon. What has this Government done? It has discarded the laws of Ceylon in favour of the laws of the United States of America and the principles of the oil companies. It has thrown us under the concepts of national sovereignty. It has wasted public funds for giving these oil companies far more than the real value of their assets. That is the charge against them, and though they can get hon. Members opposite to vote for this Bill which seeks to give covering sanction to national betrayal, this will always stand on record, and finally the decision will be given by the very people to whom they will have to appeal in time to come. That will be the real test. Here is the first step you have taken on the road backward, on the road of joining with foreign exploiters against the national self-respect, the national honour and the national interests of Ceylon. That is why we will oppose and continue to oppose this scandalous piece of legislation.

අ. භා. 4.41

සිරිමාවෝ ආර්. ඩී. බණ්ඩාරනායක මිය. (අත්තනගල්ල)

(திருமதி சிறிமாவோ பண்டாரநாயக்க—அத்தனகல்ல)

(Mrs. Sirimavo R. D. Bandaranaike—Attanagalla)

The Ceylon Petroleum (Foreign Claims) Compensation Bill introduced in this House by the Hon. Minister of State on the 21st of September has been debated now for several days. Hon. Members of the House on this side have dealt at very great length, and ably too, with the implications of this Bill. I do not therefore think it necessary for me to speak at length, and I intend to be very brief in what I have to say.

The question of payment of compensation to the oil companies is not in dispute. It was our intention to pay compensation, it was accepted in principle and we stand by it. What we object to is the way it has been decided, and the amount that has been agreed upon to be paid as compensation to these oil companies. They have decided to pay them a certain amount and they have already paid part of it outside the provisions of the Act. That is what we object to. Hon. Members on this side of the House have dealt with that matter in detail and I do not intend to speak at length on that subject.

Hon. Members on the Government side participating in this Debate stated that it was the intention of the previous Government too to pay compensation to the oil companies in the same way as the Government has now decided because we had certain discussions or negotiations with the oil companies. It is true that we had negotiations with them, we do not deny we had negotiations, but it is not correct to say that we

[සිරිමාවෝ බණ්ඩාරනායක මිය.]

were going to pay them the compensation without going before the tribunal. We had no intention of violating the Act or by-passing the tribunal. Our intention was to place our agreement before the tribunal and get their approval for the payment.

ගරු ජේ. ආර්. ජයවර්ධන
(கௌரவ ஜே. ஆர். ஜயவர்தன)
(The Hon. J. R. Jayewardene)

If the tribunal did not approve ?

සිරිමාවෝ බණ්ඩාරනායක මිය.
(திருமதி சிறிமாவோ பண்டாரநாயக்க)
(Mrs. Sirimavo Bandaranaike)

The tribunal would have to decide that.

කෙනමන් මයා.
(திரு. கெனமன்)
(Mr. Keuneman)

You have never heard of settlements outside court being taken to court ?

සිරිමාවෝ බණ්ඩාරනායක මිය.
(திருமதி சிறிமாவோ பண்டாரநாயக்க)
(Mrs. Sirimavo Bandaranaike)

In fact, the Hon. Minister of Commerce at the time, Mr. T. B. Ilangaratne, who was the Minister who dealt with this subject stated categorically in this House that we had no intention of violating the principles of the Act. I remember the hon. Member for Yatiyantota (Dr. N. M. Perera) dealt with this matter in his speech too, and I think he read out certain portions of Mr. Ilangaratne's speech made at that time. The hon. Third Member for Colombo Central (Mr. Keuneman) too dealt with that aspect, and it is quite clear, therefore, that we had no intention of paying the oil companies compensation outside the provisions of the Act. The fact that we had discussions with them does not prove that we wanted to pay them compensation outside the Act without placing the question before the tribunal.

The Hon. Minister of State mentioned in his speech the other day that we started negotiations with the oil companies even before the tribunal was set up. That is correct. We did start certain negotiations. We discussed the basis on which compensation would be paid. The oil companies were also claiming compensation for goodwill. We had discussions on those aspects before the tribunal was set up. The tribunal was set up in July 1963, as this House is aware, and sittings commenced in April 1964. The oil companies appeared before the tribunal several times from April till about June and suddenly they decided to oppose this. They said that the tribunal had no jurisdiction. The tribunal held against them and they decided to go before the Supreme Court by way of a writ. The matter is still before the Supreme Court as mentioned by the Hon. Minister of State the other day and no decision has yet been taken on that writ.

On the part of our Government we decided to honour any award that the tribunal decided upon. The companies persisted in their objection and, therefore, the tribunal stands adjourned. Immediately they applied to the Supreme Court for a writ the tribunal did not function. There is ample evidence to prove that we wanted to go before the tribunal even if the figure was agreed upon outside. I do not know whether the tribunal is in existence now, but as long as our Government was there the tribunal had not been done away with.

While the matter was awaiting a decision of the Supreme Court, the then American Ambassador, Miss Willis, came and saw me. She was desperate to settle this matter. She came and saw me several times and appealed to me to try and do something to settle this question of compensation. I discussed it with the Cabinet and we decided to authorize Mr. Alvapillai, the then Permanent Secretary, to conduct discussions

with the oil companies. We indicated to him a figure that he might agree to. Negotiations started with the oil companies. Within a day or two after the discussions started news came that aid had been stopped. It came as a shock to me. At no time did the Ambassador, Miss Willis, make any representation to me regarding the stoppage of aid. Talks were going on satisfactorily, and one fine morning we were informed that aid was being stopped. When this information was given to me we had no alternative but to take the steps we did take. And our Government, being a self-respecting Government, had to take a natural course.

We were not prepared to be intimidated by America, however big and powerful she may be, and however small a country ours may be. We had to take certain steps and we took them fearlessly. It is true our Government suffered for it, but we were happy that we were able to stand up to a country like America and tell her, "We do not want your aid if you expect us to be stooges."

As you know, Mr. Deputy Chairman, the Ceylon Petroleum Corporation commenced business in April 1962. Out of a total of 750 outlets 175 were taken over. We have been criticized for not paying compensation. These 175 outlets were scattered all over the country. The Valuation Department had to value all these petrol sheds and outlets. You will agree that it cannot be done in a month or two. It took a certain amount of time for the Valuation Department to assess all the assets of the oil companies that the Government had taken over at that time. Now I would like to read from the Annual Report and Statement of Accounts for the year 1962, of the Ceylon Petroleum Corporation, certain extracts for the information of this House. It will prove that it was not possible for the Government to pay compensation in a very short time as the oil companies expected.

I am reading from page 13 of this report. Under the heading "Compensation" it says :

"The acquisition of assets, belonging to foreign Oil Companies as well as local residents, required at the initial stage of the Corporation's activities was completed only in June 1962. Work in connection with the preparation of condition reports commenced in June itself. There was some delay in this work due to a strike in the Caltex Company lasting about seven weeks. In July 1962, there were several conferences between the Corporation and the three Oil Companies at which it was decided that condition reports in regard to the points acquired should be finally issued only after agreement between the Corporation and the Companies. With a view to expediting preparation of these reports, the Companies agreed to provide at the expense of the Corporation, copies of site plans, survey plans and lease agreements wherever available. These documents were still being received at the end of the year.

Meanwhile, the Chief Valuer had completed the preparation of the condition reports of the Oil Installations at Kolonnawa acquired by the Corporation in July, 1961. The next step was to prepare an assessment of the compensation in terms of section 47 of the Act and for this purpose certain additional information had to be obtained from Shell. Shell declined to comply with the request for additional information. It therefore became necessary to make certain Regulations under the Act making it obligatory on the part of the Companies to furnish such information when called for by the Chief Valuer."

Now, you will see that it was the oil companies that were obstructing the speedy payment of compensation. To quote :

"A great deal of preliminary work on the plans and inventories had to be concluded before a notice calling for claims under section 44 of the Act could be published. On 11th December, 1962, the Ceylon Petroleum Corporation Regulations (No. 4) were made. A notice calling for claims under section 44 of the Act was published on the 14th and 15th December, 1962, and in terms of this notice all persons who were interested in the properties acquired for the Corporation were required to prefer their claims on prescribed forms on or before 31st January, 1963."

They were given time till January 1963 to send in their claims. So you will realize, Mr. Deputy Chairman, that it was not possible to decide on the compensation to be paid to them

[සිරිමාවෝ බණ්ඩාරනායක මිය.]

until their claims were submitted. When was aid stopped? In February 1963. When Miss Willis, the then American Ambassador, saw me she said, "If you would at least take meaningful steps we will be satisfied even if you cannot decide on the compensation". It was to show that we were taking meaningful steps that we authorized the Permanent Secretary, Mr. Alvapillai, to start negotiations. When we did that we thought we had taken meaningful steps. Then suddenly one morning we were informed that aid had been stopped. This shows that the oil companies were working in close co-operation with the American Government. We understand that at 12 midnight they had got a call to Washington and informed them that they were not satisfied with the negotiations, and then they decided that aid should be stopped.

කෙනමන් මයා.
(திரு. கெனமன்)
(Mr. Keuneman)

Shame!

සිරිමාවෝ බණ්ඩාරනායක මිය.
(திருமதி சிறிமாவோ பண்டாரநாயக்க)
(Mrs. Sirimavo Bandaranaike)

I do not know whether the American Ambassador herself was aware of it. She did not seem to be aware that aid was stopped when she came and saw me after aid was stopped. This shows how powerful the oil companies are when they are able to get a telephone call to Washington and stop aid to our Government.

We all know, and the country knows what happened subsequently. But it did not mean that our Government was going to fall. It did subsequently fall on December 3rd, and we know what part these oil companies played in the defeat of our Government on that date. But, as I said before, as a self-respecting nation, we said we are going to take the obvious step.

We know what really happened was the oil companies dreaded an award being made by the tribunal because this would have been cited as a precedent against them by other countries in the Middle-East and in Asia. That was really their fear and that was why they opposed this tribunal. They played for time perhaps, as the hon. Member for Yatiyantota said, till the United National Party came into power.—[*Interruption*]. They were working for it.

කෙනමන් මයා.
(திரு. கெனமன்)
(Mr. Keuneman)

They were working, conspiring and spending.

සිරිමාවෝ බණ්ඩාරනායක මිය.
(திருமதி சிறிமாவோ பண்டாரநாயக்க)
(Mrs. Sirimavo Bandaranaike)

We all know how they have worked in other countries. The hon. Member for Habaraduwa (Mr. Prins Gunasekera) read out a number of statements from various books, from American sources as well. We all know how powerful the oil companies are. It is no secret.

Anyway, I do not intend to take the time of the House, but before I conclude, I would like to say that we are opposing this Bill. We cannot agree to this amount that has been agreed to by this Government, and we cannot support this Bill. Therefore, my party is opposing it and I presume the other two parties of the Opposition are also opposing it.

I thank you for giving me this time to express my views on this matter.

අබ්බිදුල් බකීර් මාකර් මයා.
(ஜனூப் அப்துல் பாக்கீர் மாக்கார்)
(Mr. Abdul Bakeer Markar)

rose

එෆ්. ආර්. ඩයස් බණ්ඩාරනායක මයා.
(திரு. எப். ஆர். டயஸ் பண்டாரநாயக்க)
(Mr. F. R. Dias Bandaranaike)

Are you taking the time allotted to the Government? I do not mind his speaking. The agreement was for me to speak from five to six, and the Hon. Minister from six to seven.

ද සොයිසා සිරිවර්ධන මයා.
(திரு. டி சொய்ஸா சிறிவர்தன)
(Mr. de Zoysa Siriwardena)

If the Government agrees to give the hon. Member for Dompe one hour, we do not mind.

කාරකසභා නියෝජ්‍ය සභාපතිතුමා
(குழுக்களின் பிரதி அக்கிராசனர்)
(Mr. Deputy Chairman of Committees)

The hon. Member for Dompe.

අ. භා. 5

එෆ්. ආර්. ඩයස් බණ්ඩාරනායක මයා.
(திரு. எப். ஆர். டயஸ் பண்டாரநாயக்க)
(Mr. F. R. Dias Bandaranaike)

Mr. Deputy Chairman, I am sorry to deprive the hon. Member for Beruwala of the opportunity of speaking, but it is not my fault. We have entered into an agreement with which we have complied completely, and as far as we can see we intend to abide by it so as to enable the Government to take the vote at 7 o'clock in the fulness of time after the Hon. Minister of State has replied.

Mr. Deputy Chairman, we had a number of speeches from the Opposition dealing with the Ceylon Petroleum (Foreign Claims) Compensation law, which has been the subject of debate. A number of Members of this House from the Opposition, have already fully discussed the very objectionable features of this Bill, in regard to the quantum of compensation, in regard to the mode and manner in which this Bill has been presented, in regard to the techniques adopted by the oil companies, in regard to the pressures they try to bring on under-developed nations in order to compel under-developed nations to fall in line with their wishes and their particular monopolistic approaches.

I would like first of all, to raise a somewhat different question in winding up this Debate for the Opposition. First and foremost, I would like to point out to you that what is incorporated in this Bill is not merely a question of compensation to oil companies—that is relatively a small matter—but there is something much larger in this Bill, which makes us want to oppose it and to debate it fully as affecting a question of great principle, as affecting indeed the very Privileges of this House. I say this for the reason that what we are discussing here is not merely a question of how much money we are going to pay the oil companies, whether it is Rs. 30 million or Rs. 40 million or Rs. 50 million. What is involved here is the entire function and process of Parliament itself, the very purpose of the existence of the Rule of Law, of constitutional concepts, the very purpose of Government, and indeed, it strikes at the very root of our legislative authority right here in this House.

Let us consider for a moment what the implication is. Parliament in 1961 under the Petroleum Corporation Act, No. 28 of 1961, decided by the unanimous wish of every single political group in this House that the oil companies should be taken over, subject, of course, to the promise that it might be sabotaged subsequently, as was stated by the hon. Member for Homagama (Mr. Jayasuriya), then a novice in politics. I think, even the Hon. Minister of State co-operated with that Bill. But, subject to that implied threat of sabotage—it seems as if it is now being carried out—the United National Party at that time supported the principles and objectives of the Ceylon Petroleum Corporation Act, No. 28 of 1961, in its entirety.

[ඇෆ්. ආර්. ඩයස් බණ්ඩාරනායක මයා.]

What were the principles of this Act? We decided to set up an institution, a corporate body, to take over some of the assets of the oil companies at that time. The Act was subsequently amended, to give the corporation an exclusive monopoly of the oil business, by Act No. 5 of 1963. I shall refer to it presently. By this law we decided to set up a Government agency, the Ceylon Petroleum Corporation. We decided to pay compensation for the assets taken over by the Ceylon Petroleum Corporation. We laid down the principles on which compensation should be paid in Section 47 (1) of Act No. 28 of 1961. We decided that in the event of a dispute between the oil companies and the Ceylon Petroleum Corporation or the Government of Ceylon, there should be special machinery to determine how the quantum of compensation should be assessed.

Those were substantially the matters decided upon by the sovereign legislature of this country. It constitutes part of the law of the land. And, as I understand it, the law of the land is sovereign in this country. Parliament is sovereign in our land. My understanding of it is that the law does not merely bind the citizens of the country nor does it merely bind Government officials. It binds the Government itself. The Government is not above the law. The Government, too, is subject to the law and is obliged to follow the law. The Government, too, must regard the Ceylon Petroleum Corporation Act as part of the legislative process, as part of the laws enacted by a body superior to the Government itself. Individuals in the Government, come here and say, "I am the Government" or "I am the State". That may be their conceit. That may be their way of stating it. I do not, however, think that any of us can accept the position that governments or ministers of the government, even if they think they are the whole of the government, can possibly take precedence and seek to ride roughshod over the legislature, or drive a coach and four through legislation enacted solemnly by this House in accordance with the Standing Orders and enshrined in the statute book.

What does Act No. 28 of 1961 tell us? Section 47 (1) reads thus:

"The amount of compensation to be paid under this Act in respect of any property vested on any date in the Corporation shall be the actual price paid by the owner for the purchase of such property and an additional sum which is equal to the reasonable value of any addtions and improvements made to such property by any person who was interested, or if such purchase price is not ascertainable, be an amount equal to the price which such property would have fetched if it had been sold in the open market on the day on which the property was vested in the Corporation:

Provided that where such property consists of movable property or anything attached to the earth or permanently fastened to anything attached to the earth, a reasonable amount for depreciation shall be deducted from the amount which represents the price actually paid for its purchase by the person entitled to the compensation payable in respect of such property, if such compensation is based on such price."

To summarise it: what that section tells you is that the principle of compensation fixed by this House is none other than this, that the oil companies would be entitled to whatever they paid for the purchase of the property that has now been taken over, subject to adjustments; the adjustments being that if they have improved that property by adding something to it, they would be entitled to something for the additions so added; if, equally, the property depreciates, something will be deducted in respect of the depreciation since they acquired that property. In other words, the principle is one that is completely different from what they are now seeking to enforce. Parliament had decided that the principle and method of payment of compensation should be exclusively as set out in Section 47 (1).

In 1963 the Petroleum Corporation Act was amended by an Act, No. 5 of 1963. Section 47 was not touched. The principal change effected by the 1963 amendment was to give the Ceylon Petroleum Corporation a monopoly of the oil business and to

deprive any other private organisation like Shell, Caltex or Esso of the right to trade in oil and the right to distribute oil in Ceylon. It also gave an enabling power, which I do not think has yet been used by the Ceylon Petroleum Corporation, to prospect for oil, to prospect for mineral deposits for oil in the future. That power does not come into play now. So that Section 47 remained unchanged, remained unaltered, in any single respect and was binding on every single citizen of this country, on foreigners transacting business in the country, and, what is more important, it bound the Government. It was binding on the Ceylon Government to observe and to apply that particular principle.

In other words, the Ceylon Government was not free, if I may say so, under Section 47 (1) to make any payment or to act in contravention of that Statute. If a payment was made contrary to that section, it would be an illegal act. It would be an illegal act whoever did it, for instance, if an official of the Petroleum Corporation chose to pay money not based upon the price that had been paid for the article by the Shell Company at the time they acquired it but on a different principle. Supposing you decide to argue and say the Shell Company must have bought the installation at a bargain price when they started first of all in 1920 or so, or that they might have acquired a particular petrol pump in 1920 and paid a very low price for it; it may be, one may argue in that way, if they were selling it among themselves to Caltex or Esso that they could have got a higher price. But Parliament in its wisdom has laid down a standard, a standard which binds not merely Shell Company, not merely Caltex not merely Esso but binds the Government of Ceylon, and, if on that basis, the the Government chooses to ignore the Statute, an Act of this Parliament, my respectful submission is that it is not merely some little transgression which we can afford to ignore and say to ourselves, "Well, Government has chosen in its wisdom to depart from the law in a small matter" but it means that the Government is no longer concerned with the significance of the legislative process, it no longer admits the sovereignty of Parliament and that it no longer is prepared to be bound by laws enacted by Parliament.

On that basis, we say that if indeed the Government proposes to follow a policy such as this, Parliament as well may not meet because in any given situation the Government need not pass a law; all that the Government need do is to act as exactly as it pleases, ignoring the Constitution, ignoring the Statute, the law of the land, and say, "Well, we have a majority. At any time our actions are challenged, we can come before Parliament with our majority and pass the law. We can indeed use our majority. We do not want laws."

There are sections in the constitution which tell us you cannot draw money out of the Consolidated Fund except in a particular way, either by a Resolution of this House or by a Bill presented by a Minister or a Parliamentary Secretary authorizing a withdrawal. The Government will say to itself! "That is the law—true, —but we are not concerned with that. Let us draw the money first and if anyone challenges us or prosecutes us in a court of law saying that our action is illegal, it is very simple, we will come before Parliament, we will present the Bill afterwards saying let us legalize everything that is illegal". And, on that basis, the Government says, "We are the Government, we are the State. As far as we are concerned, we have the power to get our laws passed". And, indeed, the law we are debating now will be passed, but what we object to is the very principle and foundation on which this law is based, namely, the assumption that the Government is not bound by the law, that the Ministers of the Government are capable of making withdrawals of money and making payments contrary to the Statute, and

[එෆ්. ආර්. ඩයස් බණ්ඩාරනායක මයා.]

when they are prosecuted the Attorney-General is there. We can always send him to court, tell him what to do, tell him to withdraw his action, take over the prosecution under Section 199 of the Criminal Procedure Code. If there are inconvenient lawyers who are going to appear against our Hon. Ministers and against the Chairmen of our Corporations, it does not matter very much really because we will exercise the powers of asking our Attorney-General to go to court and enter a *nolle prosequi*. We will ensure that our Ministers and officers are going to be discharged from any legal process to which they are subject because we are in the position to tell the Attorney-General what to do. Then the Attorney-General will go to court like a tame pigeon and act in the way that his masters want him to act and ensure that Ministers and the Chairman of the Petroleum Corporation are not going to get into trouble.

Is all this legal ? Is it valid ? What are the principles by which we are governed ? I cannot do better than to start by quoting a speech. You have heard many speeches in the recent past of the hon. Member for Nallur (Dr. Naganathan) ; and, I think, I may be permitted on this occasion to quote him for the edification of his Colleagues in the National Government. This is what the hon. Member for Nallur said.

ෂෙල්ටන් ජයසිංහ මයා.
(திரு. ஷெல்ற்றன் ஜயசிங்ஹ)
(Mr. Shelton Jayasinghe)

I thought you do not take him seriously ?

එෆ්. ආර්. ඩයස් බණ්ඩාරනායක මයා.
(திரு. எப். ஆர். டயஸ் பண்டாரநாயக்க)
(Mr. F. R. Dias Bandaranaike)

I do not. I thought that you did. This is what he said :

"If the Front Benchers over there will kindly listen, we want to explain to them a little philosophy and political science or constitutional science. What constitutes a state ? In the old days of absolute monarchy the king was the state. He could say : 'I am England' 'I am France' or 'I am Lanka'"——

As the Hon. Prime Minister now says.

"He could say that because the people had no power. They had no rights. They had no self-government. They could not rule. They had no choice whatsoever. But with the coming of democracy and self-government, sovereignty has devolved from the king and now vests in the people. We people are the sovereign people. We people constitute the state. That is the position.

Yet Ministers seem to have an idea that a Board of Ministers or a Cabinet constitutes the state. That is the attitude that appears to be behind this legislation which we are considering. I want them to understand that in a democracy the people are sovereign and that they constitute the state. Everyone of us is a king in his own right."

The hon. Member for Nallur has a peculiar way of saying this. He says everyone of us is a king thinking of his own "Arasu" !

"Everyone of us is a king in his own right. That is the concept that underlies self-government. Yet we all appreciate that it is a practical impossibility for every man to govern ..... so what we do is to have an institution called Parliament and other institutions called Courts of Justice. In these two institutions the people have divested themselves of or rather deposited or reposed their kingly functions.

What are the kingly functions ? The functions of rulership on the one hand and the functions of justice on the other. But we still maintain in ourselves our sovereignty. Kingship also has two parts. One is the prerogatives and majesty of kingship ; the other is the duties and responsibilities of kingship. So the sovereign people while retaining the prerogatives and majesty of kingship do not have the time to discharge the responsibilities of kingship. Therefore the responsibilities and duties of kingship are enshrined in two democratc institutions, Parliament and the Courts of Justice. That is why there is a division of powers."—[OFFICIAL REPORT, 1st March, 1962 ; Vol. 46, c. 2705-6.]

It is precisely this passage that I wish to quote for the edification of the Front Benchers. I want to remind them of the words of their Colleague the hon. Member for Nallur

that we must never forget that Parliament is ultimately the sovereign authority in this country and that the laws laid down by Parliament are binding on the Governments by which they are passed as they are binding on the whole of our people.

What has happened here ? We find in the compensation agreements tabled before this House a solemn statement in the preamble :

"AND WHEREAS as a result of such negotiations the Government and the Shell Company have agreed that in determining the appropriate compensation due the principle of fair market value be recognised as applying to the overall settlement."

May I ask, is there one word on the principle of fair market value in Act No. 28 of 1961, except where there is no question of the price at which the article was acquired ? It is a proviso which does not come into play—

ෂෙල්ටන් ජයසිංහ මයා.
(திரு. ஷெல்ற்றன் ஜயசிங்ஹ)
(Mr. Shelton Jayasinghe)
Why not ?

එෆ්. ආර්. ඩයස් බණ්ඩාරනායක මයා.
(திரு. எப். ஆர். டயஸ் பண்டாரநாயக்க)
(Mr. F. R. Dias Bandaranaike)
—as there is a price which was paid for whatever the property acquired by the oil companies at the moment of acquisition. Section 47 makes it quite clear that if the price is ascertainable that the oil companies should be paid that price for whatever is taken over from them and considerations of market value do not arise. That law bound the Government. The Government did not deign to come before Parliament and ask us whether we would like to change that principle ; they did not come before this Parliament and tell us, "Look, that law was passed in 1961. There is no law that is incapable of being changed. We would like to reconsider it. We would like to introduce a new principle, a new principle of fair market value." What did the Government do ? They proposed to ignore the law and enter upon an agreement with a foreign country, to have a new principle. They have chosen to adopt a new principle, may be as a price, may be as part of a bargain, may be as beggars having no choice, may be they went before their American masters with the begging bowl—one does not know. All we can say is that they chose to ignore Parliament, to ignore us, and to tell us, "Whether we are capable of ascertaining the prices at which the articles were acquired or not, we are not bothered about it, we do not care for it ; we are going on a new principle, we are going to sign a new covenant." And they signed it. They signed it in defiance of the law. They signed it in the supreme confidence that Parliament is there to say "yes" to anything the Government chose to do, because they have got a majority, and they seemed to think that all laws already enshrined in the statute book do not count for anything and that they could ignore the law, that they could afford to say, "We will change the law."

If this law is to be changed, what are the implications ? The law is being changed not in accordance with the wishes of this House but according to the wishes of another contracting party to an agreement already signed and we in Parliament are called upon to accept a new principle of compensation. We are being told, "You have to pass this law now, because the American and the British companies want it this way. We have already signed an agreement to this effect. This is a principle that the foreigners want."

The Parliament and the people are supposed to be sovereign, they are supposed to be at the beck and call of a Cabinet of Ministers who choose to regard themselves—in the words of the hon. Member for Nallur—as "I am Lanka, I am the nation, I am democracy, I am the Government, I am the State." Ministers with this mentality come to us and tell us,

[එෆ්. ආර්. ඩයස් බණ්ඩාරනායක මයා.]

"Now, we want the law changed. And why do we want the law changed?" Not because the law here is wrong, not because the principle here is wrong—not one word has been said so far that the principle here is wrong. All that we have been told is this, "The only terms on which we can settle this matter is by paying a sum of money. To obtain foreign aid we had to sign this agreement. We had to sign anything they wanted us to sign. After all, what does it matter? We are only saying, 'Whereas the Government and the Shell Company being desirous of reaching an early settlement in the matter of compensation have resumed and concluded negotiations. And whereas as a result of such negotiations the Government and the Shell Company have agreed that in determining the appropriate compensation due the principle of fair market value be recognised as applying to the overall settlement'." This is merely a recognition of a principle in defiance of our law. Having recognized it, is there one word in this agreement to say that the amounts of compensation stated are in accordance with even the principle of fair market value? There is not one word; two contracting parties have agreed to a lump sum of money. They say, "You pay us so much cash down, and the balance in instalments over a period of five years. You pay the balance down in sterling, interest-free." Of course, it does not matter if it is interest free; you add a sufficient amount to the capital. It does not make much of a difference if you amortize the amount and add to the capital. In fact, they are prepared to give foreign aid and the price of giving is the price of taking. A foreign Government says, "You pay us first; we will give you afterwards." It is a nice idea! In other words, something is wrong with this agreement if you stop to think about it.

You must pay. How are you going to pay in five years? Obviously, out of the foreign aid. We are getting aid and we have our resources in the Central Bank. To augment our resources in the Central Bank we are going to get foreign aid. Having augmented those resources we are going to draw off small sums like £400,000 sterling for Shell Company once a year and pay it to them. Mr. Chairman, I ask you, if we are concerned with—

ෂෙල්ටන් ජයසිංහ මයා.
(திரு. ஷெல்ற்றன் ஜயசிங்ஹ)
(Mr. Shelton Jayasinghe)

Hundred times that.

එෆ්. ආර්. ඩයස් බණ්ඩාරනායක මයා.
(திரு. எப். ஆர். டயஸ் பண்டாரநாயக்க)
(Mr. F. R. Dias Bandaranaike)

I will come to your hundred times in a moment. Please do not take up my time now because I do not have more than one hour.

Mr. Chairman, I would like to tell you that if we are going to pay attention to our laws, my respectful submission is that the Government must start by setting everyone a good example. They must be the model citizen. If they do not observe the law how can they blame the people of this country if they ignore the law? When the people act as criminals, the Government must be able to say to us, to the people of this country, "We ask you to obey the laws because we ourselves obey the laws. We are bound by the laws". When the Government says, "We are not bound by laws; we do not so regard ourselves; if our Minister is prosecuted, Oh, we have a way out of that one; we will fix the Attorney-General", it seems to us, Mr. Chairman——

ගරු මොන්ටේගු ජයවික්‍රම (රජයේ වැඩ, තැපැල් හා විදුලි සන්දේශ ඇමති)
(கௌரவ மொண்டேகு ஜயவிக்ரம— அரசாங்கக் கட்டுவேலை, தபால், தந்திப் போக்குவரத்து அமைச்சர்)
(The Hon. Montague Jayewickreme—Minister of Public Works, Posts and Telecommunications)

Just as you did.

එෆ්. ආර්. ඩයස් බණ්ඩාරනායක මයා.
(திரு. எப். ஆர். டயஸ் பண்டாரநாயக்க)
(Mr. F. R. Dias Bandaranaike)

—that the Government is certainly falling upon very evil ways indeed.

Sir, the hon. Member for Weligama tells me, "Just as you did". May I quote to him his own Colleague, the Minister of State, from the HANSARD of 1st March 1962, volume 46? I would like to quote to him the passage appearing at column 2938 to show him how we "fixed" the Attorney-General in our time. I would like to quote that to him for his edification because he seems to talk of our "fixing" the Attorney-General. I will take him up on that straightway. This is what the Hon. Minister of State said at column 2938:

"I was saying that even as Minister of Finance I have had to go before court. The hon. Leader of the Opposition and I were charged at the instance of the Hon. Minister of Finance".

—that is myself—

"with breaking the law."

—using loudspeakers without a permit—

"We were taken to the magistrate's court. If we were convicted, we would have lost our civic rights. But we were acquitted. An attempt was made to take the case in appeal to the higher court. Fortunately, the law officers were rather independent and that step was not taken. So, we were accused in a case."

In other words, what does it prove? Far from proving that we interfered with the Attorney-General what we definitely say is that, from the words of the Hon. Minister of State himself, it has been proved that the Attorney-General stood supreme as an independent person in the days of the Sri Lanka Freedom Party Government, and had not become a kind of stooge, a position to which he has been reduced now.

Look at the position. Just consider it.—[*Interruption*]. But in your days you fixed them well and truly and they stayed fixed.

ෂෙල්ටන් ජයසිංහ මයා.
(திரு. ஷெல்ற்றன் ஜயசிங்ஹ)
(Mr. Shelton Jayasinghe)

But you also tried.

එෆ්. ආර්. ඩයස් බණ්ඩාරනායක මයා.
(திரு. எப். ஆர். டயஸ் பண்டாரநாயக்க)
(Mr. F. R. Dias Bandaranaike)

You mean to say if we wanted to try, if we wanted to give an order to the Attorney-General, it could not have been done? But my point is this: we did not do it, and the Attorney-General won the plaudits of no less a person than the Hon. Minister of State in the matter of maintaining his independence.

Why does the Minister of State now adopt a different standard towards the poor Attorney-General? Why does he tell the Attorney-General, "Now you must go into court and enter a *nolle prosequi* against the Hon. Minister of Nationalized Services, Mr. Sugathadasa? When Mr. Sugathadasa commits a crime is it any different from Mr. Jayewardene committing a crime? If the Attorney-General was free to take a decision then, why is the Attorney-General not free now, may I ask?

Is it because you were talking about, "fortunately the law officers were rather independent"? Why is it that you now do not consider "fortunately some law officers" to be independent? Why do you have to give directions one after another: "Please do not go to the Privy Council to oppose an appeal; do not dare to allow a private prosecution of the Minister of Nationalized Services or of Mr. Alvapillai"? Is it necessary that the Attorney-General should be reduced to this degrading state?

My Friend the hon. Member for Weligama, before he starts talking, should first read those remarks of his Colleague to see the low depths to which they have now sunk. The Hon. Minister of State himself has, on more than one occasion, told us about the principles of judicial and quasi-judicial functions, and how the courts

[එෆ්. ආර්. ඩයස් බණ්ඩාරනායක මයා.]

should act in these matters. I believe at column 2755 of the same HANSARD of the 1st March 1962, he told us what the Soulbury Report had to say in regard to the judicial and quasi-judicial functions as far as the Minister of Justice was concerned. He quoted this passage *in extenso* ; reading from Chapter 19, paragraph 396 of the Soulbury Report :

"We would therefore make it amply clear that in recommending the establishment of a Ministry of Justice we intend no more than to secure that the Minister shall be responsible for the administrative side of legal business, for obtaining from the Legislature financial provision for the administration of justice and for answering in the Legislature on matters arising out of it. There can, of course, be no question of the Minister of Justice, having any power of interference in or control over the performance of any judicial or quasi-judicial function, or the institution or supervision of prosecutions. We have considered whether the subjects and functions in question might be distributed among other Ministries but have reached the conclusion that it would be most conducive to the efficient handling of the administrative work in question if they were centred in a new Ministry. Since the Minister's functions would be political and administrative, it would be immaterial whether he were a lawyer or not, although the Prime Minister, if there were a lawyer of distinction among his supporters, might possibly wish to offer him the portfolio."

The crucial words are :

"There can, of course, be no question of the Minister of Justice, having any power of interference in or control over the performance of any judicial or quasi-judicial function, or the institution or supervision of prosecutions."

What the Soulbury Commission was considering there was the desirability or otherwise of creating a Minister who would have the power to supervise the discretion of the Attorney-General in his judicial or quasi-judicial function and determining whether the Attorney-General should be an independent authority —independent of the executive—free to take his decision. Following that principle, my good Friend, the Hon. Minister of State paid the law officers of the country a compliment for their independence in deciding not to appeal against his acquittal in regard to the use of loud speakers.

Why is it that you are now giving the Attorney-General directions at every turn ? In the course of the last six months you have virtually given orders—and you have admitted it—to the Attorney-General, "you shall not oppose the Privy Council appeal." You are now telling him, "you shall go into court and take over the prosecution from Dr. Colvin R. de Silva in respect of the Minister of Nationalized Services under Section 199 of the Criminal Procedure Code." These are sure marks of despotism which is beginning to make inroads into the sovereignty of this House, and we, in this House, have no alternative but to lodge the strongest protest that we, as Members of this House, are capable of, against this type of insidious attacks upon democratic process in the name of democracy, which they pledged to protect at the last election.

Today, our Parliament is meaningless. We pass a law for what ? Why do we bother to pass a law ? Is it for the Government, if it chooses, to ignore those laws, to do exactly as it pleases, so that when, under the law, they are prosecuted, they can make arrangements by ignoring paragraph 396 of the Soulbury Commission Report ? They say, "that is what Soulbury says. We are not interested in Soulbury now. We are the Government. We are the State. We are not concerned with Commission Reports or the Constitution. We will tell the Attorney-General where he gets off," or he would not get an extension of office, he will be fired.

It is indeed a sad state of affairs when the Government comes to the stage of regarding people like the Attorney-General—people in independent positions—as stooges for purposes of dealing with laws which they themselves must, at least, protect.

I do not say that a law is incapable of change. If the Government wants to change a law, that process is always available to it. Thev can come before this House and explain to us their reasons for it. We will debate

it. We do not always say we will take the same attitude as they do. But we shall certainly discuss it, but do not do it first and expect us to act as a rubber stamp for your sordid deals with the American imperialists.

Those are our objections. We object very strongly to be asked to endorse, after an event, a payment which has already been made in the teeth of the law, a payment which is made illegally, and for which—you know it; it is a disgrace, I say,—your Minister should stand as a person accused, a criminal, before a court of law. Why? Because you chose to ignore the law. Because you chose to ignore the law, and now to get your Minister acquitted, you quickly turn round and say, "Let us deem that the law had always been different. Let us deem that we have an agreement with the American and the oil companies." Let us deem and asume that these laws have been passed in place of the Petroleum Corporation Act. Let us regard this law as taking precedence over all the laws previously passed by Parliament, in order to render your sordid actions valid. As I said, the basic principle underlying the whole of this new statute is a dangerous attack and an onslaught upon the liberties of the people, of which we are the custodians in this House, and so long as we remain the custodians, if you, as the Government, choose to develop an inflated sense of ego, and begin to think in terms of saying that you are the men appointed to rule, that you are the king with his private *arasu*, if you begin to regard yourself, each of you, as vested with kingly power and authority, as the hon. Member for Nallur (Dr. Naganathan) pointed out, all I can say is that we shall fight you, and we shall fight you to a man—[*Interruption*]. As far as I can see, it is you who will have to fight on the beaches, because you have withdrawn the army from Valvettiturai and Jaffna! It is you who will have to fight on the beaches because one half of your National Government objects to your army patrolling the beaches. If it comes to a fight, I suspect you will have to lead the vanguard.

Retrospective legislation, as such, is not an issue on which I should care to join issue with the Government. There are situations in which *ex post-facto* legislation may be justified. I do not deny that, but everything depends on the circumstances. In the course of this discussion, the hon. Third Member for Colombo Central (Mr. Keuneman), referred to the *coup* Debate and the remarks which were made by Members of the present Government who then sat in the Opposition, and what they had to say about retrospective legislation. I do not propose to deal with the question of rights as far as the accused in that case were concerned. That is something which may be regarded properly as *sub judice*, but I do wish to point out where actions were performed which were against the laws, as they stood at the time, what the Supreme Court had to say in the course of that judgment. They referred to the procedure for investigation that had been adopted. I am quoting from page 247, 67 New Law Reports, Queen *vs.* Liyanage and others. There appears this passage:

> "There was no legal basis for much that was done, including the arrest of the fourth defendant and Johnpillai that night."

The Supreme Court was saying, in other words, that the actions of the then Government were illegal, were against the law, as far as the arrest of the fourth defendant and Johnpillai were concerned on the night of the *coup*. They were complaining, in other words, that we, as the Government, broke the law, that we acted without a legal basis—for all we know for doing exactly what the Government has done. This Government has acted without a legal basis in handing away our assets to the foreigners for their own sordid ends. What does the Supreme Court say?

[එෆ්. ආර්. ඩයස් බණ්ඩාරනායක මයා.]

"But, in times of extreme emergency, the State may be compelled by necessity to disregard for a time the ordinary safeguards of liberty in defence of liberty itself, and to substitute for the careful and deliberate procedure of the law a machinery more drastic and speedy in order to cope with the urgent danger."

In other words, what the Supreme Court was saying is this. There are situations where a government may be justified even where the law does not permit them to do something, where it has no authority to take some action, in such circumstances as in defence of liberty, as a safeguard of liberty, to take some action. And that arises in cases, according to the Supreme Court, where "the State may be compelled by necessity to disregard for a time the ordinary safeguards of liberty in defence of liberty itself and to substitute for the careful and deliberate procedure of the law a machinery more drastic and speedy in order to cope with the urgent danger."

The Hon. Minister of State is for once applauding a statement in the *coup* judgment. No doubt, if the Attorney-General had gone to the Privy Council, he too would have been able to say, hear! hear! But you stopped him going. My objection is that you reduced the Attorney-General to a situation where he cannot even go to the Privy Council and say, hear! hear! to our judges of the Supreme Court.

As far as this question is concerned, I would like to ask hon. Members of this House, what is the urgent danger, what is the liberty which you want to safeguard in this case by introducing legislation after the event, after performing illegal acts first? What is the indecent hurry to pay these foreign oil companies so much money that you were not in a position to introduce this Bill before the House and tell us the reason why you say that your principles of compensation enshrined in our legislation are wrong?

ෂෙල්ටන් ජයසිංහ මයා.
(திரு. ஷெல்ற்றன் ஜயசிங்ஹ)
(Mr. Shelton Jayasinghe)

There was a famine.

එෆ්. ආර්. ඩයස් බණ්ඩාරනායක මයා.
(திரு. எப். ஆர். டயஸ் பண்டாரநாயக்க)
(Mr. F. R. Dias Bandaranaike)

I think there is going to be a famine after you people assumed office. From what we can see, and of your United Nations representative's approaches of describing China as the "veriest outlaw" and of dropping the most horrible *faux pas* diplomatically, I think, it is inevitable that you will sooner or later be confronted with a major difficulty. But before we come to that, as far as this statute is concerned, may I ask you, so far what has happened?

You say you are getting foreign aid. The foreign aid is still coming. As far as we can see the shortage of goods is still there, the prices remain the same, there is no great influx of goods that we are able to see around, and there are no new prospects. Foreign aid can come, but is there any objection to why you should not have come before Parliament and obtained the express authority of this House to the changes you wanted before you give effect to them? The very principle here is dangerous. Consider it for yourselves. Tomorrow you may find yourselves in a situation by which citizenship, for example, can be given to all and sundry against the law, and we can be asked afterwards to authorize it by saying, "Shall we amend the Citizenship Act?" You might find, for example, official recognition given to a different language against the law, and we will be told afterwards, "Well, shall we change the Official Language Act?" This is not possible.

My respectful submission is, these are the dangers with which we are confronted. We introduce laws in this House because those laws are the very ordinances which govern our lives and our conduct, and, because we like to be ensured, we ask, which is going to govern the Government?

I believe Juvenal once said, *Quis custodiet ipsos custodes?*—which means, I think, "Who shall govern our governors?" And as far as Ceylon's Constitution is concerned, I think, it is certainly the Parliament.

Every one of you who think you are the Government are still subject to Parliament and must continue to remain subject to Parliament so long as you are pledged to serve the concept of democracy which every one of you is pledged to protect and maintain. But what happens? Why do we meet in Parliament here? Why do we want to discuss regional councils Bill? Why do you not establish your regional councils first and then come to us and say, "Well! It does not matter whether there is a legal warrant or authority for it. We will do first and come before you afterwards. Here are the regional councils we have established; here are the powers and functions we have done away with; and the regional councils have come up now." What is the need for a Cabinet or Government if the Government themselves are not going to be bound by the law?

My submission is that, so long as Ministers enter upon agreements of this character in the teeth of the law, against the law and expect us to act as a rubber stamp, we in Parliament will continue, whatever our numbers may be, whether we are in a position to outvote you or not, to protest as strongly as is humanly possible, not merely on the basis, as the Hon. Minister of State says, whether it shall be Rs. 40 million or Rs. 50 million. According to him, it is a small question. It may be that no big principle is involved. But so long as Parliament has decided that the basis of compensation shall be on the amount of what the oil companies held at the time of the acquisition of their assets, we say it is wrong and unlawful for the Government of Ceylon without paying any heed to that question, without attempting to find out how much that was, without attempting to ascertain the facts, to have agreed to pay a lump sum of money and then say, "Let it be agreed, and we shall assume for purposes of argument, that the principle we followed was the principle of fair market value." I think, if you ask the Hon. Minister of State to itemize the items in the schedule and tell us what the fair market value of each item is, I think, he will not be able to answer that question in respect to each of the items in the schedule.

He says in the preamble that there are principles of fair market value guiding him. Suppose we ask him to describe to us what the nature and extent of each of the pieces of land involved in the schedule are and what is the value of each, can the Hon. Minister of State tell us how much the Government considers the fair market value on each of them? The principle claimed to have been stated there is, in fact, no principle at all. It is merely an eye-wash for the sake of protecting the interest of the foreign oil companies in case they are called upon to face nationalization in some other under-developed country.

Assuming that the oil companies find their own interest threatened anywhere, from the continent of Africa to the furthest corners of the Pacific, you will find that the oil companies will point to this disgraceful agreement with the Government of Ceylon and say, "We have established the principle of a fair market value." It has not been established because the Government has not, in all seriousness, made an attempt to do anything. All that they did was to conduct a sordid horse deal to get their aid restored. How much are they willing to pay? And, after all, if they start giving us aid, we will be able to pay them out of their own aid. Therefore, let us agree to anything. Why bother about the Petroleum Corporation Act?

They present an argument and say to us, "Well, did not your Ministers also hold talks outside the statute? Why are you now complaining against what we did? The answer is simple, no Minister of the Sri Lanka Freedom

[එෆ්. ආර්. ඩයස් බණ්ඩාරනායක මයා.]

Party Government or the Coalition Government ever acted against the law. Show us a single instance where we were liable to prosecution ? If we were liable to prosecution, I have no doubt, you would have enjoyed prosecuting us.

I believe the Hon. Minister of State once said he is certain that I shall be on trial in reference to the *coup* case. I have no doubt if it was possible to have me indicted or any Minister of our Government indicted, they would have enjoyed doing it. But the fact is we never broke the law. We applied the law and we acted within it. The only occasion when we acted without legal warrant or authority was on the night of 29th January, 1962, for which even the Supreme Court has held that it is sometimes necessary to do away with the law to safeguard our liberty and in defence of liberty itself.

So, Mr. Chairman, you find ourselves in that situation. The S. L. F. P. is being charged that we entered into an agreement against the statute, that we were willing to do a horse deal. May I say that we never broke the law on a single occasion as far as the Petroleum Corporation Act was concerned ? I can speak with authority. Although I was Minister of Finance at the time the Petroleum Corporation Act was enacted in 1961 and although I ceased to be Finance Minister thereafter in circumstances which I will not bore you with now, still I would state this, I had been a Member of the Cabinet and I can speak with authority.

ගරු මොන්ටේගු ජයවික්‍රම
(கௌரவ மொண்டேகு ஜயவிக்ரம)
(The Hon. Montague Jayewickreme)

Tell your party now.

එෆ්. ආර්. ඩයස් බණ්ඩාරනායක මයා.
(திரு. எப். ஆர். டயஸ் பண்டாரநாயக்க)
(Mr. F. R. Dias Bandaranaike)

Tell my party what ? It does not matter how I ceased to be the Minister of Finance. I am saying I am not going to bore you with that. But I am going to tell you something else. Notwithstanding my not being Finance Minister, I remained in the Cabinet and I can speak with authority on this question. At no stage was the Ceylon Government during the days of the S. L. F. P. prepared to act in any way contrary to the principles of the Ceylon Petroleum Corporation Act. If by abiding by the law, if by standing within the law, if by standing upon the legal rights created for our people under laws passed by our sovereign Parliament—and that includes every single political party, including the United National Party—if they ask for the reason why the Americans were not prepared to give us aid, may I say this ? It is true that if the choice lies between being subservient to the will of our people as enshrined in our statute and being subservient to a foreign country and foreign rulers, we shall choose to remain subservient to the people of our country and act as their servants and not as the servants of foreign masters. That will be the principle which will guide the S. L. F. P. at all times.

We are told, "You were not successful". Certainly, we were not successful in selling our rights with the laws of our Parliament. We have never done that and we never attempted that. At every stage what did we try to do ? We tried to find out. We told the oil companies, "Please give us the valuation of your assets—your book values are there—the price you paid for them on the basis of your book values." Our position is the document which you yourself tabled. The Ceylon Petroleum Corporation Annual Report and Statement of Accounts for 1964 makes the position crystal clear. And the position was, to put it very briefly, that the oil companies flatly refused to give any information. Read what is written at page 14 of the Annual Report and Statement of Accounts for 1964 of the Ceylon Petroleum Corporation. This is what it says :

"The Companies, however, did not disclose their basis at any stage but during the proceedings they questioned

the jurisdiction of the Tribunal to hear and determine this matter. They contended that the Tribunal was wrongly constituted. The Government undertook to honour any award made by the Tribunal notwithstanding this alleged lack of jurisdiction. The Companies, however, persisted in their objections but were over-ruled by the Tribunal. The objection was taken again before the second panel of the Tribunal but with the same result. The Companies thereafter filed papers in the Supreme Court and moved for Writ of Quo Warranto and Certiorari..."

See, what has happened Mr. Chairman. Even as far as the agreements today are concerned, the Government is still saying, notwithstanding any alleged lack of jurisdiction on the part of the tribunal, these agreements shall be valid. The companies did not to this day withdraw their objections to the jurisdiction of the tribunal, they merely asked the Ceylon Government to say whether the tribunal has jurisdiction or not. You people shall still be able to say that your agreements bind you.

Mr. Chairman, I am glad that the Hon. Prime Minister is here. I was pointing out the danger of Governments ignoring the very statute, the law passed by this House, of treating laws as though they are playthings, things to be discarded, things to be ignored, things that do not bind governments, and to your being able to say to yourself, "As long as we have a majority we can come and pass new laws to validate anything that we have done". You can do it. Then the Parliament becomes a meaningless formality, if having a majority, we are in a position to pass and validate any single thing we do. If the law says that you must adopt one principle of compensation, and if the Hon. Minister of Nationalized Services, in consequence of his foreign agreements, acts differently and gets himself prosecuted, gets into a scrape, you say, "We will get him out of the scrape". What is the position? If you ignore paragraph 396 of the Soulbury Commission Report which makes the Attorney-General a judicial or quasi-judicial functionary independent of the executive, we will ignore a very salutary principle which the Hon. Minister of State once praised, that is, the Attorney-General being independent as far as the loud speaker case was concerned—a case in which the Hon. Prime Minister and the Minister of State both figured. But, now they say, "We will make the Attorney-General a veritable stooge to come before the law courts and withdraw prosecutions."

Mr. Deputy Chairman, these things have happened in other countries too. By the laws and customs of Parliament, by the traditions and unwritten constitution in Britain, there was a stage where a king—I refer to His Majesty, King Charles the First—who, like the hon. Member for Nallur (Dr. Naganathan) stating "I am the State; I am the Government", once said, "I propose to impose taxation without the authority of Parliament". He depended for that statement on his royal prerogative. We know the case of the levy of Ship Money; we know the consequences that followed from it, how the independent middle-class led by Pyne and Hampden stood against him and said, "We are not concerned, we refuse to bow to the taxation which had been levied without the authority of Parliament. We will not accept the rule of prerogative, the rule of the executive; the Parliament itself has rights", and the Members of Parliament stood against him.

I think we all agree today that those persons in England, those unknown burghers of the County of London, who stood against the King's taxation, laid the foundation stone of democracy, and the democratic process which the U. N. P. talks so glibly nowadays. And, if, indeed, we recognize that what the Long Parliament did in overruling the judgment of the Court Exchequer in the case of Ship Money, in the case of Payne and Hampden, were correct then we accept the principle that when Governments act against the law, and the executive seeks to set itself up as supreme with phrases

[එෆ්. ආර්. ඩයස් බණ්ඩාරනායක මයා.]

like, "I am the Government, I am the State, I am the King, I am the Monarch" as the hon. Member for Nallur says, "I am a king in my own little Arasu", then all I can say is we have reached a sorry pass. Now, when Governments come, and Governments go, and the laws do not amount to a damned thing—I am sorry for the use of that word, Mr. Deputy Chairman, but I must say that this is the sort of contempt into which the laws are being brought by this Government.

As far as the compensation is concerned, we were told by the Hon. Minister of Nationalized Services that there were discussions with Mr. Ilangaratne, a former Minister of Commerce and Trade, and of Finance. There were discussions certainly.

I am personally aware that at the time the assets had been acquired the Chief Valuer—he was the authority we relied on—said, "In the absence of a statement by the oil companies as to how much they had paid for the assets, the maximum assessment I make in respect of each and every item, having itemized them, is of the order of Rs. 30 million." That was the price the Chief Valuer put on them. Of course he said, "I may be wrong. I do not say my valuation is final and conclusive. I say that any compensation tribunal is not bound to accept every word of what I say." So we asked him this question: "Can you please tell us, assuming that you are wrong, by what extent or by what margin, can you be wrong? To what extent is there a possibility of error?" And I know that the Chief Valuer, giving his answers in clear and categorical terms, said that, allowing for the maximum degree of possibility of error, we could make it Rs. 40 million, on the basis of a thirty per cent. error in his valuation. He however said that that was only an outside possibility. But he said, "I frankly do not think even the valuation of Rs. 30 million would be proved if the oil companies were made to disclose the true value at which they had acquired their assets by an examination of their books." The book values would appear in the books themselves.

I do not think I will be disclosing a Cabinet secret in telling you what the Chief Valuer said. But he certainly said, "I would not be able under this Act to justify or go before the tribunal and say that this valuation which you are putting upon it is covered by the terms of your statement." This Government did not even pretend to bring it under the terms of the Act. This Government says, "Let us drive a coach into the statute itself. Why do we want a statute? We have already kicked the statute in the teeth by paying the money out."

The Constitution talks about the manner of drawing money out of the Consolidated Fund. The Exchange Control tells us about the procedure of drawing foreign exchange out of the Central Bank of Ceylon. All these statutes are ignored. An agreement is made notwithstanding anything in any other law. His Master's Voice, the voice of capitalism reflected in this type of agreement, is made to prevail by the kind of sordid law which we are now discussing here in this House.

Mr. Deputy Chairman, on what basis, I ask you, can anybody justify or pretend to justify this? Why does the Hon. Minister of State say, "I am seeking to justify this law on the basis that you did exactly that." Surely no one can argue that we did exactly this. Had we done it, we too would have stood in the dock in the magistrate's court, and very able lawyers,—there are Queen's Counsel in plenty with their silken voices—would have been able to indict us and to prosecute us. We would perhaps have had to resort to the same sort of tricks as the Hon. Minister of State in getting the Attorney-General to interfere under Section 199 of the Criminal Procedure Code and to exercise his powers by invading the very independence of the Attorney-General enshrined therein, as against the ministerial acts of the Minister of Justice.

We have been reduced to this by trying to preserve democracy for the National Government. If this is what democracy means, if this statute is to be taken as an index, then, Parliament may well not meet. If we were to consider what exactly Parliament has done from March 22nd onwards, or what Parliament is trying to do, Parliament does not seem to be necessary for the United National Party and for this National Government. In contrast, I remember, when we were the Government, we used to sit day after day, night after night, and every single Member of this House had every opportunity to talk as much as he pleased, and HANSARD bears eloquent testimony, even by its very size, in regard to what we had to say. I think our record of legislative activity, particularly in the first years of our Government, stands without parallel in the history of this Legislature. But so far as this Government is concerned, even in its first year, the machine seems to have run down before it has even gained momentum. It is a tragedy. We ourselves want to see a Government elected by the people—by the free vote of the people, as we say—getting down to a job of work.

On paper, according to the newspapers, we are overflowing with milk and honey. Foreign countries have come to our rescue. The hon. Parliamentary Secretary to the Minister of Industries and Fisheries will tell us, "We have all the foreign aid in the world." If you total up all the amounts which, the newspapers say, have been promised, I think it will run into over six figures. But do the ordinary people see it in practical terms ? We should be overflowing with imports. The restrictions should be off. We should be having any amount of consumer goods available. Prices should have come down. What has happened instead ? The Petroleum Corporation is there, but never before have Members of Parliament belonging to the Government party rushed round to the office of the Minister of Nationalized Services to try and ensure that their areas get kerosene carts. That is in the newspapers. That is the sordid story today under the National Government—any amount of money, foreign aid in plenty, but the price of foreign aid ? We have mortgaged our country. We have handed over a sum of money for which there is absolutely no defence in the law.

What we are now called upon to do is not to amend our laws but to forgive the Government for a transgression of the law and to try and make it legal after the event. I for one shall oppose this law, not because I say that the amount of compensation is excessive by indulging in some kind of arithmetical or mathematical gymnastics. I am not going to argue that the compensation was ever intended to be liable to foreign exchange tax and the other taxes. The principles in the Act were not declared to be subject to any special taxes. They may or may not be—it is a matter of interpretation. But if the oil companies had stood by the words of the statute, by the will of this House, by the will of the United National Party included when it was in the Opposition, certainly I for one will say that I am not going to raise any argument according to the amount of liability which could be calculated by imposing tax upon tax upon the amount of compensation. I certainly think that it was the intention of this House that compensation should be paid. I say that that compensation, according to the basis of valuation on such information as we had, would not have exceeded Rs. 30 million ; or, as the Chief Valuer put it, at the very highest, notionally, on the extreme possibilities of error, it would not have exceeded Rs. 40 million.

I say that this Government has not followed that. I do not hold the indictment against them in regard to a few millions of rupees one way or the other, if they could justify it, but I definitely state that the principle stated in the preamble to this Bill is mere eyewash. It is eyewash for the reason that even the Hon. Minister of State cannot honestly tell us that

[එෆ්. ආර්. ඩයස් බණ්ඩාරනායක මයා.]

every single item in that schedule has been itemised and valued or that an attempt has been made to assess the fair market value of each item. They have merely said, "We will take over not merely the assets vested already, but even the kerosene carts throughout the Island that were never vested. We will take over all the rubbish that the oil companies have in Ceylon which they do not want. We agree to say 'let us take it for granted' so as to be an example to other countries in case they want to nationalize oil. Let us show them that the oil companies have fought for it and have vindicated the right to get for themselves fair market value as a principle of compensation."

Nothing of the sort! What they did was to enter into a shabby deal. They agreed to leave the Ceylon Petroleum Corporation Act on one side. They agreed to shelve the will of the people of this country, to forget the very interests who voted them into power not so long ago—seven months ago. In seven short months you have forgotten the people, forgotten their legislative authority, forgotten their sovereignty, and begun to talk to yourselves in a new language, in a new vocabulary; "I am the Government, we are the State, we carry this country forward". Members of Parliament will have to go crawling to the Petroleum Corporation for kerosene carts, and that is all we get.

I shall not speak any longer because I promised faithfully to conclude my speech at 6 o'clock in order to give the Minister of State one full hour for his reply.

In conclusion, I should like to state that when illegalities are done, when we are told to ignore Acts of Parliament, when we are called upon to throw aside our legislative process, we cannot take that view. We cannot agree to adopting the standard of doing ourselves dishonour in this House. We must stand up for our own legislative sovereignty and authority and, therefore, I call upon all sections of this House at least to ensure that in the future your Government does not act against the law, to ensure that your Government consults Parliament before it acts in the teeth of the law and to ensure that it leaves the Attorney-General alone without seeking to use him as their stooge to protect themselves from the consequences of their own dishonourable conduct.

අ. භා. 6

ගරු ජේ. ආර්. ජයවර්ධන

(கௌரவ ஜே. ஆர். ஜயவர்தன)

(The Hon. J. R. Jayewardene)

Mr. Deputy Chairman, the hon. Member for Dompe (Mr. F. R. Dias Bandaranaike) has tried to draw a red herring across the path of this Debate. I do not intend to enter into any prolonged discussion about the sovereignty of Parliament and the necessity for introducing retrospective legislation.

In fact, every day, in every Parliament, retrospective legislation is introduced. All your Inland Revenue Bills are retrospective legislation to change the tax laws. Revenue Protection Acts and Orders are retrospective legislation. It is certain forms of retrospective legislation that are bad. Otherwise, no nation could possibly go to war without a debate in Parliament. The British went to war twice and Parliament sanctioned the action of the Government after the first shots had been fired. Peace treaties and commercial treaties are always signed long before Parliament discusses the treaties. It is never against the law.

This was the one occasion on which we had to come to some agreement before consulting Parliament. We wish we were able to consult Parliament before or during the discussions, but it was not possible to do so without knowing the amount for which we had to settle this dispute. The first thing every hon. Member could have validly asked was, "What is the use of coming to the House without telling us what you are going to pay and the mode and manner of payment?"

Therefore, as I said, I do not intend to debate today the question of retrospective legislation and it would not be necessary for the hon. Member for Dompe to fight us, as he said, "man to man in the streets and on the beaches". It would not be necessary for him, either, to fight till the last woman in his party is dead !

The second question was about the Attorney-General intervening in the prosecution against the Minister of Nationalized Services. That is a procedure which the law allows and it was in a case filed against the Government of which he was a Member that the Attorney-General intervened and sought to enter a *nolle prosequi*. The magistrate refused, appeal was taken and the appeal court gave a ruling that in such a case the Government has the right to request the Attorney-General to intervene and enter a *nolle prosequi*. Our Minister is depending on that decision and I hope it will be successful.

This has been a very interesting Debate and it has revolved round certain fundamental points: firstly, whether compensation should be paid at all to the oil companies whose properties were taken over by the State ; secondly, the mode and manner of the determination of the compensation ; thirdly, how the compensation should be paid ; and fourthly, the question of what legislation was necessary.

With regard to the question whether compensation should be paid or not, only two dissident voices were heard in this House, the hon. Member for Walapane (Mr. T. B. M. Herath) and the hon. Member for Habaraduwa (Mr. Prins Gunasekera), who said that no compensation should be paid. But I do not think it is necessary to discuss this today because all parties are agreed, all Governments agree and all those who form governments agree that when you take over the property of somebody, particularly when it is a foreign interest, compensation has to be paid.

Every country that I know of in the world has paid compensation when they nationalized the properties of foreign interests. The Soviet Union under Lenin paid compensation to Canada for the nationalization of certain nickel mines ; Rumania paid compensation to the U. S. A. when she nationalized petrol companies ; Indonesia and Burma recently paid compensation or bought out the interests of these very same companies when they nationalized their interests ; Egypt or the U. A. R. paid or agreed to pay compensation when the Suez Canal was nationalized. In the Indian Constitution there is specific provision——

අ. භා. 6.8

කාරකසභා නියෝජ්‍ය සභාපතිතුමා

(குழுக்களின் பிரதி அக்கிராசனர் அவர்கள்)

(Mr. Deputy Chairman of Committees)

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

අනතුරුව කාරකසභා නියෝජ්‍ය සභාපතිතුමා මූලාසනයෙන් ඉවත් වූයෙන්, කථානායකතුමා මූලාසනාරූඪ විය.

அதன்பிறகு குழுக்களின் உப அக்கிராசனர் அவர்கள் அக்கிராசனத்திலிருந்து நீங்கவே, சபாநாயகர் அவர்கள் தலைமைதாங்கினர்கள்.

Whereupon MR. DEPUTY-CHAIRMAN OF COMMITTEES *left the Chair, and* MR. SPEAKER *took the Chair.*

ගරු ජේ. ආර්. ජයවර්ධන

(கௌரவ ஜே. ஆர். ஜயவர்தன)

(The Hon. J. R. Jayewardene)

In the Indian Constitution there is specific provision for the payment of compensation when property is nationalized. Therefore, one need not debate the issue whether compensation should be paid to the companies whose interests were taken over by the State in this particular case.

The next question is, how should one assess that compensation ? The Ceylon Petroleum Corporation Act, No. 28 of 1961, lays down the procedure for the assessment of compensation. The procedure is rather

[ගරු ජේ. ආර්. ජයවර්ධන]

elaborate. The previous Government constituted the tribunal and under that Bill the tribunal has to look into various matters. I need not go into all the matters except to say that the whole procedure is very involved. After the tribunal has come to a decision it makes an award under Section 51, and it is only according to such an award made by the compensation tribunal that compensation can be paid. There is no other way. The compensation that is so awarded should be paid by the corporation, not by the Consolidated Fund. Somebody made a point that the money should be paid from the Consolidated Fund. It has to be paid by the corporation. The mode and manner of payment of the compensation shall be determined by the Minister in consultation with the Minister of Finance. Therefore, what is the special function of the tribunal under the Act? It is to decide on the quantum, and the procedure is laid down to decide on the quantum. The corporation pays the amount. The Minister decides the mode and the manner of payment.

Before this tribunal was constituted, the previous Government had negotiations with the petroleum companies in December-January 1962. Why they should have done so when the Act provided for the setting up of a tribunal, I do not know. In February 1963, the American Government decided under their laws to stop aid to Ceylon. The previous Government then again re-opened the negotiations, but failed, and aid was stopped. In July 1963, again negotiations were re-opened with the petroleum companies but no decisions were arrived at.

I need not go into the details of the documents and the other matters concerning those negotiations, because it was admitted by all parties that they did negotiate directly with the petroleum companies, and with the agents of the petroleum companies, to decide outside the valuation of the tribunal as to what money should be paid by way of compensation. I will only come to the last discussion between the Finance Minister, the hon. Member for Yatiyantota, and the petroleum companies, in Ceylon and in London. The Finance Minister in the Coalition Government admitted that he met the petroleum company agents in London and discussed with them the question of settling the oil dispute. Why did he do that? He gave a very valid reason. I would like to cite his actual words because in this long Debate, very often Members are not present when speeches are made. In the HANSARD of September 1965, at column 56, Dr. N. M. Perera said,

"I am prepared to admit, therefore, that the principle of compensation does not arise now, and we may not go over that question again, whatever feelings we may have had at that time. This question was raised by me in the course of the Debate, but taking all things into consideration, I think we need not go over that ground again. Suffice for our purpose, therefore, to start on the premise that we agreed to compensation, that this House agreed to compensation, and even those who were not so disposed might say, 'Yes, we will accept that position.'

Then, two questions arise: (1) Was the quantum of compensation that has now been agreed upon reasonable and in the best interests of this country? (2) Was the manner in which that quantum has been determined in the best interests of this country? That also is very relevant and very important from the point of view of the interests of the country. I want to take up both those matters."

Then, again at column 80, he said:

"More than that, I must confess, as the Hon. Minister of State pointed out, I had another problem to face as Minister of Finance: the position of our foreign exchange was not at all satisfactory. That we cannot ignore. And we had to consider how best to meet the situation.

The position was made worse as a result of the unmentioned hostility shown to us. This was not openly stated. Apart from the attitude adopted on the Hickenlooper Amendment in terms of which America cut off aid in their refusal generally or the refusal of most Powers to consider any question of aid or agreement, certainly there is not the slightest doubt that this factor, the

general influence of American bankers, was being felt. I am not trying to deny that fact. These are the factors that weighed with me. I want to be quite honest and fair by this House; I do not want to hide facts. These are the factors that weighed with me, when I became Minister of Finance, in considering whether I should continue these negotiations or not."

I would like the hon. Member for Dompe (Mr. F. R. Dias Bandaranaike) to listen to these words because when the hon. Member for Yatiyantota (Dr. N. M. Perera) was speaking he was not here.

එෆ්. ආර්. ඩයස් බණ්ඩාරනායක මයා.
(திரு. எப். ஆர். டயஸ் பண்டாரநாயக்க)
(Mr. F. R. Dias Bandaranaike)
I was here.

ගරු ජේ. ආර්. ජයවර්ධන
(கௌரவ ஜே. ஆர். ஜயவர்தன)
(The Hon. J. R. Jayewardene)
He was not here in this House. He was in this world.

ෂෙල්ටන් ජයසිංහ මයා.
(திரு. ஷெல்ற்றன் ஜயசிங்ஹ)
(Mr. Shelton Jayasinghe)
He is not listening.

ගරු ජේ. ආර්. ජයවර්ධන
(கௌரவ ஜே. ஆர். ஜயவர்தன)
(The Hon. J. R. Jayewardene)
So, over and over, in the next several columns, he keeps on trying to explain why he met Mr. Byrnell, why he met Lord Shawcross, why he went to the seven storeyed Shell building in London, why he had lunch, all because the foreign exchange situation was most unsatisfactory and the question of aid was being held out. We had to get aid. We had to settle this problem. Otherwise, as Finance Minister, the hon. Member for Yatiyantota could not carry on the affairs of this nation.

As I have said before, he was the only Finance Minister in the S.L.F.P. Government who realized the difficult financial and monetary situation we were in, how we could get out of it, and how necessary it was to obtain foreign aid. He was not a bit averse in saying it publicly, in this House and in the Throne Speech Debate, that we must get foreign aid. It was to get foreign aid that he threw aside your Petroleum Act; he tore up the tribunal proceedings; he discussed with the hated Americans and the English, and agreed upon the minimum figure of Rs. 45 million. It was almost Rs. 12 million more than the valuation of your valuator.

එෆ්. ආර්. ඩයස් බණ්ඩාරනායක මයා.
(திரு. எப். ஆர். டயஸ் பண்டாரநாயக்க)
(Mr. F. R. Dias Bandaranaike)
But it did not end up in the talk.

ගරු ජේ. ආර්. ජයවර්ධන
(கௌரவ ஜே. ஆர். ஜயவர்தன)
(The Hon. J. R. Jayewardene)
He went higher than that. He went possibly up to Rs. 47½ million. We understood that he was prepared, with Cabinet approval, to go up to Rs. 50 million. It does not matter. There is no record of that. We certainly know that he was prepared to go up to Rs. 45 million, with interest at 3 per cent. from the day of vesting, that is, from 1961 to 1965, which would total Rs. 50 million.

In other words, those companies, at the lunch, had agreed to Rs. 45 million with interest at 3 per cent., and the whole sum came to Rs. 50 million which your Coalition Government would have had to pay as compensation.

I am now dealing only with the quantum—never mind, how you are going to settle it; how you are going to pay it—whether you are going to ask your tribunal to be stooges and accept Rs. 50 million. I will deal with that later.

The quantum the last Finance Minister of your Government was prepared to pay to the oil companies was Rs. 50 million, that is, Rs. 45 million plus interest at 3 per cent. I have not heard anybody saying that they were

[ගරු ජේ. ආර්. ජයවර්ධන]

not going to pay this 3 per cent. interest on Rs. 45 million, which will total up to Rs. 50 million. I do not hear any protests. I do not hear any dissent. I do not hear anybody saying that that is not correct.

වෛද්‍යාචාර්ය එස්. ඒ. වික්‍රමසිංහ
(டொக்டர் எஸ். ஏ. விக்ரமசிங்க)
(Dr. S. A. Wickremasinghe)

Subject to facts.

ගරු ජේ. ආර්. ජයවර්ධන
(கௌரவ ஜே. ஆர். ஜயவர்தன)
(The Hon. J. R. Jayewardene)

One by one I will deal with them. When I deal with them, you will not interrupt.

Rs. 50 million, which is Rs. 45 million plus interest at 3 per cent. from 1961 to 1965, is the quantum the hon. Dr. N. M. Perera, the hater of the Americans, the hater of the Shell Company, the hater of capitalism, the hater of the oil companies, was prepared to recommend to the Cabinet to pay. It may have been a little more than that but we say that it was Rs. 50 million.

We have agreed to pay Rs. 55 million. It is only Rs. 5 million more that we are paying. I agree. Was all this Debate for Rs. 5 million ?

එෆ්. ආර්. ඩයස් බණ්ඩාරනායක මයා.
(திரு. எப். ஆர். டயஸ் பண்டாரநாயக்க)
(Mr. F. R. Dias Bandaranaike)

Get Sugathadasa out of the dock.

ගරු ජේ. ආර්. ජයවර්ධන
(கௌரவ ஜே. ஆர். ஜயவர்தன)
(The Hon. J. R. Jayewardene)

Now we come to the next point as to how this money is to be paid. I do not know whether hon. Members believed the arguments that were adduced here. But, in regard to the figure of Rs. 45 million and the interest thereon that we arrived at, or in regard to the figure of Rs. 40 million that the pure, undiluted S.L.F.P. arrived at, or the figure of Rs. 50 million that the S.L.F.P. diluted with the Marxists arrived at, I do not know whether you were going to say, "Now, now, we have settled on this figure; the tribunal is doing nothing ; come along, you good boys, will you put in this figure in your award?" I do not know how you were going to bring that under the authority of the tribunal. It really is beyond my ingenuity and imagination. I do not know whether the hon. Member for Dompe can find some method of doing it, without *ad hoc* legislation, without repealing one section or another of the Petroleum Corporation Act of 1961. I really do not know how you were going to put in that Rs. 45 million or that Rs. 50 million.

එෆ්. ආර්. ඩයස් බණ්ඩාරනායක මයා.
(திரு. எப். ஆர். டயஸ் பண்டாரநாயக்க)
(Mr. F. R. Dias Bandaranaike)

Come before Parliament before we pay.

ගරු ජේ. ආර්. ජයවර්ධන
(கௌரவ ஜே. ஆர். ஜயவர்தன)
(The Hon. J. R. Jayewardene)

Come before Parliament merely to make a statement or to amend the Act ?

එෆ්. ආර්. ඩයස් බණ්ඩාරනායක මයා.
(திரு. எப். ஆர். டயஸ் பண்டாரநாயக்க)
(Mr. F. R. Dias Bandaranaike)

Come to Parliament.

ගරු ජේ. ආර්. ජයවර්ධන
(கௌரவ ஜே. ஆர். ஜயவர்தன)
(The Hon. J. R. Jayewardene)

We come to Parliament every day. But you must come with a Bill. Were you coming with a Bill ? [*Interruption.*]

එෆ්. ආර්. ඩයස් බණ්ඩාරනායක මයා.
(திரு. எப். ஆர். டயஸ் பண்டாரநாயக்க)
(Mr. F. R. Dias Bandaranaike)

That is why you are in the dock.

ගරු ජේ. ආර්. ජයවර්ධන
(கௌரவ ஜே. ஆர். ஜயவர்தன)
(The Hon. J. R. Jayewardene)

You cannot just come to Parliament and say, "We are paying." How can you come and say, "We are paying" ? How are you going to pay when there is a tribunal sitting ?

How are you going to pay the Rs. 50 million, or the Rs. 45 million? I have not got an answer.

එෆ්. ආර්. ඩයස් බණ්ඩාරනායක මයා.
(திரு. எப். ஆர். டயஸ் பண்டாரநாயக்க)
(Mr. F. R. Dias Bandaranaike)

First get your Minister out of the dock.

ගරු ජේ. ආර්. ජයවර්ධන
(கௌரவ ஜே. ஆர். ஜயவர்தன)
(The Hon. J. R. Jayewardene)

You were prepared to amend the Act.

එෆ්. ආර්. ඩයස් බණ්ඩාරනායක මයා.
(திரு. எப். ஆர். டயஸ் பண்டாரநாயக்க)
(Mr. F. R. Dias Bandaranaike)

Certainly not.

ගරු ජේ. ආර්. ජයවර්ධන
(கௌரவ ஜே. ஆர். ஜயவர்தன)
(The Hon. J. R. Jayewardene)

I have the proposed amendment.

ගරු මොන්ටේගු ජයවික්‍රම
(கௌரவ மொண்டேகு ஜயவிக்ரம)
(The Hon. Montague Jayewickreme)

Now the cat is out of the bag.

ගරු ජේ. ආර්. ජයවර්ධන
(கௌரவ ஜே. ஆர். ஜயவர்தன)
(The Hon. J. R. Jayewardene)

I will read the proposed amendment if you want.

The amendment was merely to ask the tribunal to accept the figure. The amendment may have taken this form:

"Nothwithstanding anything contained above, if the parties to the dispute have reached agreement as to the amount of compensation for the totality of the assets vested and such agreement had been reduced to writing, the tribunal shall make an award in terms of such agreement."

No negotiated settlement can be valid without an amendment to the Act. That is obvious. It is obvious to the simplest mind; it must be more obvious to the legal mind.

But we were faced with this situation. When our Government assumed office and we had negotiations with the petrol companies, the whole question of the validity of the tibunal was before the courts. It is still before the courts, I think; I do not know. An order had been made by the Supreme Court to say that because this tribunal was dealing with the rights of individual property, the tribunal should have been nominated or selected by the Judicial Service Commission. This point was taken after the well-known Ranasinghe case where the Privy Council decided that the members of bribery tribunals cannot be selected except by the Judicial Service Commission.

There is a similar point now being argued, namely, that presidents of industrial tribunals should be selected only by the Judicial Service Commission.

Well, this point was taken in the case of the compensation tribunal regarding the oil companies. Therefore, the whole question of the validity and the legality of the tribunal, which was going to award the compensation, was before the Supreme Court.

We negotiated with the petroleum companies as did your Government, as did the then Minister of Finance, Dr. N. M. Perera. We came to a lump sum settlement as did your Government, as did the then Minister of Finance, Dr. N. M. Perera. We came to a settlement of Rs. 5 million more than your Government was prepared to pay, as was discussed by Dr. N. M. Perera; Rs. 5 million more than the official amount you were prepared to go up to.

Having come to that settlement, we wondered how we could implement it. We thought of the tribunal, and whether we could not go before it. After all, officials who worked for your Ministers work for us. They placed all these files before us. Nothing was hidden. They are very loyal. They are not in America; they do not change with the Government.

[ගරු ජේ. ආර්. ජයවර්ධන]

All your documents, minutes, memoranda, proposals, are here. We discussed: Are we to go before the tribunal? Are we to move this amendment that you thought of moving? It was suggested by the oil companies themselves. How are we going to pay this money? We wanted to do it legally. Then we thought we could not go before the tribunal because the question of the tribunal's legality was before the Supreme Court. Then, you might say: Why cannot they withdraw that case? They can witdraw; we can withdraw. But some outsider can go and file a case, as has been filed against the Minister of Nationalized Services. Some patriotic, law-abiding citizen might take it into his head to retain Dr. Colvin R. de Silva and to go to court, and say: "This is all wrong; this tribunal is illegal; you have to get an award." And the whole procedure would start again.

So, we thought it would be far better, instead of going before a tribunal which has nothing to do with the settlement, a tribunal which might be illegal, for us to come and tell the House: We have settled it at Rs. 5 million more than you were prepared to pay: let us amend the law and validate it. That is why we thought of coming to this House.

Then we come to the amount, that is Rs. 5 million more than what Dr. N. M. Perera was prepared to pay. Various speakers asked me various questions: Was the market value in this? Was the fair market value in this? Was the open market value in this? Was the value of the assets included in this? I like to tell you, quite frankly, I do not know. I am not a businessman. I do not own mills. I am not a valuator—[*Interruption*]. I have not got stocks. I am not even a penniless lawyer!

කෙනමන් මයා.
(திரு. கெனமன்)
(Mr. Keuneman)

You valued the Chinese rotary press.

ගරු ජේ. ආර්. ජයවර්ධන
(கௌரவ ஜே. ஆர். ஜயவர்தன)
(The Hon. J. R. Jayewardene)

I do not know what the value of the petroleum company assets are.

කෙනමන් මයා.
(திரு. கெனமன்)
(Mr. Keuneman)

But you knew the value of the rotary press!

ගරු ජේ. ආර්. ජයවර්ධන
(கௌரவ ஜே. ஆர். ஜயவர்தன)
(The Hon. J. R. Jayewardene)

All I knew was that I agreed with the Minister of Finance in the Coalition Government that we had to settle this very quickly. We were determined to settle it. So we asked the oil companies to negotiate with us. I did not negotiate alone. I can tell you, because the hon. Member for Panadura (Mr. Leslie Goonewardena), said I met these officials of the petroleum companies alone, and my brother was the lawyer for the petroleum companies. I did not meet them alone. I met them always with the officials. The Prime Minister and I met them, and the Prime Minister was informed that Dr. N. M. Perera was prepared to go up to Rs. 50 million. We told the oil company representatives: We will pay you Rs. 55 million. We did not budge from that. They said they wanted Rs. 70 million. Then they came down to Rs. 60 million. We said: Not 70 million, not 60 million, not 59 million, not 58 million, not 57 million, not 56 million, not even 55½ million; Rs. 55 million we will pay, nothing more. Either we go to some international court.—[*Interruption*]. Shut up! There is a time to deal with rats. We are dealing with an important matter.

ගරු අයි. එම්. ආර්. ඒ. ඊරියගොල්ල (අධ්‍යාපන හා සංස්කෘතික කටයුතු පිළිබඳ ඇමති)

(கௌரவ ஐ. எம். ஆர். ஏ. ஈரியகொல்ல—கல்வி, கலாச்சார விவகார அமைச்சர்)

(The Hon. I. M. R. A. Iriyagolle—Minister of Education and Cultural Affairs)

You are insulting rats!

ගරු ජේ. ආර්. ජයවර්ධන

(கௌரவ ஜே. ஆர். ஜயவர்தன)

(The Hon. J. R. Jayewardene)

I think hon. Members would like to hear why we came to this decision, and the manner in which we came to this decision.—[*Interruption*]. I have got half and hour to go, and I do not want to be interrupted.

We told the petroleum companies the amount that we want to pay. You were prepared to go up to Rs. 50 million. We wanted to settle it, but we wanted to preserve our self-respect. We are no more frightened—I like to tell the hon. Member for Dompe and the hon. fair Leader of the Opposition—we are no more frightened of America than you are. We are not frightened of America, China, Russia or the whole damned lot together! Because we know that when we have to fight them we have you also with us, as we would have been with you if you wanted to fight them. But this question has to be settled. Whether it be to America or Russia or India, if compensation has to be paid, as you are all agreed, and if the difference was only Rs. 5 million, we thought we would pay it, finish it and go on to the next stage of getting aid. As the Prime Minister told us, we said that we would pay Rs. 55 million and not a cent more. If they did not accept it we would not have had negotiations, we would not have paid compensation and we might have gone to the World Bank or some international organization. We were making preparations for that. We had written to our representatives to take this matter before some world organization. There is some world organization set up—hon. Members opposite must know about it—to deal with questions of compensation.

ටී. බී. සුබසිංහ මයා. (කටුගම්පොළ)

(திரு. ரீ. பி. சுபசிங்க—கட்டுகம்பொள)

(Mr. T. B. Subasinghe—Katugampola)

The International Court.

ගරු ජේ. ආර්. ජයවර්ධන

(கௌரவ ஜே. ஆர். ஜயவர்தன)

(The Hon. J. R. Jayewardene)

We meant to do that. Possibly we would not have got aid, but they may have considered that action to be "meaningful steps". The tribunal was out of the question because it was illegal. We had to stop going to the tribunal. Whatever settlement was arrived at before the tribunal would have been held illegal, possibly by a court or the Privy Council. So we were prepared to go to the world court, but we were not going to pay one *alukkala* more than Rs. 55 million. That was the firm decision we took, and we stood by our guns. I am very proud that we took up that position. I have not mentioned it up to date. We told those companies that we were not going beyond Rs. 55 million.

We now come to the last point, taxation. This was the point all of them were making. They even went into astronomical figures to show what the taxation would have been. Some hon. Members went up to Rs. 88 million, some up to Rs. 90 million and some went even up to Rs. 100 million. They said that if you did not exempt this compensation from taxes it would have been Rs. 100 million. I would like to say, and I want to prove it from the books, that there is not one cent taxation due. We need not have that clause mentioning exemption from taxation. It was done out of an abundance of caution—as the hon. Member for Dompe cited a Latin phrase, *ex abundantia cautela* out of an abundance of caution we go step by step.

එෆ්. ආර්. ඩයස් බණ්ඩාරනායක මයා.

(திரு. எப். ஆர். டயஸ் பண்டாரநாயக்க)

(Mr. F. R. Dias Bandaranaike)

Try Latin, but do not misquote.

ගරු ජේ. ආර්. ජයවර්ධන
(கௌரவ ஜே. ஆர். ஜயவர்தன)
(The Hon. J. R. Jayewardene)

First of all we will take the exchange tax. That was a matter on which my hon. Colleague from Colombo South (Mr. Bernard Soysa), and the hon. Member from Panadura waxed eloquent. "The exchange tax has to be paid: that exchange tax was Rs. 25 to Rs. 30 million, add that on to the Rs. 55 million, it comes to nearly Rs. 100 million; you have sold this country for Rs. 50 million, Rs. 100 million", and so on. They have not looked at the laws. Why do they not open these books and look at them? Who introduced Finance Act No. 11 of 1963? Look at it:

"PART II

Imposition, Levy and Recovery of the Exchange Tax.—

That tax can be levied only by a gazette notification.

28.—On or after the appointed date, every sale of foreign currency in Ceylon by a competent authority to any person for any taxable purpose shall be liable to the imposition, levy and payment of the exchange tax.

29. (1) The Minister may, from time to time, by Order impose and levy a tax.....on every sale of foreign curency in Ceylon by a competent authority to any person for any such taxable purpose as shall be specified in the Order. The Minister may, from time to time, by a like Order increase or reduce the rate of such tax on any such sale."

It is done by a gazette order. Now let us look at the gazette order appearing in Gazette No. 13,915 of Friday, January 10, 1964. It deals with the various transactions that are subject to the exchange tax—certain types of travel abroad, certain types of maintenance abroad, transfer of assets and so on. The schedule says:

"sale of foreign curency for the transfer of assets abroad" means a sale of foreign currency to any individual who is not a citizen of Ceylon, or to any other person on behalf of such individual, whether prior to or at the time of or subsequent to the departure of such individual from Ceylon, for the purpose of enabling all or any part of the capital assets of such individual in Ceylon to be transferred to a foreign country."

To an individual, not a company. Only an individual who transfers assets abroad is liable to the foreign exchange tax, not a company. The Opposition is silent. Is that right or is it wrong? These are three companies seeking to transfer their assets abroad, and this is compensation. They are not liable to this tax. You could have made them liable; you did not. This is your law, not our law. We have repealed this law. But the laws which prevailed at the time the compensation was settled by us and at the time you created the tribunals did not make the assets of the companies liable to the foreign exchange tax. So that is out of the way.

Then we come to wealth tax. Wealth tax is not leviable on the assets of foreign companies. I have come ready with all the books; you can see them; I will cite them: Inland Revenue (Amendment) Act, No. 12 of 1964. The wealth tax is not leviable on the assets of foreign companies. Section 13 says:

" Rates of Wealth Tax...

For a person other than a charitable institution or a non-resident company having immovable property in Ceylon—"

Non-resident companies are not liable to pay a wealth tax. I have disposed of two taxes, the foreign exchange tax and the wealth tax. Income tax is not payable on compensation as far as profits are concerned except possibly on the interest. I admit that interest that has to be paid on the compensation will bear interest, but we have exempted that. If you like you can add that up to the Rs. 55 million, but there are no other profits. It is a lump sum payment. Therefore, income tax is not payable on the other taxes that the last Government brought—the business profits tax, sales tax, business registration tax, and the visa tax, and so on. Not one of those taxes has to be paid on this compensation. We can

have only but one tax, the capital gains tax. Now, the capital gains tax, if it is payable becomes much less when all the other taxes are taken away. The hon. Member for Panadura (Mr. Leslie Goonewardene) said that the capital gains tax is payable on the Rs. 55 million, plus foreign exchange tax ; so did the hon. Member for Colombo South (Mr. Bernard Soysa), but I have told you that the foreign exchange tax is not payable. Therefore, it becomes less even if it is payable.

I like to read this note with regard to capital gains tax.

"Income tax is payable only in respect of capital gains arising on the take-over. 'Capital gains' is defined as 'the amount received by the companies after deducting therefrom the value of the assets on 1st April, 1957, or, if any asset was acquired after 1st April, 1957, the cost of acquisition of such asset, less any expenses incurred in consequence of the take-over'. The assets consist of very little freehold land, lease land with buildings thereon and machinery and other equipment. They also consist of the various petrol sheds and the oil storage facilities."

That is important because practically there is no immovable property which these oil companies own in Ceylon. Their offices were in buildings rented out, and they had no estates where the value of the land appreciates. One acre of land in Colombo in 1957 worth about two lakhs of rupees is worth about four lakhs of rupees today. That is capital gains. They had no such property but they had three to four hundred petrol sheds plus equipment. To continue reading from the note :

"The Government Valuer, in the first instance, had determined the value in terms of the Act (which provided for a value at the original cost less depreciation) at a sum of Rs. 33 million approximately. This, therefore, is less than the value that is deductible in arriving at capital gains, because in respect of those assets which were held on 1st April, 1957, the amount deductible is the value on 1st April, 1957, and not the original cost less depreciation. Then as regards leasehold buildings, the value will be NIL when the lease expires, so that such properties depreciate annually, the value being measured by the balance period before expiry of the lease."

This is so stated in the Petroleum Act. To continue reading :

"In such cases, the value at the time of take-over is consequently much less than the value at 1st April, 1957. On the basis of the Valuer's report, the compensation for vested property has been provided at Rs. 33,000,000, which is set out as follows (vide 1964 accounts of the Corporation) :

Fixed assets—Oil Companies Rs. 33,000,000

The compensation of Rs. 55 million which is agreed was for these assets. There are now three important consideration that arise :

"First, is the value of Rs. 33 million finally acceptable if the award was determined in terms of the provisions of the law, or would it be increased? Even in the earlier negotiations by the previous Government, the need to increase this valuation had already been admitted.

Secondly, having regard to the value which they were entitled to deduct under the Income Tax provisions, there is no doubt that the above figure has to be increased substantially, even at a reasonable though arbitrary estimate, for purposes of calculating capital gains.

Thirdly, the company would be entitled to claim a further deduction because one of the assets of any business is its goodwill. In this case, no payment is made for that goodwill. The company is entitled to claim the value of the goodwill on 1st April 1957, as a total loss, so that the full amount of the goodwill as on 1st April, 1957, is deductible in addition to the value of the other assets as determined under the Income Tax provisions. The goodwill of the three oil companies even on that date if taken at a rough figure of two years of income, is much more than Rs. 20 million. The amount of capital gain when all this is deducted is most probably nil, so that capital gains tax would not have been payable."

I will read two more paragraphs :

"Apart from these considerations, the companies have waived interest of nearly Rs. 5 million which covers the interest that would have been payable for the three years. Interest would, however, have been subject to tax at the rate applicable to non-resident companies, and in the case of one company at the rate applicable to a resident company with a further tax when amounts are remitted to the parent company.

[ගරු ජේ. ආර්. ජයවර්ධන]

For the purpose of finally determining the true position, we may therefore take it that the assets of the oil companies would have been valued at a minimum of Rs. 40 million with a further provision for about Rs. 20 million as goodwill, so that Rs. 60 million has to be deducted from the compensation in order to arrive at any capital gains. Thus, the net advantage on the present agreement is that the waiver of interest has been secured, an interest payable of nearly Rs. 5 million."

I would like, at this stage, to refer to the last report of the Ceylon Petroleum Corporation, the report for 1964. This was a production of the previous Government though it came out now. Look at the Balance Sheet as at 31st December 1964. The estimated value of vested property, the original cost, is shown as Rs. 33 million. In the next column, under 'Depreciation Reserve 31.12.64' the figure is Rs. 6,116, 107.

In three to four years this Rs. 33 million has depreciated by Rs. 6 million. In other words, the property of the petroleum companies is a depreciating asset. The Income Tax provision makes provision for capital gains and capital loss. I say there is no capital gain in this case. There is a capital loss. There is a capital loss because the property is depreciating. Petrol pumps depreciate, their tanks depreciate, all their movable property depreciates, including bowsers. This happens every year.

If they had ten acres of land in Cinnamon Gardens or hundreds of acres of land in Siyane Korale or the building that the Chinese bought, as the hon. Leader of the Opposition said, for eight lakhs of rupees, such property, I can understand, appreciates in value. They are immovable property. Every year they are appreciating in value. The value in 1957, if it is one lakh of rupees, can become five lakhs of rupees in 1964.

එෆ්. ආර්. ඩයස් බණ්ඩාරනායක මයා.
(திரு. எப். ஆர். டயஸ் பண்டாரநாயக்க)
(Mr. F. R. Dias Bandaranaike)

Why are you paying compensation as though it has appreciated in value?

ගරු ජේ. ආර්. ජයවර්ධන
(கௌரவ ஜே. ஆர். ஜயவர்தன)
(The Hon. J. R. Jayewardene)

It is not so with regard to the properties which belong to the oil companies. I have inquired from the petroleum corporation what these immovable properties are, and I am told that they had a few pieces of land which had no value. They had no property in Cinnamon Gardens; they had no property in Fort. They were living in rented offices. They had between seven to eight hundred petrol sheds, mostly on leased property. All their oil installations were on Government land or on Railway land. The oil companies' assets, apart from goodwill and profits, were the petrol sheds.

That is just by the way. The tribunal began to work. What did they do? The first thing they did was to go and find out the value of the Alexandra Place petrol shed. That was to be the test. What was the value of the building? What was the value of the land? What was the value of the pump? Various things like that were to be assessed, and that was going to be the test for four hundred sheds. But, unfortunately, legal objections were taken, and the tribunal ceased to exist. Therefore, this balance sheet is perfectly right. The Rs. 33 million is down by Rs. 6 million in three years. Therefore, whatever the value was in 1957, that is the test here for capital gains.

I do not think I need cite that section. If you want me to do so, I shall cite it. On second thoughts, let us be absolutely thorough. I shall cite that section also, so that there will be no objection taken to what

we are doing now. The Inland Revenue Act, No. 4 of 1963, Section 3 (4) (*e*), says :

"'capital gain',—

(i) with reference to capital gain of any person arising from a change of ownership of property, means, subject to the provisions of sub-section (3) of section 4, the amount by which the value of that property at the time when such change of ownership occurs exceeds its value at the time when it was acquired by that person."

The time at which the property is supposed to have been acquired is 1957. What was the value in 1957 ? What was the value when compensation was paid ? I say that this is not a question of capital gains but a question of capital loss. Capital loss is also mentioned in the Inland Revenue Act, No. 4 of 1963. Section 3 (4) (*f*) says :

"'capital loss',—

(i) with reference to capital loss of any person arising from a change of ownership of any property, means, subject to the provisions of sub-section (4) of section 4, the amount by which the value of that property at the time when such change of ownership occurs is less than its value at the time when it was acquired by that person."

Therefore, this is a case of capital loss, of depreciating assets. According to your own balance sheet, Rs. 33 million is less by Rs. 6 million in three years. This is a question of depreciating assets. Therefore, no capital gain is apparent.

Rs. 55 million is what we say should be paid, with interest from the day of the signing of the agreement. And we say that no taxes under the law need be paid on this Rs. 55 million. Therefore, the question of exemption from taxation was really not necessary, except with regard to any payment with interest.

Look at it in another way. What really is the value of these assets ? Hon. Members made a big point of the fact that the Petroleum Corporation has made a profit of Rs. 30 million. I am very happy. Let us say that the Rs. 30 million includes the rates at which you get petrol from the Soviet Union, that is, at a special discount. Let us say that this was a good year for petrol. And according to the Petroleum Corporation officials, let us say your profit was Rs. 18 million, not Rs. 30 million. Now, to get a profit of Rs. 18 million net at 20 per cent interest, you need an investment of Rs. 90 million. Hon. Members can work it out. You need an investment of Rs. 90 million to get a net profit of Rs. 18 million at a rate of dividend or profit of 20 per cent. Therefore, to this country this property is worth Rs. 90 million. Does anybody doubt that ? They can work it out.—[*Interruption*]. We were not responsible for bringing the oil companies here. I am very happy they have gone. I thank you for sending them away. Have we paid too much for their going ?

As I said, Rs. 90 million is the value of these assets. That is the value if you are buying them, if some merchant is buying them. I am not a merchant or trader. The only country or people whom I have been able to get the better of in a business transaction are the Chinese. So far the Indians have not, the Pakistanis have not, Russia has not, America has not ; only Mr. J. R. Jayewardene has, according to her. I do not know whether she is correct, but she thinks that the Chinese have paid more for a house than they should have.

If you are getting Rs. 18 million, the investment is Rs. 90 million. Therefore, I have proved so much, and no one can get up after me and dispute it that the Rs. 55 million was not an unfair amount to pay, on the basis of what the Hon. Minister of Finance in the previous Government went up to, on the basis of what the hon. Leader of the Opposition went up to, for the aid that we hope to get.

We are getting this year in foreign aid, for commodity imports alone—not for development purposes ; outside all that—Rs. 250 million. The agreements have practically all been

[ගරු ජේ. ආර්. ජයවර්ධන]

signed and the Prime Minister will make a statement. It is for six months—Rs. 250 million or $50 million. They calculate world figures in dollars. We hope to get, secure, argue, persuade and obtain next year Rs. 500 million for commodities outside negotiated aid for development purposes. You yourselves have negotiated. We want to carry on those for some time; not that we want foreign aid. Our Government did not get one cent of foreign aid. The American aid agreement was signed by Mr. Bandaranaike and not by us.

We are as proud of our independence and our integrity as you are. Not one of you on those Benches negotiated our Independence Agreement. It was those on these Benches who did that. You said this is a fake independence—those hon. Members on that side. They said, "This is not freedom", but now they all say it is freedom, and they are the greatest supporters of the freedom that we got!

Having got the freedom, why do you want to give it away? Why should we give it away? We do not want to give it away. But if you agree that compensation should be paid, if you are prepared to go up to Rs. 50 million, if you are prepared to tear up the tribunal and bring a small amendment, we are prepared also to bring a small amendment and pay the Rs. 5 million more that we are prepared to pay. And for that, as I said, we are getting, over and above the other aid we get, Rs. 250 million this year for commodity purchases and Rs. 500 million next year; this we hope to get for four or five years more. I think again you would admit that the man who was able to get the better of the Chinese is correct when he thinks Rs. 5 million is not too much to pay for Rs. 250 million in six months. And if you were in our position, I am sure the hon. Leader of the Opposition would have done exactly the same. Otherwise, you are not a statesman; you are just a fool.

You say I am now going to pay Rs. 5 million more, when we are going to get so much of aid and the whole question will be settled. We want to get this millstone round our neck out of the way, not that we want to help the petroleum companies. If we had our way, we would not have paid them a cent. Why should we pay them? You are quite right. They have made money out of this country. They were brought by the British ruler. Why should we pay them? If we could, we would have kicked them into the sea. You could not, we could not; both of us cannot. We have certain international obligations to adhere to and fulfil, and therefore we decided to pay, and I think that although hon. Members of the Opposition will vote against this Bill they are convinced that what we did was right and correct.

ප්‍රශ්නය විමසන ලදී.

කටහඬවල් අනුව "පක්ෂ" මන්ත්‍රීන්ට ජය ඔව් කථානායකතුමා විසින් ප්‍රකාශ කරන ලදී.

விடை விடுக்கப்பெற்றது.

குரல்களின்படி "ஆம்" என்பவர்களுக்கு வெற்றி யென சபாநாயகர் அவர்களால் பிரகடனப்படுத்தப் பட்டது.

Question put.

MR. SPEAKER, *having collected the Voices, declared that the "Ayes" had it.*

කෙනමන් මයා.
(திரு. கெனமன்)
(Mr. Keuneman)

Divide!

එෆ්. ආර්. ඩයස් බණ්ඩාරනායක මයා.
(திரு. எப். ஆர். டயஸ் பண்டாரநாயக்க)
(Mr. F. R. Dias Bandaranaike)

Divide, by name!

මන්ත්‍රී මණ්ඩලය මතු පළ වන අන්දමට— පක්ෂව 81; විරුද්ධව 47; යනුවෙන්—බෙදුණේය:

சபை பிரிந்தது: சார்பாக 81; எதிராக 47.

The House divided: Ayes, 81; Noes, 47.

පක්ෂව

சார்பாக

AYES

ගරු ඩඩ්ලි සේනානායක
கௌரவ டட்ளி சேனநாயக்க
The Hon. Dudley Senanayake

ගරු අයි. එම්. ආර්. ඒ. ඊරියගොල්ල
கௌரவ ஐ. எம். ஆர். ஏ. ஈரியகொல்ல
The Hon. I. M. R. A. Iriyagolle

ගරු එන්. එච්. ඒ. එම්. කරුණාරත්න
கௌரவ என். எச். ஏ. எம். கருணரத்ன
The Hon. N. H. A M. Karunaratne

ගරු ඩී. පී. ආර්. ගුණවර්ධන
கௌரவ டீ. பீ. ஆர். குணவர்த்தன
The Hon. D. P. R. Gunawardena

ගරු ජේ. ආර්. ජයවර්ධන
கௌரவ ஜே. ஆர். ஜயவர்தன
The Hon. J. R. Jayewardene

ගරු මොන්ටෙගු ජයවික්‍රම
கௌரவ மொண்டேகு ஜயவிக்கிரம
The Hon. Montague Jayewickreme

ගරු සී. පී. ද සිල්වා
கௌரவ சீ. பீ. டி. சில்வா
The Hon. C. P de Silva

ගරු ආචාර්‍ය ඩබ්ලිව්. දහනායක
கௌரவ கலாநிதி டபிள்யூ. த+நாயக்க
The Hon. Dr. W. Dahanayake

ගරු එම්. ඩී. බණ්ඩා
கௌரவ எம். டீ. பண்டா
The Hon. M. D. Banda

ගරු එම්. එච්. මොහමඩ්
கௌரவ எம். எச். முகம்மது
The Hon. M. H. Mohamed

ගරු ඊ. එල්. බී. හුරුල්ලේ
கௌரவ ஈ. எல். பி. ஹுரூல்ல
The Hon. E. L B. Hurulle

ගරු ඩී. බී. වෙලගෙදර
கௌரவ டீ. பீ. வெலகெதர
The Hon. D. B Welagedera

ගරු එන්. විමලසේන
கௌரவ என். விமலசேன
The Hon. N. Wimalasena

ගරු විමලා කන්නන්ගර, එම්.බී.ඊ.
கௌரவ விமலா கன்னங்கர, எம். பீ.ஈ.
The Hon. Wimala Kannangara, M.B.E.

ගරු එස්. ඒ. පීරිස්, ඕ.බී.ඊ.
கௌரவ எஸ். ஏ. பீரிஸ், ஓ.பீ.ஈ.
The Hon. S A. Peeris, O.B.E.

ඩී. පී. අතපත්තු මයා.
திரு. டி. பீ. அத்தபத்து
Mr. D. P. Atapattu

පී. සී. ඉඹුලාන මයා.
திரு. பீ சீ. இம்புலான
Mr. P. C. Imbulana

ඩී. ෂෙල්ටන් ජයසිංහ මයා.
திரு. டீ. ஷெல்டன் ஜயசிங்ஹ
Mr. D. Shelton Jayasinghe

කාමණී ජයසූරිය මයා.
திரு. காமனி ஜயசூரிய
Mr. Gamini Jayasuriya

එම්. එච්. එම්. නයිනා මරික්කාර් මයා.
திரு. எம். எச். எம். நயினா மரைக்கார்
Mr. M. H. M. Naina Marikkar

ආර්. ප්‍රේමදාස මයා.
திரு. ஆர். பிரேமதாச
Mr. R. Premadasa

සී. ආර්. බෙලිගම්මන මයා.
திரு. சீ. ஆர். பெலிகம்மன
Mr. C. R. Beligammana

එම්. එම්. මුස්තාපා මයා.
ஜனாப் எம். எம். முஸ்தபா
Mr. M. M. Mustapha

විජයපාල මෙන්ඩිස් මයා.
திரு. விஜயபால மெண்டிஸ்
Mr. Wijayapala Mendis

සී. පී. ජේ. සෙනෙවිරත්න මයා.
திரு. சீ. பீ. ஜே. செனவிரத்ன
Mr. C. P. J. Seneviratne

එම්. fපලිල් අබ්දුල් කෆූර් මයා., එම්.බී.ඊ.
ஜனாப் எம். ளபீல அப்துல் கபூர், எம்.பீ.ஈ.
Mr. M. Falil Abdul Caffoor, M.B.E.

එම්. අබ්දුල් බකීර් මාකර් මයා.
ஜனாப் எம். அப்துல் பாக்கீர் மாக்கார்
Mr. M. Abdul Bakeer Markar

එම්. ඒ. අබ්දුල් මජීඩ් මයා.
ஜனாப் எம். ஏ. அப்துல் மஜீது
Mr. M. A. Abdul Majeed

ජෝර්ජ් අබයගුණසේකර මයා.
திரு. ஜோர்ஜ் அபயகுணசேகர
Mr George Abeyagoonasekera

එස්. එස්. අබේසුන්දර මයා.
திரு. எஸ். எஸ். அபயசுந்தர
Mr. S. S. Abeysundera

පක්ෂව

சார்பாக

AYES

එම්. එස්. අමරසිරි මයා.
திரு. எம். எஸ். அமரசிறி
Mr. M. S. Amarasiri

ඒ. අමිර්තලිංගම් මයා.
திரு. ஏ. அமிர்தலிங்கம்
Mr. A. Amirthalingam

සුගතදස අරඹිවල මයා.
திரு. சுகததாச அறம்பவெல
Mr. Sugathadasa Arambewala

වී. ඒ. අලගකෝන් මයා.
திரு. வீ. ஏ. அழககோன்
Mr. V. A. Alegacone

ඇලික් අලුවිහාරේ මයා.
திரு. அலிக் அலுவிகார
Mr. Alick Aluwihare

ඩී. පී. ආටිගල මයා.
திரு. டீ. பீ. ஆட்டிகல
Mr. D. P. Attygalle

වී. අන්නාමලෙයි මයා.
திரு. வீ. அண்ணாமலை
Mr. V. Annamalay

සී. එෆ්. ඩබ්ලිව්. එදිරිසූරිය මයා.
திரு. சீ. எவ். டபிள்யு. எதிரிசூரிய
Mr. C. F. W. Edirisuriya

එච්. බී. ඒකනායක මයා.
திரு. எச். பி. ஏக்கநாயக்க
Mr. H. B. Ekanayake

එස්. කදිරවේලුපිල්ලේ මයා.
திரு. எஸ். கதிரவேலுபிள்ளை
Mr. S Kathiravelupillai

සී. එන්. කන්නන්ගර මයා.
திரு. சீ. என். கணங்கர
Mr. C. N. Kannangara

චන්ද්‍රා කරුණාරත්න මයා.
திரு. சந்திரா கருணாரத்ன
Mr. Chandra Karunaratne

එච්. කුලරත්න මයා.
திரு. எச். குலரத்ன
Mr H. Kularatne

රාජනීතිඥ එස්. ජේ. වී. චෙල්වනායගම් මයා.
திரு. எஸ். ஜே. வி. செல்வநாயகம், கியு.கஸி.
Mr. S. J V. Chelvanayakam, Q.C.

එස්. ද එස්. ජයසිංහ මයා.
திரு. எஸ். த எஸ். ஜயசிங்க
Mr. S. de S. Jayasingha

රාජනීතිඥ වර්නන් ජොන්ක්ලස් මයා.
திரு. வேணன் ஜொங்ளஸ், கியூ. கஸி.
Mr. Vernon Jonklaas, Q.C.

එම්. ඒ. ඩැනියෙල් මයා.
திரு. எம். ஏ. டானியல
Mr. M A. Daniel

ඩී. ඊ. තිලකරත්න මයා.
திரு. டி. ஈ. திலகர்த்ன
Mr. D. E. Tillekeratne

කේ. තුරෙයිරත්නම් මයා.
திரு. கே. துரையரத்தினம
Mr. K. Thurairatnam

එස්. තොන්ඩමන් මයා.
திரு. எஸ். தொண்டமான்
Mr. S. Thondaman

කේ. ඩබ්ලිව්. දේවනායගම් මයා.
திரு. கே. டபிள்யூ. தேவநாயகம்
Mr. K. W. Devanayagam

ආර්. එම්. ධර්මදාස බණ්ඩා මයා.
திரு. ஆர். எம். தர்மதாச பண்டா
Mr. R. M. Dharmadasa Banda

වී. ධර්මලිංගම් මයා.
திரு. வி. தர்மலிங்கம்
Mr. V. Dharmalingam

වී. නවරත්නම් මයා.
திரு. வி. நவரத்தினம்
Mr. V. Navaratnam

වෛද්‍යාචාර්ය ඊ. එම්. වී. නාගනාතන්
டொக்டர் ஈ. எம். வீ. நாகநாதன்
Dr. E. M. V. Naganathan

ශ්‍රීමත් රසික් fපරිඩ්, ඕ.බී.ඊ.
சேர். ருஹிக் பரீத், ஓ.பீ.ஈ.
Sir Razik Fareed, O.B.E.

ඒ. පිලපිටිය මයා.
திரு. ஏ. பிலபிற்றிய
Mr A. Pilapitiya

ෆිපස්ටස් පෙරේරා මයා.
திரு. பெஸ்ரஸ் பெரேரா
Mr. Festus Perera

ජී. ජේ. පාරිස් පෙරේරා මයා.
திரு. ஜி. ஜே. பாரிஸ் பெரேரா
Mr. G. J. Paris Perera

ටී. ක්වෙන්ටින් ප්‍රනාන්දු මයා.
திரு. ரி. குவின்ரின பெர்ணண்டோ
Mr. T. Quentin Fernando

ඩබ්ලිව්. එම්. ජී. ටී. බණ්ඩා මයා.
திரு. டபிள்யு. எம். ஜீ. ரி. பண்டா
Mr. W. M. G. T. Banda

පක්ෂව

சார்பாக

AYES

ඩී. එම්. ටී. බණ්ඩාර මයා.
திரு. டி. எம். ரி. பண்டார
Mr. D. M. T. Bandara

සී. එන්. මැතිව් මයා.
திரு. சீ. என். மதியூ
Mr. C. N. Mathew

පී. ජී. මුතුබණ්ඩා මයා.
திரு. பி. ஜீ. முத்துபண்டா
Mr. P. G. Muthubanda

එම් . ඊ. එච්. මොහමඩ් අලි මයා.
திரு. எம். ஈ. எச். முகம்மது அலி
Mr. M. E. H. Mohamed Ali

ඩොනල්ඩ් ජේ. රණවීර මයා., එම්.බී.ඊ.
திரு. டொனல்ட் ஜே. றணவீர, எம்.பீ.ஈ.
Mr. Donald J. Ranaweera, M.B.E.

වෛද්‍යාචාර්ය ඒ. රත්නපාල
வைத்திய கலாநிதி ஏ. ரத்னபால
Dr. A. Ratnapala

එස්. බී. ලේනව මයා.
திரு. எஸ். பீ. லேனவ
Mr. S. B. Lenawa

ඩී. බී. විජේතුංග මයා.
திரு. டி. பி. விஜேதுங்க
Mr. D. B. Wijetunga

ආර්. පී. විජේසිරි මයා.
திரு. ஆர். பீ. விஜயசிறி
Mr. R. P. Wijesiri

එඩ්මන්ඩ් විජේසූරිය මයා.
திரு. எட்மண்ட் விஜயசூரிய
Mr. Edmund Wijesuriya

පී. බී. ඒ. වීරකෝන් මයා.
திரு. பீ. பி. ஏ. வீரக்கோன்
Mr. P. B A. Weerakoon

වෛද්‍යාචාර්ය එම්. එච්. සද්ධාසේන
வைத்திய கலாநிதி எம். எச். சத்தாசேன
Dr M. H. Saddhasena

ඒ. ලතීෆ් සින්නලෙබ්බේ මයා.
திரு. ஏ. லத்தீவ் சின்ன லெப்பை
Mr. A. Latiff Sinnalebbe

ජේ. එල්. සිරිසේන මයා.
திரு. ஜே. எல். சிறிசேன
Mr. J. L. Sirisena

එම්. සිවසිතම්පරම් මයා.
திரு. எம். சிவசிதம்பரம்
Mr. M. Sivasithamparam

ටී. සිවසිතම්පරම් මයා.
திரு. ரீ. சிவசிதம்பரம்
Mr. T. Sivasithamparam

ආර්. සිංගල්ටන්-සැමන් මයා., සී.බී.ඊ.
திரு. ஆர். சிங்கிள்ரன் சமன், சீ.பி.ஈ.
Mr. R. Singleton-Salmon, C.B.E.

ඒ. සී. එස්. හමීඩ් මයා.
திரு. ஏ. சீ. எஸ். ஹமீத்
Mr. A. C. S. Hameed

එස්. හෙට්ටිගේ මයා.
திரு. எஸ். ஹெற்றிகே
Mr. S. Hettige

එස්. බී. හේරත් මයා.
திரு. எஸ். பீ. ஹேரத்
Mr. S. B. Herat

විරුද්ධව

எதிராக

NOES

ජේ. පී. ඔබේසේකර මිය.
திருமதி ஜே. பீ. ஒபயசேக்கர
Mrs. J. P. Obeyesekere

ඩබ්ලිව්. ඒ. කරුණාසේන මයා.
திரு. டபிள்யூ. ஏ. கருணசேன
Mr. W. A. Karunasena

පී. බී. ජී. කලුගල්ල මයා.
திரு. பி. பீ. ஜீ. கலுகல்ல
Mr. P. B. G. Kalugalla

රාජා කුලතිලක මයා.
திரு. இராஜா குலத்திலக
Mr. Raja Kulatillake

පී. ජී. බී. කෙනමන් මයා.
திரு. பீ. ஜீ. பி. கெனமன்
Mr. P. G. B. Keuneman

චමිලි ගුණවර්ධන මයා.
திரு. சம்ளி குணவர்தன
Mr. Cholmondeley Goonewardene

ලෙස්ලි ගුණවර්ධන මයා.
திரு. லெஸ்லி குணவர்தன
Mr. Leslie Goonewardene

ජේ. ජී. ගුණසේකර මයා.
திரு. ஜே. ஜீ. குணசேக்கர
Mr. J. G. Gunasekera

විරුඛව

எதிராக

NOES

ප්‍රින්ස් ගුණසේකර මයා.
திரு. பிறின்ஸ குணசேக்கர
Mr. Prins Gunasekera

සෝමවීර චන්ද්‍රසිරි මයා.
திரு. சோமவீர சந்திரசிரி
Mr. Somaweera Chandrasiri

ලක්ෂ්මන් ජයකොඩි මයා.
திரு. லக்ஷ்மன ஜயக்கொடி
Mr. Lakshman Jayakody

එෆ්. ආර්. ඩයස් බණ්ඩාරනායක මයා.
திரு. எவ். ஆர். டயஸ் பண்டாரநாயக்க
Mr. F. R. Dias Bandaranaike

ස්ටැන්ලි තිලකරත්න මයා.
திரு. ஸ்ரான்லி திலகரத்ன
Mr. Stanley Tillekeratne

බී. වයි. තුඛාවේ මයා.
திரு. பீ. வை. துடாவே
Mr. B. Y. Tudawe

එම්. තෙන්නකෝන් මයා.
திரு. எம். தென்னக்கோன்
Mr. M. Tennakoon

පී. එම්. කේ. තෙන්නකෝන් මයා.
திரு. பீ. எம். கே. தென்னக்கோன்
Mr. P M. K. Tennekoon

ටී. බී. තෙන්නකෝන් මයා.
திரு. ரீ. பீ. தென்னக்கோன்
Mr. T. B. Tennekoon

නීල් ද අල්විස් මයා.
திரு. நீல் த அல்விஸ்
Mr. Neal de Alwis

එල්. සී. ද සිල්වා මයා.
திரு. எல். சீ. த சில்வா
Mr. L. C. de Silva

පී. එච්. ඩබ්ලිව්. ද සිල්වා මයා.
திரு. பி. எச். டபிள்யூ. த சில்வா
Mr. P. H. W. de Silva

එම්. පී. ද සොයිසා සිරිවර්ධන මයා.
திரு. எம். பீ. த சொய்சா சிறிவர்த்தன
Mr. M. P. de Zoysa Siriwardena

එච්. එම්. නවරත්න මයා.
திரு. எச். எம். நவரத்ன
Mr. H. M. Nawaratna

ඩී. ටී. පස්කුවල් මයා.
திரு. டி. ரி. பஸ்குவல்
Mr. D. T. Pasqual

කේ. ඩී. ඩී. පෙරේරා මයා.
திரு. கே. டி. டி. பேரோரா
Mr. K. D. D. Perera

එස්. ඩී. බණ්ඩාරනායක මයා.
திரு. எஸ். டி. பண்டாரநாயக்க
Mr. S. D. Bandaranayake

සිරිමාවෝ ආර්. ඩී. බණ්ඩාරනායක මිය.
திருமதி சிறிமாவோ ஆர். டி. பண்டாரநாயக்க
Mrs. Sirimavo R. D. Bandaranaike

අනිල් මුණසිංහ මයා.
திரு. அனில் முனசிங்ஹ
Mr. Anil Moonesinghe

මංගල මුණසිංහ මයා.
திரு. மங்கள முனசிங்ஹ
Mr. Mangala Moonesinghe

ඇස්. බී. යාලෙගම මයා.
திரு. எஸ். பீ. யாலேகம
Mr. S. B. Yalegama

ආර්. බී. රත්නමලල මයා.
திரு. ஆர். பீ. ரத்னமலல
Mr. R. B. Ratnamalala

කේ. බී. රත්නායක මයා.
திரு. கே. பீ. ரத்னயக்க
Mr. K. B. Ratnayake

සී. එස්. රත්වත්තෙ මයා.
திரு. சீ. எஸ். ரத்வத்த
Mr. C. S. Ratwatte

රත්නසිරි වික්‍රමනායක මයා.
திரு. ரத்நசிறி விக்கரமநாயக்க
Mr. Ratnasiri Wickramanayake

පර්සි වික්‍රමසිංහ මයා.
திரு. பேர்சி விக்கிரமசிங்க
Mr. Percy Wickremasinghe

වෛද්‍යාචාර්ය එස්. ඒ. වික්‍රමසිංහ
டொக்டர் எஸ். ஏ. விக்கிரமசிங்க
Dr. S. A. Wickremasinghe

කේ. වයි. එම්. විජේරත්න බණ්ඩා මයා.
திரு. கே. வை. எம். விஜேரத்ன பண்டா
Mr. K. Y. M. Wijeratne Banda

ලීලාරත්න විජේසිංහ මයා.
திரு. லீலாரத்ன விஜேசிங்க
Mr. Leelaratne Wijesinghe

පී. බී. විජේසුන්දර මයා.
திரு. பீ. பி. விஜேசுந்தர
Mr P. B. Wijesundara

විරුඹව

எதிராக

NOES

ඩී. පී. ආර්. වීරසේකර මයා.
திரு. டீ. பீ. ஆர். வீரசேகர
Mr. D. P. R. Weerasekera

රාජා වෙලේගම මයා.
திரு. இராஜா வெலேகம
Mr. Raja Welegama

ඩී. එස්. සමරසිංහ මයා.
திரு. டி. எஸ் சமரசிங்க
Mr. D. S. Samarasinghe

හේමචන්ද්‍ර සිරිසේන මයා.
திரு. ஹேமச்சந்திர சிறிசேன
Mr. Hemachandra Sirisena

ටී. බී. සුබසිංහ මයා.
திரு. ரீ. பீ. சுபசிங்க
Mr T. B. Subasinghe

එස්. කේ. කේ. සූරියාරච්චි මයා.
திரு. எஸ். கே. கே. சூரியாராச்சி
Mr. S. K. K. Suriarachchi

ආර්. ජී. සේනානායක මයා.
திரு. ஆர். ஜீ. சேனநாயக்க
Mr. R. G. Senanayake

බර්නාඩ් සොයිසා මයා.
திரு. பேணாட் சொய்சா
Mr. Bernard Soysa

ඩී. එෆ්. හෙට්ටිආරච්චි මයා.
திரு. டீ. எவ். ஹெட்டி ஆரச்சி
Mr. D. F. Hettiarachchi

කෙටුම්පත් පනත ඊට අනුකූලව දෙවන වර කියවන ලදින්, 57 (2) වන සථාවර නියෝගය යටතේ කථානායකතුමා විසින් එය "ඒ" සථාවර කාරක සභාවට පවරන ලදී.

அதன்படி மசோதா இரண்டாம் முறையாக மதிப்பிடப்பெற்றது. அதன்பின், நிலையற் கட்டளை 57(2) இன் கீழ், சபாநாயகர் அவர்களால் மசோதா, நிலையற்குழு "ஏ" க்குச் சாட்டப்பட்டது.

Bill accordingly read a Second time. The Bill was thereupon allocated by Mr. Speaker to Standing Committee "A" under Standing Order 57 (2).

කථානායකතුමා
(சபாநாயகர் அவர்கள்)
(Mr. Speaker)

I appoint Mr. Shirley Corea, Deputy Speaker, under Standing Order No. 136, Chairman of Standing Committee "A".

I have nominated the following additional Members to serve on Standing Committee "A" for the consideration of the Ceylon Petroleum (Foreign Claims) Compensation Bill:

The Hon. J. R. Jayewardene
The Hon. M. D. Banda
Mr. D. Shelton Jayasinghe
Mr. Gamani Jayasuriya
Mr. M. H. M. Naina Marikar
Mr. R. Premadasa
Mr. George Abeygoonasekera
Mr. A. Amirthalingam
Mr. Leslie Goonewardene
Mr. Prins Gunasekera
Mr. P. H. W. de Silva
Sir Razik Fareed, O.B.E.
Dr. S. A. Wickremasinghe
Mr. T. B. Subasinghe
Mr. Bernard Soysa.

ගරු ජේ. ආර්. ජයවර්ධන
(கௌரவ ஜே. ஆர். ஜயவர்தன)
(The Hon. J. R. Jayewardene)

What about the hon. Leader of the Opposition ?

ගරු ඩඩ්ලි සේනානායක
(கௌரவ டட்லி சேனநாயக்க)
(The Hon. Dudley Senanayake)

She may be already in the Committee.

සුබසිංහ මයා.
(திரு. சுபசிங்க)
(Mr. Subasinghe)

I will stand down in her favour.

කල් තැබීම

කථානායකතුමා

(சபாநாயகர் அவர்கள்)

(Mr. Speaker)

The hon. Member for Katugampola has very kindly consented to stand down in favour of the hon. Leader of the Opposition. Therefore, Mrs. Sirimavo R. D. Bandaranaike, the hon. Leader of the Opposition, too, will be a member of this Standing Committee.

කල් තැබීම

ஒத்திவைப்பு

ADJOURNMENT

මතු පළවන යෝජනාව සභාසම්මත විය:

"මන්ත්‍රී මණ්ඩලය දැන් කල් තැබිය යුතුය"— [ගරු සී. පී. ද සිල්වා.]

කල් තැබීම

"சபை இப்பொழுது ஒத்திவைக்கப்படுமாக" எனும் பிரேரணை நிறைவேறியது. — [கௌரவ சீ. பீ. டி சில்வா.]

Resolved :

"That the House do now adjourn".— [*Hon. C. P. de Silva.*]

මන්ත්‍රී මණ්ඩලය ඊට අනුකූලව අ. භා. 7.12 ට, 1965 ඔක්තෝබර් 8 වන සිකුරාදා පූ. භා. 10 වන තෙක් කල් ගියේය.

அதன்படி சபை பி. ப. 7.12 க்கு 1965, ஒக்ரோபர் 8, வெள்ளிக்கிழமை மு. ப. 10 மணிவரை ஒத்திவைக்கப்பெற்றது.

Adjourned accordingly at 7.12 P.M. until 10 A.M. on Friday, 8th October 1965.

දයක මුදල් : මුදල් ගෙවන දිනෙන් පසුව ඇරඹෙන මාසයේ සිට මාස 12ක් සඳහා රු. 32.00යි. අශෝධිත පිටපත් සඳහා නම් රු. 35.00යි. මාස 6 කට ගාස්තුවෙන් අඩකි. පිටපතක් ශත 30යි. තැපෑලෙන් ශත 45යි. මුදල්, කොළඹ ගාලු මුවදොර, මහලේකම් කාර්යාලයේ රජයේ ප්‍රකාශන කාර්යාංශයේ අධිකාරි වෙත කලින් එවිය යුතුය.

சந்தா : பணம் கொடுத்த தேதியை யடுத்துவரும் மாதம் தொடக்கம் 12 மாதத்துக்கு ரூபா 32.00 (திருத்தப்படாத பிரதிகள் ரூபா 35.00). 6 மாதத்துக்கு அரைக்கட்டணம். தனிப்பிரதி சதம் 30. தபால்மூலம் 45 சதம். முற்பணமாக அரசாங்க வெளியீட்டு அலுவலக அத்தியட்சரிடம் (த. பெ. 500, அரசாங்க கருமகம், கொழும்பு 1) செலுத்தலாம்.

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.