



# පාර්ලිමේන්තු විවාද

(හැන්සාඩ්)

නියෝජිත මන්ත්‍රී මණ්ඩලයේ

නිල වාර්තාව

අත්තිකාරම ප්‍රධාන කරුණු

නිවේදනය [නි. 1899]

ප්‍රශ්නවලට වාචික පිළිතුරු [නි. 1901]

ප්‍රජා නුසුදුසුකම් පැනවීමේ (විශේෂ විධිවිධාන) පනත් කෙටුම්පත [නි. 1957]

දෙවන වර සහ තුන්වන වර කියවා සංශෝධනාකාරයෙන් සම්මත කරන ලදී.

ක්වෘපි (පත් කිරීම් වලංගු කිරීමේ) පනත් කෙටුම්පත [නි. 2053]

දෙවන වර සහ තුන්වන වර කියවා සම්මත කරන ලදී.

වෛද්‍ය (සංශෝධන) පනත් කෙටුම්පත [නි. 2065]

දෙවන වර කියවීම—විවාදය කල් තබන ලදී.

කල් තැබීමේ යෝජනාව [නි. 2068]

ප්‍රශ්නවලට ලිඛිත පිළිතුරු [නි. 2083]

# பாராளுமன்ற விவாதங்கள்

(ஹன்சார்ட்)

பிரதிநிதிகள் சபை

அதிகாரபூர்வமான அறிக்கை

பிரதான உள்ளடக்கம்

அறிவிப்பு (ப. 1899)

வினாக்களுக்கு வாய்மூல விடைகள் (ப. 1901)

குடியுரிமைத் தகுதியினங்கள் விதித்தல் (விசேட ஏற்பாடுகள்) மசோதா (ப. 1957) :

இரண்டாம், மூன்றாம் முறை மதிப்பிடப்பெற்று திருத்தப் பெற்றவாறு நிறைவேற்றப்பட்டது.

காதி (நியமனங்களை வலிமையாக்கல்) மசோதா (ப. 2053) :

இரண்டாம், மூன்றாம் முறை மதிப்பிடப்பெற்று நிறைவேற்றப்பட்டது

மருத்துவம் (திருத்த) மசோதா (ப. 2065) :

இரண்டாம் மதிப்பு—விவாதம் ஒத்திவைக்கப்பட்டது

ஒத்திவைப்புப் பிரேரணை (ப. 2068)

வினாக்களுக்கு எழுத்துமூல விடைகள் (ப. 2083)

Volume 63

No. 14

Thursday,

21st October 1965

## PARLIAMENTARY DEBATES

(HANSARD)

### HOUSE OF REPRESENTATIVES

OFFICIAL REPORT

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Second Reading—Debate Adjourned

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නිවේදන

පෙත්සම්

## නියෝජිත මන්ත්‍රී මණ්ඩලය

பிரதிநிதிகள் சபை

House of Representatives

1965 ඔක්තෝබර් 21 වන බ්‍රහස්පතින්ද

1965, ஒக்டோபர் 21, வியாழக்கிழமை

Thursday, 21st October 1965

අ. හා. 2ව මන්ත්‍රී මණ්ඩලය රැස් විය. කථානායකතුමා [ශ්‍රීමත් ඇල්බට් එෆ්. පීරිස්, කේ.බී.ඊ.] මූලාසනාරූප 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.

## නිවේදනය

அறிவிப்பு

## ANNOUNCEMENT

දේශීය ආදායම් (සංශෝධන) පනත් කෙටුම්පත

உள்ளநாட்டு இறைவரி (திருத்த) மசோதா

INLAND REVENUE (AMENDMENT) BILL

කථානායකතුමා

(சபாநாயகர் அவர்கள்)

(Mr. Speaker)

“Inland Revenue (Amendment) Bill” නමැති කෙටුම්පත් පනත සලකා බැලීම පිණිස “ඒ” ස්ථාවර කාරක සභාවට මතු පළවන මන්ත්‍රීන් අතිරේක සාමාජිකයන් වශයෙන් මවිසින් නම් කරන ලද බව දන්වනු කැමැත්තෙමි :

ගරු ජේ. ආර්. ජයවර්ධන.

ඩී. පී. අනපත්තු මයා.

ඩී. ෂෙල්ටන් ජයසිංහ මයා.

එම්. එම්. එම්. නයිනා මරිකාර් මයා.

ආර්. ප්‍රේමදාස මයා.

එන්. විමලසේන මයා.

ප්‍රින්ස් ගුණසේකර මයා.

ලක්ෂ්මන් ජයකොඩි මයා.

රාජනීතිඥ වර්නන් ජොන්කිල්ස් මයා.

පී. එම්. ඩබ්ලිව්. ද සිල්වා මයා.

ඩී. එන්. මැනිවි මයා.

ඩී. පී. ආර්. විරසේකර මයා

ආර්. සිංහලේටන්-සාමන් මයා., සී.බී.ඊ.

ටී. බී. සුබසිංහ මයා.

බර්නාඩ් සොයිසා මයා.

I have nominated the following additional Members to serve on Standing Committee “A” for the consideration of the Inland Revenue (Amendment) Bill:

The Hon. J. R. Jayewardene.

Mr. D. P. Atapattu.

Mr. D. Shelton Jayasinghe.

Mr. M. H. M. Naina Marikar.

Mr. R. Premadasa.

Mr. N. Wimalasena.

Mr. Prins Gunasekera.

Mr. Lakshman Jayakody.

Mr. Vernon Jonklaas, Q.C.

Mr. P. H. W. de Silva.

Mr. C. N. Mathew.

Mr. D. P. R. Weerasekera.

Mr. R. Singleton-Salmon, C.B.E.

Mr. T. B. Subasinghe.

Mr. Bernard Soysa.

## පෙත්සම්

மனுக்கள்

## PETITIONS

ටී. බී. තෙන්නකෝන් මයා. (දඹුල්ල)

(திரு. டி. பி. தென்னகோன்—தம்புளை)

(Mr. T. B. Tennekoon—Dambulla)

ගරු කථානායකතුමා, දඹුල්ල සහ අවට ඉඩම්වල පරම්පරාගතව පදිංචි වී දඹුල්ල විහාරයට අයත් පරවෙණි ගම්වල වාසය කරන උදවියට අද මුහුණ පාන්නට සිදු වී ඇති කරදර රාශියක් අඩංගු පෙත්සමක් ජේ. කේ. පී. බණ්ඩා මහතා ඇතුළු 27 දෙනකු විසින් අත්සන් කර මෙම ගරු සභාව වෙත ඉදිරිපත් කිරීම පිණිස මට භාර දී තිබෙනවා. එම ඉඩකඩම්වල ඔවුන්ට ඇති අයිතිවාසිකම අනුව පල භුක්ති විදින්නට අපහසු තත්ත්වයක් ඇති වී තිබෙන බවත්, ඒ විහාරය භාර හාමුදුරුවරුන්ගේ







වෘත්ති පිළිතුරු

ගරු ආචාර්ය ඩබ්ලිව්. දහනායක  
(සිව්වැනි කටයුතු පිළිබඳ ඇමති)

(கௌரவ கலாநிதி டபிள்யூ. தகநாயக்க—  
உள்நாட்டு விவகார அமைச்சர்)

(The Hon. Dr. W. Dahanayake—  
Minister of Home Affairs)

(අ) ඔව්. පුස්සලේලා ග්‍රාම සංවර්ධන සමිතියෙන් සහ ගම්කායභි සහිතයන් කීප දෙනෙකුගෙනුත් එ' බවට ලිපි ලැබී තිබේ. (ආ) එම්. ඩී. ඩේවිඩ් සිංඤා මහතාට තුවක්කුවක් අනවශ්‍ය යයි සලකනු ලැබූ හෙයින් බලපත්‍රය අවලංගු කරන ලදී. (ඉ) නැත. ප්‍රදේශයේ ආදායම් පාලක නිලධාරියා විසින් කරන ලද සම්පූර්ණ පරීක්ෂණයකින් පසුව බලපත්‍රය අවලංගු කරන ලදී. ග්‍රාම සේවක තැන මෙම කාරණය ගැන වාර්තා කර තිබෙන බව සත්‍යයකි. (ඊ) නැත.

විජයසූත් දර මයා.

(திரு. விஜேசுந்தர)

(Mr. Wijesundara)

බේවිඞි සිංදෙය් මහතාගේ තුවක්කු බල පත්‍රය අවලංගු කර ඇත්තේ පුස්සල්ල කොට්ඨාශයේ ග්‍රාම සේවක තැන විසින් ඉදිරිපත් කරන ලද අසත්‍ය වෝදනාවක් නිසා බව ගරු ඇමතිතුමා පිළිගන්නවාද ?

ලො ආමායයි දහනායක

(கௌரவ கலாநிதி தகநாயக்க)

(The Hon. Dr. Dahanayake)

ප්‍රාදේශීය ආදායම් පාලක නිලධාරියාගේ පරීක්ෂණ අනුව ග්‍රාමසේවකගේ වාණිව අත්ත වාර්තාවක් හැරියට ඔප්පු වී තිබෙනවා.

විජයසූත්<sup>o</sup> ୧୪ මය.

(திரு. விஜேசுந்தர)

(Mr. Wijesundara)

මේ සිද්ධිය වී ඇත්තේ, එ' ග්‍රාම සේවක  
තැන විසින් කරන ලද ලී වංචාවකට  
විරුද්ධව පුස්සාලේ මිලේලපිටිය  
කොට්ඨාශයේ ගම්කායථී සහිත මහතා  
විසින් ඉදිරිපත් කරන ලද පෙත්සමකට  
පක්ෂව ඩේවිඩ් සිංඤ්ඤා මහතා සාක්ෂි  
පසුව බව ගරු ඇමතිතුමා පිළිගන්නවාද?

වෘත්ති විලිඳුරු

ගරු ආචාර්ය දිනනායක

(கௌரவ கலாநிதி தகநாயக்க)

(The Hon. Dr. Dahanayake)

ඒ කාරණාව ගැන මම දන්නේ නැහැ.  
නමුත් තුවක්කුවක් අනවශ්‍යයි තීන්දු  
කර තිබෙන්නේ මෙන්න මේ කරුණු  
නිසයි.

ඩේවිඩ් සිංඤ්ඤා මහත්මයාට ඉඩම් හෝ  
 දේපොළ සැහෙන ප්‍රමාණයක් නැති බවත්,  
 ඒ මහත්මයා සාමාන්‍යයෙන් දඩයමට  
 පමණක් තුවක්කුව පාවිච්චි කරන බවත්,  
 ඒ අතර එම තුවක්කුව වෙනත් අයගේ  
 පාවිච්චිය සඳහා දී තිබෙන බවත් ඔප්පු  
 වුණා. ඒ කරුණු තුන අනුව ඩේවිඩ් සිංඤ්ඤා  
 මහත්මයාට තුවක්කුවක් අවශ්‍ය නැතැයි  
 තීරණය කළා. ඒ අන්දමට තීන්දුවක්  
 දුන්නේ මා සඳහන් කළ කරුණු අනුව  
 මිස වෙන යම් බලපෑම් අනුව නොවෙයි.

විජයසූර දර මය.

(திரு. விஜேசுந்தர)

(Mr. Wijesundara)

ශ්‍රාම සේවක තැන විසින් කරන ලද ටී වංචාව සම්බන්ධයෙන් ඩේවිඩ් සිංකෙස් මහත්මයා සාක්ෂි දීමෙන් පසු මේ තත්ත්වය ඇති වූ බවයි දැන ගන්න තියෙන්නේ. ඒ නිසා ශ්‍රාම සේවක තැන විසින් කිසිම පදනමක් තැනිව සඳහන් කරන ලද දේ අනුව තුවක්කු බලපත්‍රය අවලංගු කර තිබෙන බවයි පෙනෙන්නේ. මේ ගැන ගරු ඇමතිතුමා සෝදිසි කර බලනවද ?

ගරු ආචාර්යවරයාණී දහනායක

(கௌரவ கலாநிதி தகநாயக்க)

(The Hon. Dr. Dahanayake)

එවැනි විභාගයක් තිබුණදැයි සොයා  
කර බලන්නත්, ඒ අනුව මෙය සිද්ධ  
වුණදැයි තව දුරටත් පරීක්ෂා කර  
බලන්නත් මා පොරොන්දු වෙනවා.







உயினை கிழிந்து

විජේරත්න බණ්ඩා මයා.

(திரு. விஜேரத்ன பண்டார)

(Mr. Wijeratne Banda)

ග්‍රාම සේවකයින් තෝරා ගැනීමේ  
 විභාගය සඳහා ඉදිරිපත් වී එයින් සමර්ප  
 වීමෙන් පසු පෞද්ගලික ලිපිගොනුවේ  
 තිබුණු යම් දුර්වලකමක් නිසා ග්‍රාම සේවක  
 තනතුරට පත් කරනු නො ලැබූ බව ගරු  
 පාර්ලිමේන්තු ලේකම්තුමා දන්නවද ?

ගරු ආචාර්ය දිසානායක

(கௌரவ கலாநிதி தகநாயக்க)

(The Hon. Dr. Dahanayake)

ඒ ප්‍රශ්නය අහන්න තිබුණේ මගෙනයි.

පී. බී. තෙන්නකෝන් මයා.

(திரு. சீ. பி. தென்னகோன்)

(Mr. T. B. Tennekoon)

එහෙම නම් ස්වදේශ කටයුතු භාර ගරු  
 ඇමතිතුමා පිළිතුරු දෙන්න.

නයිත, මරික්කාර් මය.

(ஐனாப் நயினா மரிக்கார்)

(Mr. Naina Marikar)

That is a question for the Hon. Minister of Home Affairs to answer.

විජේරත්න බණ්ඩා මයා.

(திரு. விஜேரத்ன பண்டார)

(Mr. Wijeratne Banda)

මරණ පරීක්ෂක තනතුර හා සම්බන්ධ කාරණයක් නිසයි අධිකරණ ඇමතිගේ පාර්ලිමේන්තු ලේකම්තුමාගෙන් පිළිතුරු ලබා ගැනීමට ප්‍රශ්නය ඉදිරිපත් කළේ. මාර්ට්ට ලැබුණු පිළිතුරු අනුව අතුරු ප්‍රශ්නයක් හැටියටයි මේ ප්‍රශ්නය ඇහැව්වේ. අතුරු ප්‍රශ්නයක් හැටියට මා අහන්නේ ග්‍රාම සේවක තනතුරු සඳහා පැවැත්වූ විභාගයෙන් මේ තැනැත්තා සමර්ථ වූ නමුත් පෞද්ගලික ලිපිගොනුවේ තිබුණු දෙයක් නිසා ග්‍රාම සේවක තනතුරකට පත් කරනු නොලැබියයි මා අදහස් කරන බැවින් ඒ ගැන පරීක්ෂණයක් පවත්වනවද යන්නයි.

නයිනා මරික්කාර් මයෝ.

(ஐனாப் நயினா மரிக்கார்)

(Mr. Naina Marikar)

I am not aware of all these statements.

වෘත්ති පිළිතුරු

കലാനാടകമൃഗം

(சபாநாயகர் அவர்கள்)

(Mr. Speaker)

ඔය අතුරු ප්‍රශ්නයට පිළිතුරු දෙන්න  
ගරු පාර්ලිමේන්තු ලේකම්තුමාට පුළුවන්  
කමක් නැහැ. එය ස්වදේශ කටයුතු භාර  
ගරු ඇමතිතුමාගෙන් අහන්න තියෙන  
ප්‍රශ්නයක් නිසා වෙන දවසක වෙනම  
ප්‍රශ්නයක් ස්වදේශ කටයුතු භාර ඇමති  
තුමාගෙන් පිළිතුරු ලබා ගැනීමට ඉදිරිපත්  
කරන්න.

විජේරත්න බණ්ඩා මයා.

(திரு. விஜேரத்ன பண்டா)

(Mr. Wijeratne Banda)

හොඳයි.

කතරගම ශුද්ධ නගරය : වන්දනාකරු

වත්තේ විවේක ගාලා

கதிர்காமப் புனித நகரம் : யாத்திரிகர் தங்குமிடம்  
KATARAGAMA SACRED CITY : PILGRIMS REST

5. රාජා චෙලේශම මයා. (මොනරාගල)

(திரு. ராஜா வெலேகம்—மொனருகலை)

(Mr. Raja Welegama—Monaragala)

පළාත් පාලන ඇමතිගේ පාර්ලිමේන්තු  
ලේකම්ගෙන් ඇසූ ප්‍රශ්නය : (අ) කතර  
ගම ශුද්ධ නගරය ඉදි කිරීමේදී වන්දනා  
කරුවන්ගේ විවේක ශාලා (මඩම්) ඇතුළු  
අනෙකුත් ගොඩනැගිලි ශුද්ධ භූමියෙන්  
ඉවත් කරනු ලැබේද? (ආ) එසේ නම්,  
එසේ ඉවත් කිරීමට යෝජනා කර ඇති  
ගොඩනැගිලි මොනවාද? එවැනි විවේක  
ශාලාවල නම් මොනවාද?

உள்ளூராட்சி அமைச்சரின் பாராளுமன்றக்  
காரியதரிசியைக் கேட்ட வினா: கதிர்காமப்  
புனித நகரம் அமைக்கப்படும்பொழுது தங்கு  
மிடங்களுட்பட (மடங்கள்) மற்றைய கட்ட  
டங்கள் புனிதப் பகுதியிலிருந்து அகற்றப்  
படுமா? (ஆ) ஆமெனில், அவ்வாறு அகற்று  
வதற்கென உத்தேசிக்கப்பட்டுள்ள கட்டடங்  
கள் யாவை? அத்தகைய தங்குமிடங்களின்  
(மடங்கள்) பெயர்கள் யாவை?

asked the Parliamentary Secretary to the Minister of Local Government :

(a) Will other buildings including pilgrims' rests (madams) be



வாசிக பிழை

வாசிக பிழை

[காசு வெலேகம மய.]

removed from the sacred area when constructing the Kataragama Sacred City? (b) If so, what are the buildings proposed to be so removed? What are the names of such pilgrims' rests (madams)?

பார். ப்ரேமதாச மய. (பலாந் பாலா  
அமநிளே பார்டிமேன்து லேகம)

(திரு. ஆர். பிரேமதாச—உள்ளுராட்சி  
அமைச்சரின் பாராளுமன்றக் காரியதரிசி)

(Mr. R. Premadasa—Parliamentary  
Secretary to the Minister of Local  
Government)

(அ) ஸத (அ) டிபடேஷன காரக ஸதா  
விசின் மெல ப்ரஷ்நய ஸடகா லொகை  
யது லுலி.

கதிரகாமப் புதிய பட்டணம் : கடைக்கட்டடங்கள்

KATARAGAMA NEW TOWN : SHOP BUILDINGS

6. காசு வெலேகம மய.

(திரு. ராஜா வெலேகம)

(Mr. Raja Welegama)

பலாந் பாலா அமநிளே பார்டிமேன்து  
லேகமென் அஃ ப்ரஷ்நய : (அ) கதிர  
காம நல நகரயே ஸாப்பு ஸோவநாதி  
ஓடிகிழிமே வுல நிககரந்நே கலடாட?  
(அ) மெல ஸோவநாதி ப்ரஷ்நய பேடே  
கின் ஓவந் கரநு லுலி வெலேகந் ஸர்  
வெந கிசுவெகுவ வெந்நர் டிமல ஸ்நும  
அடகா கரநவாட? (ஓ) மெல ஸோவநாதி  
ப்ரஷ்நய பேடேகின் ஓவந் கரநு லுலிவந்  
ல பமனக் வெந்நர் டிமல ஸ்நும வ  
லொ கந்நவாட?

உள்ளுராட்சி அமைச்சரின் பாராளுமன்றக்  
காரியதரிசியைக் கேட்ட வினா : (அ) கதிரகா  
மப் புதிய பட்டணத்திலுள்ள கடைகளுக்கான  
கட்டடங்களின் அமைப்பு வேலை எப்பொழுது  
பூர்த்தியாக்கப்படும்? (ஆ) புனிதப் பகுதி  
யிலிருந்து வெளியேற்றப்பட்ட வியாபாரி  
களைத் தவிர்த்த மற்றைய எவருக்காவது இக்  
கட்டடங்களை ஒதுக்குவதற்கு அவர் உத்தே  
சித்திருக்கிறார்? (இ) புனிதப் பகுதியிலிருந்து  
வெளியேற்றப்பட்ட வியாபாரிகளுக்கு மாத்  
திரம் இக்கட்டடங்களை ஒதுக்குவதற்கு அவர்  
வகைசெய்வாரா?

asked the Parliamentary Secretary to  
the Minister of Local Government :  
(a) When will the construction of  
buildings for shops in Kataragama  
New Town be completed? (b) Does  
he propose to allocate these buildings  
to any persons other than the traders  
who have been sent out from the  
sacred area? (c) Will he see that  
these buildings are allocated only to  
those who have been sent out from  
the sacred area?

ப்ரேமதாச மய.

(திரு. பிரேமதாச)

(Mr. Premadasa)

(அ) 1966 ப்ரதி மயயேடி பமன. (அ)  
மெல ஸாப்பு ஸோவநாதி கலியல லொ  
காநிமல கலாந்ந ப்ரகாச கலல அநி,  
ப்ரஷ்நய ப்ரேஷ்நய கிசின் வெலேகந், ப்ரே  
வெந் ஸ் ஸோவநாதி டேது அந. ஓநி  
ஸோவநாதி டிமல ப்ரஷ்நய ப்ரேஷ்நய ஸத  
நல நகரயே கிசின் வெந்நர் வெலேகந்  
டேது அந. (ஓ) (அ) ப்ரஷ்நயல டி அநி  
பிழை அநுல மெல பந நோநி.

கதிரகாமப் புதிய நகர் : வீடமைப்பு

KATARAGAMA SACRED CITY : HOUSING

7. காசு வெலேகம மய.

(திரு. ராஜா வெலேகம)

(Mr. Raja Welegama)

ஓவந், வரிமார்ட் ஸா விடல லொ அமநி  
கென் அஃ ப்ரஷ்நய : (அ) கதிரகாமப் ப்ர  
ஷ்நய நகரயே ஓடிகிழிம ஸடகா ப்ரேஷ்நயகின்  
கென் அந்நர் கந் ஓவந் வெந்நல லு  
ந் ஓவந் டி அநந் லுந்நே கெவல்  
நாநிவிம கிசின்நயென் வந்நி கென் அந்ந்  
கெவல் ஸோவநா காநிம ஸடகா அலர்  
கென் டி நாநி லல ஸ்நும டந்நவாட? (அ)  
மெலவந் ப்ரஷ்நயவிம கெவல் நாநி  
கெந்ந் கெவல் ஸோவநா காநிம ஸடகா  
அலர் டிமல கென் ரக்ஷென் லுந்ந் கெவல்  
லொ டேந லலல வலலொ காநிமல கென்  
ஸ்நும கிசின் கரநவாட? நோபிசே நம,  
ஸ் மந்ந?

காணி, நீர்ப்பாசன, மின்விசை அமைச்சரைக்  
கேட்ட வினா : (அ) கதிரகாமப் புனித நகரத்  
தனை அமைப்பதற்கென மக்களிடமிருந்து



මාවික පිළිතුරු

கொள்ளப்பட்ட காணிகளுக்குப் பதிலாக வேறு காணிகள் அவர்களுக்கு வழங்கப்பட்டுக் கூட, அவர்களது வீடுகளை இழந்தமைக்கான நட்ட ஈடு அல்லது புதிய வீடுகள் கட்டுவதற்கான உதவி எதுவாயினும் வழங்கப்படவில்லை யென்பதை அவர் அறிவாரா? (ஆ) இம்மக்க ளுக்கு வதிவதற்கு வீடுகளில்லாதிருப்பதனால் வீடுகள் கட்டுவதற்கு அவர்களுக்கு உதவி வழங்குவதற்கோ அரசாங்கம் அவர்களுக்கு வீடுகள் கொடுப்பதற்கு வகைசெய்வதற்கோ அவர் நடவடிக்கையெடுப்பாரா? அன்றேல் ஏன்?

asked the Minister of Land, Irrigation and Power : (a) Is he aware that although alternative lands for the lands acquired from the people of the area for the construction of Katara-gama sacred city have been given to them no compensation for the loss of their houses or assistance to build new houses has been granted ? (b) In view of the fact that these people have no houses to live, will he take action to grant them assistance to build houses or see that they are provided with houses by the Government, and if not, why ?

සී. පී. ජේ. සෙනෙවිරත්න මයා. (ඉඩම්,  
වාරිමාර්ග හා විදුලිබල ඇමතිගේ පාර්ලි  
මේන්තු ලේකම්)

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

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

(අ) ඔව්. (ආ) ස්ථිර නිවාසයක් තනා ගැනීම සඳහා රු. 1,000 ක ආධාර මුදලක් ගොවි පංතියට අයත් අයට ගෙවනු ඇත. ඉඩම් වලින් වහාම අස්වීමට නියම කර ඇති අයට තාවකාලික නිවාස රජය මගින් සාදා දෙනු ලැබේ. 7 වැනි වගන්තිය යටතේ පරීක්ෂණ අවසන් වී මුද්‍රිත පිඹුරු මොණරාගල දිසාපති වෙත ලැබුණු වහාම, රජයට අත්පත් කරගත් ඉඩම් හා ගෙවල් සඳහා වත්දි ගෙවනු ලැබේ.

වෘත්තික පිළිතුරු

రూపం తెలలేనది తెలుసు.

(திரு. ராஜா வெலேகம்)

(Mr. Raja Welegama)

දැනටමත් අවුරුද්දක් පමණ කාලය ගත වී තිබෙන නිසා මේ පිළිබඳව ක්‍රියා කිරීම තව දුරටත් අතපසු නොකර ඉක්මනින් ක්‍රියා මාර්ගයක් ගැනීමට කටයුතු කරන්න බලාපොරොත්තු වෙනවාදැයි අහන්න කැමතියි.

සෙනෙවිරත්න මයා.

(திரு. செனெவிரத்ன)

(Mr. Seneviratne)

ඒ ශ්‍රී කවියුතු කර්තෘ යනවා.

ඉන්දියානු පුරවැසිභාවය : ලංකාවෙන්  
ඉදිරිපත් කළ ඉල්ලුම් පත්

இந்தியப் பிரசா உரிமை : இலங்கையிலிருந்து செய்யப்  
படும் விண்ணப்பங்கள்

INDIAN CITIZENSHIP : APPLICATIONS FROM  
CEYLON

8. පී. ජී. බී. කෙනමත් මයා. (මැද කොළඹ තුන්වන මන්ත්‍රී)

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

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

අනුමානය සහ රාජ්‍යාරක්ෂක හා විදේශ කටයුතු පිළිබඳ ඇමති සහ ක්‍රම සම්පාදක හා ආර්ථික කටයුතු පිළිබඳ ඇමතිගෙන් ඇසූ ප්‍රශ්නය : (අ) ලංකාවේ පදිංචිවී සිටින නමුත් ලංකාවේ හෝ ඉන්දියාවේ පුරවැසියන් නොවන ඉන්දියානු පාරම්පරිකයින්ට, 1964 ඉන්දු-ලංකා, ගිවිසුම ප්‍රකාර ඉන්දියාවේ පුරවැසියන් වශයෙන් පිළිගන්නා ලෙස ඉල්ලුම් කිරීමට හැකි වන පරිදි මෙතෙක් ස්ථාපනය කර ඇති ක්‍රියා පරිපාටිය කුමක්ද? (ආ) එවැනි පුද්ගලයින්ට ඉන්දියාවේ පුරවැසියන් වශයෙන් පිළිගැනීම සඳහා ඉල්ලුම් කිරීමට හැකි බවට ප්‍රසිද්ධිය ලබාදීමට එතුමා කුමන ක්‍රියාමාර්ග ගෙන තිබේද? (ඉ) මේ දක්වා එවැනි පුද්ගලයින් කොපමණ සංඛ්‍යාවක් ඉල්ලුම් කර තිබේද? කොපමණ සංඛ්‍යාවක් ඉන්දියාවේ පුරවැසියන් වශයෙන් පිළිගෙන තිබේද?

பிரதம அமைச்சரையும், பாதுகாப்பு, வெளி  
விவகார அமைச்சரையும், திட்டமிடல், பொரு  
ளாதார விவகார அமைச்சரையும் கேட்ட



லாபிக பிடிவூர்

லாபிக பிடிவூர்

[கைமனன் மொ.]

வினா: (அ) இலங்கைப் பிரசையாகவோ அல்லது இந்தியப் பிரசையாகவோ இல்லாதவர்களும் இலங்கையில் வதிவினம்வாருமான இந்திய வம்சாவழியினர் 1964 ஆம் ஆண்டின் இலங்கை இந்திய ஒப்பந்தத்தின் பிரகாரம் இந்தியப் பிரசைகளாக ஏற்றுக்கொள்ளப்படுதற்கென விண்ணப்பம் செய்வதற்கேதுவாக இதுவரை ஏற்படுத்தப்பட்டுள்ள நடைமுறைகள் யாவை? (ஆ) இந்தியப்பிரசைகளாக ஏற்றுக்கொள்ளப்படுதற்கு அத்தகையோர் விண்ணப்பிக்கமுடியுமென்பதனை விளம்பரப்படுத்துவதற்கு இதுவரை மேற்கொள்ளப்பட்டுள்ள நடவடிக்கைகள் யாவை? (இ) இற்றைவரை அவ்வாறு விண்ணப்பித்த அத்தகையோர் எத்தனை பேர்? இந்தியப்பிரசைகளாக ஏற்றுக்கொள்ளப்பட்டுள்ளவர்கள் எத்தனை பேர்?

asked the Prime Minister and Minister of Defence & External Affairs and Minister of Planning & Economic Affairs: (a) What procedures have been established so far by which persons of Indian descent resident in Ceylon but who are citizens of neither Ceylon nor India can apply to be accepted as citizens of India in terms of the Indo-Ceylon Agreement of 1964? (b) What steps has he taken to give publicity to the fact that it is possible for such persons to apply to be accepted as citizens of India? (c) How many such persons have so applied up to date and how many have been accepted as citizens of India?

செ. டி. டி. டி. (அ) இலங்கைப் பிரசையாகவோ அல்லது இந்தியப் பிரசையாகவோ இல்லாதவர்களும் இலங்கையில் வதிவினம்வாருமான இந்திய வம்சாவழியினர் 1964 ஆம் ஆண்டின் இலங்கை இந்திய ஒப்பந்தத்தின் பிரகாரம் இந்தியப் பிரசைகளாக ஏற்றுக்கொள்ளப்படுதற்கென விண்ணப்பம் செய்வதற்கேதுவாக இதுவரை ஏற்படுத்தப்பட்டுள்ள நடைமுறைகள் யாவை? (ஆ) இந்தியப்பிரசைகளாக ஏற்றுக்கொள்ளப்படுதற்கு அத்தகையோர் விண்ணப்பிக்கமுடியுமென்பதனை விளம்பரப்படுத்துவதற்கு இதுவரை மேற்கொள்ளப்பட்டுள்ள நடவடிக்கைகள் யாவை? (இ) இற்றைவரை அவ்வாறு விண்ணப்பித்த அத்தகையோர் எத்தனை பேர்? இந்தியப்பிரசைகளாக ஏற்றுக்கொள்ளப்பட்டுள்ளவர்கள் எத்தனை பேர்?

(கௌரவ டட்ளி சேனாநாயக்க—பிரதம அமைச்சரும் பாதுகாப்பு, வெளி விவகார அமைச்சரும் திட்ட அமைப்பு, பொருளாதார விவகார அமைச்சரும்)

(The Hon. Dudley Senanayake—Prime Minister, Minister of Defence & External Affairs, and Minister of Planning & Economic Affairs)

(a) Implementation of the Indo-Ceylon Agreement of 1964 requires legislation for the granting of Ceylon

citizenship to persons of Indian origin, who come within the scope of this agreement. Steps have been taken to draft legislation for this purpose. A Joint Committee consisting of officials of the Government of India and the Government of Ceylon has been set up to devise procedures for the implementation of the agreement. (b) In view of (a) does not arise. (c) The reply is as in (b) above.

கைமனன் மொ.

(திரு. கௌமன்)

(Mr. Keuneman)

Could the Hon. Prime Minister tell us when he anticipates some kind of decision will be reached on all these procedures?

செ. டி. டி. டி. (அ) இலங்கைப் பிரசையாகவோ அல்லது இந்தியப் பிரசையாகவோ இல்லாதவர்களும் இலங்கையில் வதிவினம்வாருமான இந்திய வம்சாவழியினர் 1964 ஆம் ஆண்டின் இலங்கை இந்திய ஒப்பந்தத்தின் பிரகாரம் இந்தியப் பிரசைகளாக ஏற்றுக்கொள்ளப்படுதற்கென விண்ணப்பம் செய்வதற்கேதுவாக இதுவரை ஏற்படுத்தப்பட்டுள்ள நடைமுறைகள் யாவை? (ஆ) இந்தியப்பிரசைகளாக ஏற்றுக்கொள்ளப்படுதற்கு அத்தகையோர் விண்ணப்பிக்கமுடியுமென்பதனை விளம்பரப்படுத்துவதற்கு இதுவரை மேற்கொள்ளப்பட்டுள்ள நடவடிக்கைகள் யாவை? (இ) இற்றைவரை அவ்வாறு விண்ணப்பித்த அத்தகையோர் எத்தனை பேர்? இந்தியப்பிரசைகளாக ஏற்றுக்கொள்ளப்பட்டுள்ளவர்கள் எத்தனை பேர்?

(கௌரவ டட்ளி சேனாநாயக்க)

(The Hon. Dudley Senanayake)

There are various steps to be taken and legislation probably will be passed before this session is over.

செ. டி. டி. டி. (அ) இலங்கைப் பிரசையாகவோ அல்லது இந்தியப் பிரசையாகவோ இல்லாதவர்களும் இலங்கையில் வதிவினம்வாருமான இந்திய வம்சாவழியினர் 1964 ஆம் ஆண்டின் இலங்கை இந்திய ஒப்பந்தத்தின் பிரகாரம் இந்தியப் பிரசைகளாக ஏற்றுக்கொள்ளப்படுதற்கென விண்ணப்பம் செய்வதற்கேதுவாக இதுவரை ஏற்படுத்தப்பட்டுள்ள நடைமுறைகள் யாவை? (ஆ) இந்தியப்பிரசைகளாக ஏற்றுக்கொள்ளப்படுதற்கு அத்தகையோர் விண்ணப்பிக்கமுடியுமென்பதனை விளம்பரப்படுத்துவதற்கு இதுவரை மேற்கொள்ளப்பட்டுள்ள நடவடிக்கைகள் யாவை? (இ) இற்றைவரை அவ்வாறு விண்ணப்பித்த அத்தகையோர் எத்தனை பேர்? இந்தியப்பிரசைகளாக ஏற்றுக்கொள்ளப்பட்டுள்ளவர்கள் எத்தனை பேர்?

(கௌரவ டட்ளி சேனாநாயக்க—பிரதம அமைச்சரும் பாதுகாப்பு, வெளி விவகார அமைச்சரும் திட்ட அமைப்பு, பொருளாதார விவகார அமைச்சரும்)

(Dr. N. M. Perera—Yatiantota)

Have the lists—one in regard to persons of Indian origin and the other in regard to persons of Ceylonese origin—been prepared? Have the initial steps already been put on foot or is it yet open?

செ. டி. டி. டி. (அ) இலங்கைப் பிரசையாகவோ அல்லது இந்தியப் பிரசையாகவோ இல்லாதவர்களும் இலங்கையில் வதிவினம்வாருமான இந்திய வம்சாவழியினர் 1964 ஆம் ஆண்டின் இலங்கை இந்திய ஒப்பந்தத்தின் பிரகாரம் இந்தியப் பிரசைகளாக ஏற்றுக்கொள்ளப்படுதற்கென விண்ணப்பம் செய்வதற்கேதுவாக இதுவரை ஏற்படுத்தப்பட்டுள்ள நடைமுறைகள் யாவை? (ஆ) இந்தியப்பிரசைகளாக ஏற்றுக்கொள்ளப்படுதற்கு அத்தகையோர் விண்ணப்பிக்கமுடியுமென்பதனை விளம்பரப்படுத்துவதற்கு இதுவரை மேற்கொள்ளப்பட்டுள்ள நடவடிக்கைகள் யாவை? (இ) இற்றைவரை அவ்வாறு விண்ணப்பித்த அத்தகையோர் எத்தனை பேர்? இந்தியப்பிரசைகளாக ஏற்றுக்கொள்ளப்பட்டுள்ளவர்கள் எத்தனை பேர்?

(கௌரவ டட்ளி சேனாநாயக்க)

(The Hon. Dudley Senanayake)

There is this joint committee sitting and it is necessary to have an idea of the rehabilitation schemes also which will benefit those going across because there must be some sort of attractions for people to register.

கைமனன் மொ.

(திரு. கௌமன்)

(Mr. Keuneman)

Could the Prime Minister tell us when the joint committee will meet next?



මාපික පිළිතුරු

වෘත්ති පිළිවැරැ

ගුණ ඩිබ්බි පෞතානායක

(கௌரவ டட்ளி சேனாநாயக்க)

(The Hon. Dudley Senanayake)

They are meeting frequently.

බිත්තැන් න ගමිකාරිය සහාවේ හිටපු  
සහාපති ඩබ්ලිව්. එ. පොත්සෝකා මහතා

பித்தென்னக் கிராமச் சபை முன்னாள் தலைவர்  
திரு. டபிள்யு. ஏ. பொன்சேக்கா

MR. W. A. FONSEKA, EX-CHAIRMAN, V.C.,  
BINTENNA

9. කෙනමත් මයා.

(திரு. கெனமன்)

(Mr. Keuneman)

අග්‍රාමාත්‍ය සහ රාජ්‍යාරක්ෂක හා විදේශ කටයුතු පිළිබඳ ඇමති සහ ක්‍රම සම්පාදක හා ආර්ථික කටයුතු පිළිබඳ ඇමතිගෙන් ඇසූ ප්‍රශ්නය : (අ) රුපියල් 17,000ක පමණ මුදල් වංචාවක් සම්බන්ධයෙන් කලින් නිවුණු රජය විසින් නිලයෙන් ඉවත්කරනු ලැබූ බිත්තැන් ගමකාරිය සභාවේ හිටපු සභාපති ඩබ්ලිව්. එ. පොත්සේකා මහතාට විරුද්ධව ක්‍රියා කරන ලෙස පොලීසියට නියම කරන ලද බව එතුමා දන්නවාද ? (ආ) මෙම කාරණය සම්බන්ධයෙන් පොලීසිය විසින් කුමන ක්‍රියා මාර්ගයක් ගෙන තිබේද ? (ඉ) මෙතෙක් කිසිම ක්‍රියා මාර්ගයක් ගෙන නැත්නම්, පොලීසිය කුමන ක්‍රියා මාර්ගයක් ගැනීමට අදහස් කරන්නේද ?

பிரதம அமைச்சரையும், பாதுகாப்பு, வெளி  
விவகார அமைச்சரையும் திட்டமிடல், பொரு  
ளாதார விவகார அமைச்சரையும் கேட்ட  
வினா : (அ) ஏறக்குறைய 17,000 ரூபாவைக்  
கையாடியமை சம்பந்தமாய் முன்னைய அரசாங்கத்தால் பதவியினின்றும் அகற்றப்பட்ட  
பிந்தென்னக் கிராமச்சபையின் முன்னைய தலை  
வரான திரு. டபிள்யு. ஏ. பொன்சேகாவிற  
கெதிராய் நடவடிக்கை எடுக்குமாறு பொலி  
சார் கேட்கப்பட்டனரென்பதை அவர் அறி  
வாரா? (ஆ) இவ்விடயத்தில் பொலிசார் எடுத்த  
துள்ள நடவடிக்கை என்ன? (இ) இதுவரை  
நடவடிக்கை எதுவும் எடுக்கப்படவில்லை  
யெனில் பொலிசார் எடுக்க உத்தேசித்துள்ள  
நடவடிக்கை யாது?

asked the Prime Minister and Minister of Defence & External Affairs and Minister of Planning & Economic Affairs: (a) Is he aware that the police were asked to take action against Mr. W. A. Fonseka, former Chairman of the Village Committee, Bintenne, who was removed from office by the former Government in connection with the misappropriation of about Rs. 17,000? (b) What action has the police taken in this matter? (c) If no action has been taken so far, what action does the police intend to take?

ගරු ඩබ්ලි ටෙස්තාමායක

(கௌரவ டட்ளி சேனாநாயக்க)

(The Hon. Dudley Senanayake)

(a) Yes. (b) Investigations are being conducted by the police, who have still not completed their inquiries. (c) Does not arise.

කෙනමත් මයා.

(திரு. கெனமன்)

(Mr. Keuneman)

Could the Prime Minister tell us when the investigations commenced?

ගරු බඩිලි සේ' නානායක

(கௌரவ டட்ளி சேனாநாயக்க)

(The Hon. Dudley Senanayake)

The Assistant Commissioner of Local Government, Uva Region, by his letter dated 16.11.63 to the Assistant Superintendent of Police, Badulla, reported that W. A. Fonseka, Chairman of the Bintenne Village Council, was keeping in hand over Rs. 16,000 of village council funds, illegally, in contravention of Section 55 (2) of the Village Councils Ordinance as amended by Village Councils Act, No. 60 of 1961, which stipulates that the collection should be deposited at the kachcheri within 14 days of collection. Authority to inquire into this case was obtained by the police from the Magistrate, Badulla.











සහ මේසය මත තබන ලද පිළිතුර මෙසේ යි:  
 ප්‍රාදීප්තිමය බලයක් ඇති බවට විශ්වාසයක් ඇත.

The Answer tabled is as follows :

| (i) සමාගම් වල නම් හා ලියාපදිංචි ලිපිනය   | (ii) එක් එක් සමාගමේ සභාපතිවරුන්ගේ හා අධ්‍යක්ෂවරුන්ගේ නම්   | (iv) එක් එක් වෙළඳ ආයතනයට දෙන ලද කොටස් ප්‍රමාණය හා ඒ කොටස් ප්‍රමාණයෙන් අනුව කටයුතු කර ඇති ප්‍රමාණය | (v) 1965 අප්‍රේල් මාසයට පසුව මොනාසම් සමාගමක් හෝ අලුත් යන්ත්‍ර ආනයනය කිරීමට අවසර ලබා ගැනීම සඳහා ඉල්ලුම් කළේද, නැතහොත් අවසර ලැබුයේද යන වග, එසේ නම්, එය කිනම් සමාගමක් ද, කිනම් වර්ගයේ යන්ත්‍රයක් සඳහා ද යන වග : |
|--|--|---|--|
| 1. සීමා. සිලෝන් මැව් කො., 54, කෙටිසර් වීදිය, කොළඹ                                | ... සභාපති, පී. ඇන්. ජයසූරිය මයා., ... අධ්‍යක්ෂ, ඒ. ආර්. ඇන්. දිසානායක මයා., ... කළමනාකාර අධ්‍යක්ෂ, ඇන්. සු. ස්ටැන්ලි මයා., ... අධ්‍යක්ෂ, අක්කර් හයිඩාරි මයා.,                                   | 17,169... 17,624... 30.9.65 දක්වා පෙට්ටි ගණන  | 1965 අප්‍රේල් මෙතෙක් ආනයන මාසයට පසු ආනයන බලපත්‍ර නිකුත් යන බල පත්‍ර කොට නොමැති නිකුත් කර ඇති 1965 අප්‍රේල් යන්ත්‍රෝපකරණ මාසයෙන් පසු යන්ත්‍රෝපකරණ සඳහා ලැබුණු අයදුම් පත්‍ර                                    |
| 2. සීමා. ස්වදේශීය ඉන්ඩස්ට්‍රියල් වර්ක්ස්, 182/1෪, ස්ටේට් බැන්ක් බිල්ඩින්, කොළඹ 1 | ... සභාපති ඩී. ජේ. විජයවර්ධන මයා., ... අධ්‍යක්ෂ ඩී. ඊ. මාරිට්ස්වයික් මයා., ... අධ්‍යක්ෂ ඇෆ්. ජේ. පී. පෙරේරා මයා., ... අධ්‍යක්ෂ සෙල්ලමුත්තු සෝමසුන්දරම් මයා., ... අධ්‍යක්ෂ ටී. ඇන්. මුණසිංහ මයා., | 2,859... 1,535...   | ... 71,000 ක රු. 2,05,000 ක වසන සහ ලේ කොන් විත්‍ර බ්ලැක් රු. 76,000 ක කුරු පතුරු ගසන යන්ත්‍රයක්  |
| 3. ජයන්ති මැව් කොමපැනි, 23, බොරලැස්ගමුව පාර, මහරගම                               | ... සභාපති විජයබාහු විජේසිංහ මයා., ... අධ්‍යක්ෂ ඩී. එම්. ඇස්. අමරසේකර මයා., ... අධ්‍යක්ෂ ඩී. ඩබ්ලිව්. වික්‍රමසිංහ මයා.,  | 1,009... 556...   | ... 58% 42% අලාංකික 50% ... ලාංකික 50% ...   |



(i) සමාගම් වල නම් හා ලියාපදිංචි ලිපිනය

(ii) එක් එක් සමාගමේ සභාපතිවරුන්ගේ හා අධ්‍යක්ෂවරුන්ගේ නම්

(iii) එක් එක් සමාගමේ වල ප්‍රාග්ධන කොටස් සම්බන්ධයෙන් හා පරිපාලන කටයුතු පිළිබඳව ලාංඡිකයන් නොවන අයගේ සම්බන්ධතාවය

(iv) එක් එක් වෙළඳ ආයතනයට දෙන ලද කොටස් ප්‍රමාණය හා ඒ කොටස් ප්‍රමාණයන් අනුව කටයුතු කර ඇති ප්‍රමාණය

(v) 1965 අප්‍රේල් මාසයට පසුව මොනායම් සමාගමක් හෝ අලුත් යන්ත්‍ර ආනයනය කිරීමට අවසර ලබා ගැනීම සඳහා ඉල්ලුම් කළේද, නැතහොත් අවසර ලැබුයේද යන වග, එසේ නම්, එය කිනම් සමාගමක් ද, කිනම් වර්ගයේ යන්ත්‍රයක් සඳහාද යන වග :

මූලික සංඛ්‍යා

සංඛ්‍යා

මූලික සංඛ්‍යා

4. නුගදුව මැඩි වරක්ස්, ගාල්ල

5. සීමා. ලංකා ලයිට්, 81, කොරලවැල්ල මොරටුව

|      |  |     |          |          |                                   |  |
|------|--|-----|----------|----------|-----------------------------------|--|
| .... | සභාපති කොටස්කරු ඒ. එච්. ඇම්. අන්වර් මයා.             | ... | 1,200... | 1,200    | ...                               | රු. 4,803 ක කුරු කපන යන්ත්‍රයක්              |
| .... | කොටස්කරු ඒ. ඇස්. ඇම්. රයිම් මයා.,                    | ... |          |          |                                   | රු. 8,228 ක ප්‍රේම අස් කරන යන්ත්‍ර සෙට් එකක් |
|      | " ජේ. ඇස්. ඇම්. හමිඩ් මයා.,                          | ... |          |          |                                   |  |
|      | " ඇම්. ඒ. ඇම්. නායිම් මයා.,                          | ... |          |          |                                   |  |
|      | " ඇම්. ඇම්. නායිම් මයා.,                             | ... |          |          |                                   |  |
|      | " ඇම්. එච්. ඇම්. නායිම් මයා.,                        | ... |          |          |                                   |  |
| .... | සභාපති සහ කළමනාකාර අධ්‍යක්ෂ එච්. ඊ. පී. ද මැල් මයා., | ... | 6,485... | 5,255... | රු. 12,936 ක පතුරු කපන යන්ත්‍රයක් |  |
| .... | කාර්මික අධ්‍යක්ෂ එච්. බී. පෙරේරා මයා.,               | ... |          |          |                                   |  |
|      | අධ්‍යක්ෂ ඒ. ඒ. පැපර්ජි මයා.,                         |     |          |          |                                   |  |
|      | අධ්‍යක්ෂ එච්. ඩබ්ලිව්. ටී. ඩයස් මයා.,                |     |          |          |                                   |  |
|      | අධ්‍යක්ෂ ඒ. කේ. අබ්මලි මයා.,                         |     |          |          |                                   |  |
|      | අධ්‍යක්ෂ පී. ජේ. ද මැල් මයා.,                        |     |          |          |                                   |  |



මාලික සම්ප්‍රදාය

මාලික සම්ප්‍රදාය

(i) සමාගම් වල නම් හා ලියාපදිංචි ලිපිනය (ii) එක් එක් සමාගමේ සභාපතිවරුන්ගේ හා අධ්‍යක්ෂවරුන්ගේ නම් (iii) එක් එක් සමාගමේ වල ප්‍රාග්ධන කොටස් සම්බන්ධයෙන් හා පරිපාලන කටයුතු පිළිබඳව ලාංකිකයින් හෝ වන අයගේ ඇති සම්බන්ධතාවය (iv) එක් එක් සමාගමේ සභාපතිවරුන්ගේ හා අධ්‍යක්ෂවරුන්ගේ ප්‍රමාණය හා ඒ කොටස් ප්‍රමාණයන් අනුව කටයුතු කර ඇති ප්‍රමාණය (v) 1965 අප්‍රේල් මාසයට පසුව මොනාසම් සමාගමක් හෝ අලුත් යන්ත්‍ර ආනයනය කිරීමට අවසර ලබා ගැනීම සඳහා ඉල්ලුම් කළේද, නැතහොත් අවසර ලැබුයේද යන වග, එසේ නම්, එය කිනම් සමාගමක්ද, කිනම් වර්ගයේ යන්ත්‍රයක් සඳහාද යන වග :

1965 අප්‍රේල් මෙතෙක් ආන මාසයට පසු ආන යන බල පත්‍ර යන බල පත්‍ර නිකුත් කොට නිකුත් කර ඇති නොමැති 1965 යන්ත්‍රෝපකරණ අප්‍රේල් මාසයෙන් පසු යන්ත්‍රෝපකරණ සඳහා ලැබුණු අය දුම් පත්‍ර

වාර්ෂික අව ඇත්ත වග මය නියමයෙන් නිෂ් කරන ලද පාදනය කළ ප්‍රමාණය 1.10.64 සිට 30.9.65 දක්වා පෙට්ටි ගණන

6. නැෂනල් මැව් වර්ක්ස්, වරුගොඩ පාර, කැළණිය ... කළමනාකාර කොටස්කරු කේ. ඩී. කංගඩියා මයා (ලාංකික) 3,367... 3,287... ලාංකික 50% සහ ඉන්දියානු කොටස්කරු ඩී. අඩියර් නාඩාර් මයා., ඉන්දියානු 50% ඉන්දියානු කොටස්කරු ඩී. පවනසා නාඩාර් මයා., අධ්‍යක්ෂ මණ්ඩලය ලාංකික 1/3 සහ ඉන්දියානු 2/3

7. සීමා. සිංහ ඉන්ඩස්ට්‍රීස් මහරගම ... සභාපති ඒ. එච්. සී. අබේවර්ධන මයා., අධ්‍යක්ෂ ඩී. ඇස්. කොලුරගේ 1,080... 1,080... රු. 1,950 ක රසායන අඟුරු රන මැෂින් දෙකක්



මාචික පිළිතුරු

මාවික පිළිතුරු

(i) සමාගම් වල නම් හා ලියාපදිංචි ලිපිනය  
(ii) එක් එක් සමාගමේ සභාපතිවරුන්ගේ නා  
අධ්‍යක්ෂවරුන්ගේ නම්

(iii) එක් එක් සමාගම් වල ප්‍රාග්ධන කොටස් සම්බන්ධයෙන් හා පරිපාලන කටයුතු පිළිබඳව ලාංකිකයින් නොවන අයගේ ඇති සම්බන්ධතාවය

(iv) එක් එක් වෙළඳ ආයතනයට දෙන ලද කොටස් ප්‍රමාණය හා ඒ කොටස් අනුව කටයුතු කර ඇති ප්‍රමාණය

වාර්ෂික අව ඇත්ත වශ  
යෙ නියම යෙන් නිෂ්  
කරන ලද පාදනය කළ  
නිෂ්පාදනය ප්‍රමාණය

1965 අප්‍රේල් මෙතෙක් ආන  
මාසයට ආන බලපත්‍ර කොට  
යන බල පත්‍ර නිකුත් කොට  
නිකුත් කර ඇති නොමැති 1965  
යන්ත්‍රෝපකරණ අප්‍රේල් මාස

8. යුනයිටඩ් ඉන්ඩස්ට්‍රිය,  
170<sup>෪</sup>, ශ්‍රී වික්‍රම මාවත,  
කොළඹ 15

... අයිතිකරු වී. ඒ. පුගන්දස මයා.,

9. නමකර පුත්‍ර සහ සමාගම්  
දිවුලපිටිය

පාලක කොටස්කරු ඇස්. ටී. ගෝමර්  
කොටස්කරු ඇස්. ටී. අබේලේ මයා.,  
කොටස්කරු ඇස්. ටී. පබේලේ මයා.,



(1) கம்பனிகளின் பெயரும், (2) ஒவ்வொரு கம்பனியின் தலை  
பதிவுசெய்யப்பட்டுள்ள வர்கள், அதிபர்கள் ஆகியோரது  
விலாசமும் பெயர்கள்

ஒவ்வொரு கம்பனியிலும் இலங்கையரல்லாதவர்  
களுக்கூறிய மூலதனப் பங்கின் அளவுகள், அதி  
பதிகள் குழுவில் அவர்கள் எண்ணிக்கை ஆகியன

ஒவ்வொரு கம்பனியிலும் 1965, ஏப்ரலில் மாதத்திற்குப் பின்னர் இக் கம்  
பனிகளில் எவையாவது புதிய இயந்திரங்களை  
இறக்குமதி செய்வதற்கு விண்ணப்பித்தனவா ?  
அல்லது அனுமதிபெற்றனவா ? அப்படியாயின்  
அக்கம்பனிகள், இயந்திரவகைகள்

ஒவ்வொரு கம்பனியிலும் 1965 ஏப்ரலிலுக்குப் பிற்  
பிற்பாடு வழங்கப்பட்ட பாடு பெறப்பட்டதும் இது  
அனுமதிப்பத்திரங்கட் வரை அனுமதிப்பத்தி  
கான இயந்திரங்கள் ரங்கள் கொடுக்கப்பட்டத  
பெட்டிகள் உற்பத்தி எவுமான விண்ணப்  
பெட்டிகள் தொகை பங்கள்

ஒவ்வொரு கம்பனியிலும் 1965 ஏப்ரலிலுக்குப் பிற்  
பிற்பாடு வழங்கப்பட்ட பாடு பெறப்பட்டதும் இது  
அனுமதிப்பத்திரங்கட் வரை அனுமதிப்பத்தி  
கான இயந்திரங்கள் ரங்கள் கொடுக்கப்பட்டத  
பெட்டிகள் உற்பத்தி எவுமான விண்ணப்  
பெட்டிகள் தொகை பங்கள்

ஒவ்வொரு கம்பனியிலும் 1965 ஏப்ரலிலுக்குப் பிற்  
பிற்பாடு வழங்கப்பட்ட பாடு பெறப்பட்டதும் இது  
அனுமதிப்பத்திரங்கட் வரை அனுமதிப்பத்தி  
கான இயந்திரங்கள் ரங்கள் கொடுக்கப்பட்டத  
பெட்டிகள் உற்பத்தி எவுமான விண்ணப்  
பெட்டிகள் தொகை பங்கள்







(1) கம்பனிகளின் பெயரும், (2) ஒவ்வொரு கம்பனியின் தலை வர்கள், அதிபதிகள் ஆகியோரது பெயர்கள்  
விவரம்  
ஒவ்வொரு நிறுவனத்திற்கும் 1965, ஏப்பிரில் மாதத்திற்குப் பின்னர் இக் கம் பனிகளில் எவையாவது புதிய இயந்திரங்கள் இறக்குமதி செய்வதற்கு விண்ணப்பித்தனவா? அல்லது அனுமதிபெற்றனவா? அப்படியாயின் அக்கம்பனிகள், இயந்திரவகைகள்

| குறிக்கப்பட்ட வருடாந்த உற்பத்தி பெட்டிகள் தொகை | 1.10.64 லிருந்து 30.9.65 வரை யுள்ள உண் மையான உற்பத்தி பெட்டிகள் தொகை | 1965 ஏப்பிரிலுக்குப் பிற்பாடு வழங்கப்பட்ட அனுமதிப்பத்திரங்கட் கான இயந்திரங்கள் | 1965 ஏப்பிரிலுக்குப் பிற்பாடு பெறப்பட்டதும் இது வரை அனுமதிப்பத்திரங்கட் ரங்கள் கொடுக்கப்பட்டத னவுமான விண்ணப் பங்கள் |
|--|--|--|---|
|--|--|--|---|

3,367 .. 3,287 .. 2 இரசாயனப்பொருட் கள் கரைக்கும் இயந் திரங்கள் ரூ. 1,950

திரு. கே. வி. தங்கையா (இலங்கை யர்) முகாமை பங்காளர்  
திரு. பி. ஐயா நாடார், இந்திய பங் காளர்  
திரு. பி. பவநாசநாடார், இந்திய பங்காளர்

1,080 .. 1,080 .. 10 நிர்மல், வெறுமை யாக்கல் இயந்திரங் கள் ரூ. 42,494.22. 5 உட்பெட்டி ஒட்டும் இயந்திரமும் 4 வெளிப்பெட்டி ஒட்டும் இயந்திரமும் 1 ரூச்சி கள் நறுக்கும் இயந் திரமும் ரூ. 32,181

2,156 .. 2,810 .. 1 சோடி உரி யந்திரம் ரூ. 7088



உலக பிழை

உலக பிழை

1965, ஏப்பிரில் மாதத்திற்குப் பின்னர் இக் கம் பனிகளில் எவையாவது புதிய இயந்திரங்களை இறக்குமதி செய்வதற்கு விண்ணப்பித்தனவா ? அல்லது அனுமதிபெற்றனவா ? அப்படியாயின் அக்கம்பனிகள், இயந்திரவகைகள்

ஒவ்வொரு கம்பனியிலும் ஒவ்வொரு நிறுவனத்திற்கும் இலங்கையரல்லாதவர் ஒதுக்கப்பட்ட அனுமதிப்பங்குகள், அவற்றுல் நிறைவேற்றப்பட்ட அளவிகள் ஆகியன

|  |  |
|--|--|
| குறிக்கப்பட்ட வருடாந்த உற்பத்தி பெட்டிகள் தொகை | 1.10.64 லிருந்து 30.9.65 வரை யுள்ள உண் மையான உற்பத்தி பெட்டிகள் தொகை |
| ..   | 675 ..   |
| ..   | 323 ..   |

எண்ணிக்கை ஆகியன

மொத்தம்

|        |        |
|--------|--------|
| 36,000 | 33,670 |
|--------|--------|

(1) கம்பனிகளின் பெயரும், (2) ஒவ்வொரு கம்பனியின் தலை பதிவுசெய்யப்பட்டுள்ள வர்கள், அபிபதிக்க ஆகியோரது பெயர்கள்

(9) திருவாளர்கள் தம்பக்கார திரு. எஸ். ரி. கோமர் முகாமைப் இலலை  
சன்ஸ். அன்ட் திவஸ்பித் பங்காளர்  
டியா திரு. எஸ். ரி. ஏபெல், பங்காளர்  
திரு. எஸ். ரி. யபெஸ், பங்காளர்



(v)

(iv)

(iii)

(ii)

(i)

| Name and registered address of company   | The names of the chairman and directors of each company  | The extent of non-Ceylonese participation in the share capital and directorate of each firm, if any             | The quota allocated to each firm and the extent to which the quota has been fulfilled* | Minimum annual production specified | Actual production 1.10.64 to 30.9.65 | Machinery for which Import licences have been granted after April, 1965                    | Applications received for machinery after April, 1965 for which no import licences have yet been granted |
|--|--|---|--|-------------------------------------|--------------------------------------|--|--|
|  |  |   |  | No. of Cases                        | No. of Cases                         |  |  |
| M/s. Ceylon Match Co. Ltd., 54, Keyzer Street, Colombo                         | Mr. G. N. Jayasuriya, Chairman<br>Mr. A. R. N. de Fonseka, Director<br>Mr. N. U. Stengerb, Managing Director<br>Mr. Akbar Hydar, Director  | Non-Ceylonese Capital 58%<br>Ceylonese Capital 42%<br>Directorate comprises 50% Non-Ceylonese and 50% Ceylonese | Each firm and the extent to which the quota has been fulfilled*                        | 17,169                              | 17,624                               | 1 Box Closing and Lubelling Machine Rs. 71,000. 1 Splint Veneer Feeling Machine Rs. 76,000 | 1 Continuous Machine and Dipping Table Rs. 205,000   |
| 2. M/s. Swadeshi Industrial Works Ltd., 182/1A, State Bank Building, Colombo 1 | Mr. D. J. Wijewardena, Chairman<br>Mr. D. E. Martenstyn, Director<br>Mr. F. J. P. Perera, Director<br>Mr. Sellamuthu Somasundaram, Director<br>Mr. T. N. Munasinghe, Director  | Non-Ceylonese Share Capital 14 1/4%<br>Directorate—Nil  |  | 2,859                               | 1,535                                | —  | —  |
| 3. M/s. Jayanthi Match Company, 28, Borelasgamuwa Road, Maharagama             | Mr. Wijebahu Wijesinghe, Chairman<br>Mr. D. H. S. Amarasekera, Director<br>Mr. D. N. Wickramasinghe, Director  | Nil   |  | 1,009                               | 556                                  | —  | —  |
| 4. M/s. Nugaduwa Match Works, Galle  | Mr. A. H. M. Anver, Precedent Partner<br>Mr. A. S. M. Razeen, Partner<br>Mr. J. S. M. Hamid, Partner<br>Mr. M. A. M. Thassin, Partner<br>Mr. M. M. Thassin, Partner<br>Mr. M. H. M. Thassin, Partner                     | Nil   |  | 1,200                               | 1,200                                | —  | 1 Splint Chopping Machine Rs. 4,803<br>1 Set Frame Emptying Machine and 1 Set Coating Machine Rs. 8,228  |
| 5. M/s. Lanka Light Ltd., 81, Korallawella, Moratuwa                           | Mr. H. E. P. de Mel, Chairman and Managing Director<br>Mr. H. B. Perera, Technical Director<br>Mr. A. A. Jaffarjee, Director<br>Mr. H. W. T. Dias, Director<br>Mr. A. K. Adamaly, Director<br>Mr. P. J. de Mel, Director | Nil   |  | 6,485                               | 5,255                                | 1 Splint Chopping Machine Rs. 12,936   | —  |
| 6. M/s. National Match Works, Waragoda, Kelaniya                               | Mr. K. V. Thangiah (Ceylonese) Managing Partner<br>Mr. P. Iya Nadar, (Indian.) Partner<br>Mr. P. Pavanasa Nadar, (Indian) Partner  | Share Capital :—<br>Ceylonese 50% and Indian 50%<br>Directorate :—<br>1/3 Ceylonese and 2/3 Indian              |  | 3,367                               | 3,237                                | —  | —  |
| 7. M/s. Singha Industries Ltd., Maharagama                                     | Mr. A. H. C. Abewardena, Chairman<br>Mr. D. S. Collurage, Director   | Nil   |  | 1,080                               | 1,080                                | —  | 2 Chemical Grinding Machines Rs. 1,950   |



මාලිකා පිළිතුරු

මාලිකා පිළිතුරු

| (i)   | (ii)   | (iii)   | (iv)  | (v)  |  |
|---|--|---|---|--|--|
| Name and registered address of company                            | The names of the chairman and directors of each company                                  | The extent of non-Ceylonese participation in the share capital and directorate of each firm, if any | The quota allocated to each firm and the extent to which the quota has been fulfilled | Whether any company has applied for or received permission to import any new machinery after April, 1965, and if so, which company and what machinery  |  |
|   |  |   | <div>Minimum annual production</div> <div>Actual production</div>                     | <div>Machinery for which Import licences have been granted after April, 1965</div> <div>Applications received for machinery after April, 1965 for which no import licences have yet been granted</div> |  |
| No. of Cases  | No. of Cases   |   | No. of Cases  |  |  |
| 8. M's. United Industries, 170A, Sri Wickrema Mawatha, Colombo 15 | Mr. V. A. Sugathadasa, Proprietor  | Nil   | 2,156 ..  | 2,810  | 1 Set Peeling Machine Rs. 7,088  |
| 9. M/s. Thambakara Sons & Co., Divulapitiya                       | Mr. S. T. Gomer, Managing Partner<br>Mr. S. T. Abel, Partner<br>Mr. S. T. Jabez, Partner | Nil   | 675 ..  | 323 ..   | 10 Sets Frame Filling and Frame Emptying Machine Rs. 42,494. 22. 5 Sets Inner Box Pasting and 4 Sets Outer Box Pasting Machines and 1 Splint Chopping Machine Rs. 32,181 |
| Total ..  |  |   | 38,000  | 33,670   |  |











වෘත්ති පිළිතුරු

වෘත්ති පිළිතුරු

[ආචාර්ය එන්. එම්. පෙරේරා]

கட்டணம் அறவிடும் அறிவித்தலொன்றை வழங்கினாரென்பதை அவர் அறிவாரா? (இ) உதவித் தலைவரிடமிருந்து சேர வேண்டிய பணத்தை தாம் ஈடுசெய்வதாக அப்பொழுது பதவியிலிருந்த தலைவரான ஜனாப் எம். எச். முகம்மது கணக்குப் பரிசோதனை அதிபதிக் குத் தெரிவித்தாரென்பதை அவர் அறிவாரா? (ஈ) இற்றை வரை பணமெதுவும் கொடுக்கப் படவில்லை யாகையால், இப்பணத்தை அற விடுவதற்கு அவர் மேற்கொள்ளவுத்தேசித் துள்ள நடவடிக்கைகள் யாவை?

asked the Parliamentary Secretary to the Minister of Local Government:

(a) Is he aware that Mr. B. N. Cooray failed to pay a sum of Rs. 592.50 due to the municipality for utilizing the services of the Colombo Fire Brigade for the carnival which Mr. Cooray ran? (b) Is he aware that the Auditor-General issued a notice of surcharge on the officer in charge of the fire brigade for failing to recover these charges? (c) Is he aware that the then Mayor, Mr. M. H. Mohamed, informed the Auditor-General that he will make good the money due from the Deputy-Mayor? (d) In view of the fact that no money has yet been paid what steps does he intend to take to recover this money?

ප්‍රේමදාස මයෝ.

(திரு. பிரேமதாசு)

(Mr. Premadasa)

(a) Yes. (b) Yes. (c) Yes. (d) Mr. Mohamed has given effect to his undertaking.

ଶ୍ରୀପାଠ୍ୟ ଶିକ୍ଷା. ପ୍ରଥମ. ପଞ୍ଚମୋକ୍ଷ

(கலாநிதி என். எம். பெரேரா)

(Dr. N. M. Perera)

He has paid the money?

ପ୍ରେମଭାଷା ଭବେ.

(திரு. பிரேமதாச)

(Mr. Premadasa)

Yes.

බී. එන්. කුරේ මහතා : කොළඹ නගර  
සභාවෙන් විදුලි ඔවුලු ආදිය නැයට ලබා  
ගැනීම

திரு. பி. என். கூரே : கொழும்பு மரநகர சபையி  
லிருந்து கடனாகப் பெற்ற மின்சார குமிழ்களாதியன

MR. B. N. COORAY: LOAN OF ELECTRICAL  
BULBS, ETC., BY COLOMBO MUNICIPALITY

14. **ආචාර්ය එන්. එම්. පෙරේරා**

(கலாநிதி என். எம். பெரேரா)

(Dr. N. M. Perera)

පළාත් පාලන ඇමතිගේ පාර්ලිමේන්තු  
ලේකම්ගෙන් ඇසූ ප්‍රශ්නය : (අ) බී. එන්.  
කුරේ මහතා කොළඹ නාගරික සභාවේ  
නියෝජ්‍ය නගරාධිපතිව සිටියදී රුපියල්  
650 ක් වටිනා විදුලි බුබුලු 500 ක් හා  
හෝල්ඩර් 500 ක් නාගරික සභාවෙන්  
ණයට ලබාගත් බව එතුමා දන්නවාද?  
(ආ) විදුලි බුබුලු හා හෝල්ඩර් මෙතෙක්  
නාගරික සභාවට ආපසු භාර දී හෝ වටිනා  
කම බී. එන්. කුරේ මහතාගෙන් අයකර  
ගෙන හෝ තැනි බව එතුමා දන්නවාද?  
(ඉ) මෙම විදුලි බුබුලු කුරේ මහතාට දීමට  
නියෝග කළ නගරාධිපති සුගතදාස මහතා  
ගෙන් ආපසු අයකර ගන්නා ලෙස 1964  
පෙබරවාරි මාසයේදී ඔබ්ටර්-ජනරාල්  
යෝජනා කළ බව එතුමා දන්නවාද? (ර්)  
සුගතදාස මහතා ඔබ්ටර්-ජනරාල් වෙත  
පිළිතුරක්වත් යැවීමට අපොහොසත් වී  
ඇති හෙයින් නාගරික සභාවට ලබියයුතු  
මුදල් අයකර ගැනීම සඳහා එතුමා කුමන  
ක්‍රියා මාර්ගයක් ගන්නේද?

உள்ளூராட்சி அமைச்சரின் பாராளுமன்றக் காரியதரிசியைக் கேட்ட வினா: (அ) திரு. பி. என். கூரே கொழும்பு மாநகர சபை உப தலைவராகப் பதவி வகிக்கையில் அம்மாநகர சபையிடமிருந்து 650 ரூபா பெறுமதியான 500 குமிழ்களும், 500 கொழுவின்களும் கடனாகப் பெற்றார் என்பதை அவர் அறிவாரா? (ஆ) இதுவரை அக்குமிழ்களும் கொழுவின்களும் மாநகர சபைக்குத் திருப்பிக் கொடுக்கப்படவோ அல்லது அவற்றின் கொள்வினை திரு. பி. என். கூரேயிடமிருந்து அறவிடப்படவோவில்லை என்பதை அவர் அறிவாரா? (இ) மாநகர சபைத் தலைவர் திரு. சுகததாசாவின் கட்டளையின் பிரகாரம் இக்குமிழ்கள் திரு. கூரேக்கு வழங்கப்பட்டமையால், 1964, பெப்ரவரியில்

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வலிக பிழை

வலிக பிழை

whole pot of milk becomes bad. My view is that in this case if a part is bad the whole thing is bad.

சி. ஸெல்தன் ஜயசிங்ஹ். (கர்மனா  
யா நிபர க்ருமனின் பார்டிமென்ட் லேகி)

(திரு. டி. ஷெல்தன் ஜயசிங்ஹ்—கைத்  
தொழில், கடற்ருழில் அமைச்சரின் பாராளு  
மன்றக் காரியதரிசி)

(Mr. D. Shelton Jayasinghe—Parlia-  
mentary Secretary to the Minister of  
Industries and Fisheries)

I agree with you, Sir, in your efforts to safeguard the interests of hon. Members. My point is that if you thought, and still think, that this Question should not appear in the Order Paper and that you should not allow it to be raised, then it should never have been allowed to get on to the Order Paper.

கலாநாயகர்

(சபாநாயகர் அவர்கள்)

(Mr. Speaker)

Will the hon. Member please listen to me?

சி. ஸெல்தன் ஜயசிங்ஹ்.

(திரு. ஷெல்தன் ஜயசிங்ஹ்)

(Mr. Shelton Jayasinghe)

May I continue, Sir? There is no point in saying this is out of Order once you have allowed it to appear on the Order Paper. It is your duty, Sir, to safeguard the interests and honour of Members of this House, but I say that this matter should have been carefully looked into before the Question got on to the Order Paper.

கலாநாயகர்

(சபாநாயகர் அவர்கள்)

(Mr. Speaker)

Please take my Order and sit down. When I explained the position, if the hon. Member listened to what I said, I covered all the points that he is raising. The Question was out of Order for the reason that it was quite against the Standing Orders. I told the hon. Member for Kolonna that

he has his remedies, one of which is to bring forward a substantive Motion. An opportunity can then be given to the Member concerned to give an explanation. So I regret—

சு. சி. லீ. லீ. ஹுல்லே (புலகன்  
கூமி)

(கௌரவ ஈ. எல். பி. ஹுல்லே—போக்கு  
வரத்து அமைச்சர்)

(The Hon. E. L. B. Hurulle—Minister  
of Communications)

What about Question No. 14? It concerns the conduct of a Member of this House but you allowed it.

கலாநாயகர்

(சபாநாயகர் அவர்கள்)

(Mr. Speaker)

That is my Order. The hon. Member can bring up a Motion if he likes. We can have a Debate on it. Even tomorrow the hon. Member can bring up a Motion.

சி. சி. மெத்யு.

(திரு. சி. என். மதியூ)

(Mr. C. N. Mathew)

I want to draw your attention to Standing Order No. 37. Standing Order No. 37 (1) reads as follows:

“Mr. Speaker shall decide whether a question is or is not admissible under these Standing Orders and may disallow any question when in his opinion it is an abuse of the right of questioning or calculated to obstruct or affect prejudicially the procedure of the House and shall disallow any question if it infringes any of these Standing Orders. Disallowance of a question by Mr. Speaker, with the reason therefor, shall be communicated in writing to the member concerned by the Clerk.”

I have not been informed, Sir.

கலாநாயகர்

(சபாநாயகர் அவர்கள்)

(Mr. Speaker)

I have covered that ground also. I referred to May, who is the authority we as well as the House of Commons follow. There you will see that a number of Questions had come up before the House of Commons in the



[கலாநாயகனாக]

same way, and these were later ruled to be out of Order. There the Speaker had held that some particular Questions could not be asked by the Member concerned except by way of a substantive Motion. That is my Order. I hope hon. Members will take it in the spirit in which I have made it, because I myself regret that this Question came up in an improper form.

செ. சே. ஸ்ரீ. சுவரீதன

(கௌரவ ஜே. ஆர். ஜயவர்தன)

(The Hon. J. R. Jayewardene)

Can I refer to May which you referred to? It is quite different. I would like to point this out to you. The latest edition of May says this: "The Speaker has refused to permit a question to be asked although it stood upon the Paper on his attention being drawn to an irregularity."

There is only one precedent that I have been able to find. That is in the "House of Commons Debates", 2nd May 1957, columns 340 and 341. The Question had got on the Order Paper in regard to the inspection of the drugs register of a certain doctor. But by the time the question was answered or about to be answered there was a judicial proceeding against that particular doctor. The matter became *sub judice*. That situation arose after the Question was put on the Order Paper. Then the Speaker held that it was not proper for the Question to be asked and he ruled it out of Order.

I do not think any particular proceeding has happened after this Question came on our Order Paper. You considered it very carefully and allowed it to go on the Order Paper. I can understand it if there is a judicial proceeding against any particular person and a new situation has arisen, when you could order the Question out of the Order Paper. Otherwise I say you are governed by the Standing Orders. Our Standing Orders take precedence even over May. Thus you should have given notice to the hon. Member. I say that your Ruling is wrong.

[கலாநாயகனாக]

(சபாநாயகர் அவர்கள்)

(Mr. Speaker)

You say my Ruling is wrong. Well, you have your remedy if my Ruling is wrong. But I maintain that I have gone through May, and there are a number of cases where the Speaker has disallowed a Question when it came up before the House. In this case my final Order—and I shall not allow anyone to speak after that—is that this Question is out of Order, but the hon. Member for Kolonna has every right to bring up a Motion, even tomorrow, in the proper form and then re-agitate this question in this House.

That is my Order. If anyone is dissatisfied with it, he of course has his remedy if he likes to adopt it, and thereafter we can discuss that matter also. But my Order today is that this Question is quite out of Order, and I disallow it.

செ. சே. ஸ்ரீ. சுவரீதன

(கௌரவ ஜே. ஆர். ஜயவர்தன)

(The Hon. J. R. Jayewardene)

The hon. Leader of the Opposition can support us and answer the Question.

செ. சே. ஸ்ரீ. சுவரீதன

(சபாநாயகர் அவர்கள்)

(திருமதி சிறிமாவோ ஆர். டி. பண்டார நாயக்க—அத்தனகல்ல)

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

The Question is not asked from me. It is asked from the Government.

செ. சே. ஸ்ரீ. சுவரீதன

(கௌரவ ஜே. ஆர். ஜயவர்தன)

(The Hon. J. R. Jayewardene)

Why is she trying to hide behind your Order?—[Interruption].

செ. சே. ஸ்ரீ. சுவரீதன

(கலாநாயகர் என். எம். பெரேரா)

(Dr. N. M. Perera)

The Government must ask the Question from whom?



மேலும் மனவலையில் உயர்விலே

மேலும் மனவலையில் உயர்விலே

ஃபர். ஃபர். டியஸ் டிசம்பர் 21-ம் நாள்.  
(ஃபர். ஃபர். டியஸ் டிசம்பர் 21-ம் நாள்)

(திரு. எப். ஆர். டயஸ் பண்டாரநாயக்க  
—தொம்பே)

(Mr. F. R. Dias Bandaranaike—Dompe)

Under our Standing Orders it is not permitted for any Member to answer a Question except a Minister or a Parliamentary Secretary.

ஃபர். ஃபர். டியஸ் டிசம்பர் 21-ம் நாள்.

(கலாநிதி என். எம். பெரேரா)

(Dr. N. M. Perera)

You bring up a Motion and she will answer the Question—  
[Interruption].

கலாநிதி ஃபர். ஃபர். டியஸ் டிசம்பர் 21-ம் நாள்.

(சபாநாயகர் அவர்கள்)

(Mr. Speaker)

Order, please! Hon. Member for Yatiyantota, please sit down. Hon. Members are behaving very badly. I have made my Order and I have always said that if I make an Order I would stand by it. There is always a remedy. Hon. Members cannot create a row here. Once I make an Order it is binding on everyone.

I am now passing on to the next item. Will the Hon. Leader of the House please go on to the next item and move the Motion?

மேலும் மனவலையில் உயர்விலே

சபை அமர்வு

SITTING OF THE HOUSE

ஃபர். ஃபர். டியஸ் டிசம்பர் 21-ம் நாள் (ஃபர். ஃபர். டியஸ் டிசம்பர் 21-ம் நாள்)

(கலாநிதி என். எம். பெரேரா—காணி, நீர்ப்பா  
சன, மின்விசை அமைச்சரும் சபை முதல்  
வரும்)

(The Hon. C. P. de Silva—Minister of Land, Irrigation and Power and Leader of the House)

I move,

“That this House at its rising this day do adjourn until 2 p.m. on Tuesday, 2nd November 1965.”

புனிய சபைக்குள் கொண்டு செல்வது.

வினா எழுத்தியம்பப்பெற்றது.

Question proposed.

கலாநிதி ஃபர். ஃபர். டியஸ் டிசம்பர் 21-ம் நாள்.

(திரு. கெனமன்)

(Mr. Keuneman)

The Hon. Leader of the House and the Hon. Prime Minister are aware that a Motion of No Confidence by the entire Opposition has been tendered and it appears on the Order Book. I wish to request that some time be given early in November for the disposal of that Motion. This is the first Motion of No Confidence against this Government brought before this House.

ஃபர். ஃபர். டியஸ் டிசம்பர் 21-ம் நாள்.

(கலாநிதி என். எம். பெரேரா)

(The Hon. C. P. de Silva)

We will give a date as early as possible.

ஃபர். ஃபர். டியஸ் டிசம்பர் 21-ம் நாள்.

(திரு. எப். ஆர். டயஸ் பண்டாரநாயக்க)

(Mr. F. R. Dias Bandaranaike)

How early is “early as possible”?

ஃபர். ஃபர். டியஸ் டிசம்பர் 21-ம் நாள்.

(கலாநிதி என். எம். பெரேரா)

(The Hon. Dudley Senanayake)

Much earlier than you gave us.

ஃபர். ஃபர். டியஸ் டிசம்பர் 21-ம் நாள்.

(கலாநிதி என். எம். பெரேரா)

(Hon. Members)

Hear! Hear!—[Interruption].

ஃபர். ஃபர். டியஸ் டிசம்பர் 21-ம் நாள்.

(கலாநிதி என். எம். பெரேரா)

(The Hon. Dudley Senanayake)

Repeat that.

ஃபர். ஃபர். டியஸ் டிசம்பர் 21-ம் நாள்.

(கலாநிதி என். எம். பெரேரா)

(The Hon. J. R. Jayewardene)

We will answer all your questions.

புனிய சபைக்குள் கொண்டு செல்வது.

வினா விடுக்கப்பட்டு ஏற்றுக்கொள்ளப்பட்டது.

Question put, and agreed to.



ප්‍රජා නුසුදුසුකම් පැනවීමේ (විශේෂ විධිවිධාන)  
පනතේ කෙටුම්පත

පුරා තුසුදුසුකම් පැනවීමේ (විශේෂ  
විධිවිධාන) පනත් කෙටුම්පත

குடியுரிமைத் தகுதியினங்கள் விதித்தல்  
(விசேட ஏற்பாடுகள்) மசோதா

IMPOSITION OF CIVIC DISABILITIES  
(SPECIAL PROVISIONS) BILL

කල් තබන ලද විවාදය තවදුරටත් පවත්වනු  
 පිණිස නියෝගය කියවන ලදි. ඊට අදාළ ප්‍රශ්නය  
 [සැප්තැම්බර් 23]

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

මුත් නිසි යටිත් සහායවූ කාරන ලදී.

வினாமிதான ஒத்திவைக்கப்பெற்ற விவாதம் மீள ஆரம்பிப்பதற்கான கட்டளை வாசிக்கப்பட்டது.—[23, செப்  
டம்பர்]

“மசோதா இப்பொழுது இரண்டாம் முறை மதிப்பிக்கப்படுமாக” — [கௌரவ ஜே. ஆர். ஜயவர்தன].

வினா மீண்டும் எடுத்தியம்பப் பெற்றது.

Order read for resuming Adjourned Debate on Question—[23rd September.]

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

Question again proposed.

කළානායකතුමා

(சபாநாயகர் அவர்கள்)

(Mr. Speaker)

The Question is that the Bill be now read a Second time. Those who are in favour, say "Aye"; those against, say "No".

ගරු මන්ත්‍රිවරු

(கௌரவ அங்கத்தினர்கள்)

(Hon. Members)

Aye !

കഥാമാധ്യമം

(சபாநாயகர் அவர்கள்)

(Mr. Speaker)

The "Ayes" have it.

—දෙවන වර කියවීම

වෛද්‍යාචාර්ය ඩී. එම්. ඩී. නානානන්  
(නල්ලූර්)

(டொக்டர் எ. எம். வீ. நாகநாதன்—நல்  
இளர்)

(Dr. E. M. V. Naganathan—Nallur)

The hon. Member for Kalmunai wants to speak. He must be given an opportunity to speak.

കഥാസാക്ഷാത്കൃതം

(சபாநாயகர் அவர்கள்)

(Mr. Speaker)

I put the Question, but there was so much noise and disturbance in the House that I had to call hon. Members to Order. You did not listen to me, and naturally hon. Members could not listen to what I said. I shall, however, allow the hon. Member to speak.

ഒരു കേ. ഏർ. പടവർത്തന

(கௌரவ ஜே. ஆர். ஜயவர்தன)

(The Hon. J. R. Jayewardene)

On a point of Order, Sir, is the Debate being resumed now? Again you need a two-thirds majority and you have to vote by name.

കുലാചാരകർമ്മം

(சபாநாயகர் அவர்கள்)

(Mr. Speaker)

The voting on the Second Reading as well as on the Third Reading will be by name. Will the hon. Member for Kalmunai please be brief?

ද සොසିසා සිරිවර්ධන මයා. (මිනුවන්  
ගොඩ)

(திரு. டி. சோய்ஸா சிறிவர்தன—மினுவாங்  
கொட)

(Mr. de Zoysa Siriwardena—Minuwangoda)

At the party leaders' meeting, we decided to take the vote at 5 o'clock today. So, may I ask till what time will we be debating? As for us, we do not mind the vote being taken even now, after this speech.



ප්‍රජා නුසුදුසුකම් පැනවීමේ (විශේෂ විධිවිධාන)

පනත් කෙටුම්පත

අ. ආ. 2.35

මාසල මුදලි එම්. එස්. කාරියාප්පර්  
(කල්මුනේ)

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கல்முனை)

(Gate Mudaliyar M. S. Kariapper—  
Kalmunai)

As a Member of this House, I wish to make a few observations on this Bill.

I rise to speak on this occasion because I do not think it would be correct for me to betray the sacred trust reposed in me by the people of my electorate who have known the ins and outs of my life for the last forty years and who, in spite of the verdict of the Thalgodapitiya Commission, elected me to the honour of a seat in this House.

Mr. Speaker, everybody knows that there are two sides to a story. The Thalgodapitiya side of the story has been publicized from political platforms and through the press for the last five years. It is today for the first time that one of the Thalgodapitiya victims has an opportunity to give his side of the story. And therefore, Sir, I crave the indulgence of hon. Members of this House to give me a patient hearing.

Sir, through this Bill a movement is under way to encroach upon the jurisdiction of the judiciary and to pass direct punishment upon a certain number of citizens. I would say that not merely are we side-stepping the judiciary by these direct sentences upon certain individuals, we are also retrospectively amending the Constitution. I say that the Government is, by this Bill, retroactively amending the Constitution. That is the decision of the governing party. In this situation I submit myself to the present decision.

In the passing of this Bill, I submit, this Legislature will, for the time being, be converting itself into a judicial body. I bow to that decision, and

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I stand here before the hon. Members of this House in the role of an accused. I ask the House for the indulgence that is normally extended by a judge to an accused before the passing of sentence.

I would ask hon. Members to realize the gravity of the situation, I would ask them to address their minds to the gravity of the situation. They are now in the role of judges about to pass judgement on one of their Colleagues.

Parliament has the power—I do not dispute that—to pass laws, but this Bill is a law with a difference. Laws are passed in Parliament and they are examined and interpreted by the judiciary. But in this Bill, under the guise of passing legislation, a sentence is sought to be imposed. Therefore I say a grave responsibility rests on the shoulders of hon. Members.

I shall now say a few words in regard to the Thalgodapitiya Commission on the findings of which this Bill is based. The Thalgodapitiya Commission, as most hon. Members are aware—I state this for the information of the new-comers to this House—functioned as investigator; it functioned as prosecutor and it functioned as judge.

There were a number of policemen under the command of the commission. From time to time they were asked to collect evidence to fill any existing gaps in the prosecution story. Hon. Members know that they looked out for facts anywhere and anyhow. The hon. Member for Dompe (Mr. F. R. Dias Bandaranaike) said on the Floor of this House that the commission got advertisements inserted in the newspapers calling for complaints.

As hon. Members know, the law of evidence is the touchstone of the administration of civilized justice. The Thalgodapitiya Commission was merely a fact-finding body and it was not bound by the laws of evidence



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and legal procedure. I am not blaming the commission. It was merely a fact-finding commission. I do not think that Mr. Thalgodapitiya, even in his wildest dreams, would have imagined that a day would come when his investigation of facts would be raised to the sanctity of a judicial decision, and a Bill brought before this House on the basis of his findings to chop off six heads.

As has been repeatedly said on the Floor of this House, the Thalgodapitiya Commission was appointed under the Commissions of Inquiry Act. Similar commissions have been appointed in the recent past. There was the Press Commission which was appointed under that Act. There was the Naval Commission which was appointed under that Act. The findings of these commissions have gone down the gutter.

The C.W.E. Commission is now sitting and is recording evidence, and I know that they are treading upon the corns of particular individuals. I see from the Order Book of this House that there is already a Motion seeking to scrap the C.W.E. Commission. But the Thalgodapitiya Commission survived because the men concerned were of no political consequence. And, from stories, from talks that I have heard, some of those people concerned appear to have fallen between two political—*[Interruption]* with the result that today the important political parties are competing with each other in their holier-than-thou attitude to go through with this Bill. I submit that, in brief, I have placed before this House the way these commissions function.

Now, I just want to draw the attention of the hon. Members to the manner in which the commission, on the findings of which you are basing this Bill, has been functioning. I do not want to make my own comments; it might be alleged that I am biased. I want to read the comments of other people so that

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hon. Members may know, may form a picture of, the intensity of the political bias possessed by these commissioners. I will now read from the "Ceylon Daily News" of the 3rd June 1960 :

"Witness said that he knew Ran Banda who addressed that meeting and a Muslim trader named Buhari. Witness did not see them there. Witness did not oppose Mr. Monnekulama. He voted always for the S. L. F. P.

Mr. Roberts (one of the commissioners) : Some people never learn."

Hon. Members, what does this reaction of one of the commissioners, when he said "Some people never learn", mean? Is not there a political bias, I ask, behind that remark of the commissioner? "Some people never learn" he said—because they always vote for the Hand.

I will now pass on to read an extract from the "Ceylon Observer" of 5th June 1960 :

"Addressing Mr. Tiruchelvam, defence counsel, Mr. Thalgodapitiya said: Why lead evidence on the law? Why not stick to facts?

MR. TIRUCHELVAM : It is necessary ; I must.

MR. THALGODAPITTYA : We know all that.

MR. TIRUCHELVAM : I know, but I make these points because we cannot carry these things in our heads.

MR. ROBERTS : We have got to learn from you?

MR. TIRUCHELVAM : I have a right to make these representations. I am learned in the law. I am acting within the law."

These remarks give an indication of what was in the minds of these commissioners at the time they were carrying out these investigations.

Now, in order to refresh our memory and also for the information of the new-comers in this House I wish to read a few extracts from HANSARD. I should like to read an English translation of a statement made by the former Member for Ratnapura, Mr. D. P. R. Weerasekera.



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It is in the HANSARD of 9th November 1960. That statement, translated, would read :

“Mr. Speaker, I wish to bring to the notice of the House a very important matter. I hope every hon. Member will listen to what I am saying as it is a very grave matter. At a certain party, in the presence of three Members of Parliament, the Bribery Commissioner has publicly stated that it was his intention to find guilty every Member of Parliament against whom allegations of bribery had been made. The report of the Bribery Commissioner is not yet out. I wish to remind the House that it is illegal for the Bribery Commissioner to make such a statement. I trust that action will be taken against his statement which is an illegal statement made in the presence of several Members of this House.”

Mr. Thalgodapitiya concluded his inquiries and published his report long afterwards.

On the same occasion, 9th November 1960, the then Minister of Finance, Mr. Felix Dias Bandaranaike, made this statement. That was before the report was published. I quote :

“On behalf of the Sri Lanka Freedom Party, I should like to state that the Bribery Commission was appointed by our Government, the Government of the late Mr. S. W. R. D. Bandaranaike. We do not hold any brief for bribery or corruption in public life and we should take pleasure in eliminating all forms of bribery and corruption from public life, particularly if there are any such allegations against Members of Parliament. We do not want to make use of any parliamentary majority that we may happen to have in order to impose the advantage of that majority in defence of any person who does not deserve any consideration by virtue of having a finding of bribery and corruption against him.

But, Mr. Speaker, the point that is in issue is not that. The point raised by the two hon. Members who spoke is something quite different. It related to the propriety or otherwise of certain members appointed to the Bribery Commission talking out of turn, talking indiscreetly and in a manner calculated to destroy public confidence in the commission itself.

I regret to inform the hon. Members of this House that I, too, have personal knowledge as, I believe, one or two other

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persons do. I do not want to go into details as to how or where, but I am prepared to make that disclosure to you at any time you may care to ask. But it is my solemn duty to inform hon. Members of the House that it has happened.

For instance—I think I am free to disclose this—one of the members of the Commission did tell me some time ago that subject to pressure from a Caretaker Government an interim report was sent and it was said by way of apology having regard to some other request which was made unconnected with the question of the Bribery Commission.

Well, Mr. Speaker, there have been instances of that kind; I believe there have been instances of careless and indiscreet talk, quite apart from this kind of situation, by the Commissioners themselves and I do agree that while it is very desirable in the interests of the House and a clean administration, we must not allow a single person against whom a charge is proved to vitiate the public life of this country. At the same time, we must act with great care and caution and also take the necessary steps to safeguard this House against the activities of those Commissioners who by their very actions have brought the judicial proceedings and, perhaps, the respect of this House into disrepute.”—[OFFICIAL REPORT, 9th November 1960; Vol. 41, c. 1238—9.]

I should like to repeat that last sentence: “the activities of those commissioners who by their very actions have brought the judicial proceedings and, perhaps, the respect of this House into disrepute.”

The whole report of the commissioners was written and published, and statements were made on the Floor of this House by two hon. Members and one Hon. Minister.

I would also like to read from a speech made by the then Hon. Prime Minister, now Leader of the Opposition. I am not going to read her entire speech. I will read only some extracts from her speech. This is what she said :

“I have followed with great interest the speeches made both in this House and in the House of Representatives on the Motion of No Confidence against the Government. I wish to state here and now, that we are determined to wipe out bribery and corruption in the public life of this country. We will not condone it either in the case of a small amount paid by a poor person to those holding public



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office, or in the case of large sums given by foreign firms or agencies to persons holding high office. If we were prepared to condone corruption we would not have fought two elections the hard way. We could, like some of our opponents, have sacrificed the interests of the masses for the welfare of the vested interests and filled our party's pockets. We did not do that. It is because we do not condone bribery that we did not hesitate, nor did we have any difficulty, in getting two of our party members, who were Members of Parliament, and who had been found guilty by the Thalgodapitiya Commission, to resign their seats."

She goes on to say :

"We are all aware of what happened at the elections. Our Kurunegala candidate who had been found guilty was returned. He was returned not because the voters of Kurunegala condoned bribe-taking, but because they felt, as all right-thinking people felt at that time, that unfair and unjust tactics had been adopted against him and his party. The Report was treated as yet another election stunt on the part of those who released it for publication and those who published it. ...."

I agree, Mr. President with what the Hon. Leader of the Opposition said in the House of Representatives, namely, that the atmosphere with regard to the Commission has been fouled. Fouled by whom is the question. Those who befouled the atmosphere and clouded the findings of the Commission are those who made election capital of the interim report by its inopportune publication.

However, we accepted the findings of the Commission and we have acted upon it. Two Members of Parliament have resigned their seats. We have done our duty. But justice must be meted out to the individuals concerned. These men feel—may be quite wrongly but they do genuinely feel—that they have been victimized for their political views and party affiliations. .... However, justice must be done. It is of fundamental importance that justice should not only be done but should manifestly and undoubtedly be seen to be done."—[OFFICIAL REPORT, Senate; 2nd March, 1961; Vol. 16, c. 729-30.]

I am still continuing to read the speech of the former Prime Minister.

"As I told you earlier, the men found guilty by this Commission have a grievance, a genuine grievance that they have been victimized for political reasons. And there appear to be grounds for this grievance. But yet we feel that there may be sufficient evidence on which they

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may have been rightly found guilty. It is for this reason that we are giving them the right of appeal to the Supreme Court. Whatever the findings of the Supreme Court, we feel that justice will be done and justice will also appear to be done. Is this not fair? Is this an effort to shield the bribe-taker? Let the Supreme Court impose the severest penalty of depriving a man of his civic rights if they confirm the verdict. That is all we are seeking to do . . . .

It is amusing to hear those who attacked and vilified the late Prime Minister during his lifetime, those members of the left and right wing parties who strained every nerve to sabotage his efforts on behalf of the people, now talk of the sacredness of his appointments. It may be good politics on the eve of three by-elections to pay lip service to the late Prime Minister and belabour his party in his name, but all the fine words and phrases in the world cannot hide the simple fact that the late Prime Minister could not anticipate the course of the Commission he appointed, the sinister moves of politicians, any more than he anticipated his end."—[OFFICIAL REPORT (SENATE), 2nd March, 1961; Vol. 16, c. 731-4.]

This is what the then Prime Minister had said.

As soon as this speech was made the "Daily Mirror" which had been carrying on a continuous campaign against the then Government published an editorial on this subject. The then Prime Minister's speech sparked off an editorial in the "Daily Mirror" of 4th March 1961. I produce a certified copy of it. This is how it reads :

"THIS NEEDED TO BE SAID. We have been among the most outspoken critics of the Government on the bribery issue. We still maintain that the Government's great mistake was to have failed to speak its mind openly.

If they had told the country eight months ago what the Prime Minister said in the Senate last Thursday, no honest man in this country would have objected to the Thalgodapitiya Commission being scrapped . . . . She has never done anything better in public life than to speak out last Thursday on this bribery question.

It was a speech which came like a breath of fresh air because it was honest, courageous and devastatingly frank.



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She did not mince her words. She told the country that those who fouled the air by making election capital out of this report must answer for the mess which followed.

THAT NEEDED TO BE SAND, AND WE ARE GLAD THE PRIME MINISTER HAD THE STRENGTH TO SAY IT”.

That was the attitude of the Prime Minister of the day.

This is what the then Leader of the House (The Hon. C. P. de Silva), who is also the present Leader, said :

“Sir, the position of the Government is that those found guilty of the offence of bribery should be dealt with as severely as provided for in our laws. Section 13 (k) of the Constitution provides for disqualification of an M.P. if he is found guilty by a court or by a commission appointed by Parliament. The Thalgodapitiya Commission was not a commission appointed by Parliament, nor a court.

The Government proposal was to disqualify those against whom the charge had been held to be proved by the Thalgodapitiya Commission, after or subject to an appeal to the Supreme Court. If the Supreme Court upheld the findings of the commission, then the judgment of the Supreme Court would have been the “judgment of a court” and the disqualification under Section 13 (k) would have applied. If those against whom there was a finding by the commission did not appeal within the prescribed time, then, too, they would have been disqualified, and there would have been no denial of natural justice.

As it is the Thalgodapitiya Commission was not a court nor a commission appointed under the Constitution. The findings of the commission therefore have no legal validity whatsoever.

During the Ratgama and Kurunegala by-elections, the Leader of the Opposition was asking the question why the Government was seeking to give an appeal to M.P.s when there was no appeal given to peons and clerks found guilty of bribery by bribery tribunals. The Leader of the Opposition was much mistaken in the views he held, as by the amendments made to the Bribery Act in 1958 a right of appeal to the Supreme Court was given to everybody. Two such cases came up in appeal before the Supreme Court and they have attracted considerable attention.

In the Senadhira case, the Supreme Court held that the bribery tribunals, even though they were constituted under an Act of Parliament, had no power to inflict any penalties. The Supreme Court,

however, held in this case that the bribery tribunal had the power to adjudicate whether the charges had been proved against the offenders, although the tribunal had no power to punish the offenders.

A second judgment of the Supreme Court—in the case of Piyadasa, decided on 31.10.62—goes even further. This judgment is not yet published in the New Law Reports because it is a very recent judgment. In this case the Supreme Court went further and stated that the bribery tribunals had no power even to come to a finding as to whether the charges had been proved or not. The Supreme Court held that such a finding would be in the exercise of a “judicial power” and that the bribery tribunals could not exercise even that degree of judicial power.

So you will see that the Supreme Court has held that a tribunal appointed under Act of Parliament has no power to come to any finding against a person accused of an offence.

In view of the judgment in the Senadhira case, the Government has sought to amend the Bribery Act so as to have all bribery cases tried by the District Court and to provide heavy penalties. This amending legislation has already been passed by the Senate and is on the Order Book of this honourable House. It will be given priority.

What we are now seeking to do is to give the Thalgodapitiya Commission, which is now *functus*, the powers it never had and to give those powers retrospectively...

If you can do that, you can also amend the Constitution and declare that the findings of the bribery tribunal in the case against Senadhira and in all the other cases where persons have been found guilty by the bribery tribunals, are retrospectively valid. Then Parliament becomes not a legislative body but a judicial body...

We have recently heard a great deal about the separation of powers and about Parliament not being a judicial body but only a legislative body. That was the argument of the Opposition as well when the Government tried to impose the death sentence against Buddharakkita and Jayawardene—persons who were found guilty of a planned conspiracy to murder the Prime Minister of this country...

The Members of the Opposition screamed at the very thought and idea. You protested against retrospective legislation against the assassins of a Prime Minister of this country...

You protested against retrospective legislation and quoted the Declaration of Human Rights when the Government introduced legislation in regard to the



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*coup d'etat* suspects who attempted to overthrow the Government of this country. Now you want, by retrospective legislation, to give the Thalgodapitiya Commission the powers it never had.

The only alternative, therefore, is to provide an appeal to the Supreme Court and to provide that as an amendment to the Constitution. This has been misrepresented as an attempt on the part of the Government to give these offenders a chance to escape. The Government does not want to protect any bribe-takers.... The Government has, therefore decided to prosecute the persons concerned under the Bribery Bill immediately after the amending Bill, which is now before the Parliament, is passed. Under Section 15 of the Bribery Act a person found guilty of bribery, whether he be a Member of the House of Representatives or the Senate, is liable to a sentence of seven years' rigorous imprisonment or a fine of Rs. 5,000 or both. The amendment now before the House is to bring the case before the district court instead of a bribery tribunal.

For these reasons the Government has decided to decline to vote on the Bill which is now before the House and which has been sponsored by the hon. Leader of the Opposition....

We know that your arguments are about an appeal to the Supreme Court. You say that the Supreme Court is bound by certain rules of evidence and that a commission of inquiry is not bound by the rules of evidence. But I want you to remember that even the bribery tribunals were not bound by the rules of evidence and yet there was an appeal to the Supreme Court. There are many tribunals and boards of inquiry which are not bound by the rules of evidence, but which provide for an appeal to the Supreme Court. Twice in the course of this year when we tried to introduce legislation to deal with the *coup* suspects, there were protests from the Opposition that we were, by that legislation, trying to bring in even the very confessions that were made by those suspects.

If the Supreme Court can act as a Court of Appeal on the findings of the Thalgodapitiya Commission, then the judgment of the Supreme Court will be a judgment of a court within the meaning of Section 13 (k) of the Constitution as it now stands, and those found guilty will be automatically disqualified. If, on the other hand, you do not support an appeal, the Government is prepared to have these persons tried under the law

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of the land and give them their due punishment in a court of law, which will also involve their disqualification from Parliament.

The Government cannot subscribe to the Bill now before the House which seeks to disqualify those persons found guilty by a commission when that commission had no power to make even a recommendation that those found guilty should be disqualified. If they had the power even to make such a recommendation, those who were brought up before the commission, if they had any ground for believing that they were being deprived of natural justice, or that the commission was acting under any bias, would have had the right to go before the Supreme Court and ask the Supreme Court to order the commission to hold a proper inquiry. Even this right those who were accused before the commission did not have, because the commission was devoid of any power....

We do not, as a party, condone any acts of bribery....but it has been the declared policy of this Government, even when dealing with the very assassins of the late Prime Minister, or even the suspects of the attempted *coup d'etat*, to give them the fairest possible trial...

Even the very assassins of the late Prime Minister had their case heard by the Supreme Court, before a jury, and after that by a Court of Criminal Appeal consisting of five other Judges of the Supreme Court, and again thereafter by five very eminent Judges of the Privy Council in England. They were tried according to the normal law of the land, commencing with a magisterial inquiry.

Then take the case of the *coup* suspects. We have allowed them to be tried by three judges of the Supreme Court. There have been comments even against this procedure and some people have asked for trial by jury instead of a trial-at-bar. It is true we have not given them a right of appeal to the Court of Criminal Appeal for the simple reason that the trial is already before three judges of the Supreme Court and not by jury.

They will have, if found guilty, an appeal to the Privy Council in England. Therefore, you will see, Mr. Speaker, that this Government does not believe in denying natural justice even to assassins and conspirators against the State.

It may well be that in an appeal or in a trial before a court, persons found guilty by the Thalgodapitiya Commission may be found guilty and rightly found guilty. That is the justice that we expect to be done. And justice will also



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then undoubtedly be seemed to have been done.”—[OFFICIAL REPORT, 6th June, 1962; Vol. 50, cc. 93-104].

Mr. Speaker. I have been reading the speech of the Hon. Leader of the House in the last Parliament. I am glad that he is the Leader of the House in this Parliament as well.

Now I shall make a few comments on retrospective legislation. I am very glad to say that the Hon. Prime Minister, as Leader of the Opposition in the last Parliament, raised a protest against the enactment of retrospective legislation in connection with the *coup* suspects. He was followed by the judges of the Supreme Court who said that they shared the intense and universal aversion to *ex post facto* legislation.

Our Constitution, Mr. Speaker, is silent on retrospective legislation. It is also silent in regard to fundamental rights. In all such cases where we have a Constitution which gives no guidance, we as a democratic country have to adopt as our standard of conduct the provisions of the Declaration of Human Rights adopted by the United Nations to which Ceylon is a signatory. But what are we doing? We are now claiming to pass a piece of legislation, but in fact, under the guise of legislation we are passing an edict or a sentence on certain particular individuals.

I am now asking the hon. Members of this House to address their minds judicially to this Bill and take note of the opinion of three learned judges in regard to commissions of this type and Bills of this type. I want hon. Members to listen to me so that they may address their minds in that judicial way.

When the findings of the Naval Commission were quashed, this is what the District Judge of Colombo laid down. I am now reading what the District Judge of Colombo wrote in his judgment quashing the

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findings of the Navy Commission appointed under the selfsame Commissions of Inquiry Act. He said:—

“It must be said that there are certain canons of judicial conduct to which all tribunals and persons who have to give judicial or *quasi* judicial decisions ought to conform. The principles on which they rest are implicit in the Rule of Law and their observance is demanded by one’s sense of justice. It cannot be said that there has been due regard paid to these principles of natural justice when the commissioner conducted his inquiry. The function of a commissioner is not to be a detective—

But in the case of the Thalgodapitiya Commission what did they do?

To continue the quotation :

“is not to be a detective or a spy or to approach his work with a suspicion—”

Mr. Thalgodapitiya cannot say, “I am going to convict every Member of Parliament against whom allegations of bribery are made.”

To continue the quotation :

“The function of a Commissioner is not to be a detective or to approach his work with a suspicion or with a foregone conclusion that there is something wrong and with that fixed idea behind accept the evidence that suits the purpose and reject what is inconvenient.

It seems to my mind that there has been utter disregard of principles of natural justice in the conduct of the inquiry and that the findings of the Commissioner should be declared null and void..”

This is, Sir, in regard to the Naval Commission. From what I have placed before this House, the hon. Members will find how utterly biased the commissioners were, as seen from the speeches made by the hon. Members in this House even before the Thalgodapitiya Commission’s verdict was written. How biased they were! I have placed before you the reports on how the commissioners were conducting themselves. The behaviour was worse than that of the Naval Commission.

Now, this is what the Hon. Chief Justice of the United States of America said in regard to *ad hoc* legislation of this type. I am reading from the “Ceylon Daily News” of 24th April 1965. Earl Warren, Chief



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Justice of the United States of America, told his fellow Americans that respect for the rights of minorities and the individual presents the constitution with its most exacting test.

"It often takes courage—courage and understanding—to adhere to constitutional principles particularly when the passions of the day permeate the atmosphere. It is specially when the rights of minorities are at stake that the durability of a constitution is put to its most exacting test. It is for all of us to measure up to this test. But when all else fails it is for our Courts to vouchsafe the rights of even the most despised members of society."

That is what the Hon. Chief Justice of the United States of America said in regard to *ad hoc* legislation of this nature. Now, what did our own Chief Justice, Mr. Basnayake Nilame, says?

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(சபாநாயகர் அவர்கள்)

(Mr. Speaker)

Please use the correct name.

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(கேற் முதலியார் காரியப்பர்)

(Gate Mudaliyar Kariapper)

I am so sorry, Sir.

He is the retired Chief Justice of this country. What did Mr. Basnayake say in the case, "*Azis vs. Thondaman*"? [Interruption]. You will find what he said in 1961 N. L. R. 217, at page 223.—

"The right of a citizen to invoke the aid of the court is one that cannot be taken away by the rules of any association, or body, or persons. It is so fundamental that it cannot in my view be taken away by our legislature itself. It is unnecessary for the purpose of this judgment to elaborate this view; it is sufficient to say that a power to legislate for peace, order and good Government, does not include a power to deny access to the courts which are the living symbols of peace, order and good Government, for the denial of such right would be a negation of the very purpose for which legislative power is conferred on the legislature."

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I have now given you the opinion of three men learned in the law in regard to how you should address your mind to this question.

With regard to my own case I should like to say that it is a pity that hon. Members have no opportunity to read the proceedings of the inquiry. I want to bring to your notice, with all due respect, that I went before the commissioners in connection with certain allegations made against me. My counsel, in introducing me, said, "Your name?" I gave my name. Then counsel asked, "You were a Junior Minister of Justice in the late Mr. S. W. R. D. Bandaranaike's Government?" I answered, "Yes, Sir". Then Mr. Roberts quietly said that it was a misfortune. I did not take that remark seriously. I thought it was a joke of dotage. As the inquiry proceeded, however, my defending counsel wanted to walk out of the case, saying that he was dissatisfied with the conduct of the inquiry, which in his opinion was repugnant to the recognized rules of natural justice and against all legal procedures. But I begged of my counsel to stay on.

There was a villager from Kalmunai who was in the inquiry hall, watching the proceedings. He went out and saw how policemen were coaching the witnesses in the witness shed in order that they may corroborate those who were giving evidence in the inquiry hall. This villager came out into the premises and said, "May a thunderbolt from the heaven descend upon this inquiry hall and destroy everybody concerned". This villager was immediately arrested by the police, hauled up before Mr. Thalgodapitiya, and charged with intimidation. Intimidation with what? The weapon in his hands was God. How could God be produced before Mr. Thalgodapitiya to be shown as the weapon of intimidation used by this man? Anyway, he was given a warning and was told that he would be reported to the Supreme Court for contempt of



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court. You may see reference to this incident, if you refer to the proceedings of the inquiries against me.

I belong to what the Americans call "the golden age group." I did not want to contest a seat at the elections because I thought I should rest, not because I anticipated defeat at the polls or something else. The people of my electorate insisted that I should face a contest in order to vindicate my honour vis-a-vis the findings against me by the Thalgodapitiya Commission. I submitted my nomination paper. At the time I submitted my nomination paper I was qualified to become a Member of this hon. House under the Constitution. Three years before that date, there was the Thalgodapitiya Commission Report but in spite of the existence of the findings of the Thalgodapitiya Commission I was qualified under the Constitution to be a Member of this House. I stood for election. I have come to this House, thanks to my electors. They have secured for me the honour of a seat in this hon. House. I have sat here for 8 months. According to the Constitution and the wishes of my electors, I should be here for another 4 months and 4 years. But this Bill has come like a thunderbolt and it says, "You have to quit".

You can see how retroactively the penalty is going to be imposed on me. When I heard that this Bill was going to be taken up in this House, I went to one of the high-ranking members of the Government Party and I asked him, "What is this Bill? Do you approve of it?" He said "This Bill is no law, it is no justice but it is political action. The U. N. P. during its election campaign had raised the cry from every election platform that they would implement the findings of the Thalgodapitiya Commission and they are going to do it." I told the V. I. P., "I know the U. N. P. did campaign for the implementation of the Thalgodapitiya Report, but more than that, they said from every platform that they were out to secure power to re-establish the rule of law." They

emphasized that from every platform. And if the Government was going to be consistent in their pledge, they must fulfil both pledges; they must implement the Thalgodapitiya Commission findings through the courts, and thus uphold the rule of law. In other words, they must punish those against whom the commission had brought findings, within the framework of the rule of law.

If there is anybody in this House who is more wedded to the rule of law than others. I think it is the Hon. Prime Minister. He had always been talking about the rule of law. In regard to this Bill, I would like to read out nine of the fundamental principles of the rule of law. There are many principles underlying it, but I just want to place for the consideration of the hon. Members nine of the cardinal principles of the rule of law.

The Hon. Prime Minister of this country, I repeat, is a great respecter of the rule of law. In fact the present Government has come to power on that platform. They said they would re-establish the rule of law. This rule is certainly dear to the hearts of all lovers of democracy.

As I said, the rule of law is based upon a number of fundamental principles. The first is that the State is subject to the law. This means that the governing party in a country should always observe all the fundamental cardinal principles under the rule of law. They may have a steam-roller majority, they may be very powerful, but in spite of that, if they are wedded to the rule of law, they must observe all the principles. The first thing that the rule of law does is to bind the State itself, the Government of the country, to observe it.

The second cardinal principle of the rule of law is that the rights of the individual should be respected by the Government. The third is that every citizen against whom an accusation is brought should be afforded a fair trial in a court of law. The fourth is that the court should have



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power to declare laws unconstitutional after due inquiry and the judiciary should intervene particularly where rights of individual citizens were violated by the legislature. The fifth is—and this is very important—that every decision of an *ad hoc* administrative tribunal or commission of inquiry should be subject to ultimate review by ordinary courts.

More important than that is No. 6—Every finding by an administrative tribunal or commission of inquiry or court of law should be challengeable before at least one higher court.

No. 7—The rights of a citizen should not be restricted or denied without trial in a court of law. A parliamentary democracy exists primarily to protect the individual, to cherish his rights and to make clear his just principles.

No. 8 is still more important—It is most desirable that the action of the executive or the legislature shall be suspended while such action is under review by the courts.

No. 9—Better ten guilty men escape than that one innocent man should suffer.

No. 10—Abstention from retroactive legislation.

Now, hon. Members of this House, I ask you in all seriousness to address your mind to this Bill to find out if it conforms to any one of the cardinal principles of the rule of law that I have placed before you.

Now, Sir, hon. Members are asked to say “aye” to the verdict of the Thalgodapitiya Commission. And you are asked to say “aye” even without being given an opportunity of reading the proceedings of that inquiry and finding out whether those proceedings justify the conclusions arrived at by this commission.

I appeal to hon. Members to sit back and ponder whether this request to them is not an insult to their intelligence as hon. Members, as honoured representatives, who have

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been returned by the people to this House. You are asked to accept the opinion of Mr. Thalgodapitiya and his two aged musketeers as gospel truth. We know there are gospels in which we have faith. But are you going to categorize this Report of Mr. Thalgodapitiya as another gospel? Are you going to act upon it? Or are you not going to call for the proceedings and satisfy your souls and your consciences that these proceedings justify the conclusions arrived at by the commissioners? The proceedings have not been placed before you. You are just called up here and asked to pass this Bill by a two-thirds majority. You are the cream of the intelligentsia of Sri Lanka. Otherwise, you would not have been selected to sit in this honoured place, in this House. You have been returned by the manhood and the womanhood of this country and you will have to do justice to the confidence that has been reposed in you by your voters. You are here as responsible legislators and you have here today additional responsibility as judges too in connection with this Bill because, as I earlier said, this legislature has been converted into a judiciary for the purpose of this Bill. Are you going to accept the verdict of the Thalgodapitiya Commission and vote for it? You have a right, which I hope you are not going to deny yourselves, to call for the proceedings of this inquiry and to satisfy your souls and your consciences that these proceedings do justify the verdict that has been brought against us.

I am not asking for mercy. Hon. Members, in fact a seat in this House is much more unrestful than a chair in my farm-house at Kalmunai. But what I say to you is that you are going to create a precedent. You are going to create a precedent by legislatively giving judicial sanctity to a verdict that had been brought by a mere fact-finding commission.

I have now placed before you statements from three hon. Members of the House and read extracts from



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newspapers. I have read the speeches of Mr. D. P. R. Weerasekera, Mr. Munaweera, and Mr. Felix R. Dias Bandaranaike, on the Floor of the House in regard to the manner in which these inquiries have been conducted.

Now, without reading the proceedings of those inquiries, hon. Members are just asked to say "Aye". I know hon. Members will refuse to be the living rubber stamps of Mr. Thalgodapitiya. Are you going to set the seal of approval on the verdict of a mere fact-finding commission without calling for and examining the proceedings of the inquiries? Are you not going to call for these proceedings before giving your verdict? Surely is it not an insult to hon. Members to be called upon to function as rubber stamps of Mr. Thalgodapitiya!

It was only the other day that the hon. Member for Dompe (Mr. F. R. Dias Bandaranaike) and the hon. Member for Kotte (Mr. Stanley Tillekeratne) said that they were amused to know that this gentleman, Mr. Thalgodapitiya, presided recently in Kandy at a meeting at which it was solemnly proclaimed that one of those who had been condemned as a bribe-taker by Mr. Thalgodapitiya was the reincarnation of Dutugemunu, who had come to save the Sinhala race! I think that reference was made on the 23rd of last month. I ask in all seriousness whether a person of the educational attainments of Mr. Thalgodapitiya could have participated in a meeting where Mr. Marikkar, who had been condemned as a bribe-taker by him, was proclaimed as a reincarnation of Dutugemunu, unless Mr. Thalgodapitiya himself had some misgivings in his own mind in regard to the correctness of his findings. Mr. Thalgodapitiya is a very intelligent man and an educated man, and the inference that I draw from this Dutugemunu incident is that, deep down in his own conscience, Mr. Thalgodapitiya had no faith in his own findings. If that is not so, he would

not have associated himself with Mr. Marikkar at a meeting where such a proclamation was made.

I know I am taking the time of hon. Members, but hon. Members should be fully informed on all the aspects of and the implications underlying this Bill.

It may be said that because this Bill concerns only six individuals there is no harm in passing this Bill. It is not a question of six individuals: it is a question of principle that is involved in this Bill; it is a question of creating a precedent for the future.

I am not speaking of our present Prime Minister, but some years hence another Prime Minister with a steam-roller majority may come to this House and using this Bill as a precedent ask that a similar thing be done against certain individuals on the basis of another fact-finding commission.

The other day I spoke to some hon. Members of this House. It is not that I went canvassing. I find it more restful to be in my own home than to be here, but, of course, I have come here to do a little service to the people of my district. I asked some hon. Members what they thought about this Bill. Very truthfully, very sincerely and from the bottom of their hearts they said that this Bill cuts across all principles of justice. Then I asked them: "Why are you going to vote for this Bill?" Their answer was: "This is a political issue in the country. Supposing we do not vote for this Bill and we go to address some meeting, the masses will turn round and say: "These chaps shielded bribe-takers." That is a very honest fear in the minds of certain Members of Parliament, but, excuse me, that is a wrong line of thinking. You know where the fallacy lies. You are not shielding bribe-takers. You bring them under the legislation passed by this Parliament within the last one or two months to punish such people. Personally, I am prepared to



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face a trial in any court of law, and not merely to lose my civic rights for seven years but even to be shot if it can be proved that I took bribes. My conscience is clear and that is why I have the strength to get up and put my case across in this hon. House. You have got the legal machinery in your hand to deal with all Members against whom allegations of bribery are proved. They can be charged in the district court. Not merely will they lose their civic rights, but they are even going to be jailed. I personally welcome such a trial for me.

So far as hon. Members are concerned, if this is a political issue, there is an explanation to the public. This is not a case of shielding bribe-takers; this is a case of meting out deterrent punishment to them by prosecuting them in court.

Now, I am coming to the Bill in question and the statements that have been made on the Floor of this House by two previous speakers, the hon. Member for Dompe and the hon. Member for Kotte. This is what the hon. Member for Dompe said as reported in HANSARD (uncorrected) of 23rd September 1965, column 412 :

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

That is what the hon. Member for Dompe said. They supported that Bill under the impression that it was

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good enough to catch up everybody, every Member of Parliament, against whom charges of bribery and corruption are proved since 1956. The hon. Member continued :

"As far as we are concerned, this particular commission was also introduced not by a resolution of the House but by virtue of the powers under the Commissions of Inquiry Act, a special Act under which His Excellency the Governor-General was authorized and empowered to appoint a commission for purposes of finding out the facts in relation to any particular matter. There have been many such commissions in the recent past. To quote a few instances, the Press Commission of the previous Government is of that order. The C. W. E. Commission was set up under the Commissions of Inquiry Act; the Navy Commission which investigated into the smuggling of certain goods by certain Navy officers, was also set up under the Commissions of Inquiry Act. [OFFICIAL REPORT, 23rd September 1965; Vol. 63, c. 414.]

"In the same way, the Thalagodapitiya Commission, as it was then called, was appointed for the purpose of ascertaining the facts as to whether any Members of Parliament, between certain dates, had taken bribes or not."

He continued his speech and further down he says :

"I do not know whether you, Sir, or any of the other Members of this House have really studied the provisions of the Commissions of Inquiry Act. No person goes before a commission of inquiry appointed under the Commissions of Inquiry Act in the position of an accused. Under the Commissions of Inquiry Act there is no provision for a formal charge to be framed against anybody. All that a fact-finding commission under the Commissions of Inquiry Act does is that it proceeds against a person as a witness. Everybody examined by the commission is a witness. You do not even have an automatic right of legal representation under that Act. You may, with the permission of the commissioners, be represented by your lawyers to watch your interests while you are being questioned.

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



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

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

Even where the C. W. E. Commission of Inquiry is concerned, the persons examined there have no right, no automatic legal right; they are merely witnesses. All that the commission is doing is to examine and investigate facts. There is no question of a charge against anybody. They have the right, with permission, to seek to take their representatives—I said that—and that is all. There is no automatic right of being informed of any charges. The findings are made subsequently in a report, the evidence of which is not published, unlike a court record, which anybody can move to obtain a certified copy of. You can look at it, see for yourself whether the judgment is borne out by the facts of the evidence. But in regard to recent commissions, it is sad to relate, Members of the Opposition have had occasion to tell us more than once just how far short of these standards these commissions appointed under the Commissions of Inquiry Act have fallen. What happened? Under the Commissions of Inquiry Act, in this instance, the three commissioners functioned and held their inquiry. It is a matter of fact and, I think, a matter of

record from the earlier debates too, that this particular commission was appointed by a Warrant on the 11th of September, 1959, when the country was placed in the situation of the assassination of the Prime Minister and the whole Government of the country thrown into the melting pot, so to speak, from then onwards. By December there was a dissolution of Parliament, then there was a Caretaker Government for a long period till March, followed by a general election. The Government that came into office was defeated on the first Throne Speech when a second dissolution occurred, and, ultimately, we had another Caretaker Government until July 1960. In other words, we lived in very unsettled political conditions just at that time. I am not blaming anybody for it. I am merely stating it as a question of fact.

And during this period the relevant commission sat and they arrived at certain findings. I myself do not know how anyone can say by looking at the findings that those findings are wrong. No human being can say it. Nobody has ever seen what evidence was recorded."

Nobody has ever seen what evidence was recorded.

"Nobody to this date knows what the commission did, what witnesses they examined beyond the newspaper reports that were read from day to day as the proceedings went on."

Please give me a patient hearing and listen to what the hon. Member said. It is a question of fact. This is what he said:

"Nobody to this date knows what the commission did, what witnesses they examined beyond the newspaper reports that were read from day to day as the proceedings went on. The commissioners themselves were concerned with finding facts, and the commission was told that they must find their facts in the best possible methods. I remember, at one stage, one of the commissioners actually put a notice in the newspapers asking for information. At one stage, one of the commissioner made an announcement in the public press saying that he proposes to go round the clubs and collect as much information as he could.

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

As far as we are concerned we say that you cannot have a lack of finality in this matter. I myself at one time genuinely thought that just as much as some political parties have always argued against



புது ஐயுறுகிற பதவியை (விசேஷ விதிவிலக)

பதவ் கெடுபத

[பெசுர இடல் காரியப்பர்]

retroactive punishment—we heard arguments time and time again; sometimes right through the night we have been talking about retroactive punishment and about the viciousness of imposing penalties which were not in contemplation at the time; we were talking in terms of ensuring that natural justice is done and conserving rights of appeal as far as the Privy Council—it would be fair to allow a review of the findings of a commission by some appellate tribunal, and I argued before this House, on one occasion at least when this matter was discussed, that, some such opportunity should be allowed.”—[OFFICIAL REPORT], 23rd September, 1965; Vol. 63, c. 420.]

I ask hon. Members whether lapse of time changes a judicial mind in regard to matters like this? Are hon. Members going to support this Bill simply because of the lapse of time? That is really un-Bandaranaike-like! And un-lawyers-like.

Let us consider a case like this: if somebody is to be charged for something after a number of years is the time which has elapsed a factor to be considered against the accused? I will give you an analogy like this: a man is charged for murder but on account of the delays in the processes of the law it takes two or three years for the accused to be brought before the Supreme Court. Then the Judge of the Supreme Court goes through the record and says, “Look here, two years have elapsed from the date you are supposed to have committed this murder. Now after the lapse of two years I am not going to be bothered about the legal procedure, which will entail further delay. I sentence you therefore to be hanged.”

நயினா மரிகார் மன.

(ஜனாப் நயினா மரிகார்)

(Mr. Naina Marikar)

How long is the hon. Member going to continue?

பெசுர இடல் காரியப்பர்

(கேற் முதலியார் காரியப்பர்)

(Gate Mudaliyar Kariapper)

I will take some more time.

—தேவதர கியிசெ

கலாநாயகர்

(சபாநாயகர் அவர்கள்)

(Mr. Speaker)

The Division on this Bill will take place at 5 P.M.

I suspend the Sitting for half an hour.

The unveiling of the portrait of the late Mr. S. W. R. D. Bandaranaike will take place in a little while.

உச்சித ரீதே அனுசரிக்க உத்தேசித்த டீன், ஏ. ஸ. 4.30 ல் நடைபெறும் டீன்.

அதன்படி அமர்வு பி.ப. 4.30 மணி வரை இடை நிறுத்தப்பட்டு, மீண்டும் ஆரம்பமாயிற்று.

Sitting accordingly suspended till 4.30 P.M. and then resumed.

பெசுர இடல் காரியப்பர்

(கேற் முதலியார் காரியப்பர்)

(Gate Mudaliyar Kariapper)

When we suspended the Sitting for tea, I was explaining to the House what certain hon. Members had said earlier about this matter. I was reading extracts from the speech of the hon. Member for Dompe. I shall read only one more extract.

“So, Mr. Chairman, what I wish to state is this: if we are now giving you complete co-operation on behalf of the Opposition, it is not because we have not got different views in this matter. I myself speaking as a lawyer would like to state straightway that I would have been very much happier if a cleaner procedure had been adopted, of not having to go through the Commissions of Inquiry Act, of not dealing with people like witnesses brought up before an inquiry and treated as accused facing trial and denied legal representation. That would have been a much better position.”—[OFFICIAL REPORT, 23rd September 1965; Vol. 63, c. 427.]

I will not take any more time of the House by reading the speech of the hon. Member for Kotte who followed. He has in fact been directing his speech to a graphic description of Mr. Walter Thalagodapitiya, the chairman. This is what he says:

“In point of fact, I must place this on record. Mr. Walter Thalagodapitiya, the chairman of this commission, found this Casila Abdul Samed Marikkar—the great Marikkar . . .”—[OFFICIAL REPORT, 23rd September 1965; Vol. 63; c. 449.]



ප්‍රජා නුසුදුසුකම් පැනවීමේ (විශේෂ විධිවිධාන)

පනත් කෙටුම්පත

—දෙවනවර කියවීම

He said it was this Marikkar who was proclaimed as the real Dutugemunu by Mr. Thalgodapitiya. I do not want to harp on it. The newspapers carried the story some months ago during the time of the elections. He also went on to say that when their party came into power they could also not fail to take advantage of this Commissions of Inquiry Act and appoint a commission to investigate into the conduct of certain Members on the night of 3rd December. I do not want to go into details about it. These are matters in the womb of futurity.

Whoever thought that one day after the lapse of five years the Thalgodapitiya findings will be raised to the sanctity of a judicial decision and a Bill passed towards that end?

Hon. Members of this House, please remember that you are today creating traditions of legislative behaviour. Every Bill that passes through this House is a tradition. We are creating traditions of legislative behaviour. Please address your mind to this question, whether this Bill is not different from other Bills that are passed by this House, whether this Bill is not an edict or sentence passed upon certain individuals, in the guise of legislation.

Hon. Members, you have the right to pass laws. You have the right to sit in judgment, but you also have the right to refuse, may I respectfully repeat, to be anybody else's rubber stamp. You have the right to get hold of the proceedings of the Thalgodapitiya Commission and you have the right to satisfy your conscience if those proceedings justify the verdicts that have been arrived at. If you are denied access to those proceedings and if you are just called upon to accept those verdicts as gospel truth, please consider whether that is going to be the standard of legislative behaviour that we are going to establish as a tradition for our children and our children's children. You have the right to call for the proceedings and you have the right to call for a Select Committee of this House to go into those proceedings.

There is no need to amend the Constitution for that purpose. Hon. Members of this House have the right to constitute a Select Committee of this House to go through the proceedings and disqualify any hon. Member who has fallen from the expected standard. That is what is expected of hon. Members of this House. Are you not going to use that privilege which is yours?—I ask.

In the alternative you still have the right, you have the legal machinery which has been passed by the Hon. Prime Minister and his Government a few weeks ago, to bring these Thalgodapitiya Commission victims before the courts under the Bribery Act.

In fact, the hon. Member for Dompe representing the Opposition said that they gave their fullest co-operation to the passage of the Bribery Amendment Act under the impression that all those Members of Parliament from 1956 onwards against whom allegations of bribery had been brought or against whom *prima facie* cases were made, would be committed to trial under that Act. Are you not going to do that? Now the question is: Are you going to appoint a Select Committee of the House to go into this matter or are you calling for the Bribery Act to be put into operation against us? These are the things I am asking hon. Members of this House to take into consideration.

Personally speaking, I feel that the mud that was slung on me, the stigma that attached to me as a result of the findings of the Thalgodapitiya Commission, has been wiped out from me. I say so because I went before the bar of public opinion, I went before the people of my electorate and said, "Here I am. If you consider me a bribe-taker, this is your opportunity to say so and reject me; if not, this is also your opportunity to vindicate my honour by electing me as your M. P., thus discrediting the Thalgodapitiya Report."

I was contested at the last General Election by candidates who were nominated by important political



ප්‍රජා නුසුදුසුකම් පනවීමේ (විශේෂ විධිවිධාන)

පනත් කෙටුම්පත

[මාසල මුදලි කාරියාප්පේ]

parties of this country, and on every election platform this was the one slogan, the bribery story of Thal-godapitiya, hurled at me. And on the 23rd of March last my people gave the verdict. So, I personally feel sure that the stigma arising from the Thal-godapitiya Commission no longer attaches to me.

But I want hon. Members of this House to give me a chance to vindicate my honour before a court of law or before a Select Committee of this House. Even if all that is denied me, I still have the satisfaction of knowing that my honour stands vindicated before my people, before my electorate.

In no part of the world, Mr. Speaker, professing the rule of law or working according to the rule of law, has a Bill of this nature been passed except in countries where people suspected are just lined up against a wall and shot. But I must say to the credit of our country that we have a Prime Minister who has on occasions without number proclaimed that he was going to re-establish the rule of law. Is this Bill compatible with the rule of law?

I think I have only three minutes left, Mr. Speaker, and I want to wind up my speech by requesting hon. Members to address their minds judicially to this whole question. At the outset of my speech I said that for the time being you are sitting in a judicial capacity, because this House is passing a Bill which metes out direct sentence on persons or individuals without recourse to the due processes of law before a court. I, therefore, make an appeal to you, hon. Members, to address your mind judicially to the two submissions I am making now.

The first submission I make is that the findings of the Thalgodapitiya Commission are null and void and of no force or avail in law. Then the question may be asked as to why

—දෙවන වර කියවීම

I did not contest the findings of that commission at that time. May I say, Sir, that as soon as the newspapers announced that I had been reported against, I did go to my lawyer. He was of the opinion that I cannot seek redress in a court of law because the Thalgodapitiya Commission was a mere fact-finding commission and no disability had flowed from its findings, and I had therefore no grievance for redress. My lawyer asked me whether the commission informed me of its findings. I said it did not. I was asked whether the Government informed me that I was going to suffer disabilities. I said they did not. I was asked whether the Governor-General had written to me stating that I would suffer from any disabilities. I said he did not. I was asked whether I was a member of any local body. I said "Yes; I am continuing to be Member".

Thereupon I was told that unless and until I suffered any disabilities, I had no right to go before a court of law and ask for redress. This was the opinion given to me by one of the highest legal luminaries of this Island. I find that that legal advice has been corroborated by the Hon. Leader of the House in the course of the speech he made in the last Parliament, and he still remains the Leader of the House in this Parliament as well. He cannot contradict me.

My second submission to you and the hon. Members is that this Bill is based on the findings of the Thalgodapitiya Commission which are null and void and have no force or avail in law. I make these two submissions for your very careful and judicial consideration. I appeal to you to take a dispassionate and judicial view of the facts that I have placed before you. I leave this matter entirely in your hands for your decision. I am confident that whatever decision you make will be made in the full realization that you are sitting as judges on a very grave issue.



ප්‍රජා නුසුදුසුකම් පැනවීමේ (විශේෂ විධිවිධාන)  
පනත් කෙටුම්පත

—දෙවනවර කියවීම

Before I resume my seat I appeal to you once more to take into consideration these two submissions of mine :

- (1) that the findings of the Thal-godapitiya Commission are null and void and have no force or avail in law.
- (2) the Bill that is based on it is also null and void and has no force or avail in law.

I thank you, Mr. Speaker, for giving me a patient hearing. I apologize to the hon. Members for taking so much of the time of the House. I had to do it because the matter was so important. The precedents and traditions that we establish in this country through this legislature are of such importance that any deviation from the rule of law is bound to have serious consequences and repercussions. That was why I had to take so much of the time of the House.

I thank hon. Members once again, and you, Mr. Speaker, for your indulgence and the opportunity you gave me to put forward my case before this hon. House.

**ප්‍රින්ස් ගුණසේකර මයා.** (හබරාදුව)  
(තිரு. පිඞ්ගිණ්ස් උණසේකරා—හබරාදුව)  
(Mr. Prins Gunasekera—Habaraduwa)

**කැසි පිටියේ ය—**  
ආශ්‍රිතය—  
rose—

**කළානායකතුමා,**  
(පාඨාභාෂාකර් අමාත්‍යවරයා)  
(Mr. Speaker)

I will put the Question now.

**ප්‍රින්ස් ගුණසේකර මයා.**  
(තිரு. පිඞ්ගිණ්ස් උණසේකරා)  
(Mr. Prins Gunasekera)

ගරු කළානායකතුමනි, මේ සම්බන්ධව වචන ස්වල්පයක් කළා කිරීමට මාත් බලා පොරොන්දු වෙනව.

**කළානායකතුමා**  
(පාඨාභාෂාකර් අමාත්‍යවරයා)  
(Mr. Speaker)

එයට ඉඩ දෙන්න බැහැ. 5 ට ඡන්දය ගන්න සම්මතයක් ඇති කරගෙන තිබෙනව.

**ප්‍රින්ස් ගුණසේකර මයා.**  
(තිரு. පිඞ්ගිණ්ස් උණසේකරා)  
(Mr. Prins Gunasekera)

මෙය ඉතාම වැදගත්, වැදගත් ප්‍රති පත්ති ඇතුළත් පණතක්. ඒ නිසා ඡන්දය ගන්නට පෙර වචන ස්වල්පයක් කළා කරන්න ඕනැ.

**කළානායකතුමා**  
(පාඨාභාෂාකර් අමාත්‍යවරයා)  
(Mr. Speaker)

දෙපසය යම්කිසි තීරණයකට පැමිණියොත්, ඒ තීරණය කවුරුත් පිළිගන්න ඕනැ යයි මා මීට කලින් කියා තිබෙනව. ඒ නිසා ඒ තීරණය අනුව, ප්‍රශ්නය විමසීමට දැන් මා බලාපොරොන්දු වෙනව.

**ප්‍රින්ස් ගුණසේකර මයා.**  
(තිரு. පිඞ්ගිණ්ස් උණසේකරා)  
(Mr. Prins Gunasekera)

එය කවුරුත් අතර ඇති වූ තීරණයක් ද? මා දන්නේ නැහැ, කළානායකතුමනි. මෙය ඉතාම වැදගත් ප්‍රශ්නයක් නිසා—

**කළානායකතුමා**  
(පාඨාභාෂාකර් අමාත්‍යවරයා)  
(Mr. Speaker)

කළාවකට ඉඩ දෙන්න බැහැ. කරුණා කර වාඩිවෙන්න. [බාධාකිරීම්]

**ප්‍රින්ස් ගුණසේකර මයා.**  
(තිரு. පිඞ්ගිණ්ස් උණසේකරා)  
(Mr. Prins Gunasekera)

වාඩි වෙන්නම්. තවුත් මගේ විරුද්ධත්වය ප්‍රකාශ කරන්න ඕනැ.

**කළානායකතුමා**  
(පාඨාභාෂාකර් අමාත්‍යවරයා)  
(Mr. Speaker)

යම්කිසි පොරොන්දුවක් වුණොත්, එය කඩ කරන්න එපා යයි මා හැම අවස්ථාවකම කියා තිබෙනව.

**ප්‍රින්ස් ගුණසේකර මයා.**  
(තිரு. පිඞ්ගිණ්ස් උණසේකරා)  
(Mr. Prins Gunasekera)

ගරු කළානායකතුමනි, මා තවුත්තාත් සේ ඉදිරියේ පොරොන්දුවක් වුණේ නැහැ. අද හැන්දෑවේ 7 වන තුරු මේ මන්ත්‍රී



ප්‍රජා නුසුදුසුකම් පැනවීමේ (විශේෂ විධිවිධාන)  
පනත් කෙටුම්පත

[ප්‍රින්ස් ගුණසේකර මයා.]

මණ්ඩලය රැස් වෙනව. තව වෙලාව තිබේ  
තව. අද 7 ට ඡන්දය ගන්න පුළුවන්.  
එහෙම නැත්නම් 6 ට ඡන්දය ගන්න පුළු  
වන්. හරියටම 5 ටම ඡන්දය ගැනීමට  
තිබෙන වුවමනාව මොකක්ද?

**කථානායකතුමා**

(ආපාතායකර් අවුරුදු)

(Mr. Speaker)

I will give the hon. Member 10  
minutes.

**ප්‍රින්ස් ගුණසේකර මයා.**

(ශ්‍රී. ප්‍රින්ස් ගුණසේකර)

(Mr. Prins Gunasekera)

මිනිත්තු 10 කින් ඉවර කරන්න මම  
උත්සාහ ගන්නම්.

**ශ්‍රී ආචාර්ය දහනායක**

(කෙළරව කලාත්‍රිති තුකුතායක)

(The Hon. Dr. Dahanayake)

No, Sir.

**කථානායකතුමා**

(ආපාතායකර් අවුරුදු)

(Mr. Speaker)

He is an independent Member.

**ශ්‍රී ආචාර්ය දහනායක**

(කෙළරව කලාත්‍රිති තුකුතායක)

(The Hon. Dr. Dahanayake)

You are creating a very dangerous  
precedent, Sir.

**කථානායකතුමා**

(ආපාතායකර් අවුරුදු)

(Mr. Speaker)

පක්ෂ නායකයින් යම් කිසි තීරණයකට  
පැමිණියාම, හැම දෙනාම ඒ තීරණය පිළි  
ගන්නා හැටියට මිට ප්‍රථම මේ මන්ත්‍රී  
මණ්ඩලය සම්මතයකට එළඹ තිබෙනව.

—දෙවනවර කියවීම

**ප්‍රින්ස් ගුණසේකර මයා.**

(ශ්‍රී. ප්‍රින්ස් ගුණසේකර)

(Mr. Prins Gunasekera)

කරුණා කර මොහොතකට කන් දෙන්න.  
යම්යම් පක්ෂවල නායකයින් පිරිසක්  
තමන් නාන්සේ ඉදිරියට පැමිණ යම්කිසි  
ගිවිසුමකට එළඹ තිබෙන බවයි, තමන්  
නාන්සේ කියන්නේ.

**කථානායකතුමා**

(ආපාතායකර් අවුරුදු)

(Mr. Speaker)

මා කියන එකත් අහන්න. ඒ තීරණය  
ස්ථිර කරමින් මිට පෙර එසේ පිළිපැද  
තිබෙන නිසා දැන් එය මේ ගැසට්ටා  
නීතිගත වී තිබෙනව. ඒ නිසා අවසර  
දෙන්න බැහැ. කරුණා කර වාඩි වෙන්න.

**ප්‍රින්ස් ගුණසේකර මයා.**

(ශ්‍රී. ප්‍රින්ස් ගුණසේකර)

(Mr. Prins Gunasekera)

මා ඒ ගිවිසුමේ කොටස්කාරයෙක් නො  
වෙයි. මේ මන්ත්‍රී මණ්ඩලයේ මන්ත්‍රීවර  
යෙක් හැටියට මට තිබෙන අයිතිවාසි  
කමත් තමන් නාන්සේට කියන්න ඕනෑ.  
මා ඒ ගිවිසුමට කොටස් කාරයෙක් නො  
වෙයි. මා ඒ කිසිම පක්ෂයක සාමාජිකයෙ  
කුත් නොවෙයි.

**ශ්‍රී සී. පී. ද සිල්වා**

(කෙළරව ජී. පී. ඩී. සිල්වා)

(The Hon. C. P. de Silva)

On a point of Order, Sir, I move,  
“That the Question be now put.”

**කථානායකතුමා**

(ආපාතායකර් අවුරුදු)

(Mr. Speaker)

Yes. I accept that. The Question  
has been discussed quite enough.  
Some hon. Members are repeating  
what others have said. I have  
accepted the Closure Motion. Will  
the hon. Member please sit down?



புது நுழைக்கல் புகுவீதே (வினா வினா)

பதன் கெடுதல்

பிரன்ஸ் குணசேகர மஹா.

(திரு. பி.பி.எஸ். குணசேகர)

(Mr. Prins Gunasekera)

கருணா கர் மஹா விருத்தியை பிழை  
கொண்ட.

கலாநாயகர்

(சபாநாயகர் அவர்கள்)

(Mr. Speaker)

இ. பி. க. மஹா மஹா.

புனம் வினா.

கலாநாயகர் அவர்கள் “புன” மஹா மஹா  
கலாநாயகர் வினா மஹா கர் மஹா.

வினா வினா.

குரல்களின்மீது “ஆம்” என்பவர்களுக்கு வெற்றி  
யென சபாநாயகர் அவர்களால் பிரகடனப்படுத்தப்  
பட்டது.

Question put.

MR. SPEAKER, having collected the  
Voices, declared that the “Ayes” had it.

கலாநாயகர்

(கௌரவ அங்கத்தினர்கள்)

(Hon. Members)

Divide!

கலாநாயகர்

(சபாநாயகர் அவர்கள்)

(Mr. Speaker)

By name?

கலாநாயகர்

(கௌரவ அங்கத்தினர்கள்)

(Hon. Members)

Yes, by name.

கலாநாயகர்

(திரு. கௌரவ)

(Mr. Keuneman)

I wish to rise to a point of Order.  
I am raising this matter because I  
do not want any decision of this  
House to be contested outside. The  
point is, the Hon. Leader of the  
House moved that the Question be

—மஹா மஹா

now put. The House did not vote on  
that Motion. You just put the  
Question that the Bill be read a  
Second time. The Second Reading  
could have been done only after the  
House had voted on the Motion of the  
Leader of the House, “That the  
Question be now put.”

கலாநாயகர்

(சபாநாயகர் அவர்கள்)

(Mr. Speaker)

Do you want the position to be re-  
gularized?

கலாநாயகர்

(கலாநாயகர் என். எம். பெரேரா)

(Dr. N. M. Perera)

Yes, we must regularize the posi-  
tion.

“புனம் மஹா மஹா”, மஹா புனம்  
வினா மஹா மஹா.

“வினா இப்பொழுது விடுக்கப்படுமா” எனும் வினா  
விடுக்கப்பட்டு ஏற்றுக்கொள்ளப்பட்டது.

Question, “That the Question be now  
put”, put, and and agreed to.

இ. புனம் வினா.

கலாநாயகர் அவர்கள் “புன” மஹா மஹா  
கலாநாயகர் வினா மஹா கர் மஹா.

மூல வினா விடுக்கப்பெற்றது.

குரல்களின்மீது “ஆம்” என்பவர்களுக்கு வெற்றி  
யென சபாநாயகர் அவர்களால் பிரகடனப்படுத்தப்  
பட்டது.

Original Question put.

MR. SPEAKER, having collected the  
Voices, declared that the “Ayes” had it.

கலாநாயகர்

(கலாநாயகர் ஜே. ஆர். ஜயவர்தன)

(The Hon. J. R. Jayewardene)

Divide! by name

மஹா மஹா மஹா மஹா மஹா—மஹா  
142; விருத்தியை 1; மஹா மஹா.

சபை பிரிந்தது : சார்பாக 142 ; எதிராக 1.

The House divided : Ayes, 142 ; Noes, 1.



புது நுழைவுகளை உருவாக்க (விசேஷ விதிவிலகம்)

புதுக் கெட்டுப்பண

—தேவன் உரு கியவிடு

புது

சார்பாக

AYES

உரு விலிசு சேனநாயக்க

கௌரவ டட்ளி சேனநாயக்க

The Hon. Dudley Senanayake

உரு உன். உலி. உலி. கருணாரத்ன

கௌரவ என். எச். எம். கருணாரத்ன

The Hon. N. H. A. M. Karunaratne

உரு டி. பி. டி. குணவர்தன

கௌரவ டி. பி. ஆர். குணவர்தன

The Hon. D. P. R. Gunawardena

உரு ஜே. டி. சுவாமிநாதன்

கௌரவ ஜே. ஆர். ஜயவர்தன

The Hon. J. R. Jayewardene

உரு மௌன்ட்ஜே சுவாமிநாதன்

கௌரவ மௌன்ட்ஜே ஜயவர்தன

The Hon. Montague Jayewickreme

உரு டி. பி. டி. சுவாமிநாதன்

கௌரவ டி. பி. டி. சுவாமிநாதன்

The Hon. C. P. de Silva

உரு டி. பி. டி. சுவாமிநாதன்

கௌரவ டி. பி. டி. சுவாமிநாதன்

The Hon. Dr. W. Dahanayake

உரு உலி. டி. கருணாரத்ன

கௌரவ என். எச். கருணாரத்ன

The Hon. M. D. Banda

உரு உலி. உலி. கருணாரத்ன

கௌரவ என். எச். கருணாரத்ன

The Hon. M. H. Mohamed

உரு டி. பி. டி. சுவாமிநாதன்

கௌரவ டி. பி. டி. சுவாமிநாதன்

The Hon. U. B. Wanninayake

உரு டி. பி. டி. சுவாமிநாதன்

கௌரவ டி. பி. டி. சுவாமிநாதன்

The Hon. E. L. B. Hurulle

உரு விமலா கன்னங்கர, உலி.பி.ஈ.

கௌரவ விமலா கன்னங்கர, உலி.பி.ஈ.

The Hon. Wimala Kannangara, M.B.E.

உரு காமனி ஜயசுரியா

கௌரவ காமனி ஜயசுரியா

The Hon. Gamani Jayasuriya

உரு டி. பி. டி. சுவாமிநாதன்

கௌரவ டி. பி. டி. சுவாமிநாதன்

The Hon. D. B. Welagedera

உரு டி. பி. டி. சுவாமிநாதன்

கௌரவ டி. பி. டி. சுவாமிநாதன்

Mr. D. P. Atapattu

பி. டி. குணவர்தன

திரு. பி. சி. இம்புலானா

Mr. P. C. Imbulana

பி. டி. கெல்லன் சுவாமிநாதன்

திரு. டி. கெல்லன் சுவாமிநாதன்

Mr. D. Shelton Jayasinghe

பி. டி. கெல்லன் சுவாமிநாதன்

திரு. எல். பி. தசநாயக்க

Mr. L. B. Dassanayake

பி. டி. கெல்லன் சுவாமிநாதன்

திரு. எம். எச். எம். நயினா மரிக்கார்

Mr. M. H. M. Naina Marikkar

பி. டி. கெல்லன் சுவாமிநாதன்

திரு. எஸ். ஏ. பீரிஸ், ஓ.பி.ஈ.

Mr. S. A. Peeris, O.B.E.

பி. டி. கெல்லன் சுவாமிநாதன்

திரு. ஆர். பிரேமதாசா

Mr. R. Premadasa

பி. டி. கெல்லன் சுவாமிநாதன்

திரு. சி. ஆர். பெலிகம்மனா

Mr. C. R. Beligammana

பி. டி. கெல்லன் சுவாமிநாதன்

திரு. எம். எம். முஸ்தபா

Mr. M. M. Mustapha

பி. டி. கெல்லன் சுவாமிநாதன்

திரு. விஜயபால மெண்டிஸ்

Mr. Wijayapala Mendis

பி. டி. கெல்லன் சுவாமிநாதன்

திருமதி குசுமா ராஜரத்ன

Mrs. Kusuma Rajaratna

பி. டி. கெல்லன் சுவாமிநாதன்

திரு. என். விமலசேனா

Mr. N. Wimalasena

பி. டி. கெல்லன் சுவாமிநாதன்

திரு. சி. பி. ஜே. செனேவிரத்ன

Mr. C. P. J. Seneviratne

பி. டி. கெல்லன் சுவாமிநாதன்

திரு. வீ. அண்ணாமலை

Mr. V. Annamalay

பி. டி. கெல்லன் சுவாமிநாதன்

திரு. எம். பலில் அப்துல் காபூர், எம்.பி.ஈ.

Mr. M. Falil Abdul Caffoor, M.B.E.

பி. டி. கெல்லன் சுவாமிநாதன்

திரு. எம். அப்துல் பாக்கீர் மாக்கார்

Mr. M. Abdul Bakeer Markar

பி. டி. கெல்லன் சுவாமிநாதன்

திரு. எ. எல். அப்துல் மஜீத்

Mr. A. L. Abdul Majeed



—දෙවන වර කියවීම

AYES

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



புரம் இயுத்தகலி புறவீதே (வினேய விதிவிடாக)

பறந் கெடுதிலக

—தேவக வர கியவீத

பகலவ

சரர்பாக

AYES

பதி. பி. லுனியேல் மைய.

திரு. எம். ஏ. டனியல்

Mr. M. A. Daniel

பி. பி. திலகரத்ன மைய.

திரு. டி. எ. திலகரத்ன

Mr. D. E. Tillekeratne

பி. பி. துடாவே மைய.

திரு. பி. வை. துடாவே

Mr. B. Y. Tudawe

கே. துரைரத்ன மைய.

திரு. கே. துரைரத்னம்

Mr. K. Thurairatnam

பதி. தைந்நகைந் மைய.

திரு. எம். தென்னக்கோன்

Mr. M. Tennakoon

பி. பி. கே. தைந்நகைந் மைய.

திரு. பி. எம். கே. தென்னக்கோன்

Mr. P. M. K. Tennekoon

பி. பி. தைந்நகைந் மைய.

திரு. பி. பி. தென்னக்கோன்

Mr. T. B. Tennekoon

பி. பி. தைந்நகைந் மைய.

திரு. எஸ். தொண்டமான்

Mr. S. Thondaman

நிர். டி. டி. மைய.

திரு. நீல டி. அல்விஸ்

Mr. Neal de Alwis

பதி. பி. டி. மைய.

திரு. எல். சி. டி. சில்வா

Mr. L. C. de Silva

பி. பி. பி. டி. மைய.

திரு. பி. எச். டி. பி. டி. மைய.

Mr. P. H. W. de Silva

பதி. பி. டி. மைய.

திரு. எம். பி. டி. மைய.

Mr. M. P. de Zoysa Siriwardena

கே. பி. டி. மைய.

திரு. கே. டி. மைய.

Mr. K. W. Devanayagam

பதி. பி. டி. மைய.

திரு. ஆர். எம். தர்மதாச பண்டா

Mr. R. M. Dharmadasa Banda

பி. பி. டி. மைய.

திரு. வி. தர்மலிங்கம்

Mr. V. Dharmalingam

பதி. பி. டி. மைய.

திரு. எச். எம். நவரத்ன

Mr. H. M. Nawaratna

பி. பி. டி. மைய.

திரு. வி. நவரத்னம்

Mr. V. Navaratnam

தேவதாச பி. பி. டி. மைய.

வைத்திய கலாநிதி எ. எம். வி. நாகநாதன்

Dr. E. M. V. Naganathan

சுரீதர் ரசீக் பரித, பி. பி. டி.

ஸ்ரீமான் ரசீக் பரித, பி. பி. டி.

Sir Razik Fareed, O.B.E.

பதி. பி. டி. மைய.

திரு. தயா பி. பஸ்குவல்

Mr. Daya T. Pasqual

பி. பி. டி. மைய.

திரு. எ. பிலப்பிற்றிய

Mr. A. Pilapitiya

பி. பி. டி. மைய.

திரு. பெஸ்ற்றஸ் பெரேரா

Mr. Festus Perera

பி. பி. டி. மைய.

திரு. ஜி. ஜி. பாபிஸ் பெரேரா

Mr. G. J. Paris Perera

கே. பி. டி. மைய.

திரு. கே. டி. டி. பெரேரா

Mr. K. D. D. Perera

பதி. பி. டி. மைய.

கலாநிதி என். எம். பெரேரா

Dr. N. M. Perera

பதி. பி. டி. மைய.

திரு. ஆர். எஸ். பெரேரா

Mr. R. S. Perera

பி. பி. டி. மைய.

திரு. பி. குவெண்டின் பெர்னாண்டோ

Mr. T. Quentin Fernando

பி. பி. டி. மைய.

திரு. டி. பி. பண்டா

Mr. W. M. G. T. Banda

பி. பி. டி. மைய.

திரு. பி. எச். பண்டா

Mr. B. H. Bandara

பி. பி. டி. மைய.

திரு. டி. எம். பி. பண்டா

Mr. D. M. T. Bandara



ප්‍රජා නුසුදුසුකම් පැනවීමේ (විශේෂ විධිවිධාන)

පනත් කෙටුම්පත

—දෙවන වර කියවීම

පසුව

ආර්ථික

AYES

සිරිමාවෝ ආර්. ඩී. බණ්ඩාරනායක මිය.

திருமதி சிறிமாவோ ஆர். டி. பண்டாரநாயக்க  
Mrs. Sirimavo R. D. Bandaranaike

එස්. එම්. මානිකරාජ මය.

திரு. எஸ். எம். மாணிக்கராஜா  
Mr. S. M. Manickarajah

සී. එන්. මැතිව මය.

திரு. சீ. என். மதியூ  
Mr. C. N. Mathew

අනිල් මුණසිංහ මය.

திரு. அனில் முனசிங்க  
Mr. Anil Moonesinghe

මංගල මුණසිංහ මය.

திரு. மங்கல முனசிங்க  
Mr. Mangala Moonesinghe

පී. ජී. මුතුබණ්ඩා මය.

திரு. பீ. ஜி. முத்துபண்டா  
Mr. P. G. Muthubanda

එම්. ඩී. එම්. මොහමඩ් අලි මය.

ஜனப் எம். ஈ. எச். முகம்மது அலி  
Mr. M. E. H. Mohamed Ali

ආර්. ඩී. යාලෙගම මය.

திரு. எஸ். பி. யாலேகம்  
Mr. S. B. Yalagama

ඩී. ඩී. රනතුංග මය.

திரு. டி. பி. ரணதுங்க  
Mr. D. B. Ranatunga

ඩොනල්ඩ් ජේ. රනවීර මය., එම්.බී.ඊ.

திரு. டொனால்ட் ஜே. ரணவீர, எம். பீ. ஈ.  
Mr. Donald J. Ranaweera, M.B.E.

වෛද්‍යවෘය් ඒ. රත්නපාල

வைத்திய கலாநிதி ஏ. ரத்னபால  
Dr. A. Ratnapala

ආර්. ඩී. රත්නමල මය.

திரு. ஆர். பி. ரத்னமலல  
Mr. R. B. Ratnamalala

කේ. බී. රත්නායක මය.

திரு. கே. பி. ரத்னாயக்க  
Mr. K. B. Ratnayake

සී. එස්. රත්වත්ත මය.

திரு. சீ. எஸ். ரத்வத்தை  
Mr. C. S. Ratwatte

ජෝර්ජ් රාජපක්ෂ මය.

திரு. ஜோர்ஜ் ராஜபக்ஷ  
Mr. George Rajapaksa

ආර්. ආර්. ඩබ්ලිව්. රාජපක්ෂ මය.

திரு. ஆர். ஆர். டப்ளியூ. ராஜபக்ஷ  
Mr. R. R. W. Rajapakse

එස්. එම්. රසමානිකම් මය.

திரு. எஸ். எம். இராசமாணிக்கம்  
Mr. S. M. Rasamanickam

එස්. බී. ලේනව මය.

திரு. எஸ். பி. லேனவ  
Mr. S. B. Lenawa

පර්සි වික්‍රමසිංහ මය.

திரு. பேர்வழி விக்ரமசிங்ஹ  
Mr. Percy Wickremasinghe

වෛද්‍යවෘය් එස්. ඒ. වික්‍රමසිංහ

வைத்திய கலாநிதி எஸ். ஏ. விக்ரமசிங்ஹ  
Dr. S. A. Wickremasinghe

ඩී. බී. විජේතුංග මය.

திரு. டி. பி. விஜேதுங்க  
Mr. D. B. Wijetunga

කේ. වයි. එම්. විජේරත්න බණ්ඩා මය.

திரு. கே. வை எம். விஜேரத்ன பண்டா  
Mr. K. Y. M. Wijeratne Banda

ආර්. පී. විජේසිරි මය.

திரு. ஆர். பீ. விஜேசிறி  
Mr. R. P. Wijesiri

ලීලරත්න විජේසිංහ මය.

திரு. லீலாரத்ன விஜேசிறுங்க  
Mr. Leelaratne Wijesinghe

පී. බී. විජේසුන්දර මය.

திரு. பீ. பி. விஜேசுந்தர  
Mr. P. B. Wijesundara

එඩ්මන්ඩ් විජේසුරිය මය.

திரு. எட்மன்ட் விஜேசுரிய  
Mr. Edmund Wijesuriya

පී. බී. ඒ. වීරකෝන් මය.

திரு. பீ. பி. ஏ. வீரக்கோன்  
Mr. P. B. A. Weerakoon

ඩී. පී. ආර්. වීරසේකර මය.

திரு. டி. பீ. ஆர். வீரசேக்கர  
Mr. D. P. R. Weerasekera

රාජා වෙලෙගම මය.

திரு. ராஜா வெலேகம்  
Mr. Raja Welegama

වෛද්‍යවෘය් එම්. එම්. සද්ධසේන

வைத்திய கலாநிதி எம். எச். சத்தாசேன  
Dr. M. H. Saddhasena

ආර්. ජී. සමරනායක මය.

திரு. ஆர். ஜி. சமரநாயக்க  
Mr. R. G. Samaranayake



—කරක සහාය

AYES

NOES

*Resolved :*

“That the Bill be referred to a Committee of the Whole House.”—  
[The Hon. J. R. Jayewardene.]

කාරක සහායෙහිදී සලකා බලන ලදී.

[කළාතායකතුමා මූලාසනාරූඪ විය.]

முழுச் சபைக் குழுவின் ஆராயப் பெற்றது.—  
[சபாநாயகர் அவர்கள் தலைமை தாங்கினார்].

Considered in Committee.

[MR. SPEAKER *in the Chair.*]



ප්‍රජා නුසුදුසුකම් පනවීමේ (විශේෂ විධිවිධාන)  
පනත් කෙටුම්පත

අ. භා. 5.15

1 වන වගන්තියේ සිට 3 වන වගන්තිය තෙක් කෙටුම්පත් පණතෙහි කොටසක් හැටියට තිබිය යුතු යයි නියෝග කරන ලදී.

1 ஆம் வாசகத்திலிருந்து 3 ஆம் வாசகம் வரை மசோதாவின் பகுதியாக இருக்கவேண்டுமென ஆணை யிடப்பட்டது.

Clauses 1 to 3 ordered to stand part of the Bill.

CLAUSE 4.—(A person to whom this Act applies disqualified for being a candidate at elections)

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

I have a small amendment to propose, which I do not think should be controversial. I indicated it in the course of the Debate on the Second Reading. I move,

“In page 2, line 19, leave out the words, “under any appropriate law”.

The reason for this amendment, as I indicated, is that it would be open, otherwise, to a person whose name appears in the schedule—one of the six gentlemen named in this Bill—to hand in his nomination paper for an election, and it would not be legally possible for an objection to be taken against that nomination. A poll will have to be held and it is only after that that disqualification occurs. In order to prevent the nomination, it is necessary that the words “under any appropriate law” should be deleted. The clause will then read :

“(a) any objection may be taken at the time of the nomination of candidates at such election to any nomination paper submitted by him or on his behalf in respect of his candidature at such election ;”

The existence of these words “under any appropriate law” produces the result that, inasmuch as there is no disqualification in the Ceylon (Parliamentary Elections) Order in Council, no valid objection could be taken to the nomination paper unless these words are omitted.

—කාරක සභාව

නයිනා මරිකාර් මයා.  
(ஜனாப் நயினா மரிக்கார்)  
(Mr. Naina Marikar)

I appreciate the hon. Member's amendment. I looked into this question carefully. I remember that the hon. Member raised it during the Debate on the Second Reading. I find that there is not much substance in it because “under any appropriate law” is specifically used there in order to cover the objection on the ground of nomination to be brought under the Ceylon (Parliamentary Elections) Order in Council, Section 31. I can develop that argument to show that an objection to a nomination paper can be made only on certain grounds as specified in Section 31 of the Ceylon (Parliamentary Elections) Order in Council. Under Section 31 of the Ceylon (Parliamentary Elections) Order in Council, Chapter 381, objections to the nomination paper can be made on the following grounds :

- (a) that the description of the candidate is insufficient to identity the candidate ;
- (b) that the nomination paper does not comply with or was not delivered in accordance with the provisions of this Order ;
- (c) that it is apparent from the contents of the nomination paper that the candidate is not capable of being elected a Member of Parliament ;
- (d) that the provisions of section 29 have not been observed.

Those are the grounds on which objection can be taken to a nomination paper. The submission of the hon. Member for Dompe is this, He says that “under any appropriate law” means either under the Ceylon (Parliamentary Elections). Order in Council, Chapter 381, or under the Ceylon (Constitution) Order in



ප්‍රජා හුදුසුකම් පනවීමේ (විශේෂ විධිවිධාන)

පනත් කෙටුම්පත

[නීති මට්ටම මය.]

—කාරක සභාව

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

Council, Chapter 379, Section 13. His submission is that when you say "under any appropriate law" and when anybody presents a nomination paper, the presiding officer automatically looks at Section 31 of the Ceylon (Parliamentary Elections) Order in Council and says, "Well, the fact that he is disqualified is not specifically mentioned either in Section 31, nor is it mentioned in Section 13 of the Ceylon (Constitution) Order in Council".

It is precisely in order to make that position very clear that we have used the words "under any appropriate law," so that when one reads Clause 4 one finds that the main intention and purpose of Clause 4 is to make it a specific ground that the person is disqualified by this Bill and on that the objection can be taken. As the law stands today, if one does take an objection under Section 31 of the Ceylon (Parliamentary Elections) Order in Council, one will have to satisfy the requirements of (a), (b), (c), or (d), or alternatively he must come under Section 13 of the Ceylon (Constitution) Order in Council. We know as a matter of practice, as a matter of precaution, no presiding officer is going to adjudicate upon any objection that has been raised under Section 13. They would normally say, "You decide it by way of petition." Clause 4 has been brought in, therefore, in order to obviate and minimize that danger and to empower the presiding officer to reject a nomination paper on the ground that he has been disqualified under the provisions in this Bill. We have examined it very carefully and closely and I can assure the hon. Member for Dompe that that is the position. I was very apprehensive and very disturbed in the course of the Second Reading when he made that point. I thought there was some substance in what he said. We have examined it very carefully and we are satisfied that the fears that he expressed cannot be realized under Clause 4.

I should like first of all to thank my hon. Friend for the care and attention with which he has apparently examined the suggestion I made at the Second Reading Debate. While I appreciate it I think he will agree with me that it is the anxious desire of every single Member in this House to ensure that the objective I referred to is attained, namely, that we do not intend any of these six persons to submit themselves for nomination for an election and to put the opposing candidate to the expense and trouble of actually facing a poll against the persons whom this House has chosen to so disqualify.

My learned, my hon. Friend's argument in this matter—I am sorry for my lapse into language of another forum—proceeds on the basis that my contention is wrong. I would like to demonstrate to him first and foremost that it is not wrong, and I say this not out of any anxiety to defeat the purposes of the Bill but in my anxiety to ensure that it is indeed in the form in which every Member wants it to be. The moment the words, "under any appropriate law" are included the consequence is that this law which is made to prevail as against the Ceylon (Parliamentary Elections) Order in Council will, in fact, remain subordinate to that law. If this law itself provides that the grounds of objections which are to be taken are limited to the operation of an appropriate law, which is the Ceylon (Parliamentary Elections) Order in Council, we are not achieving the objective of making this law prevail over the appropriate law. It is for that reason, therefore, that I respectfully venture to disagree with my good Friend. But we are no lawyers here arguing; we are legislators, and we have an objective to achieve. May I, therefore, propose as an alternative amendment, to make it plain and beyond doubt, that we omit all the



ප්‍රජා නුසුදුසුකම් පැනවීමේ (විශේෂ විධිවිධාන)  
පනත් කෙටුම්පත

—කාරක සභාව

words in sub-paragraph (a) altogether and substitute instead words which will make our meaning quite clear without getting involved in arguments of “under any appropriate law”. I suggest the addition after the word “which”, of the following words :

“any nomination paper submitted by a person named in the schedule shall be disqualified by the returning officer in the case of a Parliamentary election or by the Commissioner of Elections to a local authority.”

My respectful submission is that that amendment will meet the objective we have in mind. I do not wish to get involved in a legal argument here. My purpose in proposing the amendment is simply with the objective of achieving what I consider is the will of the House by an overwhelming majority. For that purpose I do submit that my good Friend, even if he disagrees with me in regard to the legal interpretation—we can argue those questions elsewhere—at least for the purpose of ensuring our objective will agree to accepting the form of words which is not controversial between us as far as the law is concerned. If he wishes to polish up the language further I have no objection at all so long as it is made quite clear that these persons are disqualified. And, quite apart from whether the objection appears on the nomination paper or not, whether it is a ground contemplated by Section 31 or not, the returning officer is placed under an obligation to reject those nomination papers. So, in the circumstances of the controversiality of the law, I withdraw my earlier proposed amendment to Clause 4 and propose, instead, the deletion of the whole of sub-paragraph (a) and the substitution of the words which I have proposed instead.

නයිනා මරිකාර් මයා.

(ஜனாப் நயினா மரிக்கார்)  
(Mr. Naina Marikar)

I do not want my good Friend to think that I am cantankerous or

cussed. I know he has offered this amendment with a view to making the provisions of the law very clear. I wish I could accept it.

එෆ්. ආර්. ඩයස් බණ්ඩාරනායක මයා.

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

Why not consult the Legal Draftsman ?

නයිනා මරිකාර් මයා.

(ஜனாப் நயினா மரிக்கார்)  
(Mr. Naina Marikar)

The Legal Draftsman says “No”. The fear that he has, namely that there may be some control or overriding provisions of the law, is clearly provided for in Clause 10 sub-clause (3) where it says :

“The provisions of any appropriate law shall have force and effect subject to the provisions of this Act, and accordingly shall be read and construed subject to such modifications or additions as may be necessary to give provisions of such appropriate law the force and effect aforesaid.”

My submission is that the confusion or the doubt that my Friend the hon. Member for Dompe has in mind will be solved by sub-clause (3) of Clause 10, and I can assure him that this is a matter which has caused a great deal of anxiety to us also. Having considered this very closely I do not think we can accept that amendment, not in a spirit of defiance or because we do not think that amendment is not a worthwhile amendment, but because we do not want to confuse the structure of the clause already provided here namely, Clause 4.

එෆ්. ආර්. ඩයස් බණ්ඩාරනායක මයා.

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

I am sorry to speak again on this subject and to take up your time, but I will be very brief.

What the hon. Parliamentary Secretary says is this: He gives us an assurance of his good faith in the matter of his anxiety to achieve our objectives just as much as we are



ප්‍රජා නුසුදුසුකම් පැනවීමේ (විශේෂ විධිවිධාන)

පනාත් කෙටුම්පත

—කරක සිහුව

[එෆ්. ආර්. ඩයස් බණ්ඩාරයාගේ මග.]

anxious to achieve his objectives. We seem to be completely united in this matter. But the fact remains that neither he nor I am really in a position to assure this House of what interpretation the Supreme Court or the Privy Council may place upon the legislation which we are going to enact.

නයිනා මරික්කාරි මය.

(ஜனாப் நயினா மரிக்கார்)

(Mr. Naina Marikar)

That is one of the risks we always take.

එෆ්. ආර්. බයස් බණ්ඩාරයාගේ මග.

(திரு. எப். ஆர். டயஸ் பண்டாரநாயக்க)

(Mr. F. R. Dias Bandaranaike)

There is a risk no doubt, but it is a risk which we should minimize. And I have no doubt that every single Member of this House will agree that if we try to keep our language to the simplest possible forms and make it quite clear as to what we want, the Supreme Court will have fewer opportunities and, indeed, there is no question of having to refine arguments to create opportunities for my hon. Friend and myself perhaps to argue this question elsewhere. Therefore, I do appeal to him not to let a form of words or drafting suggested by somebody else, however senior and erudite that official may be, to stand in the way of achieving the objectives of this House. He is in no position to give you an assurance, Mr. Chairman; neither am I. I frankly cannot tell you that that is not a risk we take, but it is risk which we can certainly minimize.

So, if you do not want it in that form, I am prepared to simplify even further in the form of another proposed amendment if you want it. But I do submit that it is a question on which the hon. Parliamentary Secretary might agree by being a little more flexible and willing to consider and accept the former words which would give effect to what we want. What we want is that they

should be disqualified if they submit a nomination paper. So, why not say it in that form. It will then read :

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

අ. පා. 5.30

Would that satisfy my good Friend? In other words, it shall be a ground on which a nomination paper, if submitted, shall be rejected. My submission is that these words be accepted both for Parliamentary elections and local elections. If, the hon. Parliamentary Secretary would be willing to accept it, the problem solves itself.

The amendment I propose is this :

“Any nomination paper submitted by such person shall be rejected by the returning officer in the case of Parliamentary elections or by the returning officer in the case of any election to a local authority.”

Shall we adjourn for ten minutes to enable the Parliamentary Secretary to think this out?

නයින මරික්කාර් මය.

(ஐனாப் நயினா மரிக்கார்)

(Mr. Naina Marikar)

Let us have the amendment in writing.

එෆ්. ඩී. ඩබ්ලිව්. බ්ලැක්ස්ටන් මහතා.

(திரு. எப். ஆர். டயஸ் பண்டாரநாயக்க)

(Mr. F. R. Dias Bandaranaike)

I am sorry I did not do it earlier.  
I shall do it now.

සිහිපතිනම්,

(அக்கிராசனார்)

(The Chairman)

I shall now read out the amendment suggested by the hon. Member for Dompe.



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ප්‍රජා නුසුදුසුකම් පැනවීමේ (විශේෂ විධිවිධාන)  
පනත් කෙටුම්පත

—කාරක සභාව

නමුත් 10 වන වගන්තියේ—10 වන ඡේදයේ—දැනට පනවා ඇති විධිවිධාන සියුම් ලෙස විග්‍රහ කර බැලුවොත් තමන් තාත්සෙව පෙනී යන්න ඕනෑ, අද අපි මේ ආකාරයට බොහොම ඉක්මණින් සම්මත කර ගන්න යන මෙම පණතෙන් අපි අදහස් කරන අන්දමේ පරමාර්ථ කිසිසේත් ඉටු නොවන බව. 10 වන වගන්තිය මේ ආකාරයට පැනවූ පලියටම අපේ පරමාර්ථ ඉටු වුණා වන්නේ නැහැ. මෙහි සඳහන් වන්නේ කුමක්ද? මෙහි සඳහන් වී තිබෙනවා, 1946 ලංකාණ්ඩු ක්‍රම ව්‍යවස්ථා පණතේ යම් යම් විධිවිධාන වගයක් පිළිබඳව. මෙය මේ ආකාරයට සංශෝධනය කරන්න උත්සාහ කිරීමෙන් ලංකාණ්ඩු ක්‍රම ව්‍යවස්ථා පණතේ 29 වන ඡේදයේ 2 වන අනු ඡේදයේ “ආ” උප ඡේදය කිසිසේත් සංශෝධනය නොවන බව කියන්න ඕනෑ. මෙම පණත සම්මත කර ගැනීමේදී අප බලාපොරොත්තු විය යුත්තේ කුමක්ද? මෙම පණත සම්මත කර ගන්නාට පසු, ලංකාණ්ඩු ක්‍රම ව්‍යවස්ථා පණතේ 29 වන ඡේදය යටතේ කිසිම කෙනෙකුට අධි කරණය ඉදිරියේ නඩුවක් පවරා මෙම පණත සම්පූර්ණයෙන්ම ආණ්ඩු ක්‍රම විරෝධීය කියා විරුද්ධත්වයක් පැන නැංවීමට ඉඩක් නොලැබෙන පරිදි මෙම පණත සම්මත කර ගැනීමටයි, අප උත්සාහ කළ යුත්තේ.

මේ ගැන තව දුරටත් විස්තර කරන්නට පෙර මගේ තර්කය සම්පිණ්ඩනය කර පෙන්වන්න කැමතියි. මෙම පණත පණ වනු ලබන අකාරයට ලංකාණ්ඩු ක්‍රම ව්‍යවස්ථා පණතේ 29 වන ඡේදයේ 2 වන අනුඡේදයේ “ආ” උප ඡේදය කිසිසේත් සංශෝධනය වන්නේ නැහැ. ලංකාණ්ඩු ක්‍රම ව්‍යවස්ථා පණතේ 29 වන ඡේදය ඒ විධියටම තිබෙන්නට හැර, එය සංශෝධනය නො කර, කටයුතු කිරීමෙන් පලක් නැහැ. මෙම පණත මගින් හෝ වෙනත් විශේෂ ආණ්ඩු ක්‍රම සංශෝධන පණතක් මගින් හෝ ලංකාණ්ඩු ක්‍රම ව්‍යවස්ථා පණතේ 29 වන ඡේදය සංශෝධනය කරන්න ඕනෑ. ගරු කථානායකතුමන්, රාජ්‍ය කටයුතු පිළිබඳ ගරු ඇමතිතුමන්, ගරු අගමැතිතුමන් මෙතැනින් පැන දුවන්න හිතාගෙන මේ

විධියට කොතරම් කැකෝ ගසා කටයුතු කළත්, තත්ත්වය ඔය ආකාරයෙන් තිබියදී එවැනි මිනිසුන් මෙම මන්ත්‍රී මණ්ඩලයට මෙන්ම වෙනත් මහජන ආයතනවලට ඒම නවත්වන්න පුළුවන් කමක් ලැබෙන්නේ නැහැ. මේ රටේ පහා කාරයින්, අල්ලස් කාරයින් සියලුම මහජන ආයතනවලට පත්වීම වැළැක් වීමට වුවමනා නම් කළයුත්තේ මෙවැනි කෂඩ, කසිකබල් පණත් ඉදිරිපත් කිරීම නොවෙයි; ලංකාණ්ඩු ක්‍රම ව්‍යවස්ථා පණත සංශෝධනය කිරීමයි. එසේ ක්‍රියා නොකර, ශ්‍රී ලංකා නිදහස් පක්ෂයේ ඒ කාලෙ හිටපු සාමාජිකයින් කොටසකගේ ප්‍රජා අයිතිවාසිකම් නැතිකර දමා දෙශපාලන ප්‍රයෝජනය සලසා ගැනීමට පමණක් ක්‍රියා කොට, ඒ මගින් තමන් මහ ලොකු වැඩක් කළ හැටියට රටට ප්‍රකාශ කිරීම සඳහා මෙවැනි කසිකබල් පණතක් ඉදිරිපත් කිරීම වැරදියි. අවංකවම පහාකාරයින්ට විරුද්ධ නම්, අල්ලස් කාරයින්ට විරුද්ධ නම්, කරන්න තියෙන්නේ ලංකාණ්ඩු ක්‍රම පණත සංශෝධනය කරන එකයි.

ගරු සභාපතිතුමනි, මේ අන්දමට පහා අරගෙන වැරදිකරුවන් වූ මිනිස්සු එසේ වැරදිකරුවන් වුණේ ලංකාණ්ඩු ක්‍රම පණතේ 13 වන ඡේදයේ තිබෙන පිළි වෙළට නොවෙයි නම්, අඩු ගණනේ 13 වන ඡේදය සංශෝධනය කර මෙවැනි පහාකාර යින් මන්ත්‍රී මණ්ඩලයෙන් පත්තා දමන්න වුවත් මෙම ආණ්ඩුවට පුළුවනි. මන්ත්‍රී මණ්ඩලයේ සාමාජිකත්වයක් දැරීමට නුසුදුසු වන කරුණු රාශියක් ආණ්ඩු ක්‍රම පනතේ 13 වැනි ඡේදයේ සඳහන් වෙනවා. ඒ නුසුදුසුකම් අතරත් අද මේ සාකච්ඡාවට භාජන වී තිබෙන පනතේ පරමාර්ථය හා පදනම වූ නුසුදුසු කම් අතරත් තිබෙන්නේ ඉතාමත් සුළු වෙනසක්. ආණ්ඩු ක්‍රම පනතේ 13 වැනි ඡේදයේ මෙසේ සඳහන් වී තිබෙනවා.

“උත්තර මන්ත්‍රීවරයකු හෝ නියෝජිත මන්ත්‍රී වරයකු වශයෙන් තමන්ගේ විනිශ්චය කෙරෙහි බලපෑමේ අදහසින් ප්‍රදාන ලද අල්ලසක් හෝ තැග්ගක් පිළිගන්නේ නම් පසුගිය සත්වස තුළ බලය ඇති අධිකරණයකින් හෝ උත්තර මන්ත්‍රී මණ්ඩලයේ හා නියෝජිත මන්ත්‍රී මණ්ඩලයේ අනු මැතිව ඇතිව පත් කළ කොමිසමක් මගින් හෝ...



ප්‍රජා නුසුදුසුකම් පැනවීමේ (විශේෂ විධිවිධාන)

පනත් කෙටුම්පත

[ප්‍රින්ස් ගුණසේකර මයා.]

අ. හා. 5.45

අද සාකච්ඡාවට භාජන වී තිබෙන පනත බලපාන හය දෙනාගේ නම් එම පනතේ අන්තිම පිටුවේ සඳහන් වී තිබෙනවා. මේ පුද්ගලයන් වැරදිකරුවන් වී සිටින්නේ සෙනෙට් මන්ත්‍රී මණ්ඩලයේ සහ නියෝජිත මන්ත්‍රී මණ්ඩලයේ අනුමැතිය ඇතිව පත් කරන ලද කොමිසමක් මගින් නොවෙයි. කොමිෂන් සභා පනත යටතේ පත් කරන ලද කොමිසමක් මගින් ඔවුන් වැරදිකරුවන් කර තිබෙනවා. කාලයක් තිස්සේ පවත්වන ලද සාක්ෂි විභාගයකින් පසුව ඔවුන් වැරදි කරුවන් බව තීරණය කර තිබෙනවා. මේ පිළිකුල් සහගත ප්‍රගුප් සාජනක පුද්ගලයන්ගේ නම් ඇතුළත් ලේඛනයක් මෙම මන්ත්‍රී මණ්ඩලයට ඉදිරිපත් කරන්නේ නැතිව කෙළින්ම ආණ්ඩුක්‍රම පනතේ 13 වැනි ඡේදය සංශෝධනය කිරීමෙන් ඔවුන් වැරදිකරුවන් කරන්නට පුළුවනි. කොමිෂන් සභා පනත යටතේ පත් කරන ලද කොමිසමකින් වැරදිකාරයන් බවට තීන්දු කරන ලද පිරිසට ප්‍රජා අයිතිවාසිකම් තහනම් කිරීම සඳහා ගෙන එන ලද මෙම පනතට පක්ෂව ඡන්දය දුන් ගරු මන්ත්‍රීවරුන් 142 දෙනා මෙම ආණ්ඩුක්‍රම පනතේ 13 වැනි ඡේදය සංශෝධනය කිරීම සඳහාත් ඡන්දය දෙනවා ඇති. [බාධා කිරීමක්] මා කියන දේ තමුන් තාත්සේට වැටහෙන්නේ නැති වීම ගැන මට කණගාටුයි.

**සභාපතිතුමා**

(அக்ஷராசனார்)

(The Chairman)

ගරු මන්ත්‍රීතුමා යෝජනා කරන සංශෝධනය මොකක්ද?

**ප්‍රින්ස් ගුණසේකර මයා.**

(திரு. பி. பி. முனசேகர)

(Mr. Prins Gunasekera)

“මේ පනතේ විධානයන් 1946 ලංකා (ආණ්ඩුක්‍රම) රාජසභා ආඥාවෙහි විධානයන් උල්ලංඝනය කරන බැවින් මේ පනතින් එකී ආණ්ඩුක්‍රම පනතේ 29(2)(ආ) ඡේදය සහමුළින්ම අත්හැර දමුවා හා සමාන වන්නේය.”

—කාරක සභාව

**ඩී. පී. අතපත්තු මයා. (රාජ්‍ය ඇමතිගේ පාර්ලිමේන්තු ලේකම්)**

(திரு. டி. பி. அத்தபத்து—இராஜாங்க அமைச்சரின் பாராளுமன்றக் காரியதரிசி)

(Mr. D. P. Atapattu—Parliamentary Secretary to the Minister of State)

ගරු සභාපතිතුමනි, අප දැන් සාකච්ඡා කරන්නේ අද දෙවන වර කියවා සම්මත කර ගන්නා ලද පනත ගැනයි. තමුන් හබරාදුවේ ගරු මන්ත්‍රීතුමා සඳහන් කරන්නේ ඒ පනත ගැන නොවෙයි. 1946 දී සම්මත කර ගන්නා ලද ලංකා ආණ්ඩුක්‍රම ව්‍යවස්ථාවේ 29 වැනි වගන්තිය ගැනයි, එතුමා කියන්නේ. අද දින සාකච්ඡාවට භාජන වී ඇති පනතින් ආණ්ඩුක්‍රම ව්‍යවස්ථාවේ 29 වන වගන්තිය සංශෝධනය කරන්නට බැහැ. ඒ සඳහා අප වෙනම අවස්ථාවක් ලබා ගන්නට ඕනැ. ගරු මන්ත්‍රීතුමා කොතරම් උත්සාහ කළත්, ඒ වගේම ගරු මන්ත්‍රීතුමාගේ සංශෝධනය ආණ්ඩු පක්ෂය පිළිගන්නත් අද සාකච්ඡා කරන මෙම පනතින් නම් ඒ වැඩේ කරන්නට බැහැ. මේ පනත් කෙටුම්පත පිළිබඳ කාරකසභා අවස්ථාවෙහිදී කොහොමද මේක කරන්නේ?

**ප්‍රින්ස් ගුණසේකර මයා.**

(திரு. பி. பி. முனசேகர)

(Mr. Prins Gunasekera)

කාරකසභා අවස්ථාවෙහිදී නැත්නම් වෙන මොන අවස්ථාවෙහිදීද සංශෝධන ඉදිරිපත් කරන්නේ?

**අතපත්තු මයා.**

(திரு. அத்தபத்து)

(Mr. Atapattu)

මේ පනත් කෙටුම්පතට සංශෝධන ඉදිරිපත් කරන්න පුළුවන්. තමුන් වෙනත් පනතක් සංශෝධනය කරන්න මේ අවස්ථාවෙහිදී බැහැ. නිකම් කාලය ගත කරනව. මේ පනත් කෙටුම්පත දෙවන වර කියවන අවස්ථාවෙහිදී ගරු මන්ත්‍රීතුමාට මිනිත්තු දහයක් කපා කරන්න වුවමනා කම තිබුණි. ඒක නොලැබුණු නිසා දැන් මේ අවස්ථාවෙහිදී කපා කරනව. එතුමා කියන්නේ කරන්න බැරි දෙයක්.

**සභාපතිතුමා**

(அக்ஷராசனார்)

(The Chairman)

කරුණා කර සංශෝධනය ලියා එවන්න.



ප්‍රජා නුසුදුසුකම් පැනවීමේ (විශේෂ විධිවිධාන)  
පනත් කෙටුම්පත

—කාරක සභාව

**ප්‍රින්ස් ගුණසේකර මයා.**  
(*திரு. பிறின்ஸ் குணசேக்கரா*)  
(Mr. Prins Gunasekera)  
මෙතන කඩදාසි නැහැ. මේ පනතෙමි  
ලියා එවන්නද කියන්නේ?

**අනපත්තු මයා.**  
(*திரு. அத்தபத்து*)  
(Mr. Atapattu)  
සභාපතිතුමනි, මා ඊනි ප්‍රශ්නයක් ඉදිරි  
පත් කළේ. මේ පනත් කෙටුම්පතෙන්  
පිටස්තර පනතක් සංශෝධනය කරන්න  
ය කියා වාද කරන්න මේ අවස්ථාවේදී  
ප්‍රථමන්ද? දැන් මේ සාකච්ඡා කරන  
පනත් කෙටුම්පතේ අසවල් වගන්ති  
සංශෝධනය කරනවාය කියනවා විනා, මේ  
විධියට වෙනත් පනතක්—අතිරේක පන  
තක්—සංශෝධනය කළයුතුය කියා වාද  
කරන්න මේ අවස්ථාවේදී ප්‍රථමන්ද?

**සභාපතිතුමා**  
(*அக்கிராசனார்*)  
(The Chairman)  
සංශෝධනය මොකක්ද කියා මා දැන  
ගන්නට ඕනැ. කරුණා කර එය ලියා  
එවන්න. ලියා එව්වාම එය හරිද වැරදිද  
කියා කියන්න ප්‍රථමන්.

**ප්‍රින්ස් ගුණසේකර මයා.**  
(*திரு. பிறின்ஸ் குணசேக்கரா*)  
(Mr. Prins Gunasekera)  
මට එය ලියා එවන්න විකක් නිස්කලං  
කයක් දෙන්න එපායැ.

**සභාපතිතුමා**  
(*அக்கிராசனார்*)  
(The Chairman)  
මීට පසු ඉදිරිපත් කරන සංශෝධන  
පළමුවෙන් ලියා එවිය යුතුය කියා මා  
තීරණය කරනවා. බොහොම වෙලාවක්  
ගත වෙනව මේ විධියට.

**ප්‍රින්ස් ගුණසේකර මයා.**  
(*திரு. பிறின்ஸ் குணசேக்கரா*)  
(Mr. Prins Gunasekera)  
එහෙම නියමයක් අපේ ස්ථාවර  
නියෝගවල නිබන්ධනය කියා මා සිතන්  
නෙ නැහැ. ඕනෑම අවස්ථාවක නැගිට  
සංශෝධන ඉදිරිපත් කරන්න අපට අයිති  
වාසිකමක් තිබෙනව.

**සභාපතිතුමා**  
(*அக்கிராசனார்*)  
(The Chairman)  
සංශෝධනයක් ඉදිරිපත් කරනවා නම්  
එය ලියා ඉදිරිපත් කළයුතුය කියාත් ස්ථා  
වර නියෝගවල සඳහන් වෙනවා.

**එෆ්. ආර්. ඩයස් බණ්ඩාරනායක මයා.**  
(*திரு. எப். ஆர். டயஸ் பண்டாரநாயக்க*)  
(Mr. F. R. Dias Bandaranaike)  
At the time we debated this Bill,  
I do not think any of us knew—until  
the Hon. Leader of the House moved  
it—that this would be referred to a  
Committee of the Whole House  
today.

**සභාපතිතුමා**  
(*அக்கிராசனார்*)  
(The Chairman)  
You should have come ready.

**එෆ්. ආර්. ඩයස් බණ්ඩාරනායක මයා.**  
(*திரு. எப். ஆர். டயஸ் பண்டாரநாயக்க*)  
(Mr. F. R. Dias Bandaranaike)  
On the last occasion we were ready  
and the Government did not have the  
numbers.

**ප්‍රින්ස් ගුණසේකර මයා.**  
(*திரு. பிறின்ஸ் குணசேக்கரா*)  
(Mr. Prins Gunasekera)  
ගරු සභාපතිතුමනි, මම මගේ සංශෝධ  
නය ගැන වචනයක් කියන්ටද?

**සභාපතිතුමා**  
(*அக்கிராசனார்*)  
(The Chairman)  
මේ සංශෝධනය පැහැදිලි අකුරෙන්  
ලියවී නැති නිසා කියවීම අමාරුයි. මම ප්‍රථ  
මන් හැටියට කියවන්නම්.

“මේ පනතේ විධානයන් 1946 ලංකා (ආණ්ඩු  
ක්‍රම) රාජසභා ආඥාවෙහි විධානයන් උල්ලංඝනය  
කරන බැවින් මේ පනතින් එකී ආණ්ඩු ක්‍රම  
පනතේ 29 (2) (ආ) ඡේදය සහමුලින්ම අත්හැර  
දැමුවා හා සමාන වන්නේය.”

ඒ සංශෝධනයට ඉඩ දෙන්නට බැහැ.



ප්‍රජා හුදුදුසුකම් පැනවීමේ (විශේෂ විධිවිධාන)

පනත් කෙටුම්පත

ප්‍රින්ස් ගුණසේකර මයා.

(සී.පී. ප්‍රින්ස් ගුණසේකර)

(Mr. Prins Gunasekera)

ගරු සභාපතිතුමනි, මෙම පනතේ 10 වෙනි වගන්තියේ පළමුවෙනි ඡේදයේ ආණ්ඩු ක්‍රම පනතෙහි 29 වෙනි වගන්තිය ගැන සඳහන් කර තිබෙනවා.

සභාපතිතුමා

(ආචාර්ය ආචාර්ය)

(The Chairman)

ඒ සංශෝධනයට ඉඩ දෙන්නට බැහැ.

එෆ්. ආර්. ඩයස් බණ්ඩාරනායක මයා.

(සී.පී. ආර්. ඩයස් බණ්ඩාරනායක)

(Mr. F. R. Dias Bandaranaike)

While I do not wish in any way to disturb the argument of the hon. Member for Habaraduwa (Mr. Prins Gunasekera) and the amendment he proposes, I wish to move an amendment in these terms.

I wish to move, first and foremost, the complete deletion of Clause 10 and the substitution of these words instead. I submit we should have Clause 10 only in two sub-sections and it must be very clearly worded for the information of all hon. Members of this House, without any doubt or room for legal quibbling afterwards. My amendment is this. Sub-section (1) to read as follows:

"The provisions of this Act shall be as valid and effectual as though this Act were part of the Ceylon (Constitution) Order in Council, 1946, and enacted in accordance with the proviso to Section 29 of the said Order in Council".

Sub-section (2) to read as follows:

"Where any provisions of this Act conflict or are inconsistent with the Ceylon (Parliamentary Elections) Order in Council or any amendment thereto or with the Local Authorities Elections Ordinance or any amendment thereto or any other written law, the provisions of this Act shall prevail".

These words are proposed not out of an anxiety to create complications of draftsmanship. I agree with the whole principle of what is set out in this clause which seeks to lay down

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rules for judges as to how they should adopt canons of interpretation in seeking to reconcile these different statutes. Now look at sub-clause (4). It states:

(4) In the event of any conflict or inconsistency between the provisions of this Act and the provisions of any appropriate law, the provisions of this Act shall be read and construed subject to all such modifications or additions as may be necessary to resolve such conflict or inconsistency or, in the event of it not being possible so to do, shall prevail over the provisions of such appropriate law.

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Now, what does that mean? I do not know whether even the Legal Draftsman or the Supreme Court can possibly know what this means. In other words, what is the use of telling the judges, 'In the event of any inconsistency, you shall read this section backwards or forwards or from left to right or from right to left'? What do we intend? We intend that, if this Bill conflicts with any law other than the Constitution, this Bill must prevail over the other law. If this Bill is different from the Constitution in any respect we want this to operate as a constitutional amendment. Is that not what we are trying to say? If so, why do we not say so? Look at sub-clause (3):

(3) The provisions of any appropriate law shall have force and effect subject to the provisions of this Act, and accordingly shall be read and construed subject to such modifications or additions as may be necessary to give the provisions of such appropriate law the force and effect aforesaid.

Now, who is going to make the modifications and additions, I would like to know. Is the Supreme Court being given legislative power to modify or add? So we are giving the Supreme Court a power, under cover of interpreting statutes, to legislate for us—not only to legislate for us but to legislate in derogation of the authority of this body here, the House of Representatives, which is meeting for purposes of constitutional amendment. We are here a constituent assembly to deal with a



ප්‍රජා නුසුදුසුකම් පැනවීමේ (විශේෂ විධිවිධාන)

පනත් කෙටුම්පත

—කාරක සභාව

particular vice, a particular mischief in the body politic, namely the existence of bribery. If you want to deal with it effectively, surely, you must enact laws which have a plain meaning on the face of it. We want this Bill to operate as a valid part of the Constitution duly amended. Secondly we want this Bill definitely to prevail over any other written law, and I would say with respect that merely saying "any other written law" is not enough; it is necessary to add specifically the statutes we have in mind. They are the Ceylon (Parliamentary Elections) Order in Council or any amendment thereto, and the Local Authorities Elections Ordinance, or any amendment thereto. I do not want to limit it to these two because there are certain provisions of the Municipal Councils Ordinance, the Urban Councils Ordinance, the Town Councils Ordinance and the Village Councils Ordinance which deal with elections to local bodies. That is why I put in the words, "any other written law". These are the statutes concerned, and therefore, when we are trying to produce a draft, let us give effect to what we want.

I object very strongly to words by which, under cover of giving canons of interpretation, we are virtually telling the courts, please add to our laws such modifications or additions as may be necessary. I object strongly to the courts being given power to add words to statutes enacted by Parliament. They might do so as a matter of interpretation, but that is a different question. But here we are giving them specific authority to make modifications and alterations to our laws in case they cannot reconcile them. We are telling them, when two laws are in conflict, do please interpret them subject to modifications and alterations.

In other words, the Supreme Court will decide how bribery cases are to be dealt with. They are not interested in how the House of Representatives interprets it. They might decide to start thinking in terms of the fundamental liberties of bribe-

takers. They might begin to start arguing about the liberty of the subject. I object to any delegation of legislative authority by this House to the courts in this manner.

We concede, we will readily accept the judgment of our courts in every matter. We are proud of the independence of our judges. But let us not permit them to perform our functions; let us not thrust our functions on them as it is sought to be done in the drafting of Clause 10.

I am not raising this point in order to go outside the terms of the Bill itself which we are now enacting or to disturb the objectives of this House. My respectful submission is that we should draft the words with clarity, without any doubt, and with the full objective of eliminating bribery.

My proposal would then be to eliminate all the sub-clauses (1) to (4) in Clause 10, and add two small sub-clauses.

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(அக்கிராசனர்)

(The Chairman)

Will the hon. Member read the amendments?

එෆ්. ආර්. ඩයස් බන්දාරනායක මහ.

(திரு. எப். ஆர். டயஸ் பண்டாரநாயக்க)

(Mr. F. R. Dias Bandaranaike)

The first new sub-clause would be :

The provisions of this Act shall be so valid and effectual as though this Act were part of the Ceylon (Constitution) Order in Council, 1946, and enacted in accordance with the proviso to section 29 of the said Order in Council."

And the second sub-clause would be :

"Where any provisions of this Act conflict or are inconsistent with the Ceylon (Parliamentary Elections) Order in Council or any amendment thereto, or with the Local Authorities Elections Ordinance or any amendment thereto, or with any other written law, the provisions of this Act shall prevail."

ගෞ. ජේ. ආර්. ජයවර්ධන

(கௌரவ ஜே. ஆர். ஜயவர்தன)

(Hon. J. R. Jayewardene)

ගෞ සභාපතිතුමනි, ඊනි ප්‍රශ්නයක් ඉදිරිපත් කිරීමටයි මා නැගිට සිටියේ.



ප්‍රජා නුසුදුසුකම් පැනවීමේ (විශේෂ විධිවිධාන)  
පනත් කෙටුම්පත

[ගරු ජේ. ආර්. ජයවර්ධන]

දොම්පෙ ගරු මන්ත්‍රීතුමා (ඒෆ්. ආර්. ඩයස් බණ්ඩාරනායක මයා.) අපට සංශෝධනයක් ලියා දුන්නා, ඉංග්‍රීසි භාෂාවෙන්. හරිදුව ගරු මන්ත්‍රීතුමා (ප්‍රින්ස් ගුණසේකර මයා.) සංශෝධනයක් ලියා දුන්නා සිංහල භාෂාවෙන්. මොන භාෂාවෙන්ද සංශෝධන ලියා දිය යුත්තේ කියා—

ගරු මන්ත්‍රීවරයෙක්

(කෙළරාව අරුණකර්තවාර්)

(An hon. Member)

දෙමළෙන්.

ගරු ජේ. ආර්. ජයවර්ධන

(කෙළරාව ජේ. ආර්. ජයවර්ධන)

(The Hon. J. R. Jayewardene)

එහෙම නම් භාෂා තුනෙන්ම පිළිගන්නවාද? [බාබාකිරීම්] එහෙම නම් දොම්පෙ ගරු මන්ත්‍රීතුමා දෙමළෙන් ලියා දෙන්න. [බාබාකිරීම්] මෙය විහිළුවක් නොවෙයි, අපි යම් කිසි නීතියක් පනවනවා. යමක් නීතිගත කරනවා. සරි නීතිය ඉංග්‍රීසියෙන් තිබෙනවා. එක සංශෝධනයක් සිංහලෙන් ඉදිරිපත් කරනවා. තවත් සංශෝධනයක් දෙමළෙන් ඉදිරිපත් කරනවා. එතකොට නීතියේ තත්ත්වය මොකක්ද? මේ ලෙස කිරීමේදී නීතිය සම්පූර්ණයෙන්ම අවලංගු වේවි; ක්‍රියාත්මක කරන්න බැරි වේවි. මම දන්නවා හරිදුව ගරු මන්ත්‍රීතුමා කළා කරන්නෙන් ලියන්නෙන් සිංහල භාෂාවෙන් බව. ඒ නිසා උන්නාහෝ ඉදිරිපත් කරන සංශෝධනය සිංහලෙන් ඉදිරිපත් කරනවා. දැන් මේ දොම්පෙ ගරු මන්ත්‍රීතුමා ඉංග්‍රීසියෙන් ඉදිරිපත් කර තිබෙනවා. ඒ නිසා තමුන් තාන්සේ තීරණයක් දෙන්න ඕනෑ, මොන භාෂාවෙන්ද මේ සංශෝධන ලියා ඉදිරිපත් කළ යුත්තේ කියා. ඒ ගැන තමුන් තාන්සේ ගෙන් තීන්දුවක් බලාපොරොත්තු වෙනවා.

ඒෆ්. ආර්. ඩයස් බණ්ඩාරනායක මයා.

(ති.රු. ආර්. ඩයස් බණ්ඩාරනායක)

(Mr. F. R. Dias Bandaranaike)

On this question I think the matter is already covered by our Standing Orders. I think Standing Orders were amended by this House some time ago. There may be

—කාරක සභාව

differences of opinion in this matter but I think it is permissible to conduct the work of this House—

ගරු ජේ. ආර්. ජයවර්ධන

(කෙළරාව ජේ. ආර්. ජයවර්ධන)

(The Hon. J. R. Jayewardene)

Not the work, the amendment.

ඒෆ්. ආර්. ඩයස් බණ්ඩාරනායක මයා.

(ති.රු. ආර්. ඩයස් බණ්ඩාරනායක)

(Mr. F. R. Dias Bandaranaike)

I am within my rights in introducing the amendment in the form in which I have introduced it. If the Hon. Minister objects to my amendment that is a different matter. As far as I am concerned I have proposed an amendment and the Hon. Minister of State has raised a point of Order in regard to the language in which the amendment should be presented. Therefore I should like to ask the question in plain terms: does he say that my amendment is out of Order?

ගරු ජේ. ආර්. ජයවර්ධන

(කෙළරාව ජේ. ආර්. ජයවර්ධන)

(The Hon. J. R. Jayewardene)

That is for Mr. Chairman to decide. I am not going to usurp your powers, Sir. It is for you to decide. What I am saying is this. This Bill may go to the courts. It affects the individual rights of hon. Members and of citizens of this country. Therefore we must be careful in every step we take. I am asking you, in what language should amendments be submitted and incorporated in the Bill?

ප්‍රින්ස් ගුණසේකර මයා.

(ති.රු. ප්‍රින්ස් ගුණසේකර)

(Mr. Prins Gunasekera)

ගරු සභාපතිතුමනි, මේ ගැන කළා කරන්න මටත් අවසර දෙන්න.

සභාපතිතුමා

(අරුණකර්තවාර්)

(The Chairman)

කරුණා කර විකක් හිටින්න.



ප්‍රජා නුසුදුසුකම් පැනවීමේ (විශේෂ විධිවිධාන)  
පනත් කෙටුම්පත

ප්‍රින්ස් ගුණවෙස්කර මයා.

(திரு. பிறின்ஸ் குணசேக்கர)

(Mr. Prins Gunasekera)

ගරු සභාපතිතුමනි, ගරු රාජ්‍ය ඇමති  
තුමා මතු කළ ඊනි ප්‍රශ්නය සම්බන්ධ  
යෙන් මා වචනයක් කියන්න කැමතියි.  
අපේ 13 වන ස්ථාවර නියෝගයේ සඳු  
හන්ව තිබෙනවා, “මණ්ත්‍රි මණ්ඩලයේ  
කටයුතු සිංහලෙන් ගෙන යා යුතුයි” කියා.  
රාජ්‍ය භාෂාව සිංහලය කියා ඊයේ බොහෝ  
ම පිළිකල් සහගත විධියට කියා ගිය—

ගරු ජේ. ආර්. පියවර්ධන

(கௌரவ ஜே. ஆர். ஜயவர்தன)

(The Hon. J. R. Jayewardene)

What is he scolding me for? I raised a point of Order with you.

ප්‍රින්ස් ගුණසේකර මයෝ.

(திரு. பிறின்ஸ் குணசேக்கர)

(Mr. Prins Gunasekera)

நான, நான—

සහ පරික්ෂා

(அக்கிராசனார்)

(The Chairman)

කරුණා කර මට ආමන්ත්‍රණය කර කථා  
කරන්න.

ප්‍රින්ස් ගුණසේකර මයා.

(திரு. பிறின்ஸ் குணசேக்கர)

(Mr. Prins Gunasekera)

මම බැන්නා නොවෙයි. පෙරේදා මුළු සිද්ධියක් ගැනයි මම කිව්වේ. එදා සභාව කල් තැබීමේ අවස්ථාවේදී දිවුලපිටියේ ගරු මන්ත්‍රීතුමා (ලක්ෂමන් ජයකොඩි මයා.) මතු කළ ප්‍රශ්නයකට නිකම් ආවාට ගියාට පිළිතුරක් දී, State language is Sinhala කියා කී රාජ්‍ය ඇමතිතුමා අද තමුන්නාන්සේගෙන් අහනවා, 'මේ ගරු සභාවේ කටයුතු කරන්නේ මොන භාෂාවෙන්ද, කියා. මෙන්න නියෝජිත මන්ත්‍රී මණ්ඩලයේ ස්ථාවර නියෝගවල නිබන්ධ ආකාරය දැන් මම එය කියවන්නම්. 13 වන සථාවර නියෝගය යටතේ කෙලින්ම කියලා නියෝජනය මොකක්ද? මන්ත්‍රී මණ්ඩලයේ කටයුතු සිංහලෙන් ගෙන යා යුතු ය යන්නයි එහි මුලින්ම සඳහන් වන්නේ,

—කුරක සිහාව

සහ පරිත්‍යාග

(அக்கிராசனர்)

(The Chairman)

ගරු මන්ත්‍රිතුමා කරුණා කර වාචි  
වෙන්න. මගේ තීරණය දෙන්න ඉඩ  
දෙන්න.

ප්‍රිත්ස් ගුණසේකර මහා.

(திரு. பிறின்ஸ் குணசேக்கர)

(Mr. Prins Gunasekera)

ගරු කථානායකතුමනි, මා මෙය පෙන්වා දුන්නේ තමුත්තාන්සෙගෙ තීරණය සම්බන්ධයෙන් තමුත්තාන්සෙට උපකාර වීමටයි. මු, උත්සාහ කරන්නේ තමුත්තාන්සෙට සහයෝගය දීමටයි.

සහ, පරිත්‍යාග,

(அக்கிராசனார்)

(The Chairman)

මාත් ඒක දන්තව.

ගරු මන්ත්‍රීවරයෙක්

(கௌரவ அங்கத்தவர்)

(An hon. Member)

පහසාරසින්ව බේරන්නද ගරු මන්ත්‍රී  
තුමා හදන්නේ?

ප්‍රිත්ව් ගුණසේකර මය.

(திரு. பிறின்ஸ் குணசேக்கர)

(Mr. Prins Gunasekera)

පශාකාරයින් බේරන්න මට කිසිම වුව  
මනාවක් නැහැ. ඔය පැත්තේ ඉන්නව  
පශාකාරයින්. පශාකාරයින් ඵලවන්නයි  
අපටත් වුවමනා කරන්නේ.

සහ පරිත්‍යාග

(அக்கிராசனார்)

(The Chairman)

කරුණා කර වාඩි වෙන්න. මගේ තීන්  
දුව දෙන්නයි යන්නෙ. මේ ගරු සභාවේ  
කවර මන්ත්‍රීවරයකුට හෝ සිංහලෙන්  
කථා කරන්න පුළුවනි. ඒ වගේම දෙම  
ලෙන් කථා කරන්නත් පුළුවනි. ඉංග්‍රීසි  
යෙනුත් කථා කරන්න පුළුවනි. ඉංග්‍රීසි  
තේරෙන්නෙ නැති සමහර ගරු මන්ත්‍රී  
වරුන් මේ ගරු සභාවෙ ඉන්නව. යම්කිසි  
විධියකින් ඉංග්‍රීසියෙන්ම යෝජනා ඉදිරි  
පත් කරන්නෙයි කිව්වොත් ඒ ගරු මන්ත්‍රී  
වරුන්ට බොහොම ලොක හිරිහැරයක්



ප්‍රජා නුසුදුසුකම් පැනවීමේ (විශේෂ විධිවිධාන)

පනත් කෙටුම්පත

[සභාපතිතුමා]

ඇති වෙනව. එවැනි තත්ත්වයක් ඇති කරන්න බැහැ. ඒ නිසා සිංහලෙන් ඉදිරි පත් කරන්න බලාපොරොත්තු වන යෝජනාවක් තිබෙනවා නම් ඒ යෝජනාව මා ලඟට එව්වාම ඒක මම ඉංග්‍රීසි භාෂාවට පරිවර්තනය කර ගන්නම්. ඉංග්‍රීසියට භාෂා කර ගන්න පුළුවන්කම තිබෙනව. නීතිය නියෝගෙන ඉංග්‍රීසියෙනුයි. නීතිය සංශෝධනය කර තිබෙන්නේත් ඉංග්‍රීසියෙනුයි. ඒ නිසා එවන සංශෝධනය කියවා ඒ ගැන සලකා බලා ඉංග්‍රීසියෙනුත් තේරුම් කර බලා එහි ගන්න පුළුවන් සාරයක් තිබෙනවා නම් ඒ සාරය ගන්න මා ලැස්තියි.

ප්‍රින්ස් ගුණසේකර මයා.

(ති.රු. ප්‍රිතින්ස් ගුණසේකර)

(Mr. Prins Gunasekera)

නීතිය සිංහලෙන් තිබෙනවා. ඒ නීතිය සිංහලෙන් තිබෙනවා. සිංහලෙන් තිබෙන නීතියට සිංහලෙන් සංශෝධනයක් ඉදිරිපත් නොකර වෙන කොහොමද සංශෝධනයක් ඉදිරිපත් කරන්නේ?

සභාපතිතුමා

(අ.කි.රා.පනර්)

(The Chairman)

මගේ තීරණය භාර ගන්න ඔබ.

ප්‍රින්ස් ගුණසේකර මයා.

(ති.රු. ප්‍රිතින්ස් ගුණසේකර)

(Mr. Prins Gunasekera)

තමුත්තාත්සෙගෙ තීරණය මා භාර ගන්නව. මා තමුත්තාත්සෙට කියා සිටියේ මෙන්න මේ කාරණයයි. තමුත්තාත්සෙට මා කියන්නේ මිට මදකට පෙර දොම්පේ ගරු මන්ත්‍රීතුමා ඉංග්‍රීසියෙන් මේ ගරු සභාවට ඉදිරිපත් කළේ ඊට පෙර මා ඉතාමත් ඉක්මනින්, කඩි මුඩියේ, ඉතාමත් කෙටියෙන්, සංක්ෂේපයෙන් සිංහලෙන් ඉදිරිපත් කළ දෙයමයි. තමුත්තාත්සේ බොහොම අමාරුවෙන් කියව්ව ඒ දෙය එහා පැත්තේ ගරු මන්ත්‍රීවරුන් බොහොම දෙනකුට—කිසිම කෙනකුට—නොතේරුණා වෙන්න පුළුවන්. තමුත් දොම්පේ ගරු මන්ත්‍රීතුමා ඉංග්‍රීසියෙන් කියවන්න යෙදුණේත් ඒ කාරණයමයි. මේ පනත් කෙටුම්පත මේ

—කාරක සභාව

විධියට සංශෝධනය කළාම ආණ්ඩු ක්‍රම පනතේ 29 වන ඡේදයට විරුද්ධ වන නිසා තමයි ඒක හරි විධියට මා සිංහලෙන් සංශෝධනය කරන්න යෝජනා කළේ. තමුත්තාත්සේ බොහොම අමාරුවෙන් වුවත් එය කියව්වා; බොහොම දෙනකුට නොතේරුණා වෙන්න ඇති.

සභාපතිතුමා

(අ.කි.රා.පනර්)

(The Chairman)

මට එය බොහොම අමාරුවෙන් කියවන්න සිද්ධ වුණේ මෙන්න මේ කාරණය නිසයි. හරි පිළිවෙලට සිංහලෙන් එය ලියා නොතිබුණු නිසයි මට එය කියවා ගන්න අමාරු වුණේ.

ප්‍රින්ස් ගුණසේකර මයා.

(ති.රු. ප්‍රිතින්ස් ගුණසේකර)

(Mr. Prins Gunasekera)

මා හිතන්නේ නැහැ—

සභාපතිතුමා

(අ.කි.රා.පනර්)

(The Chairman)

ගරු මන්ත්‍රීතුමා කරුණාකර වාසි වෙන්න. Please sit down.

ප්‍රින්ස් ගුණසේකර මයා.

(ති.රු. ප්‍රිතින්ස් ගුණසේකර)

(Mr. Prins Gunasekera)

මගේ සිංහල මා හරියට නොලිව්වය කියන්න පුළුවන් කිසිම කෙනෙක් මේ ගරු සභාවේ ඉන්නවය කියා මා හිතන්නේ නැහැ.

සභාපතිතුමා

(අ.කි.රා.පනර්)

(The Chairman)

ගරු මන්ත්‍රීතුමා කරුණාකර වාසි වෙන්න.

ප්‍රින්ස් ගුණසේකර මයා.

(ති.රු. ප්‍රිතින්ස් ගුණසේකර)

(Mr. Prins Gunasekera)

කථානායකතුමනි, මම වාසි වෙන්නම්. මගේ සිංහල හරියට ලිව්වේ නැතෙයි කියන්න පුළුවන් කිසිම කෙනෙක් මේ ගරු සභාවේ ඉන්නවය කියා මා හිතන්නේ නැහැ.



ප්‍රජා නුසුදුසුකම් පැනවීමේ (විශේෂ විධිවිධාන)

පනත් කෙටුම්පත

**ගරු වන්නිනායක**

(கௌரவ வன்னிநாயக்க)

(The Hon. Wanninayake)

මොකද නැත්තේ, ඕනෑ තරම් ඉන්නව.

**සභාපතිතුමා**

(அக்கிராசனார்)

(The Chairman)

කරුණාකර සවන් දෙන්න. ගරු මන්ත්‍රී වරුන් මා කියන දේ භාර ගන්න ඕනෑ. මා කළා කරන විට ගරු මන්ත්‍රීවරුන් සියලු දෙනාම වාඩි වෙන්න ඕනෑ. එහෙම නැත්නම් මේ ගරු සභාවේ කටයුතු නිසියා කාර කරගෙන යන්න බැරි වන නිසා එ වැනි මන්ත්‍රීවරුන් පිට කරන්න පවා මට සිද්ධ වෙනවා ඇති. මා කියන දේ ගරු මන්ත්‍රීවරුන් බාරගන්නේ නැත්නම් මේ ගරු සභාවේ වැඩ අපේ ස්ථාවර නියෝගවලට අනුකූලව කරගෙන යන්න බැහැ. නීතියේ හැටියට වැඩ කරන්න බැරි මන්ත්‍රීවරුන් ඉන්නවා නම් ඒ මන්ත්‍රී වරයා ඕනෑම කෙනෙකු වුවත්—ගරු ඇමති වරයෙකු වුවත්, ගරු මන්ත්‍රීවරයෙකු වුවත්—නීතියේ හැටියට ක්‍රියා කරන්න මා ලැස්තියි. මා දෙන තීරණය එක පාරටම භාර ගන්න ඕනෑ. මීට පෙරත් මා ඒ ගැන කියා තිබෙනවා. මා දෙන යම් තීන්දුවක් වැරදි නම් ඒ ගැන ක්‍රියා කරන්නත් නීතියෙන් ඉඩ තිබෙනවා. ඒ අනුව වැඩ කරන්න ඕනෑම කෙනෙකුට පුළුවනි. තීතිය දන්නේ නැත්නම් කරුණා කර මගේ කාමරයට එන්න. එතකොට මම තීතිය කියා දෙන්නම්.

**ප්‍රින්ස් ගුණසේකර මයා.**

(திரு. பிழின்ஸ் குணசேக்கரா)

(Mr. Prins Gunasekera)

ගරු කළානායකතුමනි, මා කමා කරන්න. තමුන්නාන්සේගේ නියෝගයකට විරුද්ධ වන්නට මා මොහොතක්වත් උත්සාහ කළේ නැහැ.

**සභාපතිතුමා**

(அக்கிராசனார்)

(The Chairman)

ඒක කියන්න වුවමනා නැහැ නොවැ. ගරු මන්ත්‍රීතුමා හරි පිළිවෙලට ලියා නො තිබුණු නිසයි මට එය කියවන්න අමාරු වුණේ. දොම්පේ ගරු මන්ත්‍රීතුමා ඉංග්‍රීසි යෙන් ලියා එවූ සංශෝධනයෙන් අකුරු

—කාරක සභාව

විකක් හරියට ශුද්ධ ලෙස නොතිබුණු නිසා මට ඒකත් කියවා ගන්න අමාරු වුණා. ඒ වුණොට ඒ ගරු මන්ත්‍රීතුමා ඒ කොටස ඊට පස්සෙ හොඳට කියෙව්වා. දැන් ඒ සංශෝධනය අපට පැහැදිලියි.

**ප්‍රින්ස් ගුණසේකර මයා.**

(திரு. பிழின்ஸ் குணசேக்கரா)

(Mr. Prins Gunasekera)

ගරු කළානායකතුමනි, දොම්පේ ගරු මන්ත්‍රීතුමා ඉදිරිපත් කළ සංශෝධනය දැන් සාකච්ඡාවට භාජන වෙනවද?

**සභාපතිතුමා**

(அக்கிராசனார்)

(The Chairman)

ඒ සංශෝධනය පිළිගන්නවද?

**ප්‍රින්ස් ගුණසේකර මයා.**

(திரு. பிழின்ஸ் குணசேக்கரா)

(Mr. Prins Gunasekera)

පිළිගන්නව. ඒ අතර තුර මතු වූ කාරණයක් නිසයි මට මෙසේ කියන්න සිදු වුණේ.

**සභාපතිතුමා**

(அக்கிராசனார்)

(The Chairman)

පිළිගෙන ඉවර නම් ඒ සංශෝධනය සභාව ඉදිරියේ තබනවා.

**නයිනා මරික්කාර් මයා.**

(ஜனாப் நயினா மரிக்கார்)

(Mr. Naina Marikar)

I am in agreement with the hon. Member for Dompe in so far as clarity and simplicity are concerned. In the course of time these words acquire a certain meaning and certain gradations of meaning. This is the usual way in which sections have been framed in a number of Acts.

**එෆ්. ආර්. ඩයස් බණ්ඩාරනායක මයා.**

(திரு. எப். ஆர். டயஸ் பண்டாரநாயக்க)

(Mr. F. R. Dias Bandaranaike)

Never before. There is no precedent for this.



ප්‍රජා නාසිද්ධකම් පැනවීමේ (විශේෂ විධිවිධාන)

පණන් කෙටුම්පත

නයින, මරික්කාර් මයා.

(ஜனாப் நயினா மரிக்கார்)

(Mr. Naina Marikar)

There are a number of Ordinances and Acts in which this phraseology has been used. I do not think the hon. Member for Dompe will claim to be an expert legal draftsman. However expert a legal draftsman may be he makes mistakes and it is the courts that ultimately decide. So I would suggest that in view of the traditional phraseology which we have used and which so far has not been upset by any court of law, it will be both prudent and necessary to retain this phraseology because I think it does achieve the purpose which the hon. Member for Dompe has in mind. In so far as he says that we should not delegate any power of legislation to the courts, may I remind him that every case decided is a process of legislation by which law is made, extended and elaborated? Therefore, on that account, I do not think the argument that we should not delegate authority of legislation to the courts is jurisprudentially a sound one.

Therefore, may I appeal to him, in view of the importance of the Bill, not to raise these finer points of legal definitions and hold up the passage of the Bill? I know he means well, but in his anxiety—shall I say, in his being fair, his being very learned—his good intentions may misfire. Therefore, I would suggest that he withdraw this amendment.

සහ, පරිත්‍යාග

(அக்கிராசனார்)

(The Chairman)

Are you prepared to accept the amendment?

නයිනා මරික්කාර් මය.

(ஐனாப் நயினை மரிக்கார்)

(Mr. Naina Marikar)

No, Sir, I am not prepared to accept it.

—කුරක සහාය

පි. එච්. ඩබ්ලිව්. ද සිල්වා මයෝ.

(දෙවිනුවර)

(திரு. பி. எச். டபிள்யூ. டி சில்வா—தெவி நுவர)

(Mr. P. H. W. de Silva—Devinuwara)

I wish to make a few observations because I believe that what we are doing today is very important and when we are dealing with the amendment of the Constitution we must know what we are doing.

I think what the hon. Parliamentary Secretary to the Minister of Justice stated now that this is the traditional mode of amending the Constitution is not correct. I cannot agree with that. Up to now the amendments to the Ceylon (Constitution) Order in Council have been in specific terms to specific sections of the Constitution Order in Council or to its sub-sections. But this new phraseology is used for the first time in this House for the purpose of an implied amendment of the Constitution. Previously there have been no implied amendments of the Constitution.

What really has happened is that as a result of the very important judgment of the Privy Council in the case of the Bribery Commissioner *vs* Ranasinghe, a very important and a fundamental statement of law with regard to our Constitution has been laid down in these terms. I am reading from the Privy Council judgment reported in Volume 66 of the New Law Reports. I hope that the hon. Parliamentary Secretary and the Members of this House will listen to what I am going to read :

“The voting and legislative power of the Ceylon Parliament are dealt with in sections 18 and 19 of the Constitution.

'18. Save as otherwise provided in subsection (4) of section 29 any question proposed for decision by either Chamber shall be determined by a majority of votes of the Senators or Members, as the case may be, present and voting'....

‘ (29 (1). Subject to the provisions of this Order, Parliament shall have power to make laws for the peace, order and good government of the Island.

(2) No such law shall—

(a) prohibit or restrict the free exercise of any religion.'



ප්‍රජා නුසුදුසුකම් පැනවීමේ (විශේෂ විධිවිධාන)  
පනත් කෙටුම්පත

There follow (b), (c) and (d) which set out further entrenched religious and racial matters, which shall not be the subject of legislation."

So, for the first time, we have the authority of the decision of the Privy Council that Section 29 of the Ceylon (Constitution) Order in Council is unalterable. It cannot be altered even with a two-thirds majority.

"They represent the solemn balance of rights between the citizens of Ceylon, the fundamental conditions on which *inter se* they accepted the Constitution; and these are therefore unalterable under the Constitution."

We can only alter the Constitution by a two-thirds majority. To that extent, the sovereignty of this Parliament is limited after this Privy Council decision. We can only alter the Constitution by a two-thirds majority with regard to the other sections of the Constitution. The other sections of the Constitution in this country up to now had been amended by specific amendments. But, for the first time I believe, the Legal Draftsman or the legal advisers of the Crown have given an interpretation to this Privy Council decision wherein they say:

"In the present case, on the other hand, the Legislature has purported to pass a law which, being in conflict with Section 55 of the Order in Council, must be treated, if it is to be valid, as an implied alteration of the constitutional provisions about the appointment of judicial officers."

For the first time the Privy Council accepted the possibility of procedural requirements of an amendment of the Constitution by way of an implied amendment, and the amendment now before the House is an implied amendment when it states that this law "shall be deemed to be", wherein it is in conflict with and an alteration of the Constitution.

I find that the hon. Member for Dompe is not here. But the mere reference to Section 29 would not suffice because it is only under certain sub-sections of Section 29 that you can alter the Constitution.

—කාරක සභාව

Suppose we pass a law in terms which affect Section 29 (1). That is an unalterable Section of the Constitution and not even with a two-thirds majority of the House can that be passed. Then we will be bound to have sub-clause 4.

That is all I wish to say, Mr. Chairman, but whatever it is, I think, in view of the novel procedure that we are adopting for the first time and because this can have far-reaching implications and repercussions, we must be very careful about the drafting and the wording of this amendment in the Bill.

අත්හැරීමට යෝජනා කළ වගන්තිය පනත් කෙටුම්පතේ කොටසක් හැටියට තිබිය යුතුය යන ප්‍රශ්නය විමසන ලදීත්, සභාසම්මත විය.

விடப்பட வேண்டுமென பிரேரிக்கப்பட்ட வாசகம் மசோதாவின் பகுதியாக இருக்க வேண்டுமென்னும் வினா விடுக்கப்பட்டு ஏற்றுக்கொள்ளப்பட்டது.

Question, that the Clause proposed to be left out stand part of the Bill, put, and agreed to.

ප්‍රින්ස් ගුණසේකර මයා.

(திரு. பிறின்ஸ் குணசேகர)

(Mr. Prins Gunasekera)

ගරු සභාපතිතුමනි, 10 වැනි ඡේදයේ අගට එකතු කිරීම සඳහා සංශෝධනයක් ඉදිරිපත් කරන්න ඕනෑ. 10 වැනි ඡේදයේ අනුඡේද 4 ක් තිබෙනවා. මේ සංශෝධනය ඉදිරිපත් කරන්නේ ඒ 4 වැනි අනු ඡේදයේ අගට 5 වැනි අනුඡේදයක් වශයෙන් එකතු කිරීම සඳහායි. දෙවනුවර ගරු මන්ත්‍රීතුමා (පී. එච්. ඩබ්ලිව්. ද සිල්වා මයා.) මෙතෙක් වෙලා තර්ක කළේත් මෙයින් අප බලාපොරොත්තු වන පරමාපීය ඉටු නොවන බවටයි. ඒ නිසා, ඒ සඳහා අපි තවත් උත්සාහයක් අර ගෙන බලන්න ඕනෑ. 10 වැනි ඡේදයේ අගට එකතු කිරීම සඳහා තවත් අතිරේක අනුඡේදයක් අපි සූදානම් කර තිබෙනවා.

සභාපතිතුමා

(அக்கிராசனார்)

(The Chairman)

කරුණා කර සංශෝධනය කියවන්න.











புது நுழைக்கல் புகார்த்தி (வினா வினா)

புது கெட்டுப்புகார்த்தி

—புதுபுகார்த்தி கிண்பி

புகார்த்தி

சார்புகார்த்தி

AYES

புது புகார்த்தி. புகார்த்தி. புகார்த்தி. புகார்த்தி  
கெளரவ என். எச். எம். கருணாரத்ன  
The Hon. N. H. A. M. Karunaratne

புது புகார்த்தி. புகார்த்தி. புகார்த்தி. புகார்த்தி  
கெளரவ டி. பி. ஆர். குணவர்தன  
The Hon. D. P. R. Gunawardena

புது புகார்த்தி. புகார்த்தி. புகார்த்தி. புகார்த்தி  
கெளரவ ஜே. ஆர். ஜயவர்தன  
The Hon. J. R. Jayewardene

புது புகார்த்தி. புகார்த்தி. புகார்த்தி. புகார்த்தி  
கெளரவ மொண்டேகு ஜயவிக்ரம  
The Hon. Montague Jayewickreme

புது புகார்த்தி. புகார்த்தி. புகார்த்தி. புகார்த்தி  
கெளரவ சி. பி. டி. சில்வா  
The Hon. C. P. de Silva

புது புகார்த்தி. புகார்த்தி. புகார்த்தி. புகார்த்தி  
கெளரவ கலாநிதி டப்ளியூ. தகநாயக்க  
The Hon. Dr. W. Dahanayake

புது புகார்த்தி. புகார்த்தி. புகார்த்தி. புகார்த்தி  
கெளரவ எம். டி. பண்டா  
The Hon. M. D. Banda

புது புகார்த்தி. புகார்த்தி. புகார்த்தி. புகார்த்தி  
கெளரவ எம். எச். முகம்மது  
The Hon. M. H. Mohamed

புது புகார்த்தி. புகார்த்தி. புகார்த்தி. புகார்த்தி  
கெளரவ யூ. பி. வன்னினாயக்க  
The Hon. U. B. Wanninayake

புது புகார்த்தி. புகார்த்தி. புகார்த்தி. புகார்த்தி  
கெளரவ எம். எல். பி. ஹுருல்ல  
The Hon. E. L. B. Hurulle

புது புகார்த்தி. புகார்த்தி. புகார்த்தி. புகார்த்தி  
கெளரவ விமலா கன்னங்கர, எம்.பி.ஈ.  
The Hon. Wimala Kannangara, M.B.E.

புது புகார்த்தி. புகார்த்தி. புகார்த்தி. புகார்த்தி  
கெளரவ காமனி ஜயசூரிய  
The Hon. Gamani Jayasuriya

புது புகார்த்தி. புகார்த்தி. புகார்த்தி. புகார்த்தி  
கெளரவ டி. பி. வெலகெதர  
The Hon. D. B. Welagedera

புகார்த்தி. புகார்த்தி. புகார்த்தி. புகார்த்தி  
திரு. டி. பி. அத்தபத்து  
Mr. D. P. Atapattu

புகார்த்தி. புகார்த்தி. புகார்த்தி. புகார்த்தி  
திரு. பி. சி. இம்புலான  
Mr. P. C. Imbulana

புகார்த்தி. புகார்த்தி. புகார்த்தி. புகார்த்தி  
திரு. டி. செல்ற்றன் ஜயசிங்க  
Mr. D. Shelton Jayasinghe

புகார்த்தி. புகார்த்தி. புகார்த்தி. புகார்த்தி  
திரு. எல். பி. தசநாயக்க  
Mr. L. B. Dassanayake

புகார்த்தி. புகார்த்தி. புகார்த்தி. புகார்த்தி  
ஜனாப் எம். எச். எம். நயினா மரிக்கார்  
Mr. M. H. M. Naina Marikkar

புகார்த்தி. புகார்த்தி. புகார்த்தி. புகார்த்தி  
திரு. எஸ். எ. பீரிஸ், ஓ.பி.ஈ.  
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புகார்த்தி. புகார்த்தி. புகார்த்தி. புகார்த்தி  
திரு. ஆர். பிரேமதாச  
Mr. R. Premadasa

புகார்த்தி. புகார்த்தி. புகார்த்தி. புகார்த்தி  
திரு. சி. ஆர். பெலிகம்மன  
Mr. C. R. Beligammana

புகார்த்தி. புகார்த்தி. புகார்த்தி. புகார்த்தி  
ஜனாப் எம். எம். முஸ்தபா  
Mr. M. M. Mustapha

புகார்த்தி. புகார்த்தி. புகார்த்தி. புகார்த்தி  
திரு. விஜயபால மெண்டிஸ்  
Mr. Wijayapala Mendis

புகார்த்தி. புகார்த்தி. புகார்த்தி. புகார்த்தி  
திருமதி குசுமா ராஜரத்ன  
Mrs. Kusuma Rajaratna

புகார்த்தி. புகார்த்தி. புகார்த்தி. புகார்த்தி  
திரு. என். விமலசேன  
Mr. N. Wimalasena

புகார்த்தி. புகார்த்தி. புகார்த்தி. புகார்த்தி  
திரு. சி. பி. ஜே. செனேவிரத்ன  
Mr. C. P. J. Seneviratne

புகார்த்தி. புகார்த்தி. புகார்த்தி. புகார்த்தி  
திரு. வீ. அண்ணாமலை  
Mr. V. Annamalay

புகார்த்தி. புகார்த்தி. புகார்த்தி. புகார்த்தி  
ஜனாப் எம். பல்லை அப்துல் கபூர், எம்.பி.ஈ.  
Mr. M. Falil Abdul Caffoor, M.B.E.

புகார்த்தி. புகார்த்தி. புகார்த்தி. புகார்த்தி  
ஜனாப் எம். அப்துல் பாகீர் மாக்கார்  
Mr. M. Abdul Bakeer Markar

புகார்த்தி. புகார்த்தி. புகார்த்தி. புகார்த்தி  
ஜனாப் எம். எல். அப்துல் மஜீது  
Mr. A. L. Abdul Majeed

புகார்த்தி. புகார்த்தி. புகார்த்தி. புகார்த்தி  
ஜனாப் எம். எம். அப்துல் மஜீது  
Mr. M. A. Abdul Majeed

புகார்த்தி. புகார்த்தி. புகார்த்தி. புகார்த்தி  
திரு. ஜோர்ஜ் அபயகுணசேக்கர  
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புகார்த்தி. புகார்த்தி. புகார்த்தி. புகார்த்தி  
திரு. எஸ். எஸ். அபேசுந்தர  
Mr. S. S. Abeysundera



புது இயக்கத்தின் உருவீகம் (விசேஷ விநிவிமன)

புது கெடுபித

—புதுவக வர கியிவி

புதுவக

சார்பாக

AYES

பு. அமிர்தலிங்கம்  
திரு. ஏ. அமிர்தலிங்கம்  
Mr. A. Amirthalingam

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திரு. வீ. ஏ. அலெக்சாண்டர்  
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திரு. அலிக் அலுவிறா  
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திரு. பி. அபிசேகம்  
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பு. பி. அபிசேகம்  
திரு. பி. அபிசேகம்  
Mr. W. P. G. Ariyadasa

பு. பி. அபிசேகம்  
திரு. பி. அபிசேகம்  
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திரு. பி. அபிசேகம்  
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பு. பி. அபிசேகம்  
திரு. பி. அபிசேகம்  
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திரு. பி. அபிசேகம்  
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பு. பி. அபிசேகம்  
திரு. பி. அபிசேகம்  
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பு. பி. அபிசேகம்  
திரு. பி. அபிசேகம்  
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பு. பி. அபிசேகம்  
திரு. பி. அபிசேகம்  
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திரு. பி. அபிசேகம்  
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திரு. பி. அபிசேகம்  
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திரு. பி. அபிசேகம்  
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திரு. பி. அபிசேகம்  
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திரு. பி. அபிசேகம்  
Mr. Cholmondeley Goonewardene

பு. பி. அபிசேகம்  
திரு. பி. அபிசேகம்  
Mr. Leslie Goonewardene

பு. பி. அபிசேகம்  
திரு. பி. அபிசேகம்  
Mr. Prins Gunasekera

பு. பி. அபிசேகம்  
திரு. பி. அபிசேகம்  
Mr. S. J. V. Chelvanayakam, Q.C.

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திரு. பி. அபிசேகம்  
Mr. Lakshman Jayakody

பு. பி. அபிசேகம்  
திரு. பி. அபிசேகம்  
Mr. S. de S. Jayasingha

பு. பி. அபிசேகம்  
திரு. பி. அபிசேகம்  
Mr. Vernon Jonklaas, Q.C.

பு. பி. அபிசேகம்  
திரு. பி. அபிசேகம்  
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திரு. பி. அபிசேகம்  
Mr. Stanley Tillekeratne

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திரு. பி. அபிசேகம்  
Mr. B. Y. Tudawe

பு. பி. அபிசேகம்  
திரு. பி. அபிசேகம்  
Mr. K. Thurairatnam

பு. பி. அபிசேகம்  
திரு. பி. அபிசேகம்  
Mr. M. Tennakoon

பு. பி. அபிசேகம்  
திரு. பி. அபிசேகம்  
Mr. P. M. K. Tennekoon

பு. பி. அபிசேகம்  
திரு. பி. அபிசேகம்  
Mr. T. B. Tennekoon



புது இயக்குகை அமைதி (விசேஷ விதிவிதம்)

பதன் கெடுபதம்

—மூன்றாம் வர கியவிதம்

பதன்

சார்பாக

AYES

நீல் & டீல் விஸ் மை.

திரு. நீல் டீ அல்விஸ்

Mr. Neal de Alwis

டீல். டி. & டீல் மை.

திரு. எஸ். டி. சில்வா

Mr. L. C. de Silva

பி. டி. டி. & டீல் மை.

திரு. பி. எச். டி. சில்வா

Mr. P. H. W. de Silva

டீல். பி. & டீல் மை.

திரு. எம். பி. டி. சோய்சா சிறிவர்தன

Mr. M. P. de Zoysa Siriwardena

கே. டி. & டீல் மை.

திரு. கே. டி. சில்வா

Mr. K. W. Devanayagam

டீல். டி. & டீல் மை.

திரு. ஆர். எம். தர்மதாச பண்டா

Mr. R. M. Dharmadasa Banda

பி. டி. & டீல் மை.

திரு. வீ. தர்மலிங்கம்

Mr. V. Dharmalingam

டீல். டி. & டீல் மை.

திரு. எச். எம். நவரத்ன

Mr. H. M. Nawaratna

பி. டி. & டீல் மை.

திரு. வீ. நவரத்னம்

Mr. V. Navaratnam

டீல். டி. & டீல் மை.

திரு. எம். பி. டி. நாகநாதன்

Dr. E. M. V. Naganathan

டீல். டி. & டீல் மை.

திரு. ராஸீக் பரீத், ஓ.பி.ஈ.

Sir Razik Fareed, O.B.E.

டீல். டி. & டீல் மை.

திரு. டி. பஸ்குவல்

Mr. D. T. Pasqual

டீல். டி. & டீல் மை.

திரு. ஏ. பிலப்பிற்றிய

Mr. A. Pilapitiya

டீல். டி. & டீல் மை.

திரு. பெஸ்ற்றஸ் பெரேரா

Mr. Festus Perera

டீல். டி. & டீல் மை.

திரு. ஜி. ஜே. பாரிஸ் பெரேரா

Mr. G. J. Paris Perera

டீல். டி. & டீல் மை.

திரு. கே. டி. டி. பெரேரா

Mr. K. D. D. Perera

டீல். டி. & டீல் மை.

திரு. கலாநிதி என். எம். பெரேரா

Dr. N. M. Perera

டீல். டி. & டீல் மை.

திரு. ஆர். எஸ். பெரேரா

Mr. R. S. Perera

பி. கீ. டீல் மை.

திரு. பி. குவெண்டின் பெர்னாண்டோ

Mr. T. Quentin Fernando

பி. டி. & டீல் மை.

திரு. பி. எச். பண்டார

Mr. B. H. Bandara

பி. டி. & டீல் மை.

திரு. டி. எம். பி. பண்டார

Mr. D. M. T. Bandara

பி. டி. & டீல் மை.

திருமதி சிறிமாவோ ஆர். டி. பண்டாரநாயக்க

Mrs. Sirimavo R. D. Bandaranaike

டீல். டி. & டீல் மை.

திரு. எஸ். எம். மாணிக்கராஜா

Mr. S. M. Manickarajah

பி. டி. & டீல் மை.

திரு. சி. என். மதியூ

Mr. C. N. Mathew

டீல். டி. & டீல் மை.

திரு. அனில் முனசிங்க

Mr. Anil Moonesinghe

டீல். டி. & டீல் மை.

திரு. மங்கல முனசிங்க

Mr. Mangala Moonesinghe

பி. டி. & டீல் மை.

திரு. பி. ஜி. முத்துபண்டா

Mr. P. G. Muthubanda

பி. டி. & டீல் மை.

திரு. எம். எச். முகம்மது அலி

Mr. M. E. H. Mohamed Ali

டீல். டி. & டீல் மை.

திரு. எஸ். பி. யாலேகமா

Mr. S. B. Yalagama

பி. டி. & டீல் மை.

திரு. டி. பி. ரணதுங்க

Mr. D. B. Ranatunga

டீல். டி. & டீல் மை.

திரு. டொனால்ட் ஜே. ரணவீர, எம். பி. ஈ.

Mr. Donald J. Ranaweera, M.B.E.

டீல். டி. & டீல் மை.

திரு. ரத்னபால

Dr. A. Ratnapala



புது நுபுதுகூகதி பனவீதே (வினேய விதிவினா)

பனந் கெடுதிலன

—புன்தன வர கியவீத

பனவ

சார்பாக

AYES

பா. ந. ரந்நலேல மய.

திரு. ஆர். பி. ரதநமலல

Mr. R. B. Ratnamalala

பி. பி. ரந்நலேல மய.

திரு. சி. எஸ். ரதவத்தை

Mr. C. S. Ratwatte

பா. பா. பி. பி. ருபபக்ச மய.

திரு. ஆர். ஆர். டபநியு. ராஜபக்ச

Mr. R. R. W. Rajapakse

பி. பி. ருபபக்ச மய.

திரு. எஸ். எம். இராசமாணிக்கம்

Mr. S. M. Rasamanickam

பி. பி. ரேநல மய.

திரு. எஸ். பி. லேனவ

Mr. S. B. Lenawa

பி. பி. ருபபக்ச மய.

திரு. பேர்லி விக்ரமசிங்ஹ

Mr. Percy Wickremasinghe

பி. பி. ருபபக்ச மய.

திரு. எஸ். எம். இராசமாணிக்கம்

Dr. S. A. Wickremasinghe

பி. பி. ருபபக்ச மய.

திரு. டி. பி. விஜேதுங்க

Mr. D. B. Wijetunga

பி. பி. ருபபக்ச மய.

திரு. கே. எம். விஜேரத்ன பண்டா

Mr. K. Y. M. Wijetratne Banda

பா. பி. ருபபக்ச மய.

திரு. ஆர். பி. விஜேசிற்றி

Mr. R. P. Wijesiri

பி. பி. ருபபக்ச மய.

திரு. லீலாரத்ன விஜேசிற்றி

Mr. Leelaratne Wijesinghe

பி. பி. ருபபக்ச மய.

திரு. பி. பி. விஜேசுந்தர

Mr. P. B. Wijesundara

பி. பி. ருபபக்ச மய.

திரு. எட்மன்ட் விஜேசுரிய

Mr. Edmund Wijesuriya

பி. பி. ருபபக்ச மய.

திரு. பி. பி. எ. வீரக்கோன்

Mr. P. B. A. Weerakoon

பி. பி. பா. ருபபக்ச மய.

திரு. டி. பி. ஆர். வீரசேக்கர

Mr. D. P. R. Weerasekera

பா. ருபபக்ச மய.

திரு. ராஜா வெலேகம்

Mr. Raja Welegama

பி. பி. ருபபக்ச மய.

திரு. எம். எச். சத்தாசேன

Dr. M. H. Saddhasena

பி. பி. ருபபக்ச மய.

திரு. எ. லதிப் சின்னலெப்ப

Mr. A. Latiff Sinnalebbe

பி. பி. ருபபக்ச மய.

திரு. ஹேமச்சந்திர சிரிசேன

Mr. Hemachandra Sirisena

பி. பி. ருபபக்ச மய.

திரு. ஜே. எஸ். சிரிசேன

Mr. J. L. Sirisena

பி. பி. ருபபக்ச மய.

திரு. எம். சிவசிதம்பரம்

Mr. M. Sivasithamparam

பி. பி. ருபபக்ச மய.

திரு. பி. சிவசிதம்பரம்

Mr. T. Sivasithamparam

பா. பி. ருபபக்ச மய., பி. பி. ரு.

திரு. ஆர். சிங்கலன்-சமன், சி. பி. ஈ.

Mr. R. Singleton-Salmon, C.B.E.

பி. பி. ருபபக்ச மய.,

திரு. பி. பி. சுபசிங்க

Mr. T. B. Subasinghe

பி. பி. ருபபக்ச மய.

திரு. எஸ். கே. கே. சூரியாரச்சி

Mr. S. K. K. Suriarachchi

பி. பி. ருபபக்ச மய.

திரு. சோமரத்ன செனரத்

Mr. Somaratne Senarath

பி. பி. ருபபக்ச மய.

திரு. மைத்திரிபால சேனநாயக்க

Mr. Maithripala Senanayeke

பா. பி. ருபபக்ச மய.

திரு. ஆர். ஜி. சேனநாயக்க

Mr. R. G. Senanayake

பி. பி. ருபபக்ச மய.

திரு. பெர்னாட் சோய்ஸா

Mr. Bernard Soysa

பி. பி. ருபபக்ச மய.

திரு. எ. லதிப் சின்னலெப்ப

Mr. A. C. S. Hameed







கீழ்க்கண்ட (பன்கிரீம் வர்டு கிரீம்) பனன் கெபிபன

தென்தி தென்தென 48 வன ஸ்டார் தின்தென  
யென்தென—பன்தென 130; தென்தென 0; யென்தென  
தென்தென.

சபை, 48 ஆம் நிலையற் கட்டினையின் கீழ் பிரிந்தது.  
சார்பாக 130; எதிராக 0.

The House divided (under Standing  
Order No. 48) : Ayes 130; Noes 0.

தென்தென வன தென்தென தென்தென தென்தென.

“கெபிபன பன்தென பன்தென தென்தி தென்தென காரக  
தென்தென தென்தென தென்தென.”—[தென்தென தென்தென]

பின்தென பின்தென தென்தென தென்தென தென்தென :

“மதோதா மதோதா தென்தென தென்தென தென்தென”  
—[தென்தென தென்தென தென்தென]

Resolved :

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

காரக தென்தென தென்தென தென்தென தென்தென

[தென்தென தென்தென தென்தென தென்தென]

மதோதா சபை தென்தென தென்தென தென்தென தென்தென.  
[தென்தென தென்தென தென்தென தென்தென]

Considered in Committee.

[MR. SPEAKER in the Chair.]

1 வன தென்தென தென்தென தென்தென தென்தென  
கெபிபன தென்தென தென்தென தென்தென தென்தென  
யென்தென தென்தென தென்தென தென்தென தென்தென

தென்தென தென்தென தென்தென தென்தென தென்தென  
யென்தென தென்தென தென்தென தென்தென தென்தென

கெபிபன தென்தென தென்தென தென்தென தென்தென  
யென்தென தென்தென தென்தென தென்தென தென்தென

1 ஆம் வாசகத்திலிருந்து 2 ஆம் வாசகம் வரை  
மதோதாவின் பகுதியாக இருக்கவேண்டுமென ஆணை  
யிடப்பட்டது.

சட்டமாக வாசகமும் தலைப்பும் மதோதாவின் பகுதி  
யாக இருக்க வேண்டுமென ஆணையிடப்பட்டது.

மதோதா திருத்தமின்றி தென்தென தென்தென தென்தென  
யென்தென தென்தென தென்தென தென்தென தென்தென

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

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

Bill reported without Amendment.

—தென்தென தென்தென தென்தென

தென்தென தென்தென தென்தென தென்தென

(தென்தென தென்தென தென்தென தென்தென)

(The Hon. Dr. Dahanayake)

I ask that even on the Third Read-  
ing the vote be taken by name.

தென்தென தென்தென தென்தென தென்தென

(தென்தென தென்தென தென்தென தென்தென)

(Mr. Speaker)

There is a request made by the  
Minister that the vote be taken by  
name. I agree to it.

தென்தென தென்தென தென்தென தென்தென

(தென்தென தென்தென தென்தென தென்தென)

(Mr. F. R. Dias Bandaranaike)

If you want, you can have the two-  
thirds majority.

தென்தென தென்தென தென்தென தென்தென

(தென்தென தென்தென தென்தென தென்தென)

(The Hon. Dr. Dahanayake)

I move,

“That the Bill be now read the Third  
time”.

தென்தென தென்தென தென்தென தென்தென

தென்தென தென்தென தென்தென தென்தென  
தென்தென தென்தென தென்தென தென்தென தென்தென

வினாவிடுக்கப்பெற்றது.

தென்தென தென்தென தென்தென தென்தென தென்தென  
யென்தென தென்தென தென்தென தென்தென தென்தென

Question put.

MR. SPEAKER, having collected the  
Voices, declared that the “Ayes” had it.

தென்தென தென்தென தென்தென தென்தென

(தென்தென தென்தென தென்தென தென்தென)

(The Hon. Dr. Dahanayake)

Divide, by name !

தென்தென தென்தென தென்தென தென்தென தென்தென  
130; தென்தென 0; யென்தென—தென்தென :

சபை பிரிந்தது. சார்பாக 130; எதிராக 0:

The House divided: Ayes, 130;  
Noes, 0:



கல்லாசி (பன்கிரீட் வர்ட்டு கிரீட்) பனன் கெட்டிபன

—தூதன வர கியலி

பனவ

சார்பாக

AYES

கரு விலி சே நானாயக

கௌரவ டட்ளி சேனாநாயக்க

The Hon. Dudley Senanayake

கரு பன். பி. பி. பி. கருணாரத்ன

கௌரவ என். எச். ஏ. எம். கருணாரத்ன

The Hon. N. H. A. M. Karunaratne

கரு பி. பி. பி. கருணாரத்ன

கௌரவ டி. பி. ஆர். குணவர்தன

The Hon. D. P. R. Gunawardena

கரு சே. பி. பி. கருணாரத்ன

கௌரவ ஜே. ஆர். ஜயவர்தன

The Hon. J. R. Jayewardene

கரு மோன்வெலு சுவாமிநாதன்

கௌரவ மொண்டேகு ஜயவிக்ரம

The Hon. Montague Jayewickreme

கரு பி. பி. பி. கருணாரத்ன

கௌரவ சி. பி. டி. சில்வா

The Hon. C. P. de Silva

கரு பாலாசி விலி சே நானாயக

கௌரவ கலாநிதி டட்ளியூ. தகநாயக்க

The Hon. Dr. W. Dahanayake

கரு பி. பி. பி. கருணாரத்ன

கௌரவ எம். டி. பண்டா

The Hon. M. D. Banda

கரு பி. பி. பி. கருணாரத்ன

கௌரவ எம். எச். முகம்மது

The Hon. M. H. Mohamed

கரு யூ. பி. வன்னினாயக

கௌரவ யூ. பி. வன்னினாயக

The Hon. U. B. Wanninayake

கரு பி. பி. பி. கருணாரத்ன

கௌரவ எ. எல். பி. ஹுருல்ல

The Hon. E. L. B. Hurulle

கரு விலா கன்னங்கர, பி.பி.பி.

கௌரவ விமலா கன்னங்கர, எம்.பி.எ.

The Hon. Wimala Kannangara, M.B.E.

கரு காமனி ஜயசூரிய

கௌரவ காமனி ஜயசூரிய

The Hon. Gamani Jayasuriya

கரு பி. பி. பி. கருணாரத்ன

கௌரவ டி. பி. வெலகெதர

The Hon. D. B. Welagedera

பி. பி. பி. கருணாரத்ன

திரு. டி. பி. அத்தபத்து

Mr. D. P. Atapattu

பி. பி. பி. கருணாரத்ன

திரு. பி. சி. இம்புலான

Mr. P. C. Imbulana

பி. கெல்வன் சுவாமிநாதன்

திரு. டி. செல்வநன் ஜயசிங்க

Mr. D. Shelton Jayasinghe

பி. பி. பி. கருணாரத்ன

திரு. எல். பி. தகநாயக்க

Mr. L. B. Dassanayake

பி. பி. பி. கருணாரத்ன

ஜனாப் எம். எச். எம். நயினா மரிக்கார்

Mr. M. H. M. Naina Marikkar

பி. பி. பி. கருணாரத்ன

திரு. எஸ். ஏ. பீரிஸ், ஓ.பி.எ.

Mr. S. A. Peeris, O.B.E.

பி. பி. பி. கருணாரத்ன

திரு. ஆர். பிரேமதாச

Mr. R. Premadasa

பி. பி. பி. கருணாரத்ன

திரு. சி. ஆர். பெலிகம்மன

Mr. C. R. Beligammana

பி. பி. பி. கருணாரத்ன

ஜனாப் எம். எம். முஸ்தபா

Mr. M. M. Mustapha

பி. பி. பி. கருணாரத்ன

திரு. விஜயபால மெண்டிஸ்

Mr. Wijayapala Mendis

பி. பி. பி. கருணாரத்ன

திருமதி குசுமா ராஜரத்ன

Mrs. Kusuma Rajaratna

பி. பி. பி. கருணாரத்ன

திரு. என். விமலசேன

Mr. N. Wimalasesna

பி. பி. பி. கருணாரத்ன

திரு. சி. பி. ஜே. செனேவிரத்ன

Mr. C. P. J. Seneviratne

பி. பி. பி. கருணாரத்ன

திரு. வி. அண்ணாமலை

Mr. V. Annamalai

பி. பி. பி. கருணாரத்ன

ஜனாப் எம். பவீஸ் அப்துல் காபூர், எம்.பி.எ.

Mr. M. Falil Abdul Caffoor, M.B.E.

பி. பி. பி. கருணாரத்ன

ஜனாப் எம். அப்துல் பாக்கீர் மாக்கார்

Mr. M. Abdul Bakeer Marikar

பி. பி. பி. கருணாரத்ன

ஜனாப் எ. எல். அப்துல் மஜீது

Mr. A. L. Abdul Majeed

பி. பி. பி. கருணாரத்ன

ஜனாப் எம். எ. அப்துல் மஜீது

Mr. M. A. Abdul Majeed



கல்லாசி (பன்கிரீம் வலு கிரீம்) பனத் கெட்டுப்பன

—துன்ப வர கியலிம்

பனவ

சார்பாக

AYES

பேர்டீ அபெயகூனசேகர மயா.

திரு. ஜோர்ஜ் அபயகூணசேக்கர

Mr. George Abeyagoonasekera

பீ. பீ. அபெயசுந்தர மயா.

திரு. எஸ். எஸ். அபேசுந்தர

Mr. S. S. Abeyesundera

பி. பீ. அமரசிரி மயா.

திரு. எம். எஸ். அமரசிரி

Mr. M. S. Amarasinghi

பி. அமிர்தலிங்கம் மயா.

திரு. ஏ. அமிர்தலிங்கம்

Mr. A. Amirthalingam

புளதாச அரம்பவலா மயா.

திரு. சுகததாச அரம்பவலா

Mr. Sugathadasa Arambewala

பி. பி. அலேகாசே மயா.

திரு. வீ. ஏ. அலககோன்

Mr. V. A. Alegacone

அலிக் அலுவிறா மயா.

திரு. அலிக் அலுவிறா

Mr. Alick Aluwihare

பி. பி. அட்டிவல மயா.

திரு. டி. பி. அட்டிவல

Mr. D. P. Attygalle

கா. பி. ரத்னம் மயா.

திரு. கா. பி. ரத்னம்

Mr. K. P. Ratnam

பி. பி. டிரிசுரி மயா.

திரு. சி. எப். டிரிசுரி

Mr. C. F. W. Edirisuriya

பி. பி. ஸ்ரீமதி மயா.

திரு. எச். பி. ஸ்ரீமதி

Mr. H. B. Ekanayake

பி. பி. கதிர்வேலுபிள்ளை மயா.

திரு. எஸ். கதிர்வேலுபிள்ளை

Mr. S. Kathiravelupillai

பி. பி. கன்னங்கர மயா.

திரு. சி. என். கன்னங்கர

Mr. C. N. Kannangara

சந்திரா கருணரத்ன மயா.

திரு. சந்திரா கருணரத்ன

Mr. Chandra Karunaratne

பி. பி. கலுல்லா மயா.

திரு. பி. பி. ஜி. கலுல்லா

Mr. P. B. G. Kalugalla

ராஜா குலதிலக்க மயா.

திரு. ராஜா குலதிலக்க

Mr. Raja Kulatilake

பி. பி. கலுரத்ன மயா.

திரு. எச். குலரத்ன

Mr. H. Kularatne

பி. பி. கேனமன் மயா.

திரு. பி. ஜி. பி. கேனமன்

Mr. P. G. B. Keuneman

பி. பி. சீரலி கோரே மயா.

திரு. சி. எஸ். சீரலி கோரியா

Mr. C. S. Shirley Corea

வெலி குனவர்தன மயா.

திரு. சம்ஸி குனவர்தன

Mr. Cholmondeley Goonewardene

லேஸி குனவர்தன மயா.

திரு. லேஸி குனவர்தன

Mr. Leslie Goonewardene

பிரன்ஸ் குனசேகர மயா.

திரு. பிரின்ஸ் குனசேக்கர

Mr. Prins Gunasekera

சுசீலா பி. சி. சேலவநாயகம் மயா.

திரு. எஸ். ஜி. வி. சேலவநாயகம், சி.பி.சி.

Mr. S. J. V. Chelvanayakam, Q.C.

லக்ஷ்மன் ஜயகோடி மயா.

திரு. லக்ஷ்மன் ஜயகோடி

Mr. Lakshman Jayakody

பி. பி. சி. ஜயசிங்க மயா.

திரு. எஸ். டி. எஸ். ஜயசிங்க

Mr. S. de S. Jayasingha

சுசீலா வெர்னன் ஜோன்சன் மயா.

திரு. வேணன் ஜோன்சன், சி.பி.சி.

Mr. Vernon Jonklass, Q.C.

பி. பி. டி. டயஸ் பண்டாரநாயகம் மயா.

திரு. எப். ஆர். டயஸ் பண்டாரநாயகம்

Mr. F. R. Dias Bandaranaike

பி. பி. திலகரத்ன மயா.

திரு. டி. எ. திலகரத்ன

Mr. D. E. Tillekeratne

ஸ்டீவன் திலகரத்ன மயா.

திரு. ஸ்டீவன் திலகரத்ன

Mr. Stanley Tillekeratne

பி. பி. துடாவை மயா.

திரு. பி. வை. துடாவை

Mr. B. Y. Tudawe

கே. துரைரத்னம் மயா.

திரு. கே. துரைரத்னம்

Mr. K. Thurairatnam

பி. பி. தென்னகோன் மயா.

திரு. எம். தென்னகோன்

Mr. M. Tennakoon







கவாசி (பன்கிரிதி வரலாறு கிரிதே) பனன் கெடுதலுபத

—தூதர் வர கியவில

பனவ

சார்பாக

AYES

கே. வி. ரத்நாசக மயா.

திரு. கே. பி. ரத்நாசக

Mr. K. B. Ratnayake

கி. பி. ரத்நாதே மயா.

திரு. சி. எஸ். ரத்வத்தே

Mr. C. S. Ratwatte

கா. கா. ராஜபக்ஷ மயா.

திரு. கா. கா. ராஜபக்ஷ

Mr. R. R. W. Rajapakse

பி. பி. ராமானிகம் மயா.

திரு. எஸ். எம். இராசமாணிக்கம்

Mr. S. M. Rasamanickam

பி. வி. ரேனவ மயா.

திரு. எஸ். பி. ரேனவ

Mr. S. B. Lenawa

பி. பி. ரெமசிங்க மயா.

திரு. பேர்லி ரெமசிங்க

Mr. Percy Wickremasinghe

கே. வி. ரெமசிங்க பி. பி. ரெமசிங்க

வைத்திய கலாநிதி எஸ். எ. ரெமசிங்க

Dr. S. A. Wickremasinghe

கி. வி. ரெமசிங்க மயா.

திரு. கி. வி. ரெமசிங்க

Mr. D. B. Wijetunga

கே. வி. ரெமசிங்க பி. பி. ரெமசிங்க

திரு. கே. வை. எம். ரெமசிங்க பண்டா

Mr. K. Y. M. Wijeratne Banda

கா. கா. ரெமசிங்க மயா.

திரு. கா. கா. ரெமசிங்க

Mr. R. P. Wijesiri

கி. வி. ரெமசிங்க மயா.

திரு. கி. வி. ரெமசிங்க

Mr. Leelaratne Wijesinghe

கி. வி. ரெமசிங்க மயா.

திரு. கி. வி. ரெமசிங்க

Mr. P. B. Wijesundara

பி. பி. ரெமசிங்க மயா.

திரு. எட்மண்ட் ரெமசூரிய

Mr. Edmund Wijesuriya

கி. வி. ரெமசிங்க மயா.

திரு. கி. வி. ரெமசிங்க

Mr. P. B. A. Weerakoon

கி. பி. கா. ரெமசிங்க மயா.

திரு. கி. பி. கா. ரெமசிங்க

Mr. D. P. R. Weerasekera

கா. ரெமசிங்க மயா.

திரு. ராஜா வெலேகம்

Mr. Raja Welegama

கே. வி. ரெமசிங்க பி. பி. ரெமசிங்க

வைத்திய கலாநிதி எம். எச். சத்தாசேன

Dr. M. H. Saddhasena

பி. ரெமசிங்க மயா.

திரு. எ. ரெமசிங்க

Mr. A. Latiff Sinnalebbe

கே. வி. ரெமசிங்க மயா.

திரு. ரெமசிங்க

Mr. Hemachandra Sirisena

கே. வி. ரெமசிங்க மயா.

திரு. கே. எஸ். ரெமசிங்க

Mr. J. L. Sirisena

பி. பி. ரெமசிங்க மயா.

திரு. எம். சிவசிதம்பரம்

Mr. M. Sivasithamparam

பி. பி. ரெமசிங்க மயா.

திரு. கி. சிவசிதம்பரம்

Mr. T. Sivasithamparam

கா. கா. ரெமசிங்க மயா., கி. வி. ரெமசிங்க

திரு. கா. கா. ரெமசிங்க-சமன், சி. பி. எ.

Mr. R. Singleton-Salmon, C.B.E.

பி. பி. ரெமசிங்க மயா.

திரு. கி. பி. ரெமசிங்க

Mr. T. B. Subasinghe

பி. பி. ரெமசிங்க மயா.

திரு. எஸ். கே. கே. சூரியாச்சி

Mr. S. K. K. Suriarachchi

கே. வி. ரெமசிங்க மயா.

திரு. சோமரத்ன சேனரத்

Mr. Somaratne Senarath

கே. வி. ரெமசிங்க மயா.

திரு. மைத்திரிபால சேனநாயக்க

Mr. Maithripala Senanayake

கா. கா. ரெமசிங்க மயா.

திரு. கா. கா. ரெமசிங்க

Mr. R. G. Senanayake

பி. பி. ரெமசிங்க மயா.

திரு. பெர்னாட் சோய்ஸா

Mr. Bernard Soysa

பி. பி. ரெமசிங்க மயா.

திரு. எ. எஸ். எம். ஹமீத்

Mr. A. C. S. Hameed



AYES

பி. வி. சி. என். என். என்.  
திரு. வி. பி. எம். ஹேரத்  
Mr. T. B. M. Herath

The reactionary nature of the Bill can be understood when you consider what is now being proposed to be effected. The Ceylon Medical College is constituted for the purpose of holding examinations and issuing certificates of competence to midwives, apothecaries, pharmacists and nurses. According to the Ordinance the College Council consists of 10 members, namely, the Director of Health Services, the Deputy Director of Health (Medical Services), five persons representing the teaching profession in the University of Ceylon, i.e. the Professor of Medicine, the Professor of Surgery, the Professor of Anatomy, the Professor of Physiology, and the Professor of Obstetrics and Gynaecology. Then two members are nominated from among the teachers who are



வேட்கு (சுனென) பனத் கெடுதபன  
—தெவனவர கியவீத

கல் நூலித

concerned in the teaching and training of nurses and those possessing the degree of Bachelor of Pharmacy and associated with the training of pharmacists. The tenth member is a medical practitioner who is not associated with the Government. This Medical Council, therefore, which does not set examinations for medical practitioners but rather for nurses, midwives and others, is a representative body.

When you come to the Medical Council you find there is only one member elected by the teachers of the Faculty of Medicine of the University of Ceylon, whereas in the Medical College Council which controls the midwives, apothecaries, pharmacists and dentists you have the chief professors in the University of Ceylon. In the original Ordinance—there is no anachronism in this because the Medical Council was only empowered to maintain the medical register.—the qualifications are not gone into by the Medical Council. That has been the special responsibility of the Faculty of Medicine. Even the Medical College Council is considered not sufficiently qualified to judge the competency of medical practitioners. That is a responsibility of the University of Ceylon, especially of the Faculty of Medicine.

When it comes to a question of those who have qualified in some of the most advanced countries other than the U. K., you want to amend the law to empower the Medical Council to judge the competency of graduates from universities other than those in the U. K. This is most iniquitous. It is a gross insult to the graduates of the various universities of the world—the U. S. A., the U. S. S. R., Germany, France—

புனல்கி வேலவ ஏ. ஸ. 7 பூசென் கடுதநு  
ஏன்செடுவா வேட்கு கல் நனன டே.

புனன் சிவ வேட்கு 1965 நோவூதெரீ 2 வன  
ஏனதருவாடி படுவதெநு டூலெ.

அப்போது பி. ப. 7 மணியாகிவிடவே சபையின்  
நடவடிக்கைகள் இடை நிறுத்தப்பட்டு, விவாதம் ஒத்தி  
வைக்கப்பெற்றது. விவாதம் 1965, நவம்பர் 2 ஆம்  
திகதி செவ்வாய்க்கிழமை மீள ஆரம்பமாகும்.

*It being 7 P.M., Business was interrupted, and the Debate stood adjourned.*

*Debate to be resumed on Tuesday, 2nd November 1965.*

கல் நூலித

ஒத்திவைப்பு  
ADJOURNMENT

செய்தகால ஒடிபென் கரந டேன் பூசுத  
சனாகிழை கரந டே:

“தெந்நி தென்குடெ டுன் கல் நூலெ டுது.”—  
[கரு சி. பி. டு சிலுவா].

“சபை இப்பொழுது ஒத்திவைக்கப் பெறுமாக”—  
[கெளரவ சி. பி. டு சிலுவா] எனும் பிரேரணை  
பிரேரிக்கப்பட்டு, வினா எடுத்தியம்பப்பெற்றது.

*Motion made, and Question proposed,*

“That the House do now adjourn”.—  
[Hon. C. P. de Silva.]

கன்தென் பூசுகோகி மெ. (டிபுலிபிடி)  
(திரு. லக்ஷ்மன் ஜயக்கொடி—திருவப்பிட  
டி.ய)

(Mr. Lakshman Jayakody—Divulapitiya)

கரு நியேசு கலாநாயகநுமதி, ரசெ  
வூவ பிபிடுக கரு காமநிநுமடுன் கரு  
அமையபன காமநிநுமடுன் கருதெ டேகக  
ஒடிபென் கிரிமடு நினெனவ. தே பூசுத ம  
நியம வேலவடு பீ கரு காமநிவருன் வென  
ஒடிபென் நோகடு நிய பீவா சடுகா மடு  
டூன் பிபிடுகரு லெலாபேரேன்து வந்தெ  
நு.

நிபிடுகம ம மெ கருகா பாலமக் ஒடி  
கிரிம சடுகா பஹிய ரசெ விசென் ரூபெல்  
17,50,000 க் விடெதி கிரிமடு வென் கரு  
நிபுண. பீசென் ரூபெல் 1,25,000 க் பமண  
டூனடும்தன் விடெதி கரு நினெனவா. கடு மூடு  
விடெதி சிபிதன்வர 4 க் லெசு நினெனவ.  
நடுதன் தே காமநிபு பன் பூசுத பஹ  
பாலதே வூவ கடுதநு சமீபூரணென்த  
நதரு கரு நினெனவா. பீ மோன கெநுடுக  
நியடூகி மடு டுந்தெ நு. கருகெ  
கோசு நிபுண வூவடுடு பவா கிசெடு காமந  
வக்தன் நோ சூடுகிடு நிய அடு பீவிநாய  
பூவெடு கடு நதந்தவெக் கரு வி நிநெ  
நவ. தேகெக் கருந டே விடெடு வன  
ரூபெல் பக் கன்த விசெபன் டுகச வடுகே  
கடு நதந்தவெக் கரு வி நிநெனவ. தே  
கருந வடுகென்த ரசெடு வேடுகா கடு



කල් තැබීම

කල් තැබීම

[ජයකොඩි මයා.]

යුතු කරුණක්. එ පාලම සැදීම කෙසේ වෙතත් රුපියල් එක් ලක්ෂ විසිපන් දහ සක් වියදම් කොට කළ වැඩ වික ආරක්ෂා කිරීමටත් කිසිවක් කර නැ.

ගරු මන්ත්‍රීවරයෙක්

(கௌரவ அங்கத்தவர்)

(An hon. Member)

එක හොර වැඩක් වෙන්න ඇති.

ජයකොඩි මයා.

(திரு. ஜயக்கொடி)

(Mr. Jayakody)

හොර වැඩක් කර නියෙනව නම් එ ගැන දෙපාර්තමේන්තුවේ නිලධාරීන්ගෙන් ප්‍රශ්න කර නිසි අන්දමින් කටයුතු කරන්නට ඕනැ. මේ කරුණ වැඩ පිළිබඳ ගරු ඇමතිතුමාගේ සැලකිල්ල සඳහා ඉදිරිපත් කරන අතර දැනටම විශාල මුදලක් වියදම් කර තිබෙන මෙම පාලමේ වැඩ හැකි ඉක් මණින් අවසන් කිරීමට කටයුතු කරනවා ඇතැයි මම විශ්වාස කරනවා.

දෙවැනි කරුණ ගරු අධ්‍යාපන ඇමති තුමාගේ අවධානයට යොමු කරන්නට කැම තිබේ. කලා අංශයෙන් විශ්ව විද්‍යාලයට ඇතුළත් වී, දැනට රේස් පිටියෙහි පිහිටුවා තිබෙන විශ්ව විද්‍යාල අංශයෙහි ඉගෙනීම ලබන ළමයින්ට ඊයේ පෙරෙසිදා ඔවුන්ගේ ඉගෙනීම කරන්නට බැරි තත්ත්වයක් ඇති වී තිබෙනවා. වැස්ස නිසා හෝ වෙනයම් කිසි අඩුපාඩුවක් නිසා හෝ, එහි තිබෙන ශබ්ද විකාශන යන්ත්‍ර වල යම් වරදක් ඇති වී, එහි පවත්වන පංක්ති සියල්ලක්ම ඊයේ අවලංගු කරන්නට සිදු වුණා. මෙය සුළු ප්‍රශ්නයක් වශයෙන් ගරු ඇමතිතුමා නොසලකනවා ඇතැයි මම විශ්වාස කරනවා. පසුගිය ආණ්ඩුවෙන් මේ ළමයින් විශ්ව විද්‍යාලයට මේ විධියට ඇතුළත් කර ගන්නා නම් එ ආණ්ඩුව කරන්නට අදහස් කළේ මොනවාදැයි ගරු ඇමතිතුමා සමහර විට කල්පනා කරනවා ඇති. නමුත්, පසුගිය ආණ්ඩුව මේ සම්බන්ධයෙන් එක්තරා තීරණයක් ගෙන තිබුණු බව මට මතකයි. කොළඹ තිබෙන “සෙන්ට් ජෝසප්”, “සෙන්ට් පීටර්ස්”, රාජකීය, ආනන්ද ආදී විශාල විද්‍යාලවලින් එකක් මේ ළමයින් සඳහා යොදා ගන්නට පසුගිය ආණ්ඩුව කටයුතු කර තිබුණා.

ගරු නියෝජ්‍ය කථානායකතුමනි, විශේෂයෙන් දැනට සිටින ගරු ඇමති තුමා, පසුගිය ආණ්ඩුව විසින් උපකෘත පාඨශාලා රජයට ගන්නා අවස්ථාවේදී මධ්‍යස්ථ ප්‍රතිපත්තියක් අනුගමනය කළ බව මට මේ අවස්ථාවේදී මතක් වෙනවා. එදා එ ආණ්ඩුවට විරුද්ධව හෝ පක්ෂව හෝ ඡන්දය පාවිච්චි කරන්නට එතුමාට බැරි වුණා. පාඨශාලා රජයට ගැනීම සුදුසු යන හැඟීම එතුමාගේ සිත තුළ තිබුණ බව එයින් අපට පෙනී ගියා. එවැනි අදහස් තිබෙන ඇමතිතුමකු නිසා එතුමා මේ ප්‍රශ්නය ගැන හොඳින් කල්පනා කර බලනු ඇතැයි මම විශ්වාස කරනවා.

ශබ්ද විකාශන යන්ත්‍ර මගින් අධ්‍යාපනය දීමේ දැනට තිබෙන මේ ක්‍රමයෙන් මේ ශිෂ්‍යයින්ට කිසිම ප්‍රයෝජනයක් වන්නේ නැ. එම නිසා ඔවුන්ට හිරිහැර නොකර ඔවුන්ගේ ගෙවල්වලට යන්නට කියන්න. එසේ ගියායින් පසු, විශේෂ රේඩියෝ තරංගයක් ඇති කොට රේඩියෝව මගින් උගන්වන්නට වැඩ පිළිවෙලක් සකස් කරන්න. දැන් තිබෙන තත්ත්වය අනුව මේ ශිෂ්‍යයින්ට කරන්නේ මහ අපරාධ යක්. මෙය කලා ශිෂ්‍යයින් අතරම කිරීමේ වැඩ පිළිවෙලක්. අද මෙය සියලු දෙනාම පිළිගෙන තිබෙන්නේ ප්‍රෝඩාවක් හැටියට යි. ඉඩකඩ නැත්නම් ඊට සැහෙන ප්‍රමාණයේ පාඨශාලා ගොඩනැගිල්ලක් ඉදි කරන්න. එ සඳහා ලක්ෂ දෙක තුනකට වැඩි වියදමක් යන්නේ නැ.

මේ ප්‍රශ්නය ගැන කල්පනා කර බලා මේ විශ්ව විද්‍යාලයේ ඉගෙන ගන්නා ශිෂ්‍යයින්ට සම්පූර්ණ අධ්‍යාපනයක් දීම සඳහා සැලැස්මක් අනුව ක්‍රියා කරන ලෙස වැඩ බලන ගරු අධ්‍යාපන ඇමතිතුමාගෙන් මම ඉල්ලා සිටිනවා.

අ. හා. 7.5

වෛද්‍යාචාර්ය එස්. ඒ. වික්‍රමසිංහ

(டொக்டர் எஸ். ஏ. விக்ரமசிங்ஹ)

(Dr. S. A. Wickremasinghe)

I want to draw the attention of the Hon. Prime Minister to the interdiction of Police Constable 27 Dodanwela, who is now in the Matara Police Station. The hon. Parliamentary Secretary was kind enough to provide me with a written statement



කල් තැබීම

regarding this constable on information obtained from Police Headquarters.

I must say, at the outset, that the treatment this constable has received is, to say the least, not humane. This constable had been at the Weligama Police Station from 1963. On 6.7.63 the D. M. O. had examined him and found him suffering from mental irritation. On 27.7.63 he was referred to the psychiatrist—the mental specialist—in Colombo, who diagnosed his condition as reactive depression. This is the early stage of serious mental disturbances, which, if effectively controlled at that stage, can be completely cured. He can then remain a useful police officer and continue to be in service. The psychiatrist had recommended that he be transferred to a station near his home as early as possible. He is a man without parents—both parents are dead—nor has he brothers and sisters. He was brought up by an old uncle and an aunt. They are old people and he is greatly attached to them, perhaps more than he was attached to his parents. They live in Hanguranketa. Although the psychiatrist, having gone into the entire background of this constable, recommended that he be transferred nearer home, nothing happened. He petitioned the Ministers and his superior officers, but no action whatsoever was taken.

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(கௌரவ ஜே. ஆர். ஜயவர்தன)  
(The Hon. J. R. Jayewardene)

When ?

தெவடியாபாரீய சிங். பீ. விநாயகம்

(டொக்டர் எஸ். ஏ. விக்ரமசிங்ஹ)  
(Dr. S. A. Wickremasinghe)

Between 1963 and February 1965.

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ගරු මොන්ටේගු ජයවික්‍රම (රජයේ වැඩ,  
නැපැල් හා විදුලි සන්දේශ ඇමති)

(கௌரவ மொண்டேகு ஜயவிக்ரம—அரசாங்கக் கட்டுவேலை, தபால், தந்திப் போக்கு வரத்து அமைச்சர்)

(The Hon. Montague Jayewickreme—  
Minister of Public Works, Posts and  
Telecommunications)

During the previous regime.

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(டொக்டர் எஸ். ஏ. விக்ரமசிங்ஹ)

(Dr. S. A. Wickremasinghe)

Again on 3.11.64 he was given three weeks leave and considered by the psychiatrist to be a person suffering from reactive depression. Then on 21st April 1965, after this Government came into power, he was again considered to be suffering from reactive depression. On 5.7.65 he was in a depressive state and was given ten days leave, and again on 3.9.65 he was given two weeks leave for reactive depression and asked to report in two weeks' time.

The person has been repeatedly considered to be suffering from reactive depression, but in the report submitted to the Minister nothing is mentioned about the illness of this poor constable.

On 23rd March 1965, the day when the Matara police officers completely ran riot while celebrating the victory of the United National Party at the police station in a manner not becoming of civilians, let alone police officers—

గర్భ తేజో భారీ. పయవర్ధన

(கௌரவ ஜே. ஆர். ஜயவர்தன)

(The Hon. J. R. Jayewardene)

It is irrelevant.

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(டொக்டர் எஸ். ஏ. விக்ரமசிங்ஹ)

(Dr. S. A. Wickremasinghe)

—the constable had complained to the assistant superintendent of police. Not only he, every constable who had not participated in the demonstration had complained to him.



[වෛද්‍යවාර්තය එස්. ඒ. වික්‍රමසිංහ]

But I am not now concerned with the behaviour of the police at the Matara Police Station on that day. This constable who was suffering from an irritative mental condition, and reactive depression subsequently, should have been regarded as a patient. He is a sick man.

On 13th April, he completely lost control of himself. He admits that he took liquor and had abused a sergeant, a person who had constantly been abusive towards him and even threatened him. All this irritated him. Subsequently, he was interdicted and while he was attending the psychiatric clinic in Colombo for treatment, he was asked to attend an official inquiry. He had not attended that inquiry, but had gone to attend the psychiatric clinic in Colombo.

Now, Sir, in the case of a person suffering from such an ailment, I think the least that you can do for him is to be considerate towards him because of the state of his mental health. The fact that the psychiatrist had reported on his state of health should have made the department realize that if he cannot be continued in employment on account of his mental ailment, he should, at least, be sent before a medical board. He could be medically condemned and retired, or else given sufficiently long leave till he recovered. Also, I think, the Police Department should be advised by the Prime Minister that where a psychiatrist advises that a person should be helped to preserve his mental balance by changing his environment, it should be done.

This has nothing to do with police constables celebrating the U. N. P. victory or non-participation in those celebrations. I am not bringing that question at all. I am bringing this question up so that this constable may receive elementary humane treatment. I, therefore, ask the Hon. Minister to go into this question and hold an independent and impartial inquiry by a medical officer, by a psychiatrist, and get a report on this poor individual who is still under

interdiction and who has been refused half-pay. Actually they are now driving this man to an incurable mental condition.

I earnestly ask the Hon. Minister once again to forget the political aspect of this matter and to consider it as a humane duty and give this person an opportunity of getting himself medically examined and dealt with accordingly.

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(திரு. கௌமன்)

(Mr. Keuneman)

I have given notice to the respective Ministers about the two matters which I propose to raise. I shall be very brief.

The first matter concerns the Acting Minister of Nationalized Services. I want to ask him what he intends doing about implementing the P. O. Fernando Reports on the Port of Colombo.

The previous Government had appointed Mr. P. O. Fernando as a commissioner to go into certain matters concerning labour and other connected questions in the Port of Colombo.

Mr. P. O. Fernando submitted one report, and the hon. Member for Minuwangoda (Mr. M. P. de Zoysa Siriwardena) who was Minister at that time, when I asked him a question, said that the Government was waiting for the second report to be submitted before taking a decision.

I understand that the second report has already been submitted, and I would like to know what the Government proposes to do about implementing the P. O. Fernando Reports on the harbour.

The next question concerns the Minister of State, and I have given notice of my intention to raise this matter.

You will recall that some time ago I opposed a policy which was apparently being followed or intended to



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be followed in regard to Tourist Bureau resthouses. There was information that the Government at that time intended to let out or give out Government Tourist Bureau resthouses to private parties. On that occasion I raised the matter on the Adjournment and the Minister of State told us in the House that he did not intend proceeding in the matter until the whole question was discussed in Parliament, and he made a short statement on his policy.

The Minister made a short statement of policy in the Committee stage Debate on the Budget, but because of the time factor we had no chance of going into the matter.

I understand that his Ministry has decided either to give or to let out two most paying Government Tourist Bureau resthouses, namely, Hikkaduwa and Bentota resthouses, to a firm called Ceylon Holdings Limited. I do not think this is a tourist firm. The big boy of the firm, Mr. Podmore, is a tea broker of Messrs Sometville and Company. He has a shack near the Bentota Resthouse. He is a tea-broker but I do not think he has any experience in hotel-keeping

I draw the attention of the Minister to the fact that more than half the net profits from the Government Tourist Bureau resthouses comes from Hikkaduwa and Bentota, and I would ask him to desist from taking any action in this matter until we have had an opportunity of discussing this question more fully in this House.

I admit that the existing resthouses are not very clean and they need improvement, but I do not think the Minister is following the correct policy in this matter.

Is it his intention to appoint Mr. Podmore resthouse-keeper in place of the present resthouse-keeper? what is the form that he contemplates for changing, shall I say, the administration of these two resthouses?

I ask him to please give us an opportunity to discuss this matter more fully before he takes action.

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(திரு. ராஜா வெலேகம்)

(Mr. Raja Welegama)

ගරු නියෝජ්‍ය කථානායකතුමනි, වෙළඳ කටයුතු පිළිබඳ උප ඇමතිතුමාට ප්‍රශ්න දෙකක් ඉදිරිපත් කිරීමට නිබේනවා. නමුත් එතුමා මෙහි නොමැති වීම ගැන මම කනගාටු වෙනවා. අපේ ප්‍රදේශයේ සමහර ස. තො. සේ ආයතනවල එක්තරා අක්‍රමිකතාවයක් කෙරෙනවා. ස. තො. සේ. ගබඩාවලට සලාක පොත්වලට බෙදා දීමට ලැබෙන රෙදිපිළි බොහෝ අවස්ථාවලදී මහජනයාගෙන් කුපන් සිය දෙසිය බැගින් එකතු කරගත් වෙළඳුන් තොග වශයෙන් ගන්නා නිසා සාමාන්‍ය මහජනයාගේ සලාක පොත්වලට ලැබිය යුතු රෙදි ප්‍රමාණය ලබාගැනීමට අපහසු තත්ත්වයක් තිබෙනවා. ඒ නිසා ඒ තත්ත්වය මගහැර විම සඳහා යම්කිසි වැඩ පිළිවෙලක් යොදවන මෙන් මම ඉල්ලා සිටිනවා. කුපන් සිය දෙසිය බැගින් ගෙනවුත් රෙදි තොග වශයෙන් ගෙනයාමට ඉඩ නොතබා, එක් පුද්ගලයකුට සීමා සහිත රෙදි ප්‍රමාණයක් දීමේ වැඩ පිළිවෙලක් යොදවනොත් මේ තත්ත්වය මගහරවන්න පුළුවන් වේවි.

මගේ අතින් කාරණය මෙයයි: බඩු අධික මිලට විකුණන වෙළඳුන්ටත්, බඩු හංගන වෙළඳුන්ටත් විරුද්ධව රජයේ මිල පාලක නිලධාරීන් විසින් නඩු පවරා දඩු වම් කරන බව අපට පුවත්පත් වලින් බොහෝ අවස්ථාවලදී දකින්න ලැබී තිබෙනවා. නමුත් පසුගිය හය මාසය ඇතුළත අපේ ප්‍රදේශයේ එවැනි වැඩ පිළිවෙලක් ඇති වී නැහැ. ඒ නිසා ඒ ප්‍රදේශවල සිටින කුට වෙළෙඳුන්දත් ඉතාමත් අසාධාරණ අධික මිලට බඩු විකුණනවා. ඒ නිසා මොනරාගල ප්‍රදේශයේ කෙරෙන ඒ ව්‍යාපාරය මැඩලීම සඳහා එහි දිසාපතිතුමාගේ අවධානය යොමු කරවන මෙන් මම ඉල්ලා සිටිනවා.

ගරු වෙලලෙදර

(கௌரவ வெலகெதர)

(The Hon. Welagedera)

I do not know exactly what the hon. Member referred to in the P. O. Fernando Report. Did he refer to the question of salaries, or—



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(திரு. கௌமன்)

(Mr. Keuneman)

All the questions.

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(கௌரவ வெலகெதரா)

(The Hon. Welagedera)

We will have to go into those matters in more detail. If the hon. Member could let us know what he wants implemented — [Interruption]. Actually, we are going into the matter, and it will take some time for me to give a reply.

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(திரு. கௌமன்)

(Mr. Keuneman)

I will take it up outside this House.

ගරු ගාමනී ජයසූරිය (අධ්‍යාපන හා සංස්කෘතික කටයුතු පිළිබඳ වැඩ බලන ඇමති)

(கௌரவ காமனி ஜயசூரிய—கல்வி, கலாச்சார விவகார பதில் அமைச்சர்)

(The Hon. Gamani Jayasuriya—Acting Minister of Education and Cultural Affairs)

ගරු නියෝජ්‍ය කථානායකතුමනි, දිවුල පිටියේ ගරු මන්ත්‍රීතුමා (ලක්ෂ්මන් ජයකොඩි මයා.) ඉදිරිපත් කළ කාරණය ගිය අභහරුවාදා හබරාදුව ගරු මන්ත්‍රී තුමාත් (ප්‍රින්ස් ගුණසේකර මයා.) ඉදිරි පත් කළා. ඊට මම පිළිතුරක් දුන්නා. නැවත වරක් මට කියන්න සිදු වී තිබෙන්නේ දිවුලපිටියේ මන්ත්‍රීතුමා කියන විදියට කරුණු සිදු වී නැති බවයි. විශ්ව විද්‍යාලයට ඇතුළු වන ඒ ශිෂ්‍යයින්ට ඉඩ පහසුකම් සලසන්නේ කෙසේදැයි පසු ගිය රජය කිසි යම් තැනක සඳහනක්වත් කර නැහැ. මේ රජයට හදිසියේම වාගේ ඒ ප්‍රශ්නයට මුහුණ දෙන්න සිදු වුණා. ඒ නිසා ඒ ශිෂ්‍යයින් අනාථ නොකර ඔවුන්ට අධ්‍යාපනය දීම සඳහා අපි හදිසියේම වැඩ පිළිවෙලක් ඇති කළා. අපි කවුරුත් දන්නවා, එහි අඩු පාඩු රාශියක් තිබෙන බව. ඒ අඩුපාඩු වැඩි කලක් තිබේයයි අපි බලාපොරොත්තු වන්නේ නැහැ. උප කුලපතිතුමා ඒ අඩු පාඩු නැති කිරීම සඳහා ඉතා ඉක්මණින් කටයුතු කරගෙන යන බව මම මතක් කරන්න කැමතියි.

සෙනට් ජෝසප් විද්‍යාලය, ආනන්ද විද්‍යාලය වැනි පාසල් 3,000 ක් පමණ වන මේ විශ්ව විද්‍යාල ශිෂ්‍යයින්ගේ ප්‍රයෝජනයට ගත්තොත් ඒ විද්‍යාලයවල සිටින ශිෂ්‍යයින්ට කරන්නේ කුමක්ද කියන ප්‍රශ්නය මතු වන බව ඒ මන්ත්‍රීතුමාටත් පෙනෙනවා ඇති. ක්‍රියාත්මක කරන්න පුළුවන් වැදගත් කරුණු ඉදිරිපත් කරනවා නම් ඒවා ගැන සලකා බලා කටයුතු කරන්න ඉතා මත් සන්නේෂයෙන් සූදානම්ව සිටින බව මම මතක් කරන්න කැමතියි.

ගරු ජේ. ආර්. ජයවර්ධන

(கௌரவ ஜே. ஆர். ஜயவர்தன)

(The Hon. J. R. Jayewardene)

The hon. Member for Akuressa mentioned the case of a certain police official. He was interdicted for certain actions, and because he did not appear before the inquiry his pay was stopped. He was getting half-pay before that. But, according to the hon. Member's statement, the particular officer seems to be a mental case. I shall certainly look into what he has said and deal with him accordingly.—[Interruption]. We must treat them accordingly; we cannot just punish them. I did not know those facts when he originally asked the question.

The hon. Third Member for Colombo Central raised a question about the resthouses. I mentioned during the Budget Debate that I would not be taking any action till the Budget Debate was over, and I also mentioned during my speech what we intend to do in this matter. Now that the Budget Debate is over, we have to take some action about putting, at least, the Tourist Bureau resthouses into a proper condition if we are going to attract tourists to this country. There is no way which I can think of to seek the permission of this House because this is purely an administrative matter. As a matter of fact, even Cabinet sanction is not necessary in these steps I am taking, except the sanction of the Treasury. This is not a controversial matter.



කල් තැබීම

කල් තැබීම

Today, resthouses under the Tourist Bureau are given out to individuals, and they can be anybody. At present in most of them butlers, ex-cooks, ex-housekeepers, ex-servants; and friends and relations of that category are put in charge of resthouses. They pay certain charges to Government, charges that they collect from clients. They pay a commission on the other takings. The little I have discovered of this system is that it is an unqualified and undignified racket. I am getting complaints from almost every resthouse that servants are badly paid, that there are no hours that apply to them, that they are ill-treated, that they are sacked and dismissed. I am getting complaints from those who use resthouses—people of Ceylon tourist agencies, tourists—that very often the electricity is not functioning, that the refrigerator is out of order, that the bathrooms do not function,—

කෙනමත් මයා.

(திரு. கௌமன்)

(Mr. Keuneman)

At these two resthouses?

ශ්‍රී ජේ. ආර්. ජයවර්ධන

(கௌரவ ஜே. ஆர். ஜயவர்தன)

(The Hon. J. R. Jayewardene)

Yes, at these resthouses also. In other words, they are not fit for human occupation. It is not only that I have received complaints from others but I am myself making a complaint to this House. During the election campaign I visited a large number of resthouses. I must tell you that I will not visit them again. We went to the Ambepussa Resthouse and found a good lady in charge of it. She is trying her best to improve it. When we went there it was about 2 o'clock—[Interruption]. No, 2 o'clock in the afternoon. She said: I cannot give you lunch because the electricity is not functioning. For two weeks she had tried to get the generator repaired by the Tourist Bureau. All the food had gone rotten in the refrigerator. She cannot buy any food in the local market. The water pump was not functioning; the drainage would not

take away what should be taken away. In other words, the Ambepussa Resthouse, which is one of our star spots on the way to Kandy, was in that condition when I occupied it. Kantalai was worse.

So, when I became Minister I thought this must be changed. Resthouses are not meant for resthouse-keepers just as man was not made for the Sabbath! Resthouses are not made for the resthouse-keepers. They are made for those who use them. So, what is the best way in which we can look after resthouses? I thought there may be people in Ceylon who can look after the resthouses—those who use them; the people of Ceylon and outsiders—in a better way, and we advertised.

A large number of people applied. Some of them were worse than the resthouse-keepers. From those applicants we have chosen a small number. The number of resthouses we are going to give does not amount to more than nine or ten out of the hundred and odd resthouses in Ceylon. Others also we can take. In fact, the Hon. Minister of Home Affairs wants to hand over to me all his resthouses—he has about a hundred.

We have chosen Elephant House, this consortium of agency houses that the hon. Member is speaking of, Quickshaws, and two or three others. I am having discussions with them. I have not given the resthouses to anybody yet or decided how best the resthouses should be taken over by them.

We pay a rental which amounts to more than what we are getting. We hope to spend a capital expenditure of one or two hundred thousand rupees and look after these places in a more civilized way. I cannot see any objection the hon. Member can have. I do not see how I can discuss this matter in this House by way of a Motion or a Supplementary Estimate.

කෙනමත් මයා.

(திரு. கௌமன்)

(Mr. Keuneman)

We want to discuss with you.



கலீ நூலெ

கலீ சே. ஸார். சீயவர்தன

(கௌரவ ஜே. ஆர். ஜயவர்தன)

(The Hon. J. R. Jayewardene)

Certainly. And I will give him a  
resthouse if he wants.

புனிய விவசாய டீன், ஸா ஸமேத வி.

வினா விடுக்கப்பெற்று ஏற்றுக்கொள்ளப்பட்டது.

Question put, and agreed to.

கலீ நூலெ

மன்றி மனேவலெ 7.30 மணிக்கு  
அ. ஸ. 7.30 மணிக்கு அடிக்கடி ஸாஸமேத  
அதல, 1965 நவம்பர் 2 மன  
அதலவாடி அ. ஸ. 2 மன மன கலீ  
கலீ.

அதன்படி சபை, பி. ப. 7.30 மணிக்கு,  
அதனது இன்றைய தீர்மானத்துக்கிணங்க  
1965, நவம்பர் 2, செவ்வாய்க்கிழமை  
பி. ப. 2 மணிவரை ஒத்திவைக்கப்  
பெற்றது.

Adjourned accordingly at  
7.30 P.M. until 2 P.M. on  
Tuesday, 2nd November 1965,  
pursuant, to the Resolution of  
the House this Day.



ලිඛිත පිළිතුරු

ලිඛිත පිළිතුරු

ප්‍රශ්නවලට ලිඛිත පිළිතුරු

வினாக்களுக்கு எழுத்துமூல விடைகள்

WRITTEN ANSWERS TO QUESTIONS

හොරණ රජයේ ගොවිපලේ ජී. පුංචි  
 සිංඤ්ඤා සහ අධි. ජේන්තෝනා

ஹோறூணை அரசாங்க கமத்தைச் சேர்ந்த ஐ. ஜேன்  
நோனாவும் ஜி. புன்சி சிங்கோவும்

I. JANE NONA AND G. PUNCHI SINGHO,  
GOVERNMENT FARM, HORANA

519/65

රත්නසිරි වික්‍රමනායක මයා. (හොරණ)

(திரு. சத்தனஸிரி விக்ரமநாயக்க—ஹொறணை)

(Mr. Ratnasiri Wickramanayaka—  
Horana)

කෘෂිකර්ම හා ආහාර ඇමතිගෙන් ඇසූ ප්‍රශ්නය : (අ) හොරණ රජයේ ගොවිපලේ නුපුහුණු කම්කරුවෙකු වන සී. එස්. ඩබ්ලිව්. වික්‍රමසිංහ මහතාගේ වයස අවුරුදු 55 ට වැඩි වුවත් ඔහුට වැඩ කිරීමට ඉඩ දී තිබෙන බව එතුමා දන්නවාද? (ආ) මෙම ගොවිපලේ නුපුහුණු කම්කරු ස්ත්‍රියක් වන අයි. ජේන්තෝනා හා නුපුහුණු කම්කරු ජී. ප්‍රංචි සිංඤ්ඤා ඔවුන්ගේ සේවා කාලය දීර්ඝ කරන මෙන් ඉල්ලීමක් කර තිබෙන බව එතුමා දන්නවාද? (ඉ) ඔවුන්ගේ සේවා කාලය දීර්ඝ කිරීමට එතුමා ක්‍රියා කරන්නවාද? (ඊ) නො එසේ නම්, එමන්ද?

விவசாய, உணவு அமைச்சரைக் கேட்ட  
வினா: (அ) ஹொறணையிலுள்ள அரசாங்க  
கமத்தில் கடமையாற்றுகின்ற கைதேராத  
ஊழியரான திரு. சீ. எஸ். டபிள்யூ. விக்கிரம  
சிங்க 55 வயதுக்கு மேற்பட்டவராகவிருந்துங்  
கூட வேலைசெய்ய அனுமதிக்கப்பட்டுள்ளா  
ரென்பதை அவர் அறிவாரா? (ஆ) இக்கமத்  
தைச் சேர்ந்த கைதேராத ஊழியர்களான  
ஐ. ஜேன் நோனாவும், ஐ. புஞ்சி சிங்கோ

வும் தங்கள் சேவைக்காலத்தை நீடிக்கும்படி வேண்டுகோள் விடுத்துள்ளனரென்பதை அவர் அறிவாரா? (இ) அவர்களுடைய சேவைக் காலத்தை நீடிப்பதற்கு அவர் நடவடிக்கை எடுப்பாரா? (ஈ) அன்றேல், ஏன்?

asked the Minister of Agriculture and Food: (a) Is he aware that Mr. C. S. W. Wickramasinghe, unskilled labourer of the Government Farm, Horana, has been allowed to work even though he is over 55 years of age? (b) Is he aware that I. Jane Nona and G. Punchi Singho, unskilled labourers of this Farm, have made a request to extend their period of service? (c) Will he take action to extend their period of service? (d) If not, why?

ගරු එම්. ඩී. බණ්ඩා (කෘෂිකර්ම හා  
ජාහාර ඇමති)

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

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

(අ) ඔව්. (ආ) ඔව්. (ඉ) දැනටමත් මේ ගැන නියෝගයක් නිකුත් කර ඇත. ජී. ප්‍රංචි සිංඤ්ඤා මහතාගේ සේවා කාලය දීර්ඝ කර ඇත. අයි. ජේන්නෝනා මහත්මිය විශ්‍රාම ගොස් ඇත්තේ, සේවා කාලය දීර්ඝ කිරීම පිළිබඳ කෘෂිකර්ම අධ්‍යක්ෂගේ චක්‍රලේඛ ලිපි නිකුත් කිරීමට පෙර 1965.8.16 දා ය. එනිසා ඇයගේ සේවා කාලය දීර්ඝ කළ නොහැක. දැනටමත් ඇය අනියම් සේවිකාවක් ලෙස සේවයේ යොදවා ඇත. (ඊ) කරුණාකර (ඉ) කොටස බලන්න.

(அ) ஆம். (ஆ) ஆம். (இ) இதுவரை நடவடிக்கைகள் எடுக்கப்பட்டு, பணிப்பு விடுக்கப்பட்டுள்ளது. திரு. ஜி. புஞ்சி சிங்கோலிள்



பேரறிவுரை

பேரறிவுரை

[அரு. எம். கி. லீலா]

சேவைக்காலம் நீடிக்கப்பட்டுள்ளது. சேவைக் கால நீடிப்புப் பற்றிய புனராலோசனை நடத்தி கமத்தொழில் அதிபர் சுற்றுநிருபம் விடுக்க முன்னரேயே, அதாவது 16.8.65 அன்று திருமதி ஜேன் நோனா இளைப்பாற்றப் பட்டு விட்டார். இதன் காரணமாக, இவரது சேவைக்காலம் நீடிக்கப்பட முடியாது. இருந்த போதிலும் இவர் தொடர்ந்து சமயோ சித தொழிலாளியாகக் கடமையாற்றுகிறார். (ஈ) (இ) யைப் பார்க்கவும்.

(a) Yes. (b) Yes. (c) Action has already been taken and instructions issued. Mr. G. Punchisingho has been granted an extension of service. Mrs. I. Jane Nona was retired with effect from 16.8.65—i.e. prior to the issue of D. A's Circulars reviewing the position regarding extension of service. In view of this she cannot be granted an extension of service. However, she continues to be employed as a casual employee. (d) Please see (c).







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