



පාර්ලිමේන්තු විවාද

(හැන්සාඩ්)

නියෝජිත මන්ත්‍රී මණ්ඩලයේ

නිල වාර්තාව

අත්තිකාරම් ප්‍රධාන කරුණු

ප්‍රශ්නවලට වෘත්තික පිළිතුරු [නි. 1738]

ගෝක ප්‍රකාශය : ඉන්දියාවේ ජනාධිපති ආචාර්ය සකිප් හුසේන් [නි. 1750]

ලංකා විදුලි බල මණ්ඩල පනත් කෙටුම්පත [නි. 1758] :

තුන්වන වර කියවා, සංශෝධනාකාරයෙන්, සම්මත කරන ලදී.

ඉඩම් අත්කර ගැනීමේ (සංශෝධන) පනත් කෙටුම්පත [නි. 1836] :

දෙවන වර කියවීම—විවාදය කල් තබන ලදී.

කල් තැබීමේ යෝජනාව [නි. 1860]

பாராளுமன்ற விவாதங்கள்

(ஹன்சார்ட்)

பிரதிநிதிகள் சபை

அதிகார அறிக்கை

பிரதான உள்ளடக்கம்

வினாக்களுக்கு வாய்மூல விடைகள் [ப. 1738]

அனுதாபத் தீர்மானம் : கலாநிதி சாகிர் ஹுசைன், இந்தியக் குடியரசு ஜனாதிபதி [ப. 1750]

இலங்கை மின்சார சபை மசோதா : [ப. 1758] :

மூன்றாம் மதிப்பிடம்பெற்று, திருத்தப்பட்டவாறு நிறைவேற்றப்பட்டது.

காணி கொள்ளுதல் (திருத்த) மசோதா : [ப. 1836] :

இரண்டாம் மதிப்பு—விவாதம் ஒத்திவைக்கப்பட்டது

ஒத்திவைப்புப் பிரேரணை [ப. 1860].

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Monday

5th May 1969

PARLIAMENTARY DEBATES

(HANSARD)

HOUSE OF REPRESENTATIVES

OFFICIAL REPORT

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පිළිගත් වන ලද මාර්තා

එංග්ලික පිළිතුරු

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பிரதிநிதிகள் சபை

House of Representatives

1969 මැයි 5 වන සඳුදා

திங்கட்கிழமை, 5 மே 1969

Monday, 5th May 1969

අ. හා. 2 ට මෙන්ම මණ්ඩලය රැස් විය. නිකුත්
කළායෙකුම [එම්. සිවසිනම්පරම් මයා.]
මුලාසනාදාය විය.

சபை பி. ப. 2 மணிக்குக் கூடியது. உபசபாநாயகர் அவர்கள் [திரு. எம். சிவசிதம்பரம்] தலைமை தாங்கி னார்கள்.

The House met at 2 p.m., MR. DEPUTY SPEAKER [MR. M. SIVASITHAMPARAM] in the Chair.

පිළිගත්වන ලද වාර්තා

சமர்ப்பிக்கப்பட்ட அறிக்கைகள்

REPORTS PRESENTED

රජයේ (සිවිල් වරදෙහි ලා වගකීම) පනත්
කෙටුම්පත [සෙනෙට්]

முடி (தீங்கியற் பொறுப்பு) மசோதா [செனெற்]

CROWN (LIABILITY IN DELICT) BILL
[SENATE]

එම්. එච්. එම්. නයිතා මයික්කාල් මයා.
(අධිකරණ ඇමතිගේ පාර්ලිමේන්තු
ලේකම්)

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

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

On behalf of the Chairman of Standing Committee 'B', I present the Report of Standing Committee "B" on the Crown (Liability in Delict) Bill [Senate] on further consideration, together with the Minutes of Proceedings.

REPORT

The Committee have further considered the Crown (Liability In Delict) Bill and have agreed to it as amended in the attached reprint.

පනත් කෙටුම්පත “බී” ස්ථාවර කාරක සභාව විසින් චාරිතා කරන ලද පරිදි 1969 මැයි 6 වන අභ්‍යර්ථනා සලසා බලන ලැබේ.

மசோதா, நிலையற்குழு “பீ” இனால் அறிக்கை செய்யப்பட்டவாறு 1969 மே 6, செவ்வாய்க்கிழமை பரிசீலிக்கப்படவிருக்கிறது.

Bill as reported by Standing Committee
"B", to be considered upon Tuesday, 6th
May 1969.

ප්‍රශ්නවලට වාචික පිළිතුරු,

வினாக்களுக்கு வாய்மூல விடைகள்

ORAL ANSWERS TO QUESTIONS

நிசேஷம் கலாநாயகநாமா

(உப சபாநாயகர் அவர்கள்)

(Mr. Deputy Speaker)

Question No. 7.

එන. විමලසේන මයා. (මුදල් ඇමතිගේ පාර්ලිමේන්තු ලේකම්)

(திரு. என். விமலசேன—நிதி அமைச்சரின்
பாராளுமன்றக் காரியதரிசி)

(Mr. N. Wimalasena—Parliamentary Secretary to the Minister of Finance)

I want two months' time to answer this Question.

පී. බී. ඉලංගරත්න මයා. (කොළොන්නාව)

(திரு. ரீ. பி. இலங்கரத்ன—கொலொன்னுவ)
(Mr. T. B. Ilangaratne—Kolonnawa)

This is a simple Question. I have asked a number of Questions because I want to get information. The Government seems to be acting contrary to the statements made during election time. My Hon. Friend, the Minister of Finance, is not helpful to me. Probably the hon. Parliamentary Secretary does not want to divulge the information in time. In respect of the numerous Questions that have been asked he has asked for time.

ବିଦ୍ୟାବେଶୀର ଭାବ.

(திரு. விமலசேன)

(Mr. Wimalasena)

We are prepared to divulge everything. Only, there are about fifty corporations.

මාපික පිළිතුරු

වෘත්ති විලිඳුරු

ඉලංගරත්න මය.

(திரு. இலங்கரத்ன)

(Mr. Ilangaratne)

On the last occasion too he wanted three months' time.

நியோජ்ய கலாநாயகநுමා

(உப சபாநாயகர் அவர்கள்)

(Mr. Deputy Speaker)

Was it the same Question ?

ହୃଦୟର ଗନ୍ଧକା ଉପାଦାନ.

(திரு. இலங்கரத்ன)

(Mr. Ilangaratne)

It was a different Question.

විමලසේන මයා.

(திரு. விமலசேன)

(Mr. Wimalasena)

The information has to be gathered.
There is nothing to hide.

දිලිංගරත්න මයො.

(திரு. இலங்கரத்ன)

(Mr. Ilangaratne)

I am merely asking how many directors there are in these corporations.

ବିଭାଜନ ଓ ଉପା.

(திரு. விமலசேன)

(Mr. Wimalasena)

These corporations are under various Ministries.

නිවේෂණ කථානායකතුමා

(உப சபாநாயகர் அவர்கள்)

(Mr. Deputy Speaker)

If there is any occasion on which no Answer is provided when a Question is asked the second time, then a matter like this could be raised.

ඉලංගරත්න මයා.

(திரு. இலங்கரத்ன)

(Mr. Ilangaratne)

Why do they need so much as two months' time to collect this information?

ප්‍රශ්නය මතු දිනකදී ඉදිරිපත් කිරීමට නිශ්චිත කරන ලදී.

வினாவை மற்றொரு தினத்துக்குச் சமர்ப்பிக்கக்
பட்டனையிடப்பட்டது.

Question ordered to stand down.

එම්. ජේ. ඇබ්මන් මහතාට දුම්පිය
දෙපාර්තමේන්තුවේ රැකියාව නොදීම

திரு. எம். ஜே. எட்மண்ட் : இ.பு.ப. இல்
தொழில்மறுப்பு

MR. M. J. EDMUND : DENIAL OF
EMPLOYMENT IN C. G. R.

8. ඉලංගරත්න මයා.

(திரு. இலங்கரத்ன)

(Mr. Ilangaratne)

ප්‍රවාහන ඇමතිගෙන් ඇසූ ප්‍රශ්නය (අ)
දුම්රිය දෙපාර්තමේන්තුවේ රත්මලාන
ප්‍රධාන යාන්ත්‍රික ඉංජිනේරු දෙපාර්ත
මේන්තුවේ ඇස්. ඇඩ්මන් මහතාගේ
(10450) පුත්‍ර මර්වින් ජෝසප් ඇඩ්මන්
ජීහතා පිට්ටි බෝයි කෙනෙකු වශයෙන්, පිය
ලරුමයෙන් රැකියාව දීම සඳහා වෛද්‍ය
පරීක්ෂණයට පවා යවා තිබියදීත් ඔහුට
එම රැකියාව අහිමි කළ බව එතුමා
දන්නවාද? (ආ) ඒ මන්ද? (ඉ) ඉහත
සඳහන් දඬුවම දෙන ලද්දේ 1968 දෙසැම්
බර්හි ඇතිවූ වැඩ වර්ජනයට සහභාගි
වුවන්ට දෙන ලද දඬුවමක් වශයෙන්ද?

போக்குவரத்து அமைச்சரைக் கேட்ட வினா:
(அ) புகையிரதப்பகுதியின் பிரதம இயந்திர வேலைக்கிளை பொறிஞர் பிரிவில் கடமையாற்றும் திரு. எஸ். எட்மண்ட் (10450) என்பவரின் மகன் திரு. மேவின் ஜோசெவ் எட்மண்ட் தமது தந்தையார் ஒரு புகையிரதப்பகுதி ஊழியர் என்ற காரணத்தால் தகுதிபெற்று, வைத்தியப் பரிசோதனைக்கும் அனுப்பப்பட்ட பின்னர் “ரிவெற்” ஊழியராகத் தெரிவுசெய்யப்படவில்லை யென்பதை அவர் அறிவாரா?
(ஆ) அவர் தெரிவு செய்யப்படாததேன்?
(இ) 1968 டிசெம்பர் மாத வேலைநிறுத்தத்தில் பங்குபற்றியவர்களுக்கு விதிக்கப்பட்ட ஒரு தண்டனை போலவா, இந்தத் தண்டனையும் விதிக்கப்பட்டது?

asked the Minister of Communications: (a) Is he aware that Mr. Mervyn Joseph Edmund, son of Mr. S. Edmund (10450) employed at Ratmalana, in the Chief Mechanical Engineer's Department of the Railway, was not selected for employment as a revet boy although he had been sent up for the medical examination too, as he was eligible for such post by virtue of his father being

a railway employee? (b) Why was he not selected? (c) Was this punishment imposed as a punishment of persons who took part in the strike of December 1968?

உலகப் பிழைப்பு. (பிரதமர் அமைச்சர் பதிலளித்தல்)

(திரு. எஸ். பி. தசநாயக்க—பொருளாதார அமைச்சர்)

(Mr. L. B. Dassanayake—Parliamentary Secretary to the Minister of Communications)

(அ) ஆம். (ஆ) இது பற்றி என்ன காரணம் இருக்கிறது? (இ) இது பற்றி என்ன காரணம் இருக்கிறது?

பெயர்

மண்வெட்டி

MAMMOTIES

9. உலகப் பிழைப்பு.

(திரு. இலங்கரத்ன)

(Mr. Ilangaratne)

கீழ்க்கண்ட கேள்விகளுக்கு பதிலளிப்பாரா: (அ) 1965-ம் ஆண்டு முதல் 1968-ம் ஆண்டு வரை கிழக்கு இந்தியாவில் மண்வெட்டி எவ்வளவு உற்பத்தியாகியது? (ஆ) 1965-ம் ஆண்டு முதல் 1968-ம் ஆண்டு வரை கிழக்கு இந்தியாவில் மண்வெட்டி எவ்வளவு இறக்குமதியாகியது? (இ) 1965-ம் ஆண்டு முதல் 1968-ம் ஆண்டு வரை கிழக்கு இந்தியாவில் மண்வெட்டி எவ்வளவு விற்பனையாகியது?

கைத்தொழில், கட்டுமானத்தில் அமைச்சரைக் கேட்ட வினா: (அ) 1965 முதல் 1968 வரை ஒவ்வொரு வருடத்திலும் இலங்கைக்குத் தேவைப்பட்ட மண்வெட்டிகளின் எண்ணிக்கை யாது? (ஆ) அவ்வவ் வாண்டுகளில் இலங்கையில் தயாரிக்கப்பட்ட மண்வெட்டிகள் எத்தனை? (இ) அவ்வவ்வாண்டுகளில் எத்தனை மண்வெட்டிகள் வெளிநாடுகளிலிருந்து வரவழைக்கப்பட்டன?

asked the Minister of Industries and Fisheries: (a) How many mammoties did the country need during each of the years from 1965 to 1968? (b) How many mammoties were manufactured in Ceylon in each of these years? (c) How many mammoties were imported in each of these years?

உலகப் பிழைப்பு. (பிரதமர் அமைச்சர் பதிலளித்தல்)

(கௌரவ ம. பி. ஆர். குணவர்தன—கைத் தொழில், கட்டுமான அமைச்சர்)

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

(a) I am not aware. (b) Manufacture commenced in 1967. 1967—125,779; 1968—241,554. (c) The Importation of mammoties is not a subject that comes within the purview of this Ministry.

உலகப் பிழைப்பு.

(திரு. இலங்கரத்ன)

(Mr. Ilangaratne)

Will the Hon. Minister be kind enough to ascertain from his Colleague and let the House know?

உலகப் பிழைப்பு. (பிரதமர் அமைச்சர் பதிலளித்தல்)

(கௌரவ ம. பி. ஆர். குணவர்தன)

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

Address the question to the appropriate Minister, and the answer will be provided.

உலகப் பிழைப்பு. (பிரதமர் அமைச்சர் பதிலளித்தல்)

(திரு. எம். பி. டி. சோய்ஸா சிறிவர்தன—மினுவாங்கோட)

(Mr. M. P. de Zoysa Siriwardena—Minuwangoda)

May I know the number of mammoties in stock at present?

உலகப் பிழைப்பு. (பிரதமர் அமைச்சர் பதிலளித்தல்)

(கௌரவ ம. பி. ஆர். குணவர்தன)

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

There is a considerable stock at present.

உலகப் பிழைப்பு. (பிரதமர் அமைச்சர் பதிலளித்தல்)

(திரு. டி. சோய்ஸா சிறிவர்தன)

(Mr. de Zoysa Siriwardena)

I understand that there is a large stock of mammoties unsold because of mammoties being imported.

உலகப் பிழைப்பு. (பிரதமர் அமைச்சர் பதிலளித்தல்)

(கௌரவ ம. பி. ஆர். குணவர்தன)

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

There is a fairly large stock but it is moving.

වෘත්තික පිළිතුරු

වංචික පිළිතුරු

අනුරාධපුර සංරක්ෂණ මණ්ඩලයේ
සාමාජිකයින්

அனுவராதபுரி பாதுகாப்புச்சபை உறுப்பினர்

MEMBERS OF ANURADHAPURA PRESERVATION
BOARD

1. ද සොසියා සිරිවර්ධන මයා. (පි. එම්. කේ. තෙන්නකෝන් මයා.—මිහින්තලේ —වෙනුවට)

(திரு. டி. சொய்ஸா சிறிவர்தன—திரு. பி. எம். கே. தென்னகன்—மிஹிந்தலை—சார்பாக)

(Mr. de Zoysa Siriwardene—on behalf
of Mr. P. M. K. Tennekoon—Mihintale)

විද්‍යාත්මක පර්යේෂණ හා නිවාස ඇමති
ගෙන් ඇසූ ප්‍රශ්නය : (අ) අනුරාධපුර
සංරක්ෂණ මණ්ඩලය, අනුරාධපුර හා
මිහින්තලා යන නගර දෙකට පමණක්
සීමා වූවක් බව එතුමා දන්නවාද ? (ආ)
දූතට සංරක්ෂණ මණ්ඩලයට පත්කර
සිටින සෑම සාමාජිකයෙකුම අනුරාධපුර
නගරයෙන් පමණක් බැව් එතුමා දන්න
වාද ? (ඉ) මිහින්තලා නගරය නියෝජනය
කිරීමට එකදු සාමාජිකයෙකු එම නගර
යෙන් මෙම මණ්ඩලයට පත්කර නොතිබීම
අයුක්තියක් බැවින් එවැන්නකු පත්කිරී
මට එතුමා කටයුතු කරනවාද ? (ඊ) එසේ
නම්, කවදා ද ? නොඑසේ නම්, හේතු
කවරේද ?

விஞ்ஞான ஆய்வு, வீடமைப்பு அமைச்சரைக் கேட்ட வினா: (அ) அனுராதபுரி பாதுகாப்புச் சபை அனுராதபுரி, மிகிந்தலை ஆகிய இருநகரங்களை மாத்திரம் உள்ளடக்கியுள்ள தென்பதை அவர் அறிவாரா? (ஆ) தற்பொழுது பாதுகாப்புச்சபைக்கு நியமிக்கப்பட்டுள்ள சகல உறுப்பினர்களும் அனுராதபுர நகரிலிருந்து மாத்திரமே நியமிக்கப்பட்டுள்ளனர் என்பதை அவர் அறிவாரா? (இ) மிகிந்தலை நகரைப் பிரதிநிதித்துவம் வகிக்க ஓர் உறுப்பினரை இந்நகரிலிருந்து சபைக்கு நியமிக்காமலிருப்பது நியாயமற்ற செயலாகையால், அவ்விதமான ஒருவரை நியமிக்க அவர் நடவடிக்கை எடுப்பாரா? (ஈ) ஆமெனில், எப்பொழுது? இல்லையெனில், காரணம் யாது?

asked the Minister of Scientific Research and Housing : (a) Is he aware that the authority of the Anuradhapura Preservation Board is restricted to the two towns Anuradhapura and Mihintale ? (b) Is he aware that at

present every member appointed to the preservation board is from the Anuradhapura town? (c) Since it is unfair not to have a single member representing the town of Mihintale on the board, will he take action to appoint one such member? (d) If so, when? If not, why?

ගරු එම්. ඩී. එම්. ස්වච්ඡික (විද්‍යාත්මක පර්යේෂණ හා නිවාස ඇමති)

(கௌரவ எம். டி. எச். ஜயவர்தன—
விஞ்ஞான ஆய்வு, வீடமைப்பு அமைச்சர்)

(The Hon. M. D. H. Jayawardena—Minister of Scientific Research and Housing)

(අ) අනුරාධපුර සංරක්ෂණ මණ්ඩල ප්‍රදේශය යටතට අනුරාධපුර හා මිහින්තලේ නගර ද්වය ද අවට ගම් කීපයක් ද ඇතුළත් වේ. (ආ) නැත. මණ්ඩලයේ බල ප්‍රදේශය තුළ නොයෙක් කොට්ඨාශ වලින් නියෝජිතයන් පත් කිරීමට පනත යටතේ විධිවිධාන නොමැත. (ඉ) පැන නොනඟී. (ජ) පැන නොනඟී.

මිනින්තලේ 22 ව්‍යාමසේවක කොටසේ
පාලනය

மிஹிந்தலை 22A கிராம சேவகர் பிரிவின் பரிபாலனம்
ADMINISTRATION OF GRAMASEVAKA DIVISION
22A, MIHINTALE

2. ද සොයිසා සිරිවර්ධන මයා. (පී. එම්. කේ. තෙන්නකෝන් මයා. වෙනුවට)

(திரு. டி. சொய்ஸா சிறிவர்தன—திரு. பி. எம். கே. தென்னகன் சார்பாக)

(Mr. de Zoysa Siriwardena—on behalf of Mr. P. M. K. Tennekoon)

විද්‍යාත්මක පර්යේෂණ හා නිවාස ඇමති
ගෙන් ඇසූ ප්‍රශ්නය : (අ) මිහින්තලා ආස
නය තුළ වූ 22 ඒ ග්‍රාමසේවක කොටසට
අයත් කුරුන්දන්කුලම, කුරුන්දන්කුලම
විශාලී ගොවිජනපදය, නල්ලපාම්බුකුලම,
නුවර වැව හා කම්මලක්කුලම යන ගම්
ප්‍රදේශ අනුරාධපුර සංරක්ෂණ මණ්ඩල
සීමාවට අයත් කොට ඇති බැව් එතුමා
දන්නවාද? (ආ) එම ගම් ප්‍රදේශය ගම්
සභාවේ පාලනයට යටත්ව තිබූ සමයේදී
ගම්වාසීන්ගේ යහපතට අදාළ නොයෙකුත්
වැඩ කොටස් ඉටු වූ නමුත් සංරක්ෂණ මණ්
ඩලයේ පාලනයට යටත් වීමෙන් පසු
ප්‍රදේශවාසීන්ගෙන් අයබදු අයකර ගැනීම
පමණක් මිස ඔවුන්ගේ කිසිදු අවශ්‍යතාව
යක් මෙතෙක් සපුරා නොමැති බැව් එතුමා

වංචික පිළිතුරු

දන් නවාද? (ඉ) හැකිතාක් ඉක්මණින් මෙම ප්‍රදේශය යළිත් ගම්පහාවේ පාලනයට පැවරීමට එතුමා කටයුතු කරනවාද? (ඊ) එසේ නම් කවදාද? නොඑසේ නම්, හේතු කවරේද?

விஞ்ஞான ஆய்வு, வீடமைப்பு அமைச்சரைக் கேட்ட வினா : (அ) மிகந்தலைத் தொகுதியைச் சேர்ந்த 22A கிராமசேவகர் பிரிவுக்குட்பட்ட குருந்தன்குளம், குருந்தன் குளவாட்சிக் குடியேற்றத்திட்டம், நல்லபாம்புக்குளம், துவரவெவ, கம்மாளக்குளம் ஆகிய கிராமப் பிரதேசங்கள் அனுராதப்புர பாதுகாப்புச்சபையின் எல்லைக்குட்படுத்தப்பட்டுள்ளன வென்பதை அவர் அறிவாரா? (ஆ) இக்கிராமப் பகுதிகள் கிராமச் சங்கத்தின் நிர்வாகத்தின் கீழிருந்த பொழுது கிராம மக்களுக்கு நன்மையளிக்கும் பலவேலைகள் செய்யப்பட்ட போதிலும், பாதுகாப்புச்சபையின் நிர்வாகத்தின் கீழ் வந்த பின்னர், இப்பிரதேச மக்களிடமிருந்து வரி மாத்திரம் அறவிடப்படுகின்றதே யொழிய, அவர்களின் எவ்விதத் தேவைகளையும் பூர்த்தி செய்ய இதுவரை ஒன்றும் செய்யப்படவில்லை யென்பதை அவர் அறிவாரா? (இ) இயன்றளவு விரைவில் இப்பகுதியை மீண்டும் கிராமச்சங்க நிர்வாகத்தின் கீழ் கொண்டுவர அவர் நடவடிக்கை எடுப்பாரா? (ஈ) ஆமெனில், எப்பொழுது? இல்லையெனில், காரணம் யாது?

asked the Minister of Scientific Research and Housing : (a) Is he aware that Kurundankulama, Kurundankulama Dry Colony, Nallapainbu Kulama, Nuwerawewa and Kam-mallakkulama, all being areas belonging to Gramasevaka Division 22A within the Mihintale Electorate, have been brought under the area of authority of the Anuradhapura Preservation Board ? (b) Is he aware that the preservation board has so far taken no action whatsoever to fulfil the needs of the residents despite the fact that rates are collected from them although various schemes for the benefit of the people of the area were implemented when the same area was administered by the village council ? (c) Will he take action to restore the administration of this area to the village council as early as possible ? (d) If so when ? If not why ?

මං වික පිළිතුරු

ගරු එම්. ඩී. එච්. ජයවර්ධන

(கௌரவ எம். டி. எச். ஜயவர்தன)

(The Hon. M. D. H. Jayawardena)

(අ) ඔව්. (ආ) නැත. (ඉ) මේ ගැන දැනට සලකා බලාගෙන යනු ලැබේ. (ඊ) හැකි පමණ ඉක්මණින්.

නියෝජ්‍ය කථානායකතුමා

(உப சபாநாயகர் அவர்கள்)

(Mr. Deputy Speaker)

Question No. 3.

සී. ආර්. බෙලිගම්මන මයා. (ස්වදේශ කටයුතු පිළිබඳ ඇමතිගේ පාර්ලිමේන්තු ලේකම්—කෘෂිකම් හා ආහාර ඇමති වෙනුවට)

(திரு. சி. ஆர். பெலிகம்மன—உள்நாட்டு விவகார அமைச்சரின் பாராளுமன்றக் காரிய தரிசி—விவசாய, உணவு அமைச்சர் சார்பாக)

(Mr. C. R. Beligammana—Parliamentary Secretary to the Minister of Home Affairs)—on behalf of the Minister of Agriculture and Food)

මේ ප්‍රශ්නයට පිළිතුරු සැපයීමට මාස
යක් කල් අවශ්‍යයි.

ප්‍රශ්නය මතු දිනකදී ඉදිරිපත් කිරීමට නියෝග කරන ලදී.

வினாவை மற்றொரு தினத்திற்கு சமர்ப்பிக்கக்
கட்டளையிடப்பட்டது.

Question ordered to stand down.

නිවේෂණ කථානායකතුමා

(உப சபாநாயகர் அவர்கள்)

(Mr. Deputy Speaker)

Question No. 4.

බෙලිගම්මන මයා. (කෘෂිකම් හා ආහාර
ඇමති වෙනුවට)

(திரு. பெலிகம்மன—விவசாய, உணவு
அமைச்சர் சார்பாக)

(Mr. Beligammana—on behalf of the Minister of Agriculture and Food)

මේ ප්‍රශ්නයට පිළිතුරු සැපයීමටත් මාසයක් කල් අවශ්‍යයි.

ප්‍රශ්නය මතු දිනකදී ඉදිරිපත් කිරීමට නියෝග කරන ලදී.

வினாவை மற்றொரு தினத்திற்கு சமர்ப்பிக்கக்
கட்டளையிடப்பட்டது.

Question ordered to stand down.

වංචික පිළිතුරු

මා විකා පිළිතුරු

නිවැරදි කථානායකයා

(உப சபாநாயகர் அவர்கள்)

(Mr. Deputy Speaker)

Question No. 5.

බෙලිගම්මන මයා. (කෘෂිකම් හා ආහාර
ආමනි වෙනුවට)

(திரு. பெலிகம்மன—விவசாய, உணவு
அமைச்சர் சார்பாக)

(Mr. Beligammana—on behalf of the Minister of Agriculture and Food)

කාරණා රාශියක් සැපයීමට තිබෙන
නිසා මේ ප්‍රශ්නයට පිළිතුරු සැපයීමටත්
මාසයක් කල් අවශ්‍යයි.

ප්‍රශ්නය මතු දිනකදී ඉදිරිපත් කිරීමට නියෝග කරන ලදී.

வினாவை மற்றொரு தினத்திற்கு சமர்ப்பிக்கக்
கட்டளையிடப்பட்டது.

Question ordered to stand down.

කෝ. ඩබ්ලිව්. අංගො මහත්මිය,
මුල්හල්කලේ වත්ත, ඩනුමුල්ල

திருமதி கே. டபிள்யூ. அங்கோ, முல்லைத்தலை
தோட்டம், வத்துமுள்ள

MRS. K. W. ANGO, MULHALKELE ESTATE,
WATUMULLA

10. டீ ஷோஃஸா ஸ்டிவர்ட்ஸென் மயா (பி. வி. ஸ்டீ. ஸ்டீரன் மயா.—வெஸ்ட்—வெஸ்ட்)
(திரு. டி. சொய்ஸா சிறிவர்தன—திரு. ரி. பி. எம். ஹெரத்—வலப்பனை—சார்பாக)

(Mr. de Zoysa Siriwardena—on behalf
of Mr. T. B. M. Herath—Walapane)

කම්කරු හා රැකියා ඇමතිගෙන් ඇසූ ප්‍රශ්නය : (අ) වතුමුද්ල, මුල්හල්කුලේ වත්තේ කම්කරු කෝ. ඩබ්. අංශය මගින් මිය අංක 127 F/152 යටතේ ජාතික අර්ථසාධක අරමුදලේ ප්‍රතිපාදන ලැබීමට සුදුසුකම් ඇති බව එතුමා දන්නවාද? (ආ) ඇය එම මුදල් පළමුවෙන්ම ඉල්ලන ලද්දේ කවදාද? (ඉ) මෙම මුදල් ගෙවීමට ඇති ප්‍රමාදය කුමක්ද? (ඊ) ඇයට හිමි එම මුදල් වහාම ලබාදීමට එතුමා ක්‍රියා කරන්නාද? නොඑසේ නම්, ඒ මන්ද?

தொழில், தொழில்வசதி அமைச்சரைக்
கேட்ட வினா: (அ) வத்துமூல், முல்லை
கெலத்தோட்டத்தைச் சேர்ந்த பெண் பணி
யாளர் திருமதி கே. டபிள்யூ. அங்கோ
127F/152 இலக்கத்தில் கீழ் ஊழியர் நேரம்

லாப நிதி நலன்களுக்குரியவரென்பதை அவர் அறிவாரா? (ஆ) இந்த நலன்களுக்கென அவர் முதலில் விண்ணப்பித்ததெப்போது? (இ) இந்தக் கொடுப்பனவுகளை அளிப்பதில் ஏன் தாமதமேற்படுகிறது? (ஈ) அவருக்கு இந்தக் கொடுப்பனவுகளை அளிப்பதற்கு அவர் உடனடி நடவடிக்கை எடுப்பாரா? இல்லையெனில் ஏன்?

asked the Minister of Labour and Employment : (a) Is he aware that Mrs. K. W. Ango, female labourer, Mulhal-kele Estate, Watumulla, is entitled to Employees Provident Fund benefits under No. 127F/152 ? (b) When did she first apply for these benefits ? (c) Why is there a delay in paying these dues ? (d) Will he take immediate action to pay her these dues ? If not why ?

එසේ. ද එසේ. ජයසිංහ මයා. (කමකර, රැකිරක්ෂා හා නිවාස ඇමතිගේ පාර්ලි මේන්තු ලේකම්)

(திரு. எஸ். டி. எஸ். ஜயசிங்ஹ—தொழில், தொழில் வசதி, வீடமைப்பு அமைச்சரின் பாராளுமன்றக் காரியதரிசி)

(Mr. S. de S. Jayasingha—Parliamentary Secretary to the Minister of Labour, Employment and Housing)

(අ) ඔව්. (ආ) මෙතෙක් ඉල්ලුම් පත්‍රයක් එවා නොමැත. (ඇ) ඉහත (ආ) අනුව ප්‍රශ්නයක් පැන නොනගී. (ඊ) අවසාන සේව්‍යයා මාගීයෙන් ඉල්ලුම් පත්‍රයක් ලැබූ විට මුදල් ලබාදීමට කටයුතු කරමි.

වි. ජාතික, කිරිපෝත වත්ත, අංගෙවිටිගම

வி. ஜானகி, கிரிகேனத் தோட்டம், அங்ஹெற்றிகம்
V. JANAKI, KIRIHENA ESTATE, ANHETTIIGAMA

11. ආචාර්ය එන්. එම්. පෙරේරා (යථි
යන්තොට) (සී. පී. ආර්. විරසේකර මයා.
—දෙහිඔව්ව—වෙනුවට)

(கலாநிதி என். எம். பெரேரா—யட்டியாந்
தோட்டை—திரு. ம. பி. ஆர். வீரசேக்கர—
தெகியோவிறற்—சார்பாக)

(Dr. N. M. Perera—Yatiantota—on behalf of Mr. D. P. R. Weerasekera—Dehiowita)

සෞඛ්‍ය ඇමතිගෙන් ඇසූ ප්‍රශ්නය : (අ)
(i) අංගෙට්ටිගම, කිරිඳිවෙල වත්තේ වී.
ජානකී යන අයව ක්‍ෂය රෝගාධාර වශ
සමාජ 1967 නොවැම්බර් සිට 1968 ජනවාරි

He was a very distinguished scholar. In fact, he had the rare achievement of having been a Vice-Chancellor of a university at the early age of 29 years. One must undoubtedly possess outstanding academic achievements to be raised to such a posi-

ශෝක ප්‍රකාශය :

[ගරු ඩබ්ලිව් සේනානායක]

tion at such an early age. Apart from that, his erudition was distinguished by many valuable literary works. He had written many books held in great regard in India and the world.

He was also a foremost public worker being a co-worker with the great Mahatma Gandhi and one of his eminent followers. Moreover, he had made tremendous contributions to the furtherance of education in India as a whole. He was a man of broad outlook in matters of a national and an international nature. Therefore, the sorrow is all the greater, when the world today needs more people of that outlook, that such an outstanding figure should be denied to the world in the future by his sad death.

I commend this Motion to the hon. Members of this House.

සිරිමාවෝ ආර්. ඩී. බණ්ඩාරනායක මිය.
(අත්තනගල්ල)

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

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

Mr. Deputy Speaker, while associating myself with the sad sentiments expressed by the Hon. Prime Minister in placing before this House a Motion of Condolence on the death of Dr. Zakir Husain, President of the Republic of India, I would like to add my personal tribute on behalf of the Opposition and on my own behalf.

We all know that Dr. Zakir Husain was a man of peace, that he was a disciple of that great man, Mahatma Gandhi. We also know that he was a great educationist, a philosopher, and a great statesman of very high calibre. As the Hon. Prime Minister mentioned, there are very few men of that calibre in the world today, and the passing away of Dr. Zakir Husain is a loss not only to India but to the whole world.

I recall the remark he made at the time of the funeral of the late Pandit Jawaharlal Nehru. He called me to a

side and said, "You know how anxious Pandit Jawaharlal Nehru was to find a solution to the Indo-Ceylon problem. Now it is left to you to try to find a solution to this problem."

In pursuance of this, when we went to India in 1964 for negotiations with the late Prime Minister, Shri Lal Bahadur Shastri, he gave us considerable assistance. At one stage, when the negotiations almost broke down, he heard about it and made every effort to try to find a solution to this problem. I shall remember this with gratitude.

On behalf of the Opposition I should like to express our deepest sympathy to the people of India, to the Government of India, and to those near and dear to Dr. Zakir Husain.

වී. එන්. නවරත්නම් මයා. (චාවකච්චේරි)
(திரு. வீ. என். நவரத்னம்—சாவகச்சேரி)
(Mr. V. N. Navaratnam—Chavakachcheri)

Mr. Deputy Speaker, on behalf of the hon. Member for Kankasanturai (Mr. Chelvanayakam), the leader of the parliamentary group of my party, and on behalf of the people my party represents, I associate myself with all the sentiments expressed by the Hon. Prime Minister and the hon. Leader of the Opposition.

The spontaneous reaction in this country to the sudden death of Dr. Zakir Husain is an indication of the close and unbreakable ties our country has with India. There is a deep feeling of sorrow in the hearts of all Ceylonese today. Although, Mr. Deputy Speaker, some mischievous and misinformed people might call this expression of sorrow disloyalty to our own country, this close bond is something no one can destroy.

All that most of us cherish in this land, whether we be Buddhists or Hindus, Sinhalese or Tamils, we associate with India. Every Buddhist in this country is bound to be fond of the land where the Lord Buddha was

சனேக ப்ரகாசம் :

born, where he lived, and where he attained Nirvana. To the Hindu, this bond is even closer. To the Sinhalese, India is a country where his language had its source. To the Tamil, his linguistic association is even closer. And the ancestors of almost all of us in this country had come from that great sub-continent at some stage or other in the history of our land. That is why, when tragedy strikes India, we in this country are deeply grieved.

It is a pity that this sort of tragedy is striking India far too often. It was only the other day, on the 3rd of February, India lost one of her greatest and noblest sons. On that occasion you will recall, Mr. Deputy Speaker, the late Dr. Husain with tears in his eyes, sorrow in his heart, and in a highly emotional tone, bemoaned the loss of the nation and paid a high tribute to the ability and patriotism of the late Mr. C. N. Annadurai. And today, Dr. Husain is no more. India has lost a most noble President, and Ceylon has lost a very valuable friend.

Mr. Deputy Speaker, the greatest triumph of democracy in recent times is the election of Dr. Husain to the highest office in India. Even before the bitterness caused by the Hindu-Muslim riots that preceded and followed the partition of India could be erased from memory, the great and noble people of India elected to the highest office in the land Dr. Husain, a person from a minority community. And what is more admirable, Mr. Deputy Speaker, there was no protest, not even resentment from any quarter of that great land. By their conduct the people of India have earned the respect and admiration of all true lovers of democracy in the world.

We endorse the request made to you, Mr. Deputy Speaker, by the Hon. Prime Minister and supported by the hon. Fair Leader of the Opposition.

ஓன் டீஸாவே சுவாமிநி ஸ்வாமி ஸகீர் ஸபீன்

சி. சிவசிதம்பரம் இய. (வவுனியா)

(திரு. ரி. சிவசிதம்பரம்—வவுனியா)

(Mr. T. Sivasithamparam—Vavuniya)

கௌரவ உப சபாநாயகர் அவர்களே, தனது தமிழகத்தின் முதல்வரைச் சில மாதங்களுக்கு முன்னர் இழந்த துக்கம் கழியு முன்னரே தன்னாட்டின் ஜனாதிபதி அவர்களையும் இழக்க வேண்டிய துக்ககரமான நிலை பாராதத்துக்கு ஏற்பட்டிருக்கின்றது. கலாநிதி சாகிர் ஹுசைன் அவர்கள் இந்தியாவின் ஜனாதிபதி மாத்திரமல்ல; இந்தியாவின் கல்வித் திட்டத்தின் சிற்பியுமவரே. இந்திய வின் சிறுபான்மை இனத்தைச் சேர்ந்தவராக இருந்த போதிலும் காந்தி அண்ணலின் சாதனைகளைச் சொல்லில் மாத்திரமன்றிச் செயலாளிலும் கடைப்பிடித்து, இந்திய விடுதலைக் காகப் போராடிய பெருமகன் கலாநிதி ஹுசைன் அவர்கள். அவருடைய ஆழ்ந்த அறிவு, பொறுமை, எல்லோரும் பாரதத்தின் மக்கள் என்ற அகன்ற மனப்பான்மை உலகுக்கோர் எடுத்துக்காட்டாகும். அவருடைய மறைவு பாரதத்தை மாத்திரமல்ல, அகில உலகிலுள்ள எல்லா இன, மத மக்களையும் ஆழ்ந்த துக்கத்தில் ஆழ்த்தியுள்ளது.

அவருடைய மறைவினால் பாரத தேச மக்கள் அனுபவிக்கும் துக்கத்தில் இலங்கை வாழ் தமிழ் பேசும் இனத்தின் சார்பாகவும் எமது கட்சியின் சார்பாகவும் நாமும் பங்கு கொள்கிறோம் என்பதை இந்த அவை மூலமாக அறிவித்துக் கொள்ள அவாவுகின்றேன். வணக்கம்.

சி. சிவசிதம்பரம் இய. (வவுனியா)

(திரு. எஸ். தொண்டமான்—நியமன அங்கத்தவர்)

(Mr. S. Thondaman—Appointed Member)

கௌரவ உப சபாநாயகர் அவர்களே, இந்தியாவின் ஜனாதிபதி டாக்டர் சாகிர் ஹுசைன் அவர்களின் மறைவு, இந்தியாவுக்கு மாத்திரமல்ல, முழு மனித சமுதாயத்துக்கே ஏற்பட்ட ஒரு நஷ்டமென்று கூறவேண்டும். டாக்டர் ஹுசைன் அவர்கள் சிறு வயது தொட்டே மகாத்மா காந்தியின் வழியைப் பின்பற்றி யொழுகி, சிறந்த கல்விமாதிரியும் பேரறிஞராகவும் திகழ்ந்தவர். அவர் சிறு வயதில் ஆரம்பித்த தேசத் தொண்டைத் தமது மறைவு வரை செய்து வந்திருக்கிறார்.

ශ්‍රේණි ප්‍රකාශය :

[එස්. තොන්ඩමන් මයා.]

டாக்டர் ஹுசைன் அவர்களுடைய உயர்ந்த பண்பையும் அவர் கடைப்பிடித்த வழியையும் ஒவ்வொருவரும் பின்பற்றுவதன் மூலம்தான் நாம் அவருக்கு மரியாதை செலுத்த முடியும். இந்தியாவின் மதச்சார்பற்ற ஜனநாயகத்துக்கு வழிகாட்டியாக அவர் ஜனாதிபதியாகத் தெரிவு செய்யப்பட்டார். இந்தியாவின் ஜனாதிபதியாகத் தாம் தெரிவு செய்யப்பட்ட பொழுது, “பாரதம் என்னுடைய குடும்பம்; அங்குள்ள மக்கள் அனைவரும் என்னுடைய குடும்பத்தினர்” என்று அவர் கூறினார். அவ்விதம் கூறியது மாத்திரமன்றி, செயலிலும் செய்து காட்டினார். அவரது மறைவையிட்டு நாம் அனுதாபம் தெரிவிக்கும் நேரத்தில் அவருடைய அந்த அமுத வாக்கை நினைவூட்டிக் கொள்வோமானால், நம் தலைவர்கள்—அரசாங்கக் கட்சியிலுள்ளவர்களாயினும் சரி, எதிர்க்கட்சியிலுள்ளவர்களாயினும் சரி — அதனைப் பின்பற்றுவார்களேயானால் உண்மையாகவே அது நமது முன்னேற்றத்துக்கு வழிகோலும்.

மறைந்த தன் தலைவருக்கு இன்று இந்தியா வீர வணக்கம் செலுத்தும்போது, என் வணக்கத்தையும் இலங்கை வாழ் இந்திய வம்சாவளி யினர் சார்பாகச் செலுத்துகின்றேன்.

ඉ. භා. 2.24

එම්. තෙන්නකෝන් මයා. (නිකවැර
පිය)

(திரு. எம். தென்னக்கோன்—நிக்கவெரட்
டி.ய)

(Mr. M. Tennakoon—Nikaweratiya)

ගරු නියෝජ්‍ය කථානායකතුමනි, භාරත
යේ ජනාධිපතිතුමාගේ අභාවය ගැන
විරුද්ධ පක්ෂයන් ආණ්ඩු පක්ෂයන්, ගරු
අගමැතිතුමාත් විරුද්ධ පක්ෂයේ නායක
වත් අනෙකුත් ගරු මන්ත්‍රීවරුහුත් ශෝක
ය පළ කළ මේ අවස්ථාවේදී වාතීවලත්
අන්‍ය ස්ථානවලත් සිංහලෙනුත් යමක්
සදහන්ව තිබීම ප්‍රයෝජනවත්ය කියා මා
කල්පනා කරන නිසා භාරතයේ ජනාධි
පතිතුමාගේ අභාවය ගැන ශෝකය ප්‍රකාශ
කිරීම වස් මාද වචන ස්වල්පයක් කථා
කරන්නට බලාපොරොත්තු වෙනවා.

පසුගියදා අභාවප්‍රාප්තවූ ඉන්දියානු ජනාධිපති ආචාර්ය සකිර් හුසේන් තුමාගේ ශ්‍රේෂ්ඨ ගතිපුවත මි ගැන ගරු අගමැතිතුමාගේ විරුද්ධ පක්ෂයේ නායිකා

ඉන්දියාවේ ජනාධිපති ආචාර්ය සකිට් හුසේන්
වත් ඒවාගේම අනෙකුත් ගරු මන්ත්‍රී
වරුනුත් සඳහන් කළා. විශේෂයෙන්ම
එතුමා ගාන්ධිතුමාගේ ප්‍රතිපත්තීන්
ක්‍රියාත්මක කළ කෙනෙකු හැටියට—අද
ලෝකයට විශිෂ්ඨ ප්‍රයෝජනයක් අත්
කර දුන් කෙනෙකු හැටියට—සඳහන් කළ
යුතුව තිබෙනවා. නිහතමානිකම, සමා
නාත්මතාවය සහ වාමි ගතිභාවතුම් අවශ්‍ය
වී තිබෙන යුගයක එවැනි ගති භාවතුම්
වලින් යුක්ත, ගාන්ධිතුමාගේ ප්‍රතිපත්තීන්
අවංකව ක්‍රියාත්මක කළ කෙනෙකු
ජීවතුන් අතරින් වෙන්වීම මුළු ලෝකය
ටම සිද්ධවූ විශාල පාඩුවක්ය කියා මා
කල්පනා කරනවා.

ගරු නියෝජ්‍ය කථානායකතුමනි, මෙය ජාතින් අතර සාමය සහ සමානාත්මතාවය අවශ්‍ය වී තිබෙන යුගයක්. ඉන්දියාවේ ජාතින් හැප්පෙන්තට ගිය අවස්ථාවලදී—මුස්ලිම් සහ ඉන්දියානු ජාතිකයින් හැප්පෙන්තට ගිය අවස්ථාවලදී—ඒ හැප්පිම්වලට හය නොවී අවංකව ජාතින් අතර සාමයන් සමානාත්මතාවයන් ඇති කරමින් ලෝකයේ ජීවත් වන පිටස්තර ජාතින්ටත් සාමය අත් කර දීමේ අවංක ප්‍රතිපත්තීන් ක්‍රියාත්මක කළ කෙනෙකු වන ආචාර්ය හුසේන් තුමා ලෝකයටම ආදර්ශයක් ගෙන දුන් පුද්ගලයකුය. කියා මා විශ්වාස කරනවා. සුළු ජාතිකයකු වන හුසේන් තුමා ඉන්දියාවේ ජනාධිපති පදවියට පත්වීමෙන්ම එතුමාගේ අවංක ප්‍රතිපත්තිවල ප්‍රතිඵලය එතුමාට භුක්ති විදීමට ලැබුණා. එතුමා ඒ භුක්ති විදි රසය එතුමාට පමණක් නොවෙයි. ලෝකයටම භුක්ති විදීමට අවස්ථාව ලැබුණා. ජාතින් අතර සාමය සහ සමානාත්මතාවය අවශ්‍ය වී තිබෙන මෙවැනි යුගයක එතුමාගේ ජීවිතයෙන් විශාල ආදර්ශයක් ගත හැකි බව මා සඳහන් කරන්නට සතුටුයි. එතුමාගේ අභාවය පිළිබඳව මේ ගරු සභාවේ ඉදිරිපත් කළ යෝජනාවට අපගේ සහයෝගයද දක්වමින් මගේ වචන ස්වල්පය අවසාන කරනවා.

ශ්‍රේෂ්ඨ ප්‍රකාශය :
ඉන්දියාවේ ජනාධිපති ආචාර්ය සනිට් හුසේන්

නියෝජ්‍ය කථානායකතුමා

(උප සභානායකර් අවුරුදු)

(Mr. Deputy Speaker)

While associating myself with the sentiments expressed by both sides of the House, I wish to add that India has lost one of her greatest sons, a scholar and educationist nurtured in the great Gandhian tradition. He was a symbol of Hindu-Muslim unity, of a happy synthesis between the ancient and the modern—as was evidenced by his speech at his swearing-in—when he said: “We shall seek to combine in our national life power with morality, technique with ethics, action with dedication, the East with the West, Sigfried with the Buddha.

We in Ceylon were hoping to have the privilege of receiving this humble and devoted President when he planned to visit Ceylon, but fate has decreed that we in Ceylon join the peoples of India in paying our humble tribute to him.

I shall cause a minute of these proceedings to be forwarded to the Hon. Speaker of the Lok Sabha.

ප්‍රශ්නය විමසන ලදීන්, ඒකච්ඡන්දයෙන් සහ සම්මත විය.

வினா விடுக்கப்பட்டு ஏகமனதாக ஏற்றுக்கொள்ளப்பட்டது.

Question put, and agreed to, nemine contradicente.

නොපැමිණීමේ අවසරය :
ආර්. බී. රත්නමලල මයා.

வராதிருக்க அனுமதி :

திரு. ஆர். பி. ரத்னமல்ல

LEAVE OF ABSENCE :

MR. R. B. RATNAMALALA

ද සොයිසා සිරිවර්ධන මයා.

(திரு. டி. சொய்ஸா சிறிவர்தன)

(Mr. de Zoysa Siriwardena)

මෙම යෝජනාව මා ඉදිරිපත් කරනවා.

1946 ලංකා (ආණ්ඩුක්‍රම) රාජ සහ ආඥාවේ 24 (1) (ඊ) ඡේදය යටතේ කලාව මන්ත්‍රීවර ආර්. බී. රත්නමලල මහතාට 1969 මැයි මස 5 වැනි දින සිට මාස 3 ක් තුළ මන්ත්‍රී මණ්ඩලයේ රැස්වීම් වලට නොපැමිණීමට අවසර දිය යුතුය.

ලංකා විදුලිබල මණ්ඩල පනත් කෙටුම්පත :
සලකා බැලීම

ටී. බී. එම්. හේරත් මයා. (වලපනේ)

(திரு. ரி. பி. எம். ஹேரத்—வலப்பனே)

(Mr. T. B. M. Herath—Walapane)

විසින් ස්ථිර කරන ලදී.

அனுவதித்தார்.

Seconded.

ප්‍රශ්නය විමසන ලදීන්, සහසම්මත විය.

வினா விடுக்கப்பட்டு, ஏற்றுக்கொள்ளப்பட்டது.

Question put, and agreed to.

ලංකා විදුලිබල මණ්ඩල
පනත් කෙටුම්පත

இலங்கை மின்சார சபை மசோதா

THE CEYLON ELECTRICITY BOARD BILL

පනත් කෙටුම්පත (ස්ථාවර කාරක සභාවෙහි දී) සංශෝධනය කළ ආකාරයෙන් සලකා බැලීමේ නියෝගය කියවන ලදී.

(நிலையற் குழுவில்) திருத்தப்பட்டவாறு, பரிசீலித்த தற்கான கட்டளை வாசிக்கப்பட்டது.

Order for consideration (as amended in the Standing Committee) read.

නියෝජ්‍ය කථානායකතුමා

(උප සභානායකර් අවුරුදු)

(Mr. Deputy Speaker)

Does the House wish to consider the amendments separately or together?

ශ්‍රී සී. පී. ද සිල්වා (ඉඩම්, වාරිමාද හා විදුලිබල ඇමති හා සහනායක)

(கௌரவ சி. பி. டி. சில்வா—காணி, நீர்ப் பாசன, மின்விசை அமைச்சரும் சபை முதல்வரும்)

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

I move that all the amendments be debated together.

ආචාර්ය එන්. එම්. පෙරේරා

(கலாநிதி என். எம். பெரேரா)

(Dr. N. M. Perera)

How can you do that? You cannot violate Standing Orders.

නියෝජ්‍ය කථානායකතුමා

(උප සභානායකර් අවුරුදු)

(Mr. Deputy Speaker)

Do you wish to consider them one by one?

கேள்வி எழுப்பிய கேள்வி பதில் கொடுப்பது :

ஹாஸ்டிஸ் ஸ்ரீ. ஸ்ரீ. பீரேரா

(கலாநிதி என். எம். பெரேரா)

(Dr. N. M. Perera)

Of course, the amendments must be taken one by one. You cannot debate all the amendments together, by-passing Standing Orders.

நியோஜீன கமிஷனர்கள்

(உப சபாநாயகர் அவர்கள்)

(Mr. Deputy Speaker)

The Clerk will then read the first amendment.

CLAUSE 3.—(Members of the Board)

சமீப கால சட்டம் :

செய்யப்பட்ட திருத்தங்கள் :

Amendments made :

In page 1, line 21, leave out "two members" and insert "four members".

In page 1, line 24, leave out "commerce or administration" and insert "commerce, administration or accountancy".

In page 2, line 34, leave out "respect of" and insert "respect to".

In page 3, line 6, leave out "two of the four members" and insert "three of the six members".

In page 3, line 10, leave out "two members" and insert "three members".

In page 3, line 27, leave out "the member" and insert "any member".—[The Hon. C. P. de Silva.]

வெள்ளை, கமிஷனர்கள் கமிஷன் பதவிகளைக் கொடுக்க உரிமை தரவேண்டிய தீர்மானம்.

வாசகம் திருத்தப்பெற்றவாறு மசோதாவின் பகுதி யாக இருக்க வேண்டுமென ஆணையிடப்பட்டது.

Clause, as amended, ordered to stand part of the Bill.

CLAUSE 12.—(Powers of the Board)

சமீப கால சட்டம் :

செய்யப்பட்ட திருத்தம் :

Amendment made :

In page 7, line 16, leave out, 'the development' and insert 'the development of'.—[The Hon. C. P. de Silva.]

சட்டம் வரவே

வெள்ளை, கமிஷனர்கள் கமிஷன் பதவிகளைக் கொடுக்க உரிமை தரவேண்டிய தீர்மானம்.

வாசகம் திருத்தப்பெற்றவாறு மசோதாவின் பகுதி யாக இருக்க வேண்டுமென ஆணையிடப்பட்டது.

Clause, as amended, ordered to stand part of the Bill.

CLAUSE 18.—(Transfer to the Board of the Government Electrical undertakings)

சமீப கால சட்டம் கமிஷனர்கள் :

எடுத்தியம்பப்பட்ட திருத்தம் :

Amendment proposed :

In page 10, line 21, leave out "every order" and insert "Subject to the provisions of subsection (5) every order".—[The Hon. C. P. de Silva.]

ஹாஸ்டிஸ் ஸ்ரீ. ஸ்ரீ. பீரேரா

(கலாநிதி என். எம். பெரேரா)

(Dr. N. M. Perera)

As it stands, every Order made by the Minister has to come before the Senate and the House of Representatives. The Committee has inserted new sub-clause (5) which certainly makes it unnecessary for the first Order to come before the House.

ஹாஸ்டிஸ் ஸ்ரீ. ஸ்ரீ. பீரேரா

(கெளரவ சீ. பி. டி. சில்வா)

(The Hon. C. P. de Silva)

I can explain that. With the passing of the Bill the board has to be set up. Immediately the board is set up the property of the department, namely, the power stations and the offices in Colombo will be handed over at once. That follows from the Bill itself. That is the first Order. Assuming that the Bill is passed and it has become law, then it means Parliament has decided to hand over to the board the power stations at Laxapana and Polpitiya and the Thermal Power Station at Grandpass. That is the first Order. Anything that falls within the local authority will come afterwards.

கேள்விகளைக் கேள்வி கேட்கும் பதில் :

ஹெர்ஸ் டீ. பி. பெரேரா

(கலாநிதி என். எம். பெரேரா)

(Dr. N. M. Perera)

It is not that you cannot do it ; it will mean a little delay.

சென்னை, சென்னை டீ. பி. பெரேரா

திருத்தம் விடுக்கப்பட்டு ஏற்றுக்கொள்ளப்பட்டது.

Amendment put, and agreed to.

சென்னை டீ. பி. பெரேரா :

செய்யப்பட்ட திருத்தம் :

Amendment made :

In page 10, line 32, insert :

(5) "The first Order made under this section after the coming into operation of this Act, shall be published in the Gazette, and shall have effect from the date of such publication or from such later date as may be specified in the Order."—[The Hon. C. P. de Silva.]

சென்னை, சென்னை டீ. பி. பெரேரா
பதிலாகக் கொடுக்கப் பட்டிருக்கிற திருத்தம் :

வாக்கம், திருத்தப்பெற்றவாறு மசோதாவின் பகுதி
யாக இருக்க வேண்டுமென ஆணையிடப்பட்டது.

Clause, as amended, ordered to stand
part of the Bill.

CLAUSE 32.—(Retirement of public
officers of the Department and
their employment by the Board)

சென்னை டீ. பி. பெரேரா :

செய்யப்பட்ட திருத்தங்கள் :

Amendments made :

In page 17, line 15, leave out "effect"
and insert "effect, except in relation to
officers in a transferable service of the
Government :".

In page 19, line 17, leave out "who is
not in a transferable service of the
Government and".—[The Hon. C. P. de
Silva.]

சென்னை டீ. பி. பெரேரா :

எடுத்தியம்பப்பட்ட திருத்தம் :

Amendment proposed.

சென்னை டீ. பி.

In page 19, line 34, insert :

"Provided, however, that such terms
and conditions shall, on the whole, be
not less favourable than the terms and
conditions on which such officer was em-
ployed in the Department."—[The Hon.
C. P. de Silva.]

டீ. பி. பெரேரா (டீ. பி. பெரேரா)

(திரு. பெர்னாட் சொய்ஸா—கொழும்புத்
தெற்கு)

(Mr. Bernard Soysa—Colombo South)

I want to move an amendment.

The purpose of the amendment I
want to move is to secure the pen-
sionability of all transferable officers.
I have taken this matter up more
than once with the Hon. Minister to
see that these 6,000 officers who are
transferable, of whom about 2,500
will not be in a position of acquiring
the service qualification for transfer
in that they have not completed ten
years' service, all these persons
who have been taken into the service
of the board, will be enabled to
qualify for pension. The unions of
the employees, all of them without
exception, saw the Minister and re-
ceived a guarantee from him as far
back as 1961 that these rights will be
safeguarded. The Bill he brought on
that occasion lapsed. Now in this
new Bill that is now brought he has
made a compromise. Having failed
to get the full position he wanted to
get or intended to get with a two-
thirds majority, he has now sought
to have a Bill which does not require
a two-thirds majority. In regard to
pension he has adopted a compromise
formula ; that is, if they have eight
years but less than ten years they
will be enabled to complete the ten
years ; but if they have less than
eight years they will not be allowed
to complete the ten years. That is
the compromise he has arrived at.

I want to tell the Hon. Minister,
with due respect to this honourable
House, that he is guilty of a breach
of faith with these people who trusted
him. He has made promise after pro-
mise to those unions. That is why I
am pleading with him even at this
late stage to expand the scope of that
proviso which he brought forward in

கேள்வி எண் 100 பதில் கொடுக்க :

பதில் கொடுக்க :

[பதில் கொடுக்க மனம்]

the Committee on his own, namely, "Provided, however, that such terms and conditions shall, on the whole, be not less favourable than the terms and conditions on which such officer was employed in the department." If you deny the pensionability, the possibility of pensionability, of an officer who joined the department expecting to qualify for pension in due course of time—you deny that—what is the use of saying that "on the whole" the terms and conditions will be the same, when in one material particular they will not be the same?

சுரு. டி. பதேந்திரன் (இதர்ப் பதில்)

(கேள்வி எண் 100 பதில் கொடுக்க—நிதி அமைச்சர்)

(The Hon. U. B. Wanninayake—Minister of Finance)

On the whole!

பதேந்திரன் மனம்.

(திரு. பெர்னாட் சொய்ஸா)

(Mr. Bernard Soysa)

That is the saving clause. "On the whole" is for the purpose of not giving something. I pointed that out in the Committee. The Hon. Minister of Finance has the same sagacity that I had. He also pointed out the effect of that clause, which is for the purpose of denying something to these people.

சுரு. டி. பதேந்திரன்

(கலாநிதி என். எம். பெரேரா)

(Dr. N. M. Perera)

What is the meaning of "on the whole"?

பதேந்திரன் மனம்.

(திரு. பெர்னாட் சொய்ஸா)

(Mr. Bernard Soysa)

It is one material particular that counts. There are various elements in the terms and conditions of service. There is the quantum of salary; there is the question of what increments you can earn—that also relates to the salary; there are other perquisites like railway warrants; there are the

leave privileges; there is the whole question of retirement benefits which constitute an essential ingredient in the terms and conditions of service.

The Hon. Minister has stated that there would be an administrative difficulty. If there is going to be an administrative difficulty how can you accommodate those who have got eight years and have less than ten years? To enable them to complete the two years you do not see any administrative difficulty, but for the purpose of enabling the others to complete the ten years an insurmountable difficulty is anticipated. This is ridiculous. There is not the slightest difficulty.

If the Hon. Minister wants our assistance I can show him how it can be done in the simplest possible way without additional labour. If it is a question of employing excess staff for the purpose of keeping your records, of getting the necessary particulars tabulated for payments that will have to be made, the burdensome problem of two separate lists, you can make use of the computer. The State Engineering Corporation has a computer which it is prepared to hire out. By using the computer you will be able to get this done without any difficulty whatsoever. I think the Hon. Minister is also getting a computer for some of his departments. If you use that you will not find any administrative difficulty in this at all. I want to ask the Hon. Minister whether he will accept this amendment.

சுரு. டி. பதேந்திரன் மனம்.

(திரு. இலங்கரத்ன)

(Mr. Ilangaratne)

Ask the Hon. Prime Minister!

பதேந்திரன் மனம்.

(திரு. பெர்னாட் சொய்ஸா)

(Mr. Bernard Soysa)

I have asked the Hon. Prime Minister himself. He said he will have a chat with the Hon. Minister and see if anything could be done.

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ශ්‍රී ඩබ්ලිව් සේනානායක

(கௌரவ டட்ளி சேனாநாயக்க)

(The Hon. Dudley Senanayake)

The difficulty is in the Treasury.

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(திரு. பெர்னாட் சாய்ஸா)

(Mr. Bernard Soysa)

There is no difficulty. Why should the Hon. Minister of Finance oppose this? It is not going to cost him one cent more. The actual financial implications will not be anything more. I will demonstrate by working it out for you. Because you have done an injustice to others you want to continue with the injustice for the future for everybody else.

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(கௌரவ வன்னிநாயக்க)

(The Hon. Wanninayake)

But this is "on the whole"!!

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(திரு. பெர்னாட் சாய்ஸா)

(Mr. Bernard Soysa)

"On the whole" is a dangerous thing. Lurking behind that you are denying these officers their pensionability. Some of these people have won this right after innumerable battles from as far back as 1946. There was the strike of the Government Workers' Trade Union Federation of 1946 after which the hon. Member for Yatiyantota, at that time the Member for Ruwanwella, led a deputation to see His Excellency the Governor, J. C. Howard, and after that the Collins—Goonetilleke Salaries Commission was re-summoned and asked to consider the question of pensions. They had made an interim award earlier affecting engineering and factory labour and agricultural labour, which did not cover the question of pensions. This salaries commission was re-summoned in 1947; they met in 1947 and their deliberations are published in Sessional Paper II of 1947 under which for the first time labour grades of the

Public Service were granted pensionability. Now every succeeding government after that has sought to expand the opportunities for pension.

Originally unskilled labour had to be 20 years in service before they became pensionable, and that was reduced to 10 years. The question of de-casualization, the transition from temporary to permanent status, from permanency to pensionability—all these matters have seen a gradual improvement in the Public Service with each succeeding government, and this Hon. Minister is putting the clock back by asking that those who have already been eligible for pension shall not be eligible.

I am pleading with the Hon. Minister to expand the scope of this section. There may be a consequential amendment thereafter. You can expand it easily by adding to the proviso :

"and further provided that, without prejudice to the generality of the provisions of the preceding proviso, upon the transfer on any date of the Government Electrical Undertakings to the Board under section 18, it shall be the case that:

(A) The post of every pensionable public officer of the Department who, on the transfer date, has not less than ten years' pensionable service, shall be deemed to be abolished and such officer shall be deemed to have retired and shall be eligible for such a pension under the Minutes on Pensions as would have been awarded to him had he retired from the public service on the ground of abolition of office on the transfer date.

(B) Every pensionable public officer of the Department who, on the transfer date, has less than ten years' pensionable service, shall be offered temporary employment by the Board on such terms and conditions as may be agreed upon by him and the Board for such period of time only as, when added to his pensionable service under the Government, makes an aggregate of ten years' pensionable service (service under the Board being counted as

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[බර්තාඩ් සොයිසා මයා.]

pensionable service under the Government for the computation of such aggregate), and—

- (a) where he accepts such temporary employment under the Board—
 - (i) he shall, during such employment, be subject to the same disciplinary control as any other officer or servant of the Board ;
 - (ii) he shall be deemed, for the purposes of the Minutes on Pensions, to be holding the post in the Department that he held on the transfer date:
 - (iii) in respect of him, the Board shall pay out of the funds of the Board to the Deputy Secretary to the Treasury to be credited to the Consolidated Fund of Ceylon for every complete month of service during which he is in the temporary employment of the Board such sum not exceeding twenty-five per centum of the salary payable to him in the post that he held in the Department on the transfer date as may be determined by the Minister of Finance.
 - (iv) he shall, for the purposes of the preceding subparagraphs (ii) and (iii) be deemed, during such period of temporary employment under the Board to have earned his increments, if any, in the post in the Department that he held on the transfer date, provided his service under the Board has been satisfactory ; and—
 - (v) at the end of the said period of temporary employment under the Board, the post he held in the Department on the transfer date shall be deemed to be abolished and he shall be deemed to have retired from the public service and shall be eligible for such a pension under the Minutes on Pensions as would have been awarded to him had he retired from the public service on the ground of abolition of office on

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the date of termination of his temporary employment with the Board ; and

- (b) Where he does not accept such temporary employment under the Board, the post he held in the Department on the transfer date shall be deemed to be abolished and he shall be eligible for an award under the Minutes on Pensions on the ground of abolition of office on the transfer date."

If the Hon. Minister will accept the expansion of his proviso and the consequential amendment which would have to be entered in respect of the rest of the clause, the object I am trying to secure will be achieved. I am pleading with the Hon. Minister, quite apart from any political considerations, on grounds of humanity not to deny these people that which they had.

If the principal obstacle is the Hon. Minister of Finance, I would say that there are all kinds of objections made by Treasury officials. No government will get anywhere if they listen to Treasury officials. Where there is some sort of benefit going to employees you will find Treasury officials blocking it except where they themselves are going to get the benefit.

I know of salaries commissions in the past. There have been all kinds of salaries and cadres commissions, retrenchment commissions, and so on. Every commission somehow saw to it that those who were employed immediately under that commission had their salaries raised. They have had no problem about that. Every anomalies commissioner, whatever he may have done to other people, has adjusted the anomalies of those who were serving under him.—[Interruption.]—The retrenchment commissioner reduced everybody's salary except that of his secretary. His salary was raised.—[Interruption]. A very distinguished gentleman who is no more with us in this world. I do not want to mention his name.

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That is how things are done in the Treasury. I want to plead with the Hon. Prime Minister to use his good offices and see that these people get their pensions.

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(உப சபாநாயகர் அவர்கள்)

(Mr. Deputy Speaker)

Is the Hon. Minister accepting the amendment?

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(கௌரவ சீ. பி. டி. சில்வா)

(The Hon. C. P. de Silva)

I am sorry I cannot accept the amendment.

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(திரு. பெர்னாட் சொய்ஸா)

(Mr. Bernard Soysa)

What is the difficulty? Tell us why you cannot do it. We shall try to solve your difficulty. Is it financial or administrative? In the Standing Committee the Hon. Minister said they were administrative difficulties. Now he says they are financial difficulties. If they are financial difficulties, I shall demonstrate that it is not going to cost one cent more. On the conversion I shall show that it will not cost one cent more.—[Interruption]. There is a possibility. I am pleading with the Hon. Minister. This is a human problem. Let us look at it in that way. This is not going to cost you anything more. I shall work it out and show you.

The Hon. Minister gave this undertaking to the union. I have read some of the minutes of the discussion that the union had with the Minister with a burning sense of shame that anybody could go on record as having stated those things and then moved this Bill as it is without making this provision. And now he comes here with this very deceptive proviso, "provided, however, that such terms and conditions shall, on the whole, be not less favourable. . . ."

The Hon. Minister of Finance himself says that the term "on the whole" means that the officers will

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get less than what they are getting. —[Interruption]. That is what it means. The Hon. Minister shelters behind that in order not to give them what they have, to rob them of something that they have already got.

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(கௌரவ வன்னிநாயக்க)

(The Hon. Wanninayake)

In certain cases they will get more.

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(திரு. பெர்னாட் சொய்ஸா)

(Mr. Bernard Soysa)

You cannot compensate for what you are taking away in regard to retirement benefits. You cannot compensate in that way.

I commend the amendment to the House.

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(கலாநிதி என். எம். பெரேரா)

(Dr. N. M. Perera)

I second that amendment.

The Hon. Minister must please explain what is meant by the term "on the whole". The clause reads "provided, however, that such terms and conditions shall, on the whole, be not less favourable. . . ."

The terms and conditions are specific. They had certain benefits which are quite specific. You cannot go and chop them and pretend to increase something else. Those are amenities and benefits which they have enjoyed for a number of years. You cannot change them and say that the terms and conditions will "on the whole" not be less favourable. What is meant by "on the whole"?

In a large number of corporations we have provided that the terms and conditions shall not be less favourable. In point of fact, under the Wages Boards Ordinance and in a number of labour Acts there is a provision to the effect that even where an agreement is arrived at between

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[ආචාර්ය එන්. එම්. පෙරේරා]

employer and employee, those terms and conditions will not be accepted and will not be recognized by the Department of Labour if they are less favourable than the terms and conditions that existed in the past. In other words you cannot do that even with an agreement. How much so in the case of a government? I also move,

“In page 19, line 35, leave out ‘on the whole’”

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(කෙළරව වන්නිනායක)

(The Hon. Wanninayake)

That would be unfair by the employees.

ආචාර්ය කොල්වින් ආර්. ද සිල්වා

(අගමැති)

(කලාතිථි කොල්වින් ආර්. ද සිල්වා—අකල

වත්ත)

(Dr. Colvin R. de Silva—Agalawatta)

You tell us how it would be unfair.

ආචාර්ය එන්. එම්. පෙරේරා

(කලාතිථි ආර්. ද සිල්වා)

(Dr. N. M. Perera)

It would be unfair if you allow those words to stand. What the Minister does not realize is that whatever he may say here in the House, it is the officials of the department who will put this into effect, and we know that they are not always sympathetic to the employees. Very often they are unsympathetic. They bear petty grudges and take every opportunity to victimize the employees. I am not saying that everybody does that. But why should you place the employees at the mercy of these officials?

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(ති. ලෙස්ලි ගුනවර්ධන—පානදුර)

(Mr. Leslie Goonewardene—Panadura)

On the whole they are unsympathetic.

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(කෙළරව වන්නිනායක)

(The Hon. Wanninayake)

You cannot do away with that phrase.

ආචාර්ය එන්. එම්. පෙරේරා

(කලාතිථි ආර්. ද සිල්වා)

(Dr. N. M. Perera)

On the whole, I think, the Minister is a reasonable man but not in this case. I strongly support what the hon. Member for Colombo South said. I have seen the various documents that have been circularized. I am sorry that on account of some other work that I had it was not possible for me to attend the meeting of the Standing Committee, but I went through all the documents and I am satisfied that the trade unions and the Joint Front of Trade Unions have got a good case in this matter. You are now depriving these people of some of the benefits for which they fought over the years and won with great difficulty. I support the amendment moved by the hon. Member for Colombo South.

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(කලාතිථි කොල්වින් ආර්. ද සිල්වා)

(Dr. Colvin R. de Silva)

ගරු නියෝජ්‍ය කාර්‍යායකතුමනි, මේ ප්‍රශ්නය ගැන මටත් වචන දෙකක් තුනක් කියන්නට ඉඩ දෙන්න.

දැන් සාකච්ඡා වන මේ ඡේදයට ඇතුළු කර තිබෙන්නා වූ “සාමාන්‍යයෙන්” යන අර්ථය ඇති “on the whole” යන වචන මාලාව මා දන්නා හැටියට මෙතෙක් කල් අපේ රටේ කිසිම නීතියක සඳහන් වී නැහැ. අන්තිමේදී සියලුම නීති උසාවි වලින් විසඳිය යුතු වීම ඊට හේතුවයි. උසාවියට මෙවැනි වචන මාලාවක් සම්බන්ධයෙන් විසඳීමක් දෙන්නට විධියක් නැහැ. මේ වචනවලට නිසි සීමා අර්ථ දෙන්නට කිසිම ක්‍රමයක් නැහැ. අනෙක් අතට, “Provided, however, that such terms and conditions shall, on the whole, be not less favourable than the terms

ලංකා විදුලිබල මණ්ඩල පනත් කෙටුම්පත :

සලකා බැලීම

ශ්‍රී ඩී. පී. ද සිල්වා

(කෙළරඹ ජී. පී. ඩී. සිල්වා)

(The Hon. C. P. de Silva)

The entire proviso as it is will be honoured.

ආචාර්ය කොල්වින් ආර්. ද සිල්වා

(කලාභිති කොල්වින් ආර්. ද සිල්වා)

(Dr. Colvin R. de Silva)

Are you willing to drop the words "on the whole"?

ශ්‍රී ඩී. පී. ද සිල්වා

(කෙළරඹ ජී. පී. ඩී. සිල්වා)

(The Hon. C. P. de Silva)

I am sorry. I am advised not to do so.

බර්නාඩ් සොයිසා මයා.

(තිரு. පෙරිනාට් සොයිසා)

(Mr. Bernard Soysa)

As I moved the amendment I am entitled to reply.

ශ්‍රී ඩී. පී. ද සිල්වා

(කෙළරඹ ජී. පී. ඩී. සිල්වා)

(The Hon. C. P. de Silva)

I said earlier that I cannot accept the amendment of the hon. Member for Colombo South nor the amendment to drop the words "on the whole."

බර්නාඩ් සොයිසා මයා.

(තිரு. පෙරිනාට් සොයිසා)

(Mr. Bernard Soysa)

The Hon. Minister's contention is that he will have to pay a certain percentage of the salaries of these people to the Treasury for the purpose of guaranteeing their pensions. Why can they not do that? Is it going to cost the board anything more? Is the board going to incur an additional financial loss? All that will happen is that the money will be credited to the Consolidated Fund and the men will be entitled to pensions out of that.

ශ්‍රී ඩී. පී. ද සිල්වා

(කෙළරඹ ජී. පී. ඩී. සිල්වා)

(The Hon. C. P. de Silva)

There are three other Acts.

බර්නාඩ් සොයිසා මයා.

(තිரு. පෙරිනාට් සොයිසා)

(Mr. Bernard Soysa)

That is right. I admit that in certain cases where government servants were taken over under boards and corporations set up under the State Industrial Corporations Act, like Fisheries, Salt and so on—

ශ්‍රී ඩී. පී. ද සිල්වා

(කෙළරඹ ජී. පී. ඩී. සිල්වා)

(The Hon. C. P. de Silva)

Broadcasting? Tourist Board?

බර්නාඩ් සොයිසා මයා.

(තිரு. පෙරිනාට් සොයිසා)

(Mr. Bernard Soysa)

The Broadcasting Corporation and the Tourist Board were set up under special Acts.

There were certain departments that were taken over by boards and corporations under the State Industrial Corporations Act. Then there was the old Department of Broadcasting which was taken over under a special Act for the creation of the Ceylon Broadcasting Corporation. There was the Tourist Board created out of the old Tourist Department by a special Act.

In all these instances I admit that the public servants suffered, and it is because I am aware of the fact that these people were treated unfairly, in a very bad manner, in a way that robbed them of certain privileges they already enjoyed, that I say, let us make a start at least under this Bill to give these public servants their due.

I asked the Hon. Minister in Committee whether he would accept my amendment—he said it was his—namely, that they will not be under terms and conditions less favourable than those they would have enjoyed if they had continued to remain in the Electrical Department.

லேகா வித்திரை உன்னை உதவ வேண்டியது :

பேர்தீர்மானம் (பெரியவர்
உதவ)

(திரு. ஜோர்ஜ் கொத்தலாவல—பண்டார
கம)

(Mr. George Kotelawala—Bandara-
gama)

You agreed.

பெர்னாட் சோய்ஸா உதவ.

(திரு. பெர்னாட் சோய்ஸா)

(Mr. Bernard Soysa)

You do not know what I am say-
ing; you have not heard what is be-
ing said and you have not understood
what you have heard.

The Hon. Minister refused to accept
my amendment. The amendment I
suggested was that the terms and con-
ditions should not be less favourable
than those they would have enjoyed
if they should remain members of the
Public Service, not what they enjoy
on the date of the abolition of their
posts.

The Minister of Finance says and
has announced several times in the
press, or the press has announced on
his behalf, that salaries in the Public
Service are going to be revised. You
have appointed a commission; and
of course it has been understood and
you have told all the public servants,
and the press is on your behalf tell-
ing the entire world, that you are go-
ing to grant a salary increase.

பெர்னாட் சோய்ஸா உதவ.

(திரு. பெர்னாட் சோய்ஸா)

(The Hon. Wanninayake)

I do not say so. I am waiting for
the report.

பெர்னாட் சோய்ஸா உதவ.

(திரு. பெர்னாட் சோய்ஸா)

(Mr. Bernard Soysa)

Anyway, the press has told the en-
tire world on your behalf, your C.B.C.
has told the world on your behalf,
that you are going to grant a salary
increase.

பெர்னாட் சோய்ஸா உதவ.

பெர்னாட் சோய்ஸா உதவ. உதவ. உதவ.

(கலாநிதி கொல்வின் ஆர். டி. சில்வா)

(Dr. Colvin R. de Silva)

On the whole!

பெர்னாட் சோய்ஸா உதவ.

(திரு. பெர்னாட் சோய்ஸா)

(Mr. Bernard Soysa)

The terms are almost known now.
I know of many public servants who
are looking forward to a Rs. 25 in-
crease; there are others who are look-
ing forward to a Rs. 10 increase and
so on and so forth.

பெர்னாட் சோய்ஸா உதவ.

(திரு. பெர்னாட் சோய்ஸா)

(The Hon. Wanninayake)

What do you think they will do?

பெர்னாட் சோய்ஸா உதவ.

(திரு. பெர்னாட் சோய்ஸா)

(Mr. Bernard Soysa)

Me? You are the Minister of
Finance, not I. Why are you asking
me?

The Hon. Minister has not given
instructions but he has just indicated
his mind. The Government has in-
dicated its mind in the matter, not
the Minister of Finance alone.

The Minister of Land, Irrigation
and Power will make his first order
before the Salaries Commission Re-
port is out.

பெர்னாட் சோய்ஸா உதவ.

(திரு. பெர்னாட் சோய்ஸா)

(The Hon. C. P. de Silva)

That is to hand over the properties.

பெர்னாட் சோய்ஸா உதவ.

(திரு. பெர்னாட் சோய்ஸா)

(Mr. Bernard Soysa)

When is the appointed date? On
a certain date the posts would be
abolished. Even if there is a salary
increase in the Public Service, these
people will not get any benefit be-
cause you can take shelter behind
this phrase "on the whole". You
may give them immediately the bene-
fit of a salary which is slightly higher
than the salary they have today in

கனம் பேரவைத் தலைவர் அவர்களே:

பேரவைத் தலைவர்

[பேரவைத் தலைவர் அவர்கள்.]

the Public Service. They have demanded an increase of a certain percentage. The Minister of Finance just brushed it aside. He has not agreed to it. He says it will not be less favourable at least than what they are getting now; they may get more. You can do this in the way you brought down the prices of cloth. On the whole you brought down the prices of cloth. The Minister of Finance was going to remove the customs duties on imported textiles. That was expected to be passed on to the consumer by a reduction in price. So just before the benefit should have been given to the consumer, the Minister of State's organization for the sale of textiles raised the prices—

செ. வ. வன்னினாயக்க

(கௌரவ வன்னினாயக்க)

(The Hon. Wanninayake)

Certain categories.

பேரவைத் தலைவர் அவர்கள்.

(திரு. பெர்னாட் சொய்ஸா)

(Mr. Bernard Soysa)

—and then brought them down in accordance with the customs duties abolished by the Minister of Finance, and on the whole the prices of textiles were higher than they were before as a result of the reduction of duties. I am afraid in this case it will be the reverse. As a result of this “on the whole not less favourable”, they will be less favourable at the end of it. That is what is going to happen.

செ. சி. டி. டி. சிலவா

(கௌரவ சி. பி. டி. சிலவா)

(The Hon. C. P. de Silva)

Watch and see.

பேரவைத் தலைவர் அவர்கள்.

(திரு. பெர்னாட் சொய்ஸா)

(Mr. Bernard Soysa)

So many promises have been broken.

செ. ஜே. கோதலாவலா

(திரு. ஜே. கோதலாவலா)

(Mr. George Kotelawala)

No.

பேரவைத் தலைவர் அவர்கள்.

(திரு. பெர்னாட் சொய்ஸா)

(Mr. Bernard Soysa)

How do you know anything about it? I can give you the documents. I have already given the Minister the documents. You know nothing about it. The Minister has had so many interviews—I have the records of the interviews—and there is a record in regard to every statement he made. He, his officials and his Permanent Secretary are on record as having promised these things which they now propose to deny to these people. The history of the setting up of an Electricity Board is a tale of broken promises to the employees. The Minister has already said “No”; but in any case I insist that we vote on this.

நிசேஷ மனத் தீர்மானம்

(உப சபாநாயகர் அவர்கள்)

(Mr. Deputy Speaker)

I shall now put the amendment of the hon. Member for Colombo South to the House.

புனம் தீர்மானம்

கனம் உறுப்பினர் “நிசேஷ” மனத் தீர்மானம் பின்வருமாறு:

வினா விடுக்கப்பெற்றது.

குரல்களின்மீது “இல்லை” என்றவர்களுக்கு வெற்றி யென உப சபாநாயகர் அவர்களால் பிரகடனப்படுத்தப் பட்டது.

Question put.

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

பேரவைத் தலைவர் அவர்கள்.

(திரு. பெர்னாட் சொய்ஸா)

(Mr. Bernard Soysa)

Divide!

மனத் தீர்மானம் 48 வன ஸ்டாண்டிங் ஒர்டர்—அய்ஸ் 17; நோஸ் 47; ஸ்தலம்—
பேரவைத் தலைவர்.

சபை, 48 ஆம் நிலையிற்கட்டளையின்கீழ் பிரிந்தது :
சார்பாக 17, எதிராக 47.

The House divided (under Standing Order No. 48) : Ayes 17; Noes 47.

ලංකා විදුලිබල මණ්ඩල පනත් කෙටුම්පත :

ආචාර්ය එන්. එම්. පෙරේරා

(කලාநிதி என். எம். பெரேரா)

(Dr. N. M. Perera)

With regard to the amendment I moved, if the Hon. Minister is agreeable to the words "on the whole" being removed.—[Interruption].

ශ්‍රී සී. පී. ද සිල්වා

(கௌரவ சீ. பி. டி சில்வா)

(The Hon. C. P. de Silva)

"On the whole" is a very safe phrase there.

ආචාර්ය එන්. එම්. පෙරේරා

(கலாநிதி என். எம். பெரேரா)

(Dr. N. M. Perera)

Safe for whom? It is not safe for the employees. May I explain? You are trying to divide up the benefits these employees have enjoyed. You cannot break it up. You cannot possibly interpret "on the whole". There are specific benefits these employees are enjoying, certain terms and conditions of service. If they are not going to get any less favourable terms and conditions why do you want to have these words "on the whole"? I do not understand, unless you want it there for the department to fall back upon in order to chop and change what these people have enjoyed. The wording here is "terms and conditions". What are the terms and conditions? Salary scales, pension rights, hours of work, overtime, leave privileges—those are the terms and conditions. If they are going to remain as they are, why do you want the words "on the whole"?

ශ්‍රී සී. පී. ද සිල්වා

(கௌரவ சீ. பி. டி சில்வா)

(The Hon. C. P. de Silva)

To prevent—[Interruption]

ආචාර්ය එන්. එම්. පෙරේරා

(கலாநிதி என். எம். பெரேரா)

(Dr. N. M. Perera)

We want those words deleted to prevent your people victimizing the poor workers.

සලකා බැලීම

ශ්‍රී සී. පී. ද සිල්වා

(கௌரவ சீ. பி. டி சில்வா)

(The Hon. C. P. de Silva)

That is a legal point.

ආචාර්ය එන්. එම්. පෙරේරා

(கலாநிதி என். எம். பெரேரா)

(Dr. N. M. Perera)

You are multiplying legal points hundredfold!

ශ්‍රී සී. පී. ද සිල්වා

(கௌரவ சீ. பி. டி சில்வா)

(The Hon. C. P. de Silva)

I am not a lawyer. I have been advised to put those words there.

ආචාර්ය එන්. එම්. පෙරේරා

(கலாநிதி என். எம். பெரேரா)

(Dr. N. M. Perera)

You do not get those words in the Labour Ordinance. The words you get there are just plain and simple "terms and conditions not less favourable". An agreement between an employer and an employee where the terms and conditions are less favourable than those existing, is held null and void by the Labour Department. Honestly, I find it difficult to understand the logic of this position. The existing labour laws insist that you do not give less favourable terms and conditions to an employee. So, why are you trying to deprive these people of that safeguard now?

The Government is always talking about progress and making things more favourable to the employees and workers but they are trying to deprive the poor man of his dues. Therefore, the words, "on the whole" have no meaning in this situation. I hope the Hon. Minister will at least now agree to drop the words "on the whole".

He must be open to conviction. Let him ask the Hon. Minister of Labour, and he will tell him the position. Please, this is not an attempt to score a point. This is a meaningless phrase. You are going to multiply the difficulties and give more opportunities to

ලංකා විදුලිබල මණ්ඩල පනත් කෙටුම්පත :

සලකා බැලීම

CLAUSE 62.—(Arbitration)

සම්මත කරන ලද සංශෝධනය :

செய்யப்பட்ட திருத்தம் :

Amendment made :

In page 36, leave out all words in lines 28 to 33, and insert :

“to a Board of Arbitration consisting of one arbitrator appointed by the Board, another arbitrator appointed by the other party to the matter or dispute, and an umpire (who shall be appointed by the Minister to be the Chairman of the Board of Arbitration) agreed upon by the two arbitrators or, in the event of an absence of such agreement within two months, nominated by the Minister.”—[The Hon. C. P. de Silva.]

වගන්තිය, සංශෝධනාකාරයෙන් කෙටුම්පත් පනතෙහි කොටසක් හැරියට තිබිය යුතුයයි නිශේශ කරන ලදී.

வாசகம் திருத்தப்பெற்றவாறு மசோதாவின் பகுதி யாக இருக்க வேண்டுமென ஆணையிடப்பட்டது.

Clause, as amended, ordered to stand part of the Bill.

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(கௌரவ சீ. பி. டி. சில்வா)

(The Hon. C. P. de Silva)

I move,

“That the Bill, as amended, be now read the Third time.”

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வினா எடுத்தியம்பப்பெற்றது.

Question proposed.

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(திரு. பெர்னாட் சொய்ஸா)

(Mr. Bernard Soysa)

I move, to leave out “now” and at the end of the Question to add “upon this day one year”.

I usually move that a Bill be read 100 years hence, but out of compassion for the Hon. Minister I cut off 99 years and moved that it be read one year hence. My reason is that this Bill constitutes a complete sell-out where the employees of the department are concerned on the one

side, and where the local authorities in this country are concerned on the other.

The Hon. Minister agreed to the reference of this Bill to a Standing Committee. Sir, with all due respect to this House and the Committee concerned, I must say that the proceedings of the Standing Committee were a complete farce. I just do not see why the Hon. Minister wasted our time, or his time, by referring this to a Standing Committee.

In the first place, the Standing Committee procedures observed are a little farcical. We allow members of the public to come and make representations before the Committee; an arbitrary date is fixed in advance and amendments to the Bill must be submitted before that date. Otherwise the amendments cannot be considered. After the last date for amendments members of the public who wish to give evidence can do so, but after listening to their evidence there is no provision for moving any further amendments, so that really those who come to give evidence waste their time by coming here. After hearing their representations there is no room for moving further amendments. Now, Sir, it behoves hon. Members who are members of the Committee to acquaint themselves in advance with the views of those members of the public who are concerned with the Bill and move the appropriate amendments, but that is not always possible. So in any event this business of getting evidence from the public turns out to be a completely useless exercise.

On this occasion I must complain of what happened in the Standing Committee. The hon. First Member for Colombo Central (Mr. Falil Caffoor) was elected to the Chair in the absence of Mr. Speaker and yourself, and the Deputy Chairman of Committees. The hon. Member is also a member of the Colombo Municipal Council. In consequence of his being elected as the Chairman, he was relieved of any obligation to agree with the position of the Hon. Minister, against the position of the

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[බර්නාඩ් සොයිසා මයා.]

Colombo Municipal Council or to agree with the position of the Colombo Municipal Council against the position of the Hon. Minister. The position was that the Minister was going to deny the Colombo Municipal Council the right of distribution of electricity within the city of Colombo. The hon. Member who took the Chair—the hon. First Member for Colombo Central—was really put in a position in which he could not strike a blow on behalf of the Colombo Municipal Council. That was the end result of what happened.

Then, Sir, we met, pursuant to notice, on an appointed date. As far as we are concerned, we know that any amendment, to be passed would have to be passed with the consent of the Minister and the Committee. As far as the amendments were concerned, they would have to meet any opposition in this House, and could only be passed by the consent of this House. There is no special “whipping” done on our part. But the Hon. Minister appears to have been haunted by some terrible threat, since the Federal Party had crossed over to become an independent group in the Opposition, that with their help this Bill was going to be mutilated by us beyond recognition. The Minister therefore carried out an act of “whipping”, and brought all the Members of the Government Party to serve on the Standing Committee on that day.

I sympathize with the hon. Members who left their work in the constituencies and came on that day. The Hon. Minister had a duty. The Bill contains about ninety clauses and it is really a very controversial one where you had to meet day after day in order to finish it. It has been so with similar Bills, and you, Sir, have plenty of experience of that matter. And we meet in the morning; we sit till one o'clock the latest. On that assumption I came to the Standing Committee in this instance, as did the hon. Member for Kolonnawa (Mr. Ilangaratne). At 12 o'clock when I suggested that we should adjourn hon. members, Very rightly complaint, my first grouse

from their point of view, protested that they had sacrificed their “kachcheri days”—days that they would normally spend in their constituencies on kachcheri work—and that they should sit longer. So I agreed. It was then agreed that, instead of adjourning at 12 noon for a resumption at 2 o'clock, we should carry on till 1 o'clock. First I suggested that we should adjourn at 12.30 p.m. and they said 1 o'clock. I consented and went on. At 1 o'clock, when I said that in accordance with the agreement that had been arrived at we should adjourn for another date to consider the evidence that had been given by the Engineers' Association, the United Front of Trade Unions, and the Colombo Municipal Council, the Chairman refused to do so. He failed to understand that there had been an agreement and he did not exercise the rights of the Chair. He said he was bound by the decision of the Committee, and quite appropriately one hon. Member got up and moved that the Committee do resume at 2 o'clock and someone else seconded it. The Chairman said it was the wish of the Committee, and therefore we would resume at 2 o'clock. Now, I say that that was a breach of faith, a breach of an understanding that had been arrived at in the course of the Committee's discussions, and I blame the Chair for not having had the courage to uphold that decision against the Committee.

The hon. Member for Kolonnawa and I registered our protest by walking out of that Committee, but because I did not want the amendments I had submitted to go by default I came back at 2 o'clock and moved my amendments. I moved my amendments one after the other. If you will read this Report you will see that where it was a question of retaining a clause as it stood they have all been divided upon, and in every instance, except where the positive clauses were moved by me, the division has been the entire Committee against one, and in the first instance three. This is my first

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against the Hon. Minister, and my first reason for asking this House to defer the Third Reading for a year.

Apart from that, this is a very sad state of affairs where Hon. Ministers of the Government themselves do not know government policy and when it was explained to them they were incapable of acting on it.

This Government on two occasions announced in a Throne Speech that the Crown would be made liable in tort in respect of certain tortious acts, and accordingly a Bill was brought from the Senate after three years in regard to the Crown's liability in delict.

I am told by the hon. Member for Agalawatta that the word "delict" is the correct word in respect of Roman-Dutch Law as against the English Law. What is called "tort" in English Law is called "delict" in Roman-Dutch Law.

The Bill regarding delict was referred to a Standing Committee, and in that Committee the hon. Parliamentary Secretary to the Minister of Justice was as accommodating as possible. The views expressed by me and my good Friend the hon. Appointed Member (Mr. Izza-deen Mohamed) were duly considered and I believe the hon. Parliamentary Secretary has today presented two amendments. He has accepted two amendments that were suggested. We want to thank him for that.

But I mention this matter of the Bill regarding delict for this reason. The hon. Parliamentary Secretary was the first to admit that when he refers to "Crown" under that Bill, the corporations and boards are excluded. The corporations and boards are excluded under that Bill. Under a recent interpretation of a court, corporations and boards are made liable in the same way that any other private person is liable in delict. And for that reason, even before that position was arrived at, out of an abundance of caution, in every Bill that was brought here for the setting

up of a board or corporation there used to be two clauses. One was a clause which said that where something was done in good faith no member or officer of the board of corporation shall be liable for any injury caused. There was another clause which said that the board or corporation itself shall not be liable for anything done in good faith. In accordance with the policy of the Government, to see that the Crown is liable in delict, what was necessary was to protect the officers of the board or corporation in respect of any injury done in good faith but not to protect the board or corporation concerned. They need not be protected; they should be made liable. It has been intended that they shall sue and be sued but when you provide an express clause in the Act itself that they shall not be sued you get the position that, where the board or corporation is guilty of a civil injury, it is incapable of being sued.

In accordance with that policy, in regard to several Bills that were brought here, when the matter was pointed out the Government graciously accepted the amendment that was moved. The first occasion was in regard to the setting up of a Tourist Development Board, and the relevant clause provided that the board shall not be sued in respect of any wrong done in good faith and that the officers shall not be sued in respect of any wrong done in good faith. The Hon. Minister of State accepted an amendment to delete the first portion. In other words, the Tourist Development Board shall be liable even though the act was done in good faith though the officers may not be sued if anything was done in good faith.

Thereafter there was consistency in regard to this matter on the part of Government in adhering to its policy that the Crown shall be liable in delict. When the State Printing Corporation Bill was brought here, the Hon. Minister accepted an amendment to that effect. When the National Youth Council Bill was brought here the Hon. Minister accepted an amendment to that effect. In the case of every single Bill to create a board

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or corporation thereafter—except the Higher Education Bill, which came earlier—the Government accepted an amendment to that effect. In regard to the Higher Education Bill, the Hon. Minister of Education said that the National Council of Higher Education should be protected in that way because you may probably find people suing the National Council of Higher Education on the ground that they had failed their examination. He wanted protection for that purpose.

Except in the case of the Higher Education Bill, in the case of every single Bill the Government was consistent, and Ministers were consistent in accepting an amendment to delete the portion which gave the board or corporation immunity in regard to offences committed in good faith. This Hon. Minister, of course, is a pundit. He is a law unto himself.

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(කෙළරාච්ඡි. ඩී. පී. ඩී. සිල්වා)

(The Hon. C. P. de Silva)

No.

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(Mr. Bernard Soysa)

He is a law unto himself. Even when it was pointed out that this was done in respect of every single Bill, he was not prepared to accept an amendment in regard to the Electricity Board.

Now, if there has been one principal offender in this country in regard to matters bordering upon negligence and causing death or injury to persons, it is the Government Electrical Department. Many are the instances in which, as a result of exposed wires carelessly laid in certain places, people have lost their lives through electrocution. I am still negotiating with the department in regard to compensation for the dependants of persons who lost their lives in Kirillapone as a result of certain wires having come down from the pylon and lying exposed on the road.

In regard to this particular board, he is conferring complete immunity in regard to any matters provided they were done in good faith. Clause 59 says.

“(1) No suit or prosecution shall lie—

(a) against the Board for any act which in good faith is done or is purported to be done by the Board under this Act; or

(b) against any member, officer, servant or agent of the Board for any act which in good faith is done or is purported to be done by him under this Act or on the direction of the Board.”

Now all I ask is the deletion of sub-clause (a), which gives immunity to this board in regard to delict. I have pointed out to the Hon. Minister other instances in which consistently the Government had accepted an amendment before this—in regard to the Tourist Development Board, the State Printing Corporation, the C. B. C., the National Youth Council. Every single instance was pointed out to him, but it was not possible to get this through to the Hon. Minister's understanding.

Of course, the Hon. Minister was supported in that Standing Committee by various hon. Members who are legal pundits in their own right. They supported the Hon. Minister out of their wisdom—the hon. Member for Negombo (Mr. Denzil Fernando) and various other hon. Members. These legal wizards, legal eagles, contributed their two-cents worth of wisdom in the Committee and supported the Hon. Minister.

I say it is a despicable act on the part of the Hon. Minister to have refused to accept that amendment. He is aware of government policy on this matter, and, having been made aware of government policy, he had the hardihood to stand up in the Committee and have that amendment defeated.

Sir, I am using strong language advisedly. I do not normally lose my temper in matters like this, but I am angry with the Hon. Minister because this was a very simple matter. What will happen in the future is that, unless out of its graciousness the board gives some compensation for

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damage caused to some person, it will not be possible for any person who suffers damage as a result of some act, which may not necessarily be due to negligence on the part of this new board, to sue this board. That is what the Hon. Minister has ensured. He may not have the power to give it. The Crown is accepting liability in tort, but not the Electricity Board. It is higher than the Crown! The Crown (Liability in Delict) Bill, once it becomes law, will make the Crown accept liability for the delicts of its employees, but not the Electricity Board. If this does not become the Electricity Board but remains the Department of Government Electrical Undertakings, it would come under the provisions of that Act. But now that he is taking it out of the list of government departments and setting up the Electricity Board, this board will be higher than the Crown.

The Crown will be liable in tort but not the Electricity Board. Persons who suffer injury or wrong, or the dependants of persons who suffer death—no one will be able to obtain relief.

I say it was very wrong of the Hon. Minister not to have accepted it. It is a grave wrong that he should not have accepted it especially after it was pointed out to him. If he had merely to accept my word for it, it would not have mattered and I would have forgiven him, but I submitted documentary evidence. I showed him the Bill that had been passed in this House and the Act that had been passed. I showed him that this particular Section had been deleted by the will of the House, and after that the Hon. Minister still did not have the grace to accept the amendment. That is another reason why I am asking that this Bill be read one year hence.

Then there is another great wrong that has been done. There is this whole question of the creation of electricity stock. Under this Bill the Hon. Minister has taken the power—I admit it was in the earlier Bill too—to create electricity stock for the purpose of raising

monies. He will of course decide by regulation as to how that stock can be transferred and on what terms it can be redeemed. The object is praiseworthy. The object is to raise monies for future development purposes.

But it is one thing to borrow money, and yet another to transfer stock. The Hon. Minister is virtually converting this board into one of his joint stock companies.

The provisions of Clause 47 are :

“The Board may establish and maintain with the General Treasury—

- (a) an insurance reserve to cover the insurance of movable and immovable property of the Board and to meet third-party risks and liabilities arising under the Workmen's Compensation Ordinance ;
- (b) a sinking fund in respect of the repayment of loans taken by the Board ;
- (c) a redemption fund in respect of the redemption of Ceylon Electricity Stock ; and
- (d) any other reserve fund that the Board may consider necessary.”

Then subsequently there is another clause which says that the Minister will decide the terms on which the stock can be redeemed and transferred, and provision is made for the payment of interest on such stock.

Now, I moved an amendment to that because I feared possible consequences. My amendment was this :

“provided however that no Ceylon Electricity stock or any rights in respect of such stock shall be sold or otherwise transferred to any private persons or body of persons, incorporated or otherwise, or to any corporate body in which private capital can be invested or there can be any shareholding by private parties or to any foreign government or institution and further provided that such stock and rights in respect of such stock may be transferred only to the Central Bank of Ceylon, the Bank of Ceylon, the People's Bank, the State Mortgage Bank, or to any State-sponsored board or corporation where such board or corporation is not excluded by the first part of this proviso.”

But I do say, if he wants to raise money, there is the C.W.E. with several millions of rupees to its credit. Let him transfer the stock to the C.W.E.—we have no objection to that

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—or to the Ceramics Corporation, or to the Salt Corporation or to any other corporation, we do not mind; or to the Bank of Ceylon, the People's Bank, the State Mortgage Bank or the Central Bank. Let them hold the stock if it is necessary for the Minister to create the stock to get loans from them. Although no voting rights accrue from the holding of this stock, if any foreign government or foreign institution or non-resident company should hold this stock, we must consider the possibilities of economic power. We know how such stock-holding, though it may not give voting rights, can be employed for the purpose of blackmail at appropriate moments, and it is to safeguard this board and the national interest of this country against such possibility that I moved this amendment. The Minister refused to accept it.

I do not know from where the Minister wants to raise these moneys outside the organizations I mentioned on the sale or transfer of this stock. What is he proposing here? I can understand his having to borrow money on the basis of the transfer of stock. But what the Minister in fact is doing is to enable private parties to draw as a dividend a portion of the profits made by this board out of the sale of electricity in this country. That is what he is proposing to do. This is the thin end of the wedge.

We have seen what has happened to Salu Sala in the sale of textiles under the C.W.E., and I can see the same process being gone through in respect of electrical undertakings in this country. That is another reason for expressing our objections to this Bill in its present form.

The next point I want to make is in regard to what has happened to the employees of the Department of Government Electrical Undertakings. The public servants of this country will all join with us in condemning what the Minister has done. He has taken public servants in the Department of Government Electrical Undertakings and is transferring them to the ser-

vice of the board with a loss, with a diminution of the terms and conditions of service they enjoyed in the department as members of the Public Service.

Sir, there is a Jaffna proverb which says, it does not matter whether your job is to look after hens provided it is in the Public Service. I believe the idea is that the Government is or is expected to be the best employer, and that myth in regard to the Government of this country today is kept up in the industrial courts—that the Government is a model employer. I have my great doubts about the Government being a model employer. But the myth that the Government is a model employer is acted upon in the industrial courts where recourse is had to government practice in regard to various problems. I mentioned this matter because the Minister was unrelenting in respect of two or three questions, as we saw today.

The first is the question of pensionability—that those who had joined the Public Service, joined the Department of Electrical Undertakings in the expectation that in the fullness of time they will be able to retire with a pension, are to be denied those rights on the decision that was taken by the Standing Committee the other day against my amendment and the decision taken today by the House against my amendment. That is one aspect of the matter.

The second is the question of enabling those whose posts are abolished to draw the pension now. I myself saw no great advantage in allowing them to do so, but since it was the wish of the employees—the United Front of Trade Unions came here and demanded it and the Engineers' Union came here and demanded it—I supported that demand. It was that those who are treated as having retired on account of the abolition of their posts should be enabled to draw their pensions now, and a salary be paid over and above that. They even went so far as to say, "Let that portion of the pension which is paid to us be deducted from the salary that is paid

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by the board, and the salary fixed for the post by the board." They went so far as to say that They did not demand a pension and a salary. But the Minister was not prepared to accept that, nor was the Committee.

The penultimate matter which I demanded on behalf of these people was in regard to the Widows' and Orphans' Pension Fund contributions. It is true that those whose posts are abolished and are treated as pensioners can opt to remain contributors to the W. & O.P. Fund but the contribution will be on the pension and the quantum of the pension alone. I moved an amendment to enable them to contribute from the salary that they will draw under the board itself. That is, a higher contribution could be made which would benefit the widows and dependants of these officers. That too was rejected.

The last was that, where there is a dispute between an employee and the board, these persons who were used to appealing to the Public Service Commission with whatever limitations there may be in regard to such appeal, whatever limitations exist in regard to the functioning of the Public Service Commission—and I have not been a person who has given unqualified praise to that Commission—should be allowed that privilege as it would be better than leaving them to the mercy of the board.

What did the Hon. Minister say? If they have a dispute they can go to the labour tribunal or the industrial court. I was not satisfied. I wanted a much more expeditious way of solving their problems and I asked the Hon. Minister to set up a separate commission, appointed by His Excellency the Governor-General on the advice of the Prime Minister, to which matters of discipline and transfer could be referred—not matters of appointments. I left that entirely in the hands of the board, restricting myself to transfer and disciplinary matters. I asked that a special commissioner be appointed whose decision would be binding on the board. That too was rejected. All along as

far as the employees of the Government Electrical Department are concerned, they have, on the whole, been let down very badly.

The Hon. Minister, I am sure, will blush with shame if I read out to him extracts of the minutes of conferences he has had with these trade unions from 1960 onwards, a space of eight years. At conference after conference he has promised them the moon, he has promised them everything, nothing would be denied to them. The transition from the status of public servant under the Department of Electrical Undertakings to servants of the board would be like the transition from the state of the chrysalis to that of the butterfly. That is what the Hon. Minister promised. They would be much better off than they were before. But when you compare this Bill with the promises he made, then you see the miserable position in which these poor 6,000 people are placed.

This is a tale of broken promises. I am ashamed of this Hon. Minister. Having cogitated this matter for eight years from 1960 onwards, that he could not have done better than this, that all he could have done after eight years of gestation was to bring up this miserable Bill and steam-roller it in Committee—if this is all he could do, then I say that it is time we expressed a complete lack of confidence in the Hon. Minister.

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(கௌரவ சி. பி. டி சில்வா)

(The Hon. C. P. de Silva)

This is my second attempt.

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(திரு. பெர்னாட் சோய்ஸா)

(Mr. Bernard Soysa)

Yes, and with each attempt it becomes worse than before. Each attempt is worse than the previous one.

Why was the Hon. Minister in all this indecent hurry in Committee to steam-roller all our amendments and get the Bill through the Committee? He had a belief that he would be able to get this passed at the last sitting

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of Parliament. We told him we would co-operate with him. I think the Hon. Minister of Scientific Research would have co-operated with him by dropping the Atomic Energy Authority Bill which was in Standing Committee on the 28th of April, and we could have considered the Electricity Board Bill.

The Hon. Minister was not willing. He thought he could present this Bill and get it passed last week itself. Now he has gained nothing by that hurry. He has gained nothing by the steam-roller tactics he adopted because the report of the Committee is being discussed only today. He has gained nothing. It still awaits discussion in the Senate before it can become law.

What is dangerous about the hurry is this: this hurry is to meet the wishes of the World Bank, not the wishes of anybody else. It is not to meet the wishes of the Governor-General or the Prime Minister or the people of this country. The hurry is only to meet the wishes of the World Bank. They have said, "Where is your board? You promised to set up a board. You have not done so. We have given you the loan; now you must set up your board." And so, the Hon. Minister is anxious to please the World Bank by setting up this board.

And in the rush, in the indecent hurry to set up the board, he is unable to consider even the smallest little bit of variation.

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(කෙනෙරව ජී. පී. ඩී. සිල්වා)

(The Hon. C. P. de Silva)

Nine years cannot be said to be, in a rush or hurry.

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(ශ්‍රී. බර්නාඩ් සොයිසා)

(Mr. Bernard Soysa)

The World Bank has asked you why this board has not been set up for nine years, and the Hon. Minister

is rushing it through. Having waited eight years he is in such a tremendous rush and hurry that he is unable to consider even the slightest amendment which, if duly considered, I am sure good counsel would have prevailed and the Hon. Minister would have been prevailed upon to accept. No, the Hon. Minister is rushing to please the World Bank, and because he is doing so he is afraid that the slightest change in the policy so far followed by the Department of Government Electrical Undertakings would result in a scowl from the World Bank, a frown from them. And so he has turned round and robbed the local authorities of their revenue.

I admit, as a member of the Public Accounts Committee, that we have had the miserable spectacle coming before us of a number of local authorities having defaulted in the repayment of their loans to the Local Loans and Development Fund and having defaulted in the payment of their dues to the Department of Government Electrical Undertakings. I admit that. But what is the remedy? The remedy is not to punish them by taking away the source of revenue that they have. The remedy lies in the hands of the Minister of Local Government. Local government finances are in a parlous state in this country. Something must be done to correct local government finances in this country. They do not have adequate sources of revenue.

What does the Minister do? Because they have defaulted they must be punished, and he is taking away from the local authorities, on the flimsiest possible excuse, the distribution of electricity within their limits. That is one great wrong.

The principal premise of this Bill is that all the electrical undertakings today under local authorities shall ultimately be vested in the board. First he has provided for voluntary transfer, and then he has provided for a compulsory take-over. No provision has been made in this Bill for giving anything back to the local authorities.

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Then there is the question of the Colombo Municipal Council. For 40 years the Colombo Municipal Council agitated for the right to distribute electricity within the municipal limits. The Minister himself admitted that for many years the position was that the total profits of the department were less than the profits derived from Colombo ; that the Department of Government Electrical Undertakings derived a larger profit out of the sale of electricity in Colombo than it showed as its net profit. What does it mean ? It means that the Department of Government Electrical Undertakings incurred losses elsewhere, and it was the profits that were derived from Colombo that cushioned the department against those losses and enabled it to show a net profit.—[Interruption]. I have no intention of casting pearls before those who do not want them. The hon. Member for Bandaragama (Mr. George Kotelawala) and his ilk, if they do not want to listen to what is being said on this matter, have their remedy.

The Colombo Municipal Council and the Colombo consumer of electricity financed the department against all kinds of mad enterprises in the past. I mentioned on the last occasion how one line was carried all the way for 60 miles for a single consumer because he was an important person whom the Government wished to please at that time. This was done at the expense of the taxpayer.

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(கௌரவ சி. பி. டி சில்வா)

(The Hon. C. P. de Silva)

Who ?

බර්නාඩ් සොයිසා මයා.

(திரு. பெர்னாட் சோய்ஸா)

(Mr. Bernard Soysa)

Not your time. I do not want to embarrass people who are not here by mentioning names, but this kind of thing has been done.

The department makes a charge against the local authorities in regard to various matters. Let the department read the Goswami Report itself and see what it says about the under-capacity use of equipment, which is a total loss, about the waste that is being indulged in by the Department of Government Electrical Undertakings, and so on. I know the extent to which there has been fraud in that department with the collusion of members of the public. I have seen wires that belong to the Department of Government Electrical Undertakings used for private purposes. I have seen small transformers and all kinds of electrical gadgets which belong to the department in private hands. This kind of thing is happening. I am not blaming the employees of the department. Among them there may be a few who are engaging in it, but the department has not been able to prevent its frauds, waste, losses due to improper use of equipment, under-capacity use of the machinery. With all the best technical advice in the world, even with the technical advice of their own engineers, there has been an incapacity to get the power resources of this country to accord with the public needs. That is the real reason for the power—cuts that were imposed on the country recently. Everything was blamed on the drought. Undoubtedly, lack of rainfall may have contributed in some small measure ; but the real reason, despite the Park Report and the Goswami Report, was that this department was not fast enough in commissioning for use the unit at Polpitiya. That was the real reason why power-cuts had to be imposed upon our people.

Now, we have had various heads of this department. Heads have come and heads have gone ; some heads have even rolled ! But the fact remains—

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(திரு. கௌமன்)

(Mr. Keuneman)

So many empty heads !

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බර්නාඩ් සොයිසා මයා.

(திரு. பெர்னாட் சொய்ஸா)

(Mr. Bernard Soysa)

—that the department requires a serious re-organization if it is to function efficiently. We have a department that does not know its own assets after so many years from 1927 to today. After 41 years of operation the Department of Government Electrical Undertakings is still in the position of not knowing the extent of its assets, both immovable and movable. It does not know what it owns, and that was the reason why the Goswami Committee said that no proper allowances had been made for depreciation and that the accounting system was wrong. That was pointed out by Goswami. Now, with all this to their discredit, the Hon. Minister is going to convert this department into a board by the stroke of a pen. He will sign the first Order which we shall not debate, and with that Order all the assets of the department will be transferred to the board. He is saddling this new board with a *damnosa hereditas*, with all the sins of the Department Electrical Undertakings.

Here was an opportunity to clean up the mess before setting up the board, and give the officers of the department a working structure that can work efficiently. He has not done that, but to please the World Bank he is rushing to create a board after waiting for eight years. And in the process he is robbing the local authorities of what is their due. My principal grievance is that he is robbing the Colombo Municipal Council which for 40 years has financed this department. The Hon. Minister himself admitted that there were many years in which the total profits from Colombo exceeded the net profits of the department, which means that the department was incurring losses elsewhere. And if Colombo was not there to finance the department there would have been a net loss. That was the position. It is not the position today, because the consumption of electricity has expanded beyond what it was in those years. But still, the Colombo Muni-

icipal Council remains next to Government, I think, the largest consumer. And from the point of view of unit areas of consumption the Colombo area is the largest. It is admitted.

The Colombo Municipal Council has stated over and over again that they are prepared to continue to make a sacrifice for the development of the rest of the country, but that there must be some limit to the magnitude of this sacrifice they are called upon to make. The Colombo consumer today is paying on a higher tariff unnecessarily because the department wants to maximize the profits out of Colombo in order to finance its undertakings elsewhere. Now, that is unfair by the consumer in Colombo. You do not encourage the consumption of electricity which can mean so much to people. Whether your house is electrically lit or not can make much of a difference to the standard of living and the cultural standards of a home. It can make a very big difference. That is admitted. But, instead of making electrical energy more cheaply available, the Hon. Minister is keeping his tariffs high, needlessly high in Colombo because he wants to finance his undertakings elsewhere, and continue the process by means of which the Colombo consumer and the Colombo Council are exploited for the purposes of the Department of Government Electrical Undertakings that has been, and the board that is to be.

Mr. Deputy speaker, I say that in all these counts he has broken faith. In regard to the employees, in regard to the question of the future of the board and its immunity from private interference, the question of the liability of the board in delict, in regard to the local authorities—in all these counts the Hon. Minister has broken faith. He has behaved in the most retrograde and reactionary manner, and for that reason I move that this Bill be read this day one year hence.

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නියෝජ්‍ය කථානායකතුමා

(உப சபாநாயகர் அவர்கள்)

(Mr. Deputy Speaker)

Order, please. The Sitting is suspended for 30 minutes.

අස්මිම ඊට අනුකූලව නවකලිකව අත්සිටුවන ලදීන් අ. ස. 4.30 ට නැවත පවත්වන ලදී.

அதன்படி அமர்வு இடை நிறுத்தப்பட்டு, மீண்டும் பி.ப. 4.30 மணிக்கு ஆரம்பமாயிற்று.

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

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(நடேஜர்)

(டொக்டர் எ. எம். வீ. நாகநாதன்—நல்லூர்)

(Dr. E. M. V. Naganathan—Nallur)

I have an amendment to move, namely, to leave out the word 'now' and at the end of the Question to add the words 'upon this day two weeks.'"

I do not wish to embarrass the Minister by giving vent to my ire. This is merely a chance for the Government to improve this Bill in two aspects. I feel that it requires improvement, and I suggest a very easy way by which this Bill can be improved in the interests of the country.

Firstly, by Clauses 19, 20 and 21, the policy of the board is quite evident—that it is going to take over the distribution of electricity from the various local bodies, some voluntarily, others by arbitrariness—compulsory take-over. In some cases compulsory take-over is correct. I am also a member of the Public Accounts Committee as my good Friend the hon. Member for Colombo South (Mr. Bernard Soysa). There are many instances where embezzlement has taken place in local bodies, not only municipalities. Moneys voted for purposes of electrical development or extension schemes had not been utilized for those purposes and had disappeared from the local body, resulting in a loss of revenue to the council. Loans taken have not

been repaid. Moneys due for the supply of electricity have not been paid. So there should be some kind of system, some kind of order.

It may be good to take over the distribution of the supply of electricity by the board, but one great defect has not been rectified in the Bill : most of these local bodies are making some revenue with which they are able to carry on their day-to-day administration. How are you going to replace that revenue? I think some fixed percentage of the profits accrues to the board from the supply of electricity to a local area. I think the Colombo Municipality had a very good case. For the last 40 years they had been deprived of their right to license the distribution of electricity. Therefore the Colombo Municipality should be given a fair percentage of the profits made by the board. That is the correct way in which this should be done. Otherwise it will be highly unjust. I warn the Government that the taking over of the distribution of electricity from the various local bodies is unjust. Also it is unfair. So, it would be fair and just by the ratepayers of the local bodies and in the interests of the Government as well to see that some definite provision is made here in this Bill to see that a definite percentage of the profits which the board makes goes to the various local bodies.

Next, there is this position. If the board takes over the whole distribution system then the local bodies will have no voice in such matters as how the distribution should be done, when and where it should be done, and so on. The distribution of electricity will then be done by the board without so much as asking the local bodies for their assistance. I would suggest that under Clause 25—presentation of schemes to Minister for approval—not only taking-over schemes be submitted to the Hon. Minister for approval but all schemes of development should be featured in the annual budget of the board. The board must have an

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[නානොතන් මය.]

annual budget which should feature their development schemes covering each local body. The chief executive of each local body should have a voice in the preparation of that budget as far as his local body is concerned. That budget should be presented to Parliament so that Parliament will also know what is happening in the Electricity Board ; otherwise Parliament or the people will not know what their development schemes and plans are.

I want the Cabinet to consider, first, how a certain percentage of the profits accruing to the board from the area of each local body should be given to them, including the Colombo Municipal Council. Secondly, I suggest that the board should draw up a budget which will not only show their revenue and expenditure but also feature their development plans, and in drawing up such budget the chief executive of each local body should be associated as far as his own local body is concerned, and this budget should be presented to Parliament. It should be tabled in Parliament and, if necessary, it may be debated.

Then, in regard to Clause 32, my good Friend, the hon. Member for Colombo South, has spoken at length and so I do not intend to dwell long on it. But one point I wish to make is that this clause should refer only to pensionable public officers. I think the hon. Member for Colombo South mentioned that there are 6,000 pensionable persons. I think there are only about 3,000 pensionable persons, and those men are being offered terms and conditions of service on the whole not less favourable than what they are getting now. The Treasury has complicated this question. They cannot simplify a matter. I refer to Clause 32 (2) (a) (ii) which states:

"he shall be deemed, for the purposes of the Minutes on Pensions, to be holding the post in the Department that he held on the transfer date ;"

"(iii) in respect of him, the Board shall pay out of the funds of the Board to the Deputy Secretary to the Treasury to be credited to

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the Consolidated Fund of Ceylon for every complete month of service during which he is in the temporary employment of the Board such sum not exceeding twenty-five per centum of the salary payable to him in the post that he held in the Department on the transfer date as may be determined by the Minister of Finance.

- (iv) he shall, for the purposes of the preceding sub-paragraphs (ii) and (iii) be deemed, during such period of temporary employment under the Board, to have earned his increments, if any, in the post in the Department that he held on the transfer date, provided his service under the Board has been satisfactory ;"

All this is complicated and making things difficult.

The other day, at the Standing Committee, I asked the D. S. T. what his difficulty was in giving a pension to these employees. He said that they had to make calculations of two sets of salaries and allowances and so on. I asked him to give these employees the same terms as those given to others. The board has one set of salaries and once an employee joins the board he would be in the service of the board and continue for ten years on the salary paid by the board, and when he has completed ten years' service he would earn his pension on the board's salary. That would present no difficulty. That is a suggestion I would like the Government to accept.

It is unfair for these young men who joined a pensionable service merely to be given "not less favourable terms". At the end of ten years' service they should be entitled to a minimum pension calculated on the salary they were drawing in the board's service. Besides, those who draw a pension are not going to get a salary and the board will save on salary. Nothing is lost as far as the Treasury is concerned. On the other hand it will go a long way to satisfy the employees. Besides, these young men will be assured that they will get a pension at the end of ten years' service. They will be a disciplined lot as a result.

கேள்வி எண் 100: கீழ்க்கண்ட கேள்விகளுக்கு பதிலளிப்பதற்காக:

There is another matter I want to mention. There is nothing said here about the Widows' and Orphans' Pension scheme but still these officers have to contribute to it. The widows' and orphans' pension is not a liability to the State or the Treasury. These people must be permitted to contribute to the W. & O. P. Fund.

I would ask the Government to consider these two matters. A concession is already given to those who put in eight years' service. What about those who have served for seven years and eleven months or seven years and six months? There is no reason why you should arbitrarily put it down as eight years. Once you have given that concession and created the principle, there is no reason why you should restrict it to eight years. You should extend it to all those who have joined Government Service and were certain that they would be pensionable. Since you are abolishing that position and are giving them jobs on terms and conditions "not less favourable" on the whole, I urge that my suggestion be considered.

These are matters on which the success of this venture can depend. Especially where it concerns the local bodies, I suggest that you give them a portion of the revenue without completely depriving them of it. Thereby, while you safeguard yourself against certain local bodies defaulting and mismanaging, you would not victimize the people of those areas by the fact that the revenue collected from them is not denied to them, and town and village improvement will not be restricted. If you deny them the revenue, I warn the Government that you are going to be very unpopular.

வி. டி. பி. சி. (உடுவில்)

(திரு. வி. தர்மலிங்கம்—உடுவில்)

(Mr. V. Dharmalingam—Uduvil)

வினா எண் 100: கீழ்க்கண்ட கேள்விகளுக்கு பதிலளிப்பதற்காக:

அனுப்பித்தார்.

Seconded.

கேள்வி எண் 101: கீழ்க்கண்ட கேள்விகளுக்கு பதிலளிப்பதற்காக:

பி. சி. வி. கைமன் (கேள்வி எண் 101)
(திரு. பி. சி. கைமன்—கொழும்பு மத்திய மூன்றாம் அங்கத்தவர்)

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

Mr. Deputy Speaker, I should like to associate myself with and support the amendment proposed by the hon. Member for Colombo South, (Mr. Bernard Soysa). At the same time I should like to say that I cannot either support or associate myself with the amendment that has just been moved by the hon. Member for Nallur (Dr. E. M. V. Naganathan).

கேள்வி எண் 102: கீழ்க்கண்ட கேள்விகளுக்கு பதிலளிப்பதற்காக:

(டாக்டர் நாகநாதன்)

(Dr. Naganathan)

You cannot support anything that is constructive, but you will support anything that is destructive.

கேள்வி எண் 103: கீழ்க்கண்ட கேள்விகளுக்கு பதிலளிப்பதற்காக:

(திரு. கைமன்)

(Mr. Keuneman)

The hon. Member was at pains to stress that his amendment was for the purpose of improving the Government but not embarrassing it. That, of course, I think is the general policy of the Federal Party although they have parted company with the United National Party.

கேள்வி எண் 104: கீழ்க்கண்ட கேள்விகளுக்கு பதிலளிப்பதற்காக:

(டாக்டர் நாகநாதன்)

(Dr. Naganathan)

I said, "improve the Bill". This is their usual propaganda.

கேள்வி எண் 105: கீழ்க்கண்ட கேள்விகளுக்கு பதிலளிப்பதற்காக:

(உப சபாநாயகர் அவர்கள்)

(Mr. Deputy Speaker)

Order, please! The hon. Member for Nallur must not disturb.

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කෙනමන් මය.

(திரு. கௌமன்)

(Mr. Keuneman)

Obviously the cap has fit the hon. Member that he has put it on. I think as time goes on we will see further examples of this policy of improving the Government without embarrassing it, from the Opposition side of the House.

Anyway, that is not the main point under discussion. Why I do not agree with the hon. Member for Nallur is that I cannot see how, with the best will in the world on his part, he can improve the Bill at this stage.

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

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

What about the Government?

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(திரு. கௌமன்)

(Mr. Keuneman)

In my opinion the Government can improve the Bill by putting it in the waste paper basket. But it cannot improve the Bill at this stage by accepting any or all of the proposals made by the hon. Member for Nallur.

I am not in disagreement with all his proposals. I think some of them are quite sensible proposals. In fact they were proposals that were made by Members of the Opposition who spoke in the Second Reading Debate. I do not think the hon. Member for Nallur was on the Opposition side of the House at that time, but, obviously, now he has had an opportunity of making a speech which he did not have the opportunity of making then. So I will not deprive him of that indulgence even though I must say I cannot associate myself with the amendment.

The reason why I support the amendment of the hon. Member for Colombo South (Mr. Bernard Soysa) is that I share with him the conviction that nothing good is to come out of this Bill. I have studied the history of the Bill and, especially as it has emerged from the Committee with hardly any change, I must say that this Bill is a classic example of trying to cure a headache by changing the pillow.

I cannot at this stage canvass the decision of the House to convert the Department of Government Electrical Undertakings to a board, but I would have thought that in the Standing Committee some effort would have been made to eradicate those faults in the Department of Government Electrical Undertakings which have become so notorious to make it one of the most unpopular departments of the Government today.

I want to say this, and I say it deliberately as a result of many years of bitter experience, that the Department of Government Electrical Undertakings is one of the most inefficient and mismanaged departments in this country. I am not trying to apportion blame to any particular person, but the Minister has to take responsibility for the whole business. We might be even a little indulgent to inefficiency and mismanagement if the department were not so cavalier and pigheaded in its dealings with the public.

After all this is a department whose job it is to sell electricity. It is like any other shopkeeper, except that it has a monopoly commodity to sell, namely, electrical power. All over the world, in the world of capitalism, and in socialist systems too, one of the things that animates those who want to sell is the desire to have good public relations with the persons to whom goods are sold. There is a business principle that the customer is always right, but the Department of Government Electrical Undertakings seems to work on the theory, "To hell with the customer. It does not matter a brass farthing whether the customer is right

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or wrong because he cannot do without us."

May I say that the department has very little to be conceited about? Constant breakdowns, power failures, flagrant profiteering, are all features which have been commented upon by hon. Members more than once. I do not know whether I am right, but I have just been comparing notes with the hon. Member for Agalawatta (Dr. Colvin R. de Silva), who lives in the same part of Colombo as I do, and we share the same opinion that the department has a particular animus towards the particular area in which we live, because hardly a couple of days pass without some interruption of the supply. In fact, one of the biggest items of my telephone bill is the phone calls put through to the department about the power failures. There was a power failure this morning. There was a power failure a few days ago for several hours. I understand that other areas of Colombo are also subject to power failures but I think our area is getting it in the neck. Obviously someone up in the department does not like us at all and apparently has a grudge against us.

But I should like to make this point. The utterly obstinate and cavalier attitude of the department towards the consumer is something strongly to be deplored. The department takes its own sweet time about sending bills. Sometimes bills are sent after three or four months but if the consumer does not settle the bill immediately he receives it or within a short time of his receiving it the supply is disconnected.

I took up with the Hon. Minister the case of a family living in the Armour Street Government Flats in my constituency of Colombo Central, the case of a working man and his wife. After four years the department suddenly sends him a bill saying that he has been charged on the wrong tariff and asking him to pay a very large sum which amounted practically to several months' wages—almost a year's or more, I was told.

It is not this man's fault. He has regularly paid all bills submitted to him by the department. He has not been in default. But when suddenly he is asked to pay the equivalent of a year's wages what is the poor man to do? He has no other way of paying this amount. And it is not his fault. Somebody in the Electrical Department has made a wrong calculation.

What did the department do? It cut off his supply, and the man has been without a supply for the last seven or eight months.

I brought this matter to the notice of the Hon. Minister. He said he would look into it. But as far as I know he is still looking into it. I do not know whether he even remembers this. It is all in Hansard.—*[Interruption.]* Let there be light in this case. Let there be light indeed because there is nothing but darkness for this poor man.

Well, Sir, this is not an individual example of cussedness on the part of this department, and unless there is going to be some indication of a change in the whole attitude of the department towards those who buy electricity from it, whether we are going to have a department or a board would not make one bit of difference.

The only thing one can say in favour of having a board is that you are taking this department a little further away from the Hon. C. P. de Silva, Minister in charge, and therefore there will not be any further inefficiency added to it.

But unless we actually are convinced that there is a real, genuine attempt to shake up the department from within and make it more efficient, more courteous, more considerate towards the consumer, I do not think this Bill is going to help us at all. In fact, it will be entrenching an inefficient bureaucracy in power and giving it greater protection from effective public criticism in the country.

ලංකා විදුලිබල මණ්ඩල පනත් කෙටුම්පත :

සලකා බැලීම

[කෙනෙත් මයා.]

I am very sorry that the demand of the Colombo Municipal Council for a share of the revenues earned from the distribution of electricity has been turned down. This was one of the few bipartisan demands made by the Colombo Municipal Council. Every party in that council, including the United National Party, is pressing for this demand. In fact, there are four members of the Government Front Benches who have been members of the Colombo Municipal Council. I think the most senior of them is the Hon. Minister of State. The former Mayor, the Hon. Sugathadasa, is another. The former Deputy Mayor, the Hon. Premadasa, is the third and another former Mayor, the Hon. Mohamed, is the fourth.

During all their periods in the Colombo Municipal Council the demand for a share of the revenues earned from the distribution of electricity received their support. But what is the position today? Now that they have left the Municipal Council and are elevated to the Front Benches of—I do not know whether it can be called the National Government now that the Federal Party has gone—the National Government, have they given up this demand? I am very sorry that the Committee did not make at least some concession in that regard in this Bill.

Where I do agree with the hon. Member for Nallur (Dr. E. M. V. Naganathan) is in regard to what he said about the thoroughly shabby way in which the employees have been treated. The Hon. Minister seems to be conducting a vendetta against the employees or his minions seem to be conducting a vendetta against the employees, and the Hon. Minister is supporting them. Otherwise, I do not understand why there could not have been some concessions made in respect of the quite reasonable requests made by these employees. They have only been concerned about seeing that their prospects and security of service are safeguarded and that certain long-

standing injustices are remedied. Maybe it is not possible to grant everything they demand, but there is a substantial body of demands which is eminently reasonable, and I think the Committee has been remiss in not conceding this. That is why I support the Motion of the hon. Member for Colombo South (Mr. Bernard Soysa).

අ. හා. 5.1

ප්‍රින්ස් ගුණසේකර මයා. (හබරාදුව)

(ති.ප්‍ර. ප්‍රිතින්ස් ගුණසේකර—හබරාදුව)

(Mr. Prins Gunasekera—Habaraduwa)

ගරු නියෝජ්‍ය කථානායකතුමනි, ගරු ඉඩම් ඇමතිතුමා ඉදිරිපත් කළ ලංකා විදුලි බල මණ්ඩල පනත් කෙටුම්පත තුන් වැනි වර කියවීම කල් දැමිය යුතුය කියා විරුද්ධ පාර්ශ්වයෙන් ඉදිරිපත් කළ යෝජනා දෙකක් තියෙනවා. ඒ යෝජනා දෙකෙන් එකකින් කියන්නේ මේ පනත සලකා බැලීම සති දෙකකට කල් දැමිය යුතු බවයි. අනික් යෝජනා වෙන් එය සති 52 කට කල් දැමිය යුතුය කියනවා. මා නැගී සිටියේ විරුද්ධ පාර්ශ්වයේ නාමයෙන් ඉදිරිපත් කර තිබෙන ඒ යෝජනා දෙකෙන් එකක් පමණක් මා අනුමත කරන බව ප්‍රකාශ කිරීමටයි. ඊයේ පෙරේදා විරුද්ධ පාර්ශ්ව යට පැමිණි ද්‍රවිඩ රාජ්‍ය පක්ෂය වෙනුවෙන් යෝජනාව ඉදිරිපත් කළ ගරු නල්ද්‍රිඩ් මන්ත්‍රීතුමා (වෛද්‍යාචාර්‍ය්‍ය නාගනාතන්) කියා සිටියේ මේ පනත තුන් වැනි වර කියවීම සති දෙකකට කල් දැමුවාම, ආණ්ඩුවට කරදරයක් නැතිව, හිරිහැරයක් නැතිව, අංග සම්පූර්ණ වී යට එය සකස් කරන්නට ඉඩ ලැබෙන බවයි. ඒ නිසා එතුමා මේ පනත තුන් වැනි වර කියවීම සති දෙකකට කල් දමන ලෙස ඉල්ලා සිටියා.

ගරු නියෝජ්‍ය කථානායකතුමනි, මේ පනත ඉදිරිපත් කරන ලද දිනය බැලූ බොත්, එක්සත් ජාතික පක්ෂයට අවුරුදු 4 ක් තිස්සේ උදව් කර, යන එන මගක් නැතිව ඊයේ පෙරේදා මේ පැත්තට ආ ද්‍රවිඩ රාජ්‍ය පක්ෂය මුහුණ පා තිබෙන අමාරුකම මොකක්ද කියා තේරුම් ගන්නට පුළුවන්. ගරු ඉඩම් ඇමතිතුමා මේ කෙටුම්පත් පනත පළමු වැනි වර කියවීම

ලංකා විදුලිබල මණ්ඩල පනත් කෙටුම්පත :

සඳහා මේ ගරු සභාවට ඉදිරිපත් කළේ 1969 පෙබරවාරි මස 5 වැනිදායි. ඒ අවසානවේදී දෙමළ රාජ්‍ය පක්ෂය කිසිම කොන්දේසියක් නැතිව මේ ආණ්ඩුවට සම්පූර්ණයෙන්ම ආධාර දෙන පක්ෂයක් වශයෙන් සිටියා. මීට අවුරුදු 4 කට පෙර අපේ ගරු අගමැතිතුමා ගොඩනැගූ ජාතික සමගියේ පදනම කඩාගෙන ද්විඛ රාජ්‍ය පක්ෂය—[බාධා කිරීමක්] ජාතික රජය ගැන කියන විට ජාතික රජයේ රාජ්‍ය ආමතිතුමාට හරි අමාරුයි. ජේ. ආර්. කියන්නේ ජාතික රජයයි. ඒ නිසා එතුමාට හරි අමාරුයි. තමුන් නාන්සේලාගේ හවුල් කාරයන් වූ දෙමළ රාජ්‍ය පක්ෂය මේ පැත්තට ආවම, අවුරුදු 4 කට පෙර දැමූ ජාතික සමගියේ අඩිතාලම දෙදරා ගිය බව දැන් පැහැදිලියි.

නියෝජ්‍ය කථානායකතුමා

(உப சபாநாயகர் அவர்கள்)

(Mr. Deputy Speaker)

The hon. Member must speak on the amendment.

ප්‍රින්ස් ගුණසේකර මයා.

(திரு. ப்ரின்ஸ் குணசேகர)

(Mr. Prins Gunasekera)

එදා හවුල් කාරයන්ට අද කෙළින්ම විරුද්ධ වන්නට බැරි වී තිබෙන කාරණය ගැනයි, මා මේ කියන්නේ. තුන් වැනි වර කියවීම සහිත දෙකකට කල් දැමිය යුතුය කියන සංශෝධනය ඉදිරිපත් කළේ කරන්නට දෙයක් නැතිවයි. මේ කෙහෙල් මල් පාර්ලිමේන්තු ක්‍රමයේ තිබෙන විකාර තත්ත්වය ඕකයි. ඇත්ත වශයෙන්ම විරුද්ධත්වයක් නැතිවත්, විරුද්ධ පක්ෂය සමග වාඩි වුණු පලියට විරුද්ධ වෙනවාය කියනවා. මෙපමණ කාලයක් දිරවා ගන්නට බැරිකම නිසා සෑදී තිබුණු දේශපාලන බඩේ අපීර්ණයක් මේ පැත්තට එමයි, සිදු වුණේ. ඒක අපේ රෝගයක් නොව තමුන් නාන්සේලාගේම රෝගයක් බව පෙනෙනවා නේද, ආණ්ඩුවට විරුද්ධ වන්නට තියෙන අකමැත්ත ප්‍රකාශ කිරීමෙන්.

ගරු ජේ. ආර්. ජයවර්ධන

(கௌரவ ஜே. ஆர். ஜயவர்தன)

(The Hon. J. R. Jayewardene)

තමුන් නාන්සේලාගේ එක්කයි, ඡන්දය දුන්නේ.

සලකා බැලීම

ප්‍රින්ස් ගුණසේකර මයා.

(திரு. ப்ரின்ஸ் குணசேகர)

(Mr. Prins Gunasekera)

මේ කාරණයේදීත් අප සමග ඡන්දය දේවි. මේ කෙහෙල් මල් පාර්ලිමේන්තු ක්‍රමයේ වැරද්ද ඕකයි. අප සමග ඡන්දය දෙන්නේ තමුන් නාන්සේලාට නොරිදෙන් නවයි. සංශෝධනය ඉදිරිපත් කරන්නේ ආණ්ඩුවට නොරිදෙන් නවය කියා කථා වෙදින් කිව්වා. ඔළුවට ගසා, අනේ රිදුනද, කරුණාකර අප සමග තරහ වන්නට එපාය කියනවා.

විරුද්ධ පාර්ශ්වය වෙනුවෙන් තුන් වැනි වර කියවීම සහිත 52 කට කල් දමන්නාය කිව්වේ සහිත 52 ක්—අවුරුද්දක්—යන විට මේ ආණ්ඩුවට ආණ්ඩු පක්ෂයේ සිටින්නට බැරි තිසයි. ඒ නිසා දකුණු කොළඹ ගරු මන්ත්‍රීතුමාගේ (බර්නාඩ් සොයිසා මයා.) යෝජනාව මම සියයට සියයක්ම අනුමත කරනවා. මා ඒ යෝජනාව අනුමත කරන්නේ කරුණු 4 ක් උඩයි. දකුණු කොළඹ ගරු මන්ත්‍රීතුමා එතුමාගේ යෝජනාව සනාථ කිරීමට හේතු සහගත තර්ක ඉදිරිපත් කළා. එතුමාගේ යෝජනාවට මා පක්ෂ වන්නේ මේ කාරණා 4 උඩයි. අද සලකා බලන්නට ඉදිරිපත් කර තිබෙන මේ ලංකා විදුලි බල මණ්ඩල පනතින් විශේෂයෙන්ම පළාත් පාලන ආයතනවලට බරපතළ පහරක් වදිනවා. පළමුවෙනි කාරණය ඒකයි. දෙවෙනි කාරණය : දැනට විදුලි බල දෙපාර්තමේන්තුවේ සේවය කරන හයදාහක් පමණ සේවකයන් මේ පනතේ සඳහන් සේවා කොන්දේසිවලට විරුද්ධත්වය දක්වා තිබෙනවා, ඔවුන් දැන් භුක්ති විදින වරප්‍රසාදවලට වඩා අඩු තත්ත්වයක් මේ අළුත් පනතින් ඇතිවෙයි කියන භීතිය උඩ. ඒ සාධාරණ භීතිය නැති කිරීමට මේ පනත මගින් කිසිම පියවරක් ගෙන නැහැ. තුන්වෙනි කාරණය අද රජයේ විදුලි බල දෙපාර්තමේන්තුවේ උඩ සිට පල්ලෙහා දක්වා හැම අංශයකම පැතිර පවත්නා නිලධාරී බලය හා දූෂණ අඛණ්ඩ රේණුවක තරම්ත් වත් වෙනස් කිරීමට මේ අළුත් පනතින් කිසිම පියවරක් ගෙන නැහැ. හතරවෙනි හා අවසාන කාරණය හැටියට මා සඳහන් කරන්නේ මේ පනත ඉදිරිපත් කළ

ලංකා විදුලිබල මණ්ඩල පනත් කෙටුම්පත :

සලකා බැලීම

[පින්ස් ගුණසේකර මයා.]

අවස්ථාවේදීවත්, මේ පනත පිළිබඳ කාරක සභා අවස්ථාවේදීවත්, කාරකසභා අවස්ථාවේදී සංශෝධනය කළ වගන්ති සලකා බලන මේ අවස්ථාවේදීවත් ගරු ඉඩම් හා විදුලිබල ඇමතිතුමා විසින් මේ පනත ඉදිරිපත් කිරීමට හේතු වූ නියම සත්‍යය මේ මන්ත්‍රී මණ්ඩලයට ඉදිරිපත් නොකිරී මයි.

මේ පනත ඉදිරිපත් කරන අවස්ථාවේදී මේ පනත ගැන කරුණු පැහැදිලි කළ ගරු ඇමතිතුමා මේ පනත මේ ආකාරයට ඉදිරිපත් කිරීමට නියම හේතුව ඇත්ත වශයෙන්ම මන්ත්‍රී මණ්ඩලයට ප්‍රකාශ කළේ නැහැ. එය මේ ගරු මන්ත්‍රී මණ්ඩලයට කරන ලද ලොකුම අපහාසයක් කියා මා හිතනවා. නියම සත්‍යය හෙළි දරව් නොකර මේ ගරු ඇමතිවරුන් බොහෝ අවස්ථාවලදී පනත් ඉදිරිපත් කර සම්මත කර ගත්තවා. අපට බොහෝවිට සත්‍යය හෙළි දරව් වන්නේ පනත් සම්මත වී ක්‍රියාත්මක වීමට පටන් ගැනීමෙන් පසුවයි. අපේ ගරු රාජ්‍ය ඇමතිතුමා විසින් ප්‍රතිපත්ති වශයෙන් මේ හා සමාන පනතක් වන සමුපකාර තොග වෙළඳායනන සංශෝධන පනත ඉදිරිපත් කර සම්මත කර ගත්ත. අපට මූලින් සත්‍යය හෙළි දරව් කළේ නැහැ. එහෙත් ඒ සංශෝධන නීතිය ක්‍රියාත්මක කරන්නට ගිය අවස්ථාවේදී තමයි කෙලින්ම අහු වුණේ මොන හේතුවක් උඩ ඒ පනත සම්මත කර ගත්තාද කියා. පොදු මහජන මුදල් පොද්ගලික ආයතනවලට යොදා මන්ත්‍රී මණ්ඩලයේ පාලනයෙන් බැහැරව කැමති හැටියට ඒ මුදල් පරිහරණය කරන්නට පුළුවන්වන විධියටයි ඒ නීතිය සංශෝධනය කර ගත්තේ. මා ජාතික රජයේ රාජ්‍ය ඇමතිතුමා කලින් හඳුන්වා දුන්නේ මෙහෙමයි : “ජේ. ආර්.” කියන්නේ “ජාතික රජය” යි. එහෙත් “ජේ. ආර්.” මෙතැන කළේ “ජනතා ධර්මලක්,” ජාතික රජයේ රාජ්‍ය ඇමතිවරයා ජනතා ධර්මල ඇමතිවරයකු හැටියටයි, ඒ අවස්ථාවේදී ක්‍රියා කළේ. අද එතුමාගේ දකුණු අත පැත්තෙන් සිටින ඉඩම් ඇමතිතුමාටත් ඒ ජනතා ධර්මල බෝවෙලා; එතුමාටත් ඒ රෝගය වැළඳී තිබෙනවා. ලංකා විදුලිබල මණ්ඩල පනත මේ ආකාරයෙන් ඉදිරිපත් කිරීමේ නියම හේතු හෙළි දරව්

නොකොට සත්‍යය මන්ත්‍රී මණ්ඩලයෙන් වළභා රහසිගතව තබා ගැනීම ගැන මම එතුමාට අද මේ මන්ත්‍රී මණ්ඩලයේදී චෝදනා කරනවා.

දකුණු කොළඹ ගරු මන්ත්‍රීතුමා තමන්ගේ කථාව කෙළවර කරමින් කියන්න යෙදුනා, මෙය ලෝක බැංකුවේ වුවමනාවට කළ වැඩක් කියා. බොහෝ විට මේ මන්ත්‍රී මණ්ඩලයේදී මේ රජයට විරුද්ධව කරන චෝදනාවක් තමයි, රජය සතු හෝ ජනසතු ව්‍යාපාර එම පාලනයෙන් වෙන් කොට සංස්ථාවලට හෝ පෞද්ගලික අංශයට පවරන්න යන විට, එසේ කරන්නේ ලෝක බැංකුවේ අනුමැතිය—ඉල්ලීම—ඇතිවය යන්න. බොහෝ අවස්ථාවලදී එය අපට කරුණු සහිතව ලියා කියවිලිවලින් ඔප්පු කරන්න අමාරු චෝදනාවක්. දේශපාලන ප්‍රශ්නයක් හැටියට වර්තමාන රජයේ ප්‍රතිපත්තිය දෙස බැලූ විට එය පැහැදිලි වුවත් කරුණු සහිතව ඔප්පු කරන්න බොහොම අමාරු චෝදනාවක් තමයි මෙය. නමුත් භාග්‍යයකට මෙන් ගරු නියෝජ්‍ය කථා නායකතුමනි, මෙම අවස්ථාවේදී — මෙම විදුලි බල මණ්ඩල සංශෝධන පනත පිළිබඳ සාකච්ඡා කරන අවස්ථාවේදී — අපට හොඳින් සමග බඩුත් අසු වී තිබෙනවා. ගරු ඇමතිතුමා මේ කරුණු හෙළි දරව් නොකළත් ලෝක බැංකුවේ උපදෙස් පිට ඉදිරිපත් කරන ලද වාර්තාවකින් හෙළි දරව් වී තිබෙනවා, 1954 දී පටන්ම මේ දෙපාර්තමේන්තුව මේ විධියේ ආයතනයක් බවට පත් කරන්න යන කියා ලෝක බැංකුවෙන් බල කර සිටි බව. අවසානයේදී ජාතික රජය ඒ බලකිරීමට යටත් වී ලෝක බැංකුව ඉල්ලන විධියට ඒ හැම කොන්දේසියක්ම ඇතුළත් කර මෙම පනත මේ විධියට ඉදිරිපත් කර තිබෙනවා. සමහර විට මේ ජාතික රජයේ ඉදිරිපස අසුන්වල සිටින අනිකුත් ගරු ඇමතිවරුන් මේ ගැන නොදන්නවා වෙන්න පුළුවන්. මෙහි දෙවැනි අසුනේ වාඩි වී සිටින ගරු පළාත් පාලන ඇමතිතුමා පළාත් පාලන ආයතනවල ස්වාධීනත්වයට, එම ආයතනවල ආදායම් මාර්ග දියුණු කිරීමට, ඒ වගේම පළාත් පාලන ආයතනවල වැඩ කායඝීක්ෂම කිරීමට පසුගිය මාස දෙක තුනේම පුදුම මහත්සියක් ගනිමින් උදේ සිට රෑ 7, 8, 9 පමණ වන තෙක් වැඩ කරන ඇමතිවරයෙක් හැටියට ප්‍රසිද්ධියක් ලබා සිටින කෙනෙක්. එතුමාත් දන්නේ

ලංකා විදුලිබල මණ්ඩල පනත් කෙටුම්පත :

සලකා බැලීම

නැහැ, මෙම පනත යටතේ එන 20, 21, 22 යන වගන්තිවලින් පළාත් පාලන ආයතන වල බඩට ගසා තිබෙන බව. තමන්ගේ කැබිනට් මණ්ඩලයේම සිටින ඉඩම් ඇමතිතුමා විසින් මෙවැනි පනතක් ඉදිරිපත් කර පළාත් පාලන ආයතනවල බඩට ගසා තිබෙනවා. සමහර පළාත් පාලන ආයතනවල ප්‍රධාන ආදායම් මාර්ගය වූ විදුලි බල ආදායම සම්පූර්ණයෙන්ම ලංකා විදුලි බල මණ්ඩලයට අත් වන අන්දමට නීතියක් සකස් කර තිබෙන බව සමහර විට පළාත් පාලන ඇමතිතුමා නොදන්නවා විය හැකියි.

ගරු නියෝජ්‍ය කථානායකතුමනි, අද බලපවත්වන විදුලි බල නීතිය යටතේ, ඒ පනතේ 2 වැනි ඡේදය යටතේ, පළාත් පාලන ආයතනයක් තුළ විදුලි බලය විකිණීමට දෙපාර්තමේන්තුවට බලය ලැබී තිබෙනවා. නමුත් පළාත් පාලන ආයතනයක සීමාව තුළ දෙහි ගෙඩියක් විකුණුවත්, මුරංගා කරලක් විකුණුවත්, කරපිංච නැට්ටක් වික්කත් එයින් කොමිස් එකක් අය කර ගැනීමේ සිරිතක් තිබෙනවා. හැම පළාත් පාලන ආයතනයකම එවැනි සිරිතක් තිබෙනවා. නමුත් ආණ්ඩුවේ දෙපාර්තමේන්තුවක් වන රජයේ විදුලි බල දෙපාර්තමේන්තුව ගොස් පළාත් පාලන ආයතන සීමා තුළ විදුලි බලය කෙළින්ම පාරිභෝගිකයාට වික්කත් පළාත් පාලන ආයතනයට සතයක් වත් දෙන්නේ නැහැ. නමුත් දුප්පත් ගැමියෙක් ගහල ගසක් සිටුවා එය උදුරා එහි ගහල කුරුල්ලන් ගෙන ගොස් පළාත් පාලන ආයතන සීමාවක් තුළ සිට වික්කොත් එයින් කොමිස් මුදලක් එම පළාත් පාලන ආයතනයට ගෙවන්නට ඕනෑ. හරක් මස් ටිකක් වික්කත්, මාලු ටිකක් වික්කත් වෙන මොනවා වික්කත් කොමිස් මුදල ගෙවන්න ඕනෑ. නමුත් රජයේ දෙපාර්තමේන්තුවක් වන විදුලි බල දෙපාර්තමේන්තුව විසින් පළාත් පාලන ආයතන සීමා තුළ විදුලි බලය පාරිභෝගිකයාට වික්කත් එයින් සතයක් වත් කොමිස් මුදල් වශයෙන් පළාත් පාලන ආයතනයට ලැබෙන්නේ නැහැ. එම තත්ත්වය සකස් කළ යුතු බව ගරු ඇමති තුමාත් පළාත් පාලන ඇමතිතුමාත් මුල් පනත ක්‍රියාත්මක කරන අවස්ථාවේදී පිළිගෙන තිබුණා. නමුත් අද සිදු වී තිබෙන්නේ ඒ තත්ත්වය නිබණ්ඩාත්

වඩා නරක් විමකුයි. මේ පනතේ, 20, 21, 22 යන වගන්ති යටතේ පළාත් පාලන ආයතන එහෙම පිටින්ම හාමතේ තබා තනි බලය පාවිච්චි කරන්නේ මේ විදුලි බල මණ්ඩලයයි. මේ මණ්ඩලයේ ඕනෑ එපාකම් අනුවයි ඒ කටයුතු කෙරෙන්නේ. ඒ මණ්ඩලය කිව්වොත් පාරිභෝගිකයාට විදුලි බලය විකිණීම පළාත් පාලන ආයතන වලින් කෙරීමට ඉඩ දෙන්නේ නැත, එය අප විසින්ම කරනවාය කියා කරන්න දෙයක් නැහැ. නීතියෙන් සම්පූර්ණ බලය මේ මණ්ඩලයට ලැබී තිබෙනවා.

මේ කැබිනට් මණ්ඩලයේ සමහර ඇමති වරුවත් දන්නේ නැහැ, මොන මොන රහසිගත හේතූන් නිසා මේ ආකාරයට මෙම පනත සකස් වී තිබෙනවාද යන්න ගැන. දකුණු කොළඹ ගරු මන්ත්‍රීතුමා (බර්තාඩ් සොයිසා මයා.) ලෝක බැංකුව පිළිබඳ චෝදනාව කරන විට ඉඩම් හා විදුලි බල ඇමතිතුමා හිස වැනුවා, එහෙම දෙයක් නැති බව ඇඟවීමට. ලෝක බැංකුව අවුරුදු 13 ක් 14 ක් නිස්සේ ඉල්ලූ හැම දෙයක්ම ඉටු කර ගන්නට තමුන්නාත් සේ මෙම පනතින් ඔවුන්ට දණගසා ඉඩ දී තිබෙන බවයි, මට කියන්නට තිබෙන්නේ. ලෝක බැංකුවෙන් මිලඟණය කොටස ලබා ගැනීමට—

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

මුලින්ම—1957 දී—ඉදිරිපත් කරන ලද වාර්තාවේ අඩංගු කරුණු දෙවන වර කියවද්දී මා කියෙව්වා. ඒ කාලේ ඇමතිවරයා මෙම පනත පිළිබඳව ඇමති මණ්ඩලයට ඉදිරිපත් කළ රපෝර්තුවේ නැතිනම් කැබිනට් පත්‍රිකාවේ කොටස් ද මම කියෙව්වා. ඒ කාලේ ඇමතිවරයා මෙම පනත ගෙනාවේ ලෝක බැංකුවේ ඉල්ලීම උඩය කියා සඳහන් කර ඇති බැව්ද මම කීව්වා. වුවමනා නම් එය හැන්සාඩ් එකේ බලන්න. [බාධා කිරීමක්.]

ප්‍රින්ස් ගුණසේකර මයා.
(திரு. ப்ரின்ஸ் குணசேகரா)
(Mr. Prins Gunasekera)

ලෝක බැංකුව අපේ රටේ ආර්ථික ක්‍රමය වැළඳ ගන්නේ හරියට බුවල්ලෙකුට අසු වන යම් කිසිවක් තදින් අල්ලා

ලංකා විදුලිබල මණ්ඩල පනත් කෙටුම්පත :

සලකා බැලීම

[ප්‍රින්ස් ගුණසේකර මයා.]

ගන්නා පිළිවෙලටයි. බුවල්ලාය කියන සභා අඩු 10 ක් 12 ක් තිබෙන, යමක් අසූ වුණොත් කුඩාල්ලා එල්ලුනා වාගේ—සමහරවිට ඊටත් වඩා හයිසෙන්—යකඩ අඩුවලින් අල්ලා ගන්නා වාගේ තදින් බදාගන්නා සතෙක්. අපේ ආර්ථික ක්‍රමයේ ඉතා වැදගත් ජීවනාලියක් තමයි විදුලි බල සම්පාදනය. ලෝක බැංකුව කියන විධියට මේ රටේ ආර්ථික ක්‍රමයේ ප්‍රධාන ජීවනාලිය සකස් කරන්නට යන්නේ ඇයි? ලෝක බැංකුව වාර්තාවක් නිකුත් කර තිබෙනවා. ලංකාවේ විදුලි බල දෙපාර්තමේන්තුවේ අභ්‍යන්තර පාලනය ගැනත්, මණ්ඩලයක් හැටියට මෙය සකස් කළ යුත්තේ කෙසේද කියන කාරණය ගැනත් එහි සඳහන් වෙනවා. ලෝක බැංකුව “Economic Development Projects and their Appraisal” නමැති පොතක් මගින් එ් ගැන කියා තිබෙනවා. විශේෂයෙන් ලංකාවේ විදුලි බල දෙපාර්තමේන්තුවේ තිබෙන අඩුපාඩු සහ එය සකස් කළ යුත්තේ කෙසේද යන්නත් පිළිබඳව එහි සඳහන් කර තිබෙනවා. ගරු ඇමතිතුමාට කියවන්නට වටිනා ලිපියක් එහි තිබෙනවා. එම ලිපියෙන් කොටස් කීපයක් මා දැන් කියවන්නම්. ඉන් එක් කොටසක් මෙසේයි :

“Cases and Principles from the Experience of the World Bank. Economic Development Projects and their Appraisal by John A. King, Jr.”

1965, 1966 විතර ලෝක බැංකුවේ නියෝජිත පිරිසක් ලංකාවට ඇවිත් කරන ලද පරීක්ෂණයක ප්‍රතිඵලයි ඒ කියන්නේ. නොදියුණු කියන රටවල් රාශියකට ගොස් ලෝක බැංකුව විසින් පවත්වන ලද පරීක්ෂණවල වාතී එම පොතේ අඩංගු කර තිබෙනවා. එයින් මේ පරිච්ඡේදයේ තිබෙන්නේ ලංකාව පිළිබඳ වාර්තාවයි. ලංකාව ගැන කළ පරීක්ෂණයේදී ලෝක බැංකුවේ අවධානයට යොමු වී තිබෙන්නේ ලංකා රජයේ විදුලි බල දෙපාර්තමේන්තුවයි. එම වාර්තාව පටන් ගෙන තිබෙන්නේ 77 වැනි පිටුවෙනුයි. එම පොතේ 80 වැනි පිටුවේ කියා තිබෙන්නේ මෙසේයි :

“The survey mission found that this form of organization had the following defects : ”

ලංකා රජයේ විදුලි බල දෙපාර්තමේන්තුව පිළිබඳව පරීක්ෂණයක් කර වාර්තාවක් ඉදිරිපත් කරන ලෝක බැංකුවේ විශේෂඥයන් ලංකා විදුලි බල දෙපාර්තමේන්තුවේ අභ්‍යන්තර තත්ත්වය මෙන්ම මේ අන්දමට පවතිනවාය කියනවා :

“The present electricity organization in Ceylon is inadequate to deal effectively with the operation and maintenance of a large high-tension grid switching in parallel hundreds of MW, let alone the large development program. Strict control by the Ministry, together with subordination of D. G. E. U. to Treasury regulations, seriously hampers the organization whenever major decisions have to be taken promptly.”

මෙයින් පෙනී යන්නේ ලෝක බැංකුවට වුවමනා කෙළේ මෙම දෙපාර්තමේන්තුවේ පාලනය අමාත්‍යාංශයෙකුත් භාණ්ඩාගාරයෙකුත් බැහැරව කරගෙන යෑම බවයි. ලෝක බැංකුවේ එම අවශ්‍යතාව අද සිදු වී තිබෙනවා. ලෝක බැංකුව දෙපාර්තමේන්තුවේ අභ්‍යන්තර දුර්වලකම් නැති කිරීමට යෝජනා ඉදිරිපත් කරන අතරම යම් යම් පරමාර්ථයන් මුදුන්පත් කර ගැනීමටත් ඔවුන්ට වුවමනා කර තිබෙනවා. ඔවුන් මෙසේ කියනවා :

“The area under the Authority’s control need not embrace the whole island ; on the contrary, we believe that limiting its area would improve organization.”

එහෙත් මෙතැනදී ලෝක බැංකුවේ යෝජනාවටත් ඇහුම්කන් නොදී මණ්ඩලය සම්පූර්ණයෙන්ම බලතල පවරා ගෙන තිබෙනවා. රජයේ විදුලි බල දෙපාර්තමේන්තුවේ අකාර්යක්ෂම භාවයට එක් වැදගත් හේතුවක් නම් හැම දෙයක්ම පාලනය කරන්නට යෑමයි.

නියෝජ්‍ය කථානායකතුමා

(உப சபாநாயகர் அவர்கள்)

(Mr. Deputy Speaker)

The hon. Member is contesting the principle of the Bill—that of transferring the Department of Government Electrical Undertakings to the Electricity Board, the Bill for which has already been passed. That cannot be allowed at this stage.

ලංකා විදුලිබල මණ්ඩල පනත් කෙටුම්පත :

සලකා බැලීම

ප්‍රින්ස් ගුණසේකර මයා.

(திரு. பிறின்ஸ் குணசேகரா)

(Mr. Prins Gunasekera)

ඒ පරමාර්ථයට පටහැනිව නොවෙයි මා කථා කරන්නේ.

නියෝජ්‍ය කථානායකතුමා

(உப சபாநாயகர் அவர்கள்)

(Mr. Deputy Speaker)

That is what you are saying.

ප්‍රින්ස් ගුණසේකර මයා.

(திரு. பிறின்ஸ் குணசேகரா)

(Mr. Prins Gunasekera)

මා කියන්නේ, අනුන්ගේ ඉල්ලීමක් උඩ—ලෝක බැංකුව වැනි භයානක ආයතනයක ඉල්ලීමක උඩ—සම්පූර්ණ සත්‍යය රටට එළිදරවු කරන්නේ නැතිව මෙවැනි පනතක් ඉදිරිපත් කිරීම භයානක බවයි. ඒ නිසා, ලෝක බැංකුවේ හැම වුවමනාවක්ම පිරිමැහීමට ඉදිරිපත් නොවී නිදහස්ව ක්‍රියා කරන ආණ්ඩුවක් මේ රටේ ජනතාව තෝරා පත් කර ගන්නා තෙක් මේ පනත ඉදිරිපත් කිරීම කල් දැමිය යුත්තේ මන්ද යන්න ගැනයි මා කථාකරන්නේ. ලෝක බැංකුව ඉල්ලන්නේ කුමක්ද? ගරු ඇමතිතුමා සම්පූර්ණ සත්‍යය එළිදරවු කළේ නැහැ. මේ වාර්තාවේ එම පිටුවේම මෙසේ කියා තිබෙනවා :

“The Survey Mission’s recommendation that DGEU become autonomous was raised again as an issue at the time of the Bank’s first power loan in 1954. The appraisal mission noted the following difficulties with respect to the organization of the electric power supply :...”

ඊළඟට තවත් විස්තර වශයක් තිබෙනවා. 1954දී ලෝක බැංකුව විදුලි බල දෙපාර්තමේන්තුවට පළමුවැනි ණය මුදල දීමට පෙර එය ස්වාධීන ආයතනයක් බවට පත් කරන්නැයි කියා සිටියා. ඒ අවස්ථාවේදී කරන ලද ඉල්ලීමක් තමයි දැන් අද ඉටුවීමට යන්නේ. ඒ ඉල්ලීම ඒ හැටියටම ඉටු නුතත් ඒ ණය දුන්නා. දෙවැනි ණය මුදල දෙන අවස්ථාවේදී මේ ප්‍රශ්නය යළිත් මතු වුණායයි ඊළඟට කියනවා. මේ වාර්තාවේ ඊළඟට කියා තිබෙනවා, 1954 පළමු වැනි ණය මුදල දෙන අවස්ථාවේදී ලෝක බැංකුවේ ඉල්ලීම ඉටු කර නොතිබුණත් එම කොටස දුන්නාය කියා.

දෙවැනි කොටස දෙන අවස්ථාවේ යළිත් මේ ප්‍රශ්නය මතු වුණා. එතැනදී ආණ්ඩුව පොරොන්දු වී තිබෙනවා මේ ගැන සලකා බලනවාය කියා. ඒ පොරොන්දුව අනුව දෙවැනි කොටසත් දුන්නා. ඒ අනුව ණය මුදලේ තුන්වැනි කොටස ලබා ගන්නට කලින් ඒ පොරොන්දුව ඉටු කරන්නට දැන් සිදු වී තිබෙනවා. එසේ නොකළොත් මේ වාර්තාවේ හැටියට තුන් වැනි කොටස ලබා ගන්නට පුළුවන් වන්නේ නැහැ. ඒ අනුව මේ ලෝක බැංකු වාර්තාවේ පැහැදිලි වම කියන පිළිවෙලට ඒ ඉල්ලීම ඉටු කිරීමට ගරු විදුලිබල ඇමතිතුමා දැන් බල මණ්ඩලයක් පත් කර තිබෙනවා.

ගරු නියෝජ්‍ය කථානායකතුමනි, මේ බල මණ්ඩලය පත් කළ තරමින් දෙපාර්තමේන්තුවේ තිබෙන දූෂණ හා දෙපාර්තමේන්තුවේ අකාර්යක්ෂමතාවන් හැම එකක්ම හරි යන්නේ කොහොමද? අද ඒ දෙපාර්තමේන්තුව අනුගමනය කරන ප්‍රතිපත්තිය අනුව අද තිබෙන තීතිය යටතේවත් බොහෝ විට පළාත් පාලන ආයතනවලට සැලකිල්ලක් දක්වන්නේ නැහැ. පෞද්ගලික කර්මාන්තකාරයන්ට නම් “ට්‍රාන්ස්ෆෝමර්” මාර්ගයෙන් විදුලි බලය ලබා දී ඇති අවස්ථා මා දන්නවා. සමහර පළාත් පාලන ආයතන විදුලි බලය ඉල්ලා අවුරුදු ගණනාවක් කන්න ලව් කර තිබියදීත් ඒවා ගැන ඇහුම්කන් නොදී පෞද්ගලික කළුගල් කඩන්නන්ට “ට්‍රාන්ස්ෆෝමර්” දී විදුලි බලය දී ඇති අවස්ථා මා දන්නවා. පළාත් පාලන ආයතනවලට සිදු වී තිබෙන්නේ පෞද්ගලික පරිවර්තක මාර්ගයෙන් විදුලි බලය සැපයූ ඒ පෞද්ගලික ජාවාරම්කාරයින් ගෙන් පළාත් බද ආයතනවලට විදුලි බලය ලබා ගන්නටයි. තේෆැක්ටරි, කළුගල් කඩන මෝල්, ආදී පෞද්ගලික ජාවාරම්කාරයින් “ට්‍රාන්ස්ෆෝමර්” සවි කර ගෙන දෙපාර්තමේන්තුවෙන් විදුලිබලය මිල දී ගන්නවා. ඒ අතරතුර ඒ ප්‍රදේශයේ පාරිභෝගිකයින්ට කෙලින්ම විදුලි බලය සපයන්නාය කියා ඒ ප්‍රදේශයේ ගම්සභාව ඉල්ලා සිටිනවා. එහෙත් එය ඉටු කරන්නේ නැහැ. ඇතැම් අවස්ථාවල පාරිභෝගිකයන්ගේ සංගම් පිහිටුවාගෙන ඒ මගින් දෙපාර්තමේන්තුවට කියා සිට

ලංකා විදුලිබල මණ්ඩල පනත් කෙටුම්පත :

සලකා බැලීම

[ප්‍රින්ස් ගුණසේකර මයා.]

පෞද්ගලික ජාචාරම්කාරයින්ට සවි කර දුන් පරිවර්තක මාර්ගයෙන් ප්‍රදේශයේ විදුලි බලය සම්පාදනය කරනවා. ඒ නිසා අද පවතින නීතිය යටතේ විදුලි බලය විකිණීමෙන් පළාත් පාලන ආයතන ආදායමක් ලබා ගැනීම ඒ ආයතනවලට නැතිව ගොස් තිබෙනවා. ලෝක බැංකුවේ ඉල්ලීම අනුව පෞද්ගලික අංශයට ආධාර කරන මේ රජය පළාත් පාලන ආයතන වැනි ජනසම්මතවාදී දේශීය ආයතනවල ඉල්ලීම ගැන නොතකා පෞද්ගලික ජාචාරම්කාරයින්ට කෙලින්ම විදුලි බලය විකුණන්නේ මන්ද යන්න මට තේරුම් ගන්නට නොහැකිව තිබුණු ප්‍රශ්නයක්. එහෙත් මේ වාර්තාවත් මේ පනතත් කියවූවාට පසුව මේ රජයේ ප්‍රතිපත්තිය කුමක්ද යන්න මට අවබෝධ වී තිබෙනවා.

යම් ප්‍රදේශයක මහජනතාවගේ ඡන්දයෙන් තේරී පත් වන ආයතනයක් වන පළාත් පාලන ආයතනයක් රජයෙන් විදුලි බලය ඉල්ලා සිටියදී විදුලි බලය එම ආයතනයට නොදී පෞද්ගලික කළුගල් කඩන නෙකුට හෝ මෝල්කාරයෙකුට හෝ තේ fපැක්ටරියකට “ට්‍රාන්ස්පෝර්ට්” සවි කර විදුලි බලය විකිණීමේ ප්‍රතිපත්තිය කුමක්ද? මෙය බැලූ බැල්මට තේරුම් ගන්නට අමාරු කාරණයක්. එහෙත් මේ දෙපාර්තමේන්තුවේ ප්‍රතිපත්ති පිළිබඳ පසුබිම ගැන බලන විට සිදු වෙමින් තිබුණේ කුමක්ද කියන එක අපට පැහැදිලියි. පළාත් පාලන ආයතනවලට සැහෙන ආදායමක් ලැබෙන්නේ විදුලිය බෙදා හැරීමෙනි. එය නැති කිරීමෙන් සිදු වන්නේ පළාත් පාලන ආයතන ආදායම් සහිත් නක තැබීමක්. ගරු ඇමතිතුමාත්, විදුලි බල මණ්ඩලයත් ඒ වෙනුවට පළාත් පාලන ආයතනවල ආදායම් මාර්ග කොයි ආකාරයකින් සුලභ කරන්නට යනවාදැයි මා දන්නේ නැහැ. මේ අනුව බලන විට මේ පනතින් පළාත් පාලන ආයතන ඉතිහාසයේ ඉතාම කණගාටුදායක පරිච්ඡේදයක් ඇරඹෙන බව පෙනෙනවා.

කොළඹ නගර සභාව ගැන මා කථා කරන්න වුවමනා නැහැ. කොළඹ නගර සභාවේ හිටපු පුරපතිවරුන් තුන්දෙනෙකුම ඇමතිවරුන් වශයෙන් මේ ගරු සභාවේ මුල් අසුන්වල ඉන්නා බව මැද කොළඹ

තුන්වන ගරු මන්ත්‍රීතුමා (පී. බී. ජී. කෙනමත් මයා.) කීවා. එහෙත් මේ කාරණයේදී ඔවුන්වත් තමන් කලින් සේවය කළ ආයතනයේ අයිතිවාසිකම් ගැන සලකා නොබැලීම කණගාටුවට කාරණයක්. මා පළාත් පාලන ආයතනයක සාමාජිකයකු නොවෙයි. එහෙත්, පළාත් පාලන ආයතනවලට ස්වාධීනත්වයක් ලැබෙන්නේ තම ආදායම් මාර්ග සරු වූ පමණට බැවින්, එතෙක් ඔවුන්ට තිබුණු හොඳ ආදායම් මාර්ගයක් මේ පනත මගින් නැති වන නිසායි, මා මේ ගැන සඳහන් කරන්නේ. පළාත් පාලන ආයතනවල හොඳ ආදායම් මාර්ගයක් මේ අන්දමින් කපා හැරියාම හැම දාමත් රජයට දණ නමමින් යටත් සේවකයන් වශයෙන් කටයුතු කරන්නට එම ආයතනවලට සිදු වෙනවා. නියෝජ්‍ය කථානායක තුමනි, මේ අනුව බලන විට ඇත්ත වශයෙන්ම මේ පනතින් පළාත් පාලන ආයතන පිළිබඳ ඉතිහාසයේ කණගාටුදායක පරිච්ඡේදයක් ආරම්භ වන්නේ නැද්ද?

මා මේ පනතට විරුද්ධ වන අතෙක් හේතුව, සේවකයන්ගේ සේවා තත්ත්වය පිළිබඳ අසතුටුදායක තත්ත්වයයි. මේ පනත සම්බන්ධයෙන් ස්ථාවර කාරක සභාවට සන්දේශ කිහිපයක්ම ලැබුණා. ඉන් එකක් ලැබුණේ කොළඹ නගර සභාවෙනුයි. එම සන්දේශයේ වැඩිපුරම සඳහන් වන්නේ විදුලිබලය විකිණීම පිළිබඳ අයිතිය ගැනයි. කොළඹ නගර සභාව වෙනුවෙන් ස්ථාවර කාරක සභාව ඉදිරියේ සාක්ෂි දීමට පැමිණි සර්ව පාක්ෂික නියෝජිත මණ්ඩලය ඉදිරිපත් කළ සන්දේශයේ වරක් දෙකක් නොව හත් අට වරක්ම කියා ඇත්තේ විදුලිබලය විකිණීමෙන් ආදායමක් ලබා ගැනීමේ අයිතිය කොළඹ නගර සභාවට දෙන බවට රජය මීට ඉහත දුන් ප්‍රතිඥාව ඉටු කරන හැටියටයි. පළාත් පාලන ආයතනයක ඉල්ලීම ප්‍රතික්ෂේප කිරීමක් පමණක් වශයෙන් සලකා, ඒ ඉල්ලීම ඉටු නොකිරීම මඳකට අමතක කරමු. අතෙක් සන්දේශ දෙක ලැබුණේ කාගෙන්ද? එකක්, රජයේ විදුලිබල දෙපාර්තමේන්තුවේ සියලුම වෘත්තීය සමිති ඇතුළත් ඒකාබද්ධ බල මණ්ඩලයෙන්. අනෙක ඉංජිනේරුවන්ගෙන්. මේ පනත නිසා එම දෙපාර්ත

ලංකා විදුලිබල මණ්ඩල පනත් කෙටුම්පත :

සලකා බැලීම

මේත්තුවේ වර්තමාන සේවකයන්ගේ සේවා තත්ත්වයට බරපතල හානියක් සිදු වන බවට ඔවුන් තුළ සාධාරණ සැකයක් තිබෙන බව එම සන්දේශවලින් පෙනෙනවා. ඔවුන්ගේ ඉල්ලීම් ප්‍රතික්ෂේප කිරීම නම් කිසිසේත් සමාව දිය නොහැකි වරදක්. ස්ථාවර කාරක සභා අවස්ථාවේදී ඔවුන් ඉල්ලා සිටි එකම කාරණයක් වන්නේ ඉටු වී නැති බවයි, එකම ප්‍රශ්නයක් වන්නේ විසඳී නැති බවයි, මේ පනතින් පෙනී යන්නේ. තම සේවා තත්ත්වය පිළිබඳව මේ පනතේ ඇති අඩුපාඩුකම් සම්බන්ධයෙන් ඉංජිනේරුවන් වැනි ඉහළ පෙළේ නිලධාරීන් මෙන්ම, සුළු සේවකයන්ගේ එක හඬින් විරුද්ධත්වය පළ කරන බව ඒ සන්දේශවලින් පෙනෙනවා. රජයේ විදුලිබල දෙපාර්තමේන්තුවේ ඒකාබද්ධ බල මණ්ඩලය ඉදිරිපත් කළ සන්දේශයෙන් දක්වා තිබෙනවා, අවුරුදු පහක් හයක් තිස්සේ ඇමතිතුමා සමඟ පවත්වන ලද සාකච්ඡා ගැනත්. එම සන්දේශයෙන් කියවෙන හැටියට—

“මෙම පණත පාර්ලිමේන්තුවට ඉදිරිපත් කර ඇත්තේ යෝජිත විදුලි බල මණ්ඩලය යටතට පත් වන රජයේ විදුලි දෙපාර්තමේන්තු සේවකයන්ගේ ඉරණම කුමන ආකාරයකට විසඳා ඇත්දැයි ඔවුන් හට දැනුම් දීමක් නොමැතිවය.

මණ්ඩලයක තනි පාලනයට පත් වන රජයේ විදුලි දෙපාර්තමේන්තුවේ සේවකයන්ගේ සේවා වරප්‍රසාද පිළිබඳව සැහෙන තීරණයකට නොඑළඹ විදුලි බල මණ්ඩල පණත පාර්ලිමේන්තුවට ඉදිරිපත් කිරීමෙන් ගරු ඇමතිතුමා එතුමන් කෙරෙහි තබන ලද විශ්වාසය මූලමතීන්ම කඩකප්පල් කර ඇත. විදුලි බල මණ්ඩල පණත පාර්ලිමේන්තුවේදී සම්මත කිරීමට පෙර අපගේ මූලික සේවා අයිති වාසිකම් හා වරප්‍රසාද ආරක්ෂා කෙරෙන කොන්දේසි එහි අඩංගු කරවීමට ගත හැකි සෑම ප්‍රජාතන්ත්‍රවාදී පියවරක්ම ගන්නා මෙන්—”

මේ නියෝජිත මණ්ඩලය කොමිටියෙකුත් මන්ත්‍රීවරුන්ගෙකුත් ඉල්ලා තිබෙනවා. එහෙත් ඒ ඉල්ලීම්වලට ඇහුම්කන් දී නැහැ. කොමිටිය නියෝජිත මණ්ඩලවල සාක්ෂි විමසුවා. ඒ නියෝජිතයන්ගේ සැකයට තුඩු දෙන කරුණු පිළිබඳව ඒ අයගේ අදහස් විමසුවා. එහෙත් අද විදුලි බල මණ්ඩලයට බලතල පවරන්නට යන්නේ මුල් කෙටුම්පත් පණතේ තහවුරු වුණු විධියටමයි. දැන් ටිකකට පෙර ගරු ඇමතිතුමා ලවා බොහෝම අමාරුවෙන් වචන තුනක් හඳුවා ගන්නට

පුළුවන් වුණා. “On the whole” යන වචන තුන එතුමා ලවා බෙහෝම අමාරුවෙන් ඉවත් කරවා ගත්තා. මාස ගණනක් තිස්සේ නොව අවුරුදු ගණනක් තිස්සේ මෙකී සමිති සමාගම්, විදුලි බල පිළිබඳ ගරු ඇමතිතුමා සමඟ සාකච්ඡා කිරීමේ ප්‍රතිඵලයක් වශයෙන් එතුමා ලවා කරවා ගන්නට පුළුවන් වුණේ මේ වචන තුන ඉවත් කිරීම පමණයි. මෙම මණ්ඩලයේ සේවය යටතට පත් වන, රජයේ විදුලි දෙපාර්තමේන්තුවේ සේවකයන් මෙම වචන තුන ඉවත් කිරීමෙන් පමණක් සැහීමට පත් වේදැයි මා දන්නේ නැහැ.

සුළු සේවකයන් පමණක් නොව ඉංජිනේරු මහත්වරුන් පවා මෙවැනි හේතුන් දක්වමින් සන්දේශයක් ඉදිරිපත් කර තිබෙනවා. විදුලි බල දෙපාර්තමේන්තුවේ ඉංජිනේරු මහත්වරුන් විසින් ඉදිරිපත් කරන ලද සන්දේශයෙහි මෙසේ සඳහන් වෙනවා :

- “(ඇ) මංඩලයට බඳවා ගත්, කලින් විදුලි අදිකාරියේ නියුතු වූවකුගේ විශ්‍රාම වැටුප් කිසිදු සැලැස්වක් නොමැති කරුණු මත වුවද අහෝසි වන්නට ඉඩ ඇති වග ;
- (ඈ) විදුලි අදිකාරියේ නියුතු වූවන් ගෙන් කොටසකට විශ්‍රාම වැටුප් ලැබ ගන්නට අවසරයක් නොමැති වීම.”

මෙම කරුණු මත, විදුලි අදිකාරියේ ඉංජිනේරු මහත්වරුන් මෙම පණතට තමන්ගේ බලවත් විරුද්ධත්වය ප්‍රකාශ කර තිබෙනවා. මෙයින් පැහැදිලිවම පෙනී යන්නේ, දෙවර්ගයේම සේවකයන්—උසස් පෙළේ, ඉංජිනේරු අංශයේ නිලධාරීන් සෙසු අංශවල වැඩ කරන සාමාන්‍ය කම්කරුවන්—තම තමන්ගේ සේවා තත්ත්වයන් පිළිබඳව ලොකු බියකින් ජීවත් වන බවයි. මේ, දෙපාර්තමේන්තුවේ සේවකයන්ගේ අභ්‍යන්තර තත්ත්වයයි.

දැන් අපි මණ්ඩලයේ සේවය ගැන කල්පනා කර බලමු. මෙම බල මණ්ඩලයට මේ තිබෙන දෙපාර්තමේන්තුව මේ ආකාරයෙන්ම පවරා ගැනීමෙන් අදට වඩා කායාබිඝ්‍රම සේවයක් සිදු වේවිද යන්නයි අප නඟන ප්‍රශ්නය. මගේ අත් දැකීම අනුව නම්, නියෝජ්‍ය කථානායකතුමනි, මෙම දෙපාර්තමේන්තුව ගමන් කරන්නේ කුරා කුහුඹියෙක් ගමන් කරන්නා වාගෙයි. මගේ ප්‍රදේශයේ එකම පළාත් පාලන

ලංකා විදුලිබල මණ්ඩල පනත් කෙටුම්පත :

සලකා බැලීම

[ප්‍රින්ස් ගුණසේකර මයා.]

ආයතනයකටවත් මෙම දෙපාර්තමේන්තුව මගින් විදුලි බලය ලබා ගැනීමට මේ දක්වා පුළුවන් වී නැහැ.

1965 මාර්තු මාසයේදී මට මතකයි විදුලි දෙපාර්තමේන්තුවට ගොස් කීව්වා, තමුත් තාත්සේලාට විදුලි බලය සපයන්න පුළුවන් ඕනෑම ආකාරයකට—ගම් 500 ක්‍රමය යටතේ හෝ ණය මුදල් ක්‍රමය යටතේ හෝ එසේ නැත් නම් ගෙවල් 150 ක් නැත්නම් 200 ක් එකතු වීමෙන් දෙන ක්‍රමය යටතේ හෝ ඕනෑම ආකාරයකට—විදුලි බලය සපයන්නා කියා. අදට අවුරුදු 4 කුත් ගත වී ඇතත් එකම තැනකටවත් විදුලි බලය මේ දක්වා සපයන්නට පුළුවන් වී නැහැ. මේ දෙපාර්තමේන්තුව කාලය තාක්ති කරන මහා කාල කණ්ණි දෙපාර්තමේන්තුවක්. විදුලි බල දෙපාර්තමේන්තුවේ සිටින උසස් නිලධාරීන් දන්නේ නැහැ මොන ක්‍රමයකින් පාරිභෝගිකයන්ට විදුලි බලය සපයන්නට තමන්ගේ දෙපාර්තමේන්තුවට පුළුවන් ද එසේ නැත් නම් බැරිද යන වග. මට එවා ඇති ලිපිවල කියා තිබෙනවා, මේ ප්‍රදේශය දියුණු මදිය, එම නිසා ලැබෙන ආදායම මදිය, ඒ හේතුකොටගෙන විදුලි බලය සපයන්නට බැරිය කියා. සමහර ලිපිවල එසේ කියා තිබෙන අතර, තවත් සමහර ලිපිවල කියා තිබෙනවා, මේ ප්‍රදේශය නොමිමර එකේ ආදායම් මාර්ග ඇති ප්‍රදේශයක්ය එම නිසා ගම් 500 ක්‍රමය යටතේ මේ ප්‍රදේශයට නොමිමර එකට විදුලි බලය සපයනවාය කියා.

අවුරුදු එකහමාරකට පමණ කලින් මට මතකයි, කිලෝවට්ස් 33,000 විදුලි රැහැන් ගමන් කරන ප්‍රදේශවල ඇති ගම්වලට විදුලි බලය සපයා දෙන්නට දෙපාර්තමේන්තුව ලැහැස්තිය, ඒ සඳහා ශ්‍රමදානය මගින් කනු සිටුවීමෙන් ගස් වැල් කපා ඒ ප්‍රදේශ සුද්ධ කර දීමෙන් මහජනයාගේ සහයෝගය ලබා දෙන්නාය, එතකොට ඉක්මණින් විදුලි බලය ලබා ගන්නට පුළුවන් වනවාය කියා ගරු ඇමතිතුමා වක්‍ර ලේඛනයක් එවූ බව. ඒ දැන්වීමට අනුව මා පිළිතුරු යැව්වා, කරුණාකර දෙපාර්තමේන්තුවෙන් මිනිසුන් එවන්නාය, කණු සිටුවීම, ගස්වැල් කපා සුද්ධ කිරීම, විදුලි රැහැන් ඇදීම ආදී ඕනෑම දෙයක් කර දීමට අප සූදානම්ය කියා. ඇමතිතුමා එව ඒ වක්‍ර

ලේඛනයට අනුව අපේ මිනිසුන් උදවු කර ගතගෙන, අලවංගු කෙලින් කරගෙන බලා ගෙන ඉන්නවා කණු සිටුවීමටත් රැහැන් ඇදීමටත් දෙපාර්තමේන්තුවෙන් ඒ සඳහා මිනිසුන් එන තුරු. එහෙත් මේ වන තුරු ඇවිත් නැහැ.

අපි විදුලි දෙපාර්තමේන්තුවේ ලොකු මහත්වරුන් සමුවීමට ගොස් ඉල්ලා සිටියා, ණය මුදලක් ලබාගෙන එයින් විදුලි බලය සැපයීම සඳහා පළාත් පාලන ආයතනයක් විසින් ආරම්භ කර ඇති යෝජනා ක්‍රමය කල් නොදා කර දෙන්නාය කියා. එහෙත් ඒ සඳහා කම්බි සොයා ගැනීමට දෙපාර්තමේන්තුවට පුළුවන් කමක් නැහැ. මේ විධියේ බංකොලොත් දෙපාර්තමේන්තුවක් තමයි දැන් විදුලි බල මණ්ඩලයකට පරිවර්තනය කර විදුලි බලය පිළිබඳ සංවර්ධනයක් ඇති කරන්නායන්නේ. හැතැප්ම එකහමාරක් ඇදීම පිණිස කම්බි සොයා ගන්න බැරි වුණේ වී නමුත්, අතුරු මැතිවරණයක් පැවැත්වීමේ අවස්ථාවක් එළඹුණොත්, හැතැප්ම 10, 12 පොල් ගස්වල ඇණ ගසා කම්බි අදින්න පුළුවන්. සාමාන්‍ය පළාත් පාලන ආයතනයකින් ඉල්ලුම් කළොත් බඩු නැහැ. එහෙත් හදිසි අතුරු මැතිවරණයක් ඇති වුණොත් නැති කම්බි ඉබේ ඇදෙනවා. ගරු ඉඩම් ඇමතිතුමා හබරාදුව ආසනයට විදුලි බලය සපයනවාද අතුරු මැතිවරණයක් පැවැත්වීමේ අවස්ථාව මා ඇතිකර දෙන්න. එසේ නම් මා හෙට ඉල්ලා අස්වෙනවා, කරුණාකර විදුලි බලය සපයන්න.

කිලෝවොට් 33,000 විදුලි රැහැන් ගමන් කරන ප්‍රදේශ 4ක් 5ක් ඒ පළාතේ තිබෙනවා. ඒවායින් විදුලි බලය ගෙන යන්නේ තේ පැක්ටේරියකටත්, කළු ගල් කඩන ආයතනයකටත් පමණයි. ගම් මැදින් විදුලි රැහැන් යනවා. එහෙත් ඒ ගම්වලට ආලෝකය නැහැ. මේ ඊයේ පෙරේදා ඉමදුව පළාතේ පාරිභෝගිකයන්ට, ඔය කියන fපැක්ටේරියකින් විදුලි බලය සපයන්නට එතුමා ගිය තැනකදී උඩ පැන තිබෙනවා, හබරාදුව ආසනයට වැඩ කෙරෙන්නේ නැහැ කියා. එහෙමද වැඩ කරන්නේ? ගම් පන්සියයකට විදුලි බලය සැපයීමේ යෝජනා ක්‍රමය යටතේ 1964 සිට පළාත් පාලන ආයතන කොයි තරම් සංඛ්‍යාවක් එම ප්‍රදේශවලට විදුලි

ලංකා විදුලිබල මණ්ඩල පනත් කෙටුම්පත :

සඳකා බැලීම

බලය සපයා දෙන ලෙස නමුත් නාත් සේ ගෙන් ඉල්ලුම් කර තිබෙනවාද නමුත් එම ඉල්ලීම් ඉටු කර දෙන්න නමුත් නාත් සේ පියවර ගෙන නැහැ. දෙපාර්තමේන්තුවට ගිහින් විමසුවොත් ඒ අය කියනවා, ඇමතිතුමාගෙන් ලියමනක් අරගෙන ආවොත් ඒ කටයුත්ත කර දෙන්නට පුළුවන්ය කියා. මෙතැන නොවෙද එහෙම නම් රහස් තිබෙන්නේ? ඇමතිතුමා ලියමනකට අත්සන් කරන්නේ නැහැ. යම් යම් විස්තර ලබාගෙන, ලැබෙන ආදායම හා වියදම් පිළිබඳව කරුණු පරීක්ෂා කර බලා ප්‍රතිඵල විස්තර සහිතව, නිලධාරීන් හමුවී ඒ අය සමග තර්ක කර කාරණා පෙන්වා දුන් විට ඒ කාරණා සාධාරණ ලෙස, සත්‍ය ලෙස පිළිගන්නත් ඇමතිතුමාගෙන් ලියමනක් ලබාගන්න ඕනෑ ඒ කාර්යය කර ගන්න. නමුත් ඇමතිතුමා ලියමනක් දෙන්නේ නැහැ. හැම අවස්ථා වේදීම එවැනි දේවලට හරස් කපාගෙනයි ඉන්නේ. ට්‍රාන්ස්ෆේස්මර්—පරිවර්තකයන්—දෙන්නේ ජාවාරම් කාරයින්ට පමණයි. තේ පැක්ටරි කාරයන්ට ඕනෑ තරම් ට්‍රාන්ස්ෆේස්මර් ලබාගන්න පුළුවනි. නමුත් පළාත් පාලන ආයතනය මගින් බෙදා හරින විදුලි බල වේගය ප්‍රමාණවත් නැති නිසා, පරිවර්තකයන් සවි කර දෙන ලෙස එම ආයතන ඉල්ලා සිටියොත්, ඒවා ලබාදීම සඳහා විදේශ විනිමය නැතැයි පිළිතුරු දෙනවා. පළාත් පාලන ආයතනයකට ට්‍රාන්ස්ෆේස්මරයක් ලබා දෙන්න දෙපාර්තමේන්තුවට බොහොම අමාරු වුණත් පෞද්ගලික ජාවාරම් කාරයන් ඉල්ලුවොත් ඕනෑතරම් ට්‍රාන්ස්ෆේස්මර් ලබාදෙන්න පුළුවනි. එහෙමනම්, ගරු ඇමතිතුමාගේ ප්‍රතිපත්තිය මේකදැයි මට ප්‍රශ්න කරන්න සිදු වී තිබෙනවා. ගරු නියෝජ්‍ය කථානායකතුමනි, දෙපාර්තමේන්තුවට පුළුවන්කමක් නැහැ, ඇමතිතුමාගේ ලිපියක් නැතුව අප ඉදිරිපත් කරන කාරණා උඩ පමණක් ගම්බද ප්‍රදේශවලට විදුලි බලය සැපයීමට. මේවාට හරස් කපන්නේ ඇමතිතුමා නම්, මේ රට අන්ධකාරයේ තැබීමේ වගකීම එතුමා හාර ගන්න ඕනෑ. විදුලි බලය සැපයීම පිළිබඳව වගකීමක් දරන ඇමතිතුමා රට අන්ධකාරයේ තැබීම ගැන වගකීම භාර දෙන්න.

ගරු නියෝජ්‍ය කථානායකතුමනි, එක් අතකින් ඇමතිතුමාගෙන් මෙම දෙපාර්තමේන්තුව ගිලිහී යාම හොඳයි. නමුත් ඇමතිතුමාගේ අනුදානම ඇතුළු පත් කරන මණ්ඩලයකට පැවරෙන නිසා එයින් එතරම් යහපතක් වේයයි අප තුළ විශ්වාසයක් නැහැ. මන්ද? ඇමතිවරුන් පත් කරන අනිකුත් මණ්ඩලවලට පත් කරන්නේ කුමන පුද්ගලයන්ද, කොයි ආකාරයෙන් ඒවායේ කටයුතු කරනවාද යන කාරණා අපට හොඳින්ම පැහැදිලියි. බොහොමයක් මණ්ඩලවලට පත් කර තිබෙන්නේ පරාජිත අපේක්ෂකයන්. එසේ නම් මණ්ඩල පත් කිරීමෙන් සේවයක් වෙනවාද? කෙසේ හෝ වේවා මෙම ප්‍රජාතන්ත්‍රවාදී පරාජිත යුගයේදී මේ රට තවත් අන්ධකාරයට පත් නොවේ වැඩි ප්‍රාර්ථනා කරමින් මගේ වචන ස්වල්පය අවසන් කරනවා.

ගරු සී. පී. ද සිල්වා
 (කෙළරඹා ජී. ඒ. ඩී. නිල්වා)
 (The Hon. C. P. de Silva)

Anyway, what happened is this. With the crossing over of the Federal Party, the Government had a majority of one in the Standing Committee. We fixed the 20th. They wanted the 25th. We sat the whole day.

The other point I want to mention is that there is another Bill before the House, which is now being considered by Standing Committee "B"—

ආචාර්ය කොල්වින් ආර්. ද සිල්වා
 (කලාතිත්ති කොල්වින් ආර්. ඩී. නිල්වා)
 (Dr. Colvin R. de Silva)

I ask you plainly : will you give us a pledge on behalf of the Government that you will accept that amendment in that way ? Otherwise, do not put forward the argument.

ගරු සී. පී. ද සිල්වා
 (කෙළරඹා ජී. ඒ. ඩී. නිල්වා)
 (The Hon. C. P. de Silva)

I have nothing more to say.

නියෝජ්‍ය කථානායකතුමා
 (උප සභාපාලක ආරාධිතයා)
 (Mr. Deputy Speaker)

I shall first put the amendment of the hon. Member for Colombo South (Mr. Bernard Soysa).

லேகா விட்டிலே மன்கலய பனத் கெடுதலுபன: நுன்தன வர கியலித

ஓவமி ஈன்கர ஸுநிதே (ஃனோவன) பனத் கெடுதலுபன—தேவன வர கியலித

“ஈன்குரேம யேசனா கரன டே ‘now’ ஸன வலநய ப்ரஸீநயே கனோவனக் ஸுபியெ நிநிய ஸ்ருய” ஸன ப்ரஸீநய விமலன டே.

“இப்பொழுது”, எனும் ஸொல் வினாவின் பகுதி யாக இருக்குமாக” எனும் வினா விடுக்கப்பட்டது.

Question, “That the word ‘now’ stand part of Question”, put.

கலகலவலே ஈனுவ “ஃனீய” மன்திரிந்ெ ஃய லெ நியோசீத கலாயகனதுலா விமீந் ப்ரகான கரன டே.

சுரல்களின்படி “ஆம்” என்றவர்களுக்கு வெற்றி யென உப சபாநாயகர் அவர்களால் பிரகடனப்படுத்தப் பட்டது.

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

லீநாவி ஸோயிஸா மிய.

(திரு. பெர்னாட் ஸொய்ஸா)

(Mr. Bernard Soysa)

Divide!

மன்திரி மன்கலய 48 வன ஃயுவர நியோசீத ஸெனே—ஃனீயல 34; விடேவல 21; ஸனுவெனே— லெடனேய.

சபை, 48 ஆம் நிலையற் கட்டளையின் கீழ் பிரிந்தது: ஸார்பாக 34; எதிராக 21.

The House divided (under Standing Order No. 48): Ayes 34; Noes 21.

நியோசீத கலாயகனதுலா

(உப சபாநாயகர் அவர்கள்)

(Mr. Deputy Speaker)

I now put the amendment of the Member for Nallur (Dr. Naganathan).

“ஈன்குரேம யேசனா கல “now” ஸன வலநய ப்ரஸீநயே கனோவனக் ஸுபியெ நிநிய ஸ்ருய” ஸன ப்ரஸீநய விமலன டேந், ஃன ஃலிதே யி.

“இப்பொழுது எனும் ஸொல் வினாவின் பகுதியாக இருக்குமாக” எனும் வினா விடுக்கப்பட்டு ஏற்றுக் கொள்ளப் பட்டது.

Question, “That the word ‘now’ stand part of the Question”, put and agreed to.

“கெடுதலுபன பனன, ஃனோவனாகரனேந், டுந் நுந் வன வர, கியலிய ஸ்ருய” ஸன ம்ரீ ப்ரஸீநய விமலன டேந் ஃனஃலிதே யி.

“மஸோதா, திருத்தப்பட்டவாறு, இப்பொழுது: மூன்றாம் முறை மதிப்பிடப்படுமாக” எனும் மூல வினா விடுக்கப்பட்டு ஏற்றுக்கொள்ளப்பட்டது.

Main Question, “That the Bill, as amended, be now read the Third time”, put and agreed to.

ஓவமி ஈன்கர ஸுநிதே (ஃனோவன) பனத் கெடுதலுபன

காணி கொள்ளுதல் (திருத்த) மஸோதா

LAND ACQUISITION (AMENDMENT) BILL

கலீ நலந டே விடேய நல டுரவந் பவன்தன பிணீஃ நியோசீத கியலன டே. ஃவ ஈடிப ப்ரஸீநய [மூலி 3 வனடி.]

“கெடுதலுபன பனன டுந் தேவன வர கியலிய ஸ்ருய.”—[மூ. கி. பி. டி கிலீலா.]

ப்ரஸீநய ஸலீந் ஃனஃலிதே கரன டே.

மே 3 ஆம் தேதிய வினா மீதான ஒத்திவைக்கப் பெற்ற விவாதம் மீள ஆரம்பிப்பதற்கான கட்டளை வாசிக்கப்பட்டது.

“மஸோதா இப்பொழுது இரண்டாம் முறை மதிப் பிக்கப்படுமாக” [கெளரவ சி. பி. டி சில்வா]

வினா, மீண்டும் எடுத்தியம்பப்பெற்றது.

Order read for resuming Adjourned Debate on Question—[3rd May.]

“That the Bill be now read a Second time.”—[The Hon. C. P. de Silva.]

Question again proposed.

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අ. ආ. 5.55

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(කලාභිති කොල්වින් ආර්. ද සිල්වා)

(Dr. Colvin R. de Silva)

I have very drastic comments to make and therefore, with your permission, I propose to speak in two languages, both in English and in Sinhala. Unfortunately I do not know Tamil or I would speak in Tamil too on this Bill because it is far too serious in its import for the House to allow it to pass without a clear grasp of what it is being asked to do. I shall speak in English and, with your permission, I shall also speak in Sinhala.

This is a Bill for amending the Land Acquisition Act and I have no doubt that the Government has a sense of grave if not sudden provocation in bringing this Bill. I wish first of all to say that governments like individuals, when they act under grave and sudden provocation, tend also to act disproportionately.

It is clear to me that what the Government has been thinking of is allegedly at least the need to act urgently when it thinks it is necessary to act urgently in respect of the acquisitions of land for public purposes.

As far as this Government is concerned, I am glad to find that it is now beginning to worry itself about Supreme Court procedures and court procedures. But one cannot monkey with court procedures out of a sense of urgency and I propose to explain, with your permission, the import of this Bill because I feel confident that once the matter is put in its true perspective hon. Members on both sides of the House will agree that this Bill simply cannot be let through in its present form and context.

There are colleagues of mine in the Bar on both sides of this House, some of them eminent in their sphere, and I ask them in all honesty and seriousness, especially in regard to one part of this Bill, whether it does not outrage the conscience and

mind of anyone who has the slightest sense of the meaning of the old saying that the administration of the law must be spelt with a capital "J", namely, that justice must be the essence of the administration of the law.

I am glad that the Hon. Prime Minister is here today for I propose, with all respect, to make a special appeal to him in respect of this Bill, a matter which I do not usually do, but I feel the matter is so serious and vital that I wish to make a direct appeal to him.

The essence of the Bill in its first part is that when the Minister decides that some land is needed for public purposes, his declaration itself shall suffice (1) to show that it is necessary for a public purpose, and (2) that the purpose is, in fact, public. And having declared that, it shall not be challengeable in any way anywhere save on a set of grounds other than the grounds mentioned in the law as it stands.

Then we have, I should imagine, a unique provision. Once I make it clear, I trust, even if the Cabinet thought this was necessary, the Hon. Prime Minister of the day will not make himself responsible for a unique departure in respect of everyday practice not merely of the law but of human relations. And it takes this whole matter outside the purview of the courts to which it presently can be taken. Let it be for the moment. I shall talk about that later.

But I wish to focus attention at once on what is the most totally indefensible part of this Bill. Then it says that on grounds other than certain grounds that are mentioned you will, in this law, allow a person whose property is to be taken by the fiat of a political Minister to make an application to the Supreme Court within one month of the taking, or of the order being served on him. Understood. To limit the time within which you can go for redress to a court is a well-known principle. Then it says that

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[ආචාර්ය කොල්වින් ආර්. ද සිල්වා]

you will file your application by petition supported by affidavit and by necessary documents. Fully understood procedure. It says again that the Supreme Court will, if it is satisfied *prima facie* (as we say, on the face of it, at first blush) with the application, issue notice on the other party and the other party, when notice is served, may itself answer (that is the Crown, in fact) and it will ordinarily be filed. That is what we term an "answer." That is its own affidavit of rejoinder.

Now comes the extraordinary part of the law that is proposed. This says that, if the Supreme Court to which you are directed to make your application within a month and to which you have made your application within a month, does not dispose of your application within three months, then your application shall be held to have abated, it shall be held to have been never made.

The applicant does everything he is asked to do in the law. He acts within a month. He provides the material. As directed, he comes to the court within the time and he says to the Honourable Supreme Court of the Island of Ceylon, "Here is my application". And then we are told that if the Supreme Court does not do its duty within three months the man shall suffer, not the Supreme Court. It is as if you pass a law which said, "If I hit a man and if he went to the courts and the courts did not deal with the man within three months, well, he has to take the beating." In a matter of ordinary human relations—leave aside all legal matters—it is incredible that any government ever thought of a procedure like this. I appeal to the Hon. Prime Minister—for I do not wish to spend the time of this House on that point—that he will assure us in advance that that clause in that law he will undertake to remove. Otherwise I must explain.

One understands if you say, as for instance in the Bribery Act, that any matter brought to any court under

the Bribery Act shall be given priority over all other work of the court; that applies to the trials as well as to the appeals. In other words, the law may direct a court to act in a certain way in respect of the ordering of its work; but to say that the failure of the court shall result in the punishment of the litigant is really not even to engage in Alice in Wonderland legislation but to engage in a tragi-comic type of self-ridicule of which any government ought to be ashamed. That is part of this law which, when I read it, certainly determined to me that if it is necessary to sit through days and weeks in this seat until I can speak on this matter I will do so.

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(කෙළරාව ஜே. ஆர். ஜயவர்தன)

(The Hon. J. R. Jayewardene)

What is the amendment you suggest?

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(கலாநிதி கொல்வின் ஆர். டி. சில்வா)

(Dr. Colvin R. de Silva)

Sir, some things are unamendable.

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(கெளரவ ஜே. ஆர். ஜயவர்தன)

(The Hon. J. R. Jayewardene)

To expedite the hearing?

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(கலாநிதி கொல்வின் ஆர். டி. சில்வா)

(Dr. Colvin R. de Silva)

To expedite a thing in the courts, I can give you what should be done, but you will have to engage in such a process of reorganization of the whole system of the administration of the law of this country, starting first of all from your present upheaval in the Attorney-General's Department, that fountain of justice which is fast corroding, before I can get to this. Still, I am ready to answer the Hon. Minister of State. I am keeping to this special aspect for a moment. Sir, do you realize or does this honourable House realize

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what is said here? Here is the rule. I refer to the second sentence in Clause 5 (2):

“The Supreme Court shall dispose of such application within a period of three months from the date on which it is made,”—

If this House wishes to order the Supreme Court to dispose of an application within a certain time it is free to do so, and since every law must have its sanction you may also add that, if the Supreme Court does not dispose of it within three months, the Supreme Court Judges will be forthwith dismissed, if you like, because they will be to blame and not the litigant. You can, if you like, punish whoever is responsible for the organization of the work of the court in which case you will have to blow up the unfortunate present acting Governor-General of this Island. This is what you are trying to do. Since you are afraid of the consequences of your own law you turn round to the only unhappy defenceless man in the country, the poor man who came with his application. Who would expect, according to the next part of this sentence, to say, “What happens to the man who does not obey the law?” That is, the Supreme Court. This reads:

“and if such application is not disposed of within the said period of three months”—

We would all expect to say, the Supreme Court or the judge concerned shall suffer as follows. But we have this extraordinary thing. I shall read it:

“and if such application is not disposed of”—

that is, by the Supreme Court,—

—“within the said period of three months, such application shall be deemed to have abated,”—

God save the King, the Queen and everybody concerned!—

—“and such abatement shall not be called in question in any court whether by way of action, appeal, application in revision, mandates in the nature of writs referred to in section 42 of the Courts Ordinance or otherwise.”

They could have made it short and sweet and said, “shall not be challenged in any court, in any manner at all.”

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(දෙමිපෙ)

(තිரு. எப். ஆர். டயஸ் பண்டாரநாயக்க—

தொம்பே)

(Mr. F. R. Dias Bandaranaike—Dompe)

Democracy!

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(கலாநிதி கொல்வின் ஆர். டி சில்வா)

(Dr. Colvin R. de Silva)

I do not know about democracy. I do not know about any “cracy”. I do not even bring this within idiosyncrasy. I call this—

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(திரு. எப். ஆர். டயஸ் பண்டாரநாயக்க)

(Mr. F. R. Dias Bandaranaike)

Lunacy!

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(கலாநிதி கொல்வின் ஆர். டி சில்வா)

(Dr. Colvin R. de Silva)

—lunacy.

Governments and courts exist for the people and not the other way about. That is what I cannot stand in this Bill. I appeal to the Hon. Prime Minister. It may be that they did not notice all this. I do not know who is the bright spark who thought this out. Whichever that spark is, well, that brightness had better be quenched forthwith.

I am sorry, Sir, I find it difficult to believe—and I hope I am right in my estimate of the Hon. Prime Minister—that when this is brought to his notice he will persist in it. If he does—he will forgive me, Sir—I shall certainly have to revise my views of him *ab initio* from the toes upwards. —[Interruption]. I will stop with his present graying hair.

No, Sir, I find myself lacking in language to express my sense of horror and sheer indignation on this

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[ආචාර්ය කොල්වින් ආර්. ද සිල්වා]

proposition that one man shall be punished for another person's error. It is as if the Hon. Minister of Land, Irrigation and Power said, "For my failure to repair an irrigation dam in an area after representations had been made and as a result there is a sudden breach of the dam resulting in a number of deaths, the M.P. of that area shall be punished for it." Why? "Because although the M.P. gave me notice that the dam would break, since I failed to repair the dam, he must take the consequences." It is like that. The Hon. Minister of Land, Irrigation and Power does act in many matters in that way, but I did not think he would try to enshrine it in one of his laws. The rest of this is also extraordinarily interesting.

Sir, on this matter, it is not for me to propose amendments; it is for me to propose deletions on a thing like this. I will just show you a little more how impossible this is.

There is a Schedule of Rules under Section 51A (4) on page 3 of this Bill, which sets out the procedure. I will not read them all. Please note that under Rule 1 there is something very unusual: "Every application for relief shall be by petition, containing a concise statement of all the grounds on which relief is claimed."

Sir, there is one field in which there has been a rule adopted from England, in the Appeal Court, namely the discussion of grounds or reasons for allowing an appeal. Unless they are set out in the petition of appeal, the Court of Criminal Appeal has a broad rule which at one time operated very rigorously, and that is that you can only discuss the ground of appeal stated in the appeal in the Court of Criminal Appeal. But it was soon discovered that though this kind of taking over holus-bolus from England is one of the sacrosanct powers of legislation in this country, that was a rule that we could not operate.

Excuse my taking a little time to say this. In England after an assize case is over you can forthwith get a copy of the summing up. Then, whoever has to draft the ground of appeal can look at the contents of the summing up and draft the appeal. In Ceylon you cannot, and yet we are being asked to do an extraordinary act of genius, to wit, to find faults in the summing up by a junior listening to it and a senior not knowing its contents.

So, the Court of Criminal Appeal in Ceylon has relaxed that rule and today, let it be said to its credit, it never refuses to listen to a point of substance in an appeal merely on the ground that it was not stated in the appeal petition.

I for my part respectfully and humbly ask to be permitted to say what I know from my own experience, namely, that there are a large number of cases in which the Court of Criminal Appeal has upheld a point that was not in the petition.

Now that rule is here, for the first time maybe, and you are asked to furnish a concise statement of all grounds on which relief is claimed; and then you shall name, as respondents, all parties who are necessary for the determination of such application.

The Supreme Court of our land has more than once exercised these inherent powers to bring in parties who had not been initially brought in, when expedition and justice showed that it was necessary to have them present, just as it constantly releases parties from cases on the ground that the petitioner has brought that person in out of an abundance of caution, when it was not necessary.

That is a small matter perhaps. You must put in your documentary evidence, and so on. It is Rules 3 and 4 together that will be most interesting in their operation. Rule 3 says:

"If the Court is satisfied that the petitioner has made out a *prima facie* case for review, it shall issue notice on

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the respondent directing him to show cause, on a specified date, why such application should not be allowed.”

Having regard to the three-months rule the court will fix the shortest possible date. The court will specify a date not for anything other than showing cause. You must come on that date to show cause. But today the Crown itself constantly comes into court on that date and asks for a date for it to be able to file affidavits *et cetera*, and the Crown will normally be the respondent to these applications.

What is Rule 4? It is :

“Upon notice of the application and copies of the petition, affidavits and documents of the petitioner being served on the respondent he shall, within the time stipulated by Court, file such counter-affidavit and documents as may be necessary.”

Now, Sir, under Rule 3 the time stipulated by court is the specified date for showing cause. There is nothing in these rules as to the service of notice on a date which will give sufficient time for the respondent to get ready to file his papers in preparation for showing cause.—[*Interruption*]. The Hon. Minister of Scientific Research and Housing is a Colleague of mine, and he knows that there is nothing to prevent the Fiscal serving notice on the respondent on the day previous to the date specified for him to show cause. In the short time available to the respondent he will have to file his documents.

Do not say the court can give time because you have said here that the court cannot give time.

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(කෙනරව எம். டி. எச். ஜயவர்தன)

(The Hon. M. D. H. Jayawardena)

The Crown will be ready.

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(கலாநிதி கொல்வின் ஆர். டி. சில்வா)

(Dr. Colvin R. de Silva)

My Friend, if I may be permitted to say so—and I appeal to all other lawyers in this House who handle

these matters ; and there are very eminent ones on your side and they will all tell you—the standard thing for the Crown is to come into court and ask for a date, for a very simple reason. It is only when the papers are served that it knows. Then it has to send to the various departments the necessary queries so as to have necessary answers, and you know, one thing going wrong might cause another upheaval in the Attorney-General's Department that might be worse than one of these things.

Rule 5 is :

“The Court shall thereupon fix a date for inquiry into the matters at issue between the parties.”

Rule 6 is :

“No party shall be entitled to file any additional affidavit or other documents except with the permission of the Court.”

That is a perfectly ordinary rule which need not be stated in all writ matters. It means that with the permission of the court you can file additional documents, and you can never, never, in a court refuse a party the right to cross-examine on the affidavit filed. If it is asked for, you must give it. And it has been often found that people swear falsely in order to get their notice.

I would invite all hon. Members to look at the appeal list in tomorrow morning's paper and to see how old the appeals are. That is the situation in respect of appeals. It is not for me to go into that matter. I say I could fully understand if a law said, “You shall give top priority to such an application.”

Very well. If we wish that to displace all other work we can do so. But one thing we cannot do : that is, say that an applicant who has conformed to the law fully shall be punished for the laches, that is to say, the delays of the Supreme Court as an institution. You cannot punish anybody for that. You cannot contemplate it. It cannot be done.—[*Interruption*]. It is not a question of six months or ten months. You may say, within a week, if you like. I say

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இவ்விதம் ஏதற்கு வந்திடு (சுனனாயக்க) பதன்
கேடுதீபன

[அவரீய கெடுதீபன் அர். டி சில்வா]

it is unrealistic. Please do not punish the applicant for the failure of the Supreme Court. That is my point.

அவர் இவ்விதம் கெடுதீபன்

(கௌரவ டட்ளி சேனாநாயக்க)

(The Hon. Dudley Senanayake)

Suggest a remedy.

அவரீய கெடுதீபன் அர். டி சில்வா

(கலாநிதி கொல்வின் ஆர். டி சில்வா)

(Dr. Colvin R. de Silva)

I have been thinking over this. I watched for too long a time in the days of the S. L. F. P. Government and the Coalition Government how by the simple process of application for writs all kinds of urgent work of those two governments were delayed to the point where they often could not be carried out.

அவர் இவ்விதம் கெடுதீபன்

(கௌரவ டட்ளி சேனாநாயக்க)

(The Hon. Dudley Senanayake)

It is happening even today.

அவரீய கெடுதீபன் அர். டி சில்வா

(கலாநிதி கொல்வின் ஆர். டி சில்வா)

(Dr. Colvin R. de Silva)

I blame nobody for it. It is not for me to do so. Were it necessary, were I in the Government, I may have made my own proposals to whatever Cabinet I belonged to. That is different.

But I say this: I am not lacking in impatience with the law's delays especially when they become a form of obstruction to the advancement of progressive legislation. I have watched it too often, and I certainly say that we of the Samagi Peramuna will at the proper time give proper proposals for the reorganization of the entire system of legal administration. It is no use my putting them to this honourable House for we approach these things from two different angles.

But all I could think of was this: if the Government want it dealt with in three months, then I have nothing to say. The Government may resolve that it shall be dealt with in three months, in which case it will be the duty of the Supreme Court to throw aside its long-standing coup cases, its half-heard other cases, its forgotten cases, and just thrust them all aside and produce a judge who will deal with it. You will have a difficulty.

If you inquire into the matter by way of oral evidence and cross-examination, which tends to prolong itself, in the time given these time periods tend to be frustrating.

The only thing I could think of was this—and I want to say to the Hon. Prime Minister that I really did try to think of something about this. I could understand the law stating—yes, you can fix your time factors and and so on and say that the Supreme Court shall give a reasonable time for answer and so on; but do not fix this too much by date—that parties to an application, when they join issue, shall have absolute priority in its hearing in order to get it disposed of in the Supreme Court.

In other words, if we consider this matter so urgent and important—this kind of legislation—then we have to tell the Supreme Court, “As soon as a matter like this comes up on your list you will displace everything else on the list and proceed to deal with it.”

That is the most I can think of. The way that has been used in our law is that which has been used in respect of the Bribery Act, that it shall have priority over all other business of the court.

I leave it, as I must leave it, to the Government to think which it prefers. I can see no other way.

I have certain criticisms of the rest of the law. But assuming this to be insisted on by the Government, I say this cannot be put through. And the only way out, I would say, is to tell the Supreme Court, “When a matter

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කෙටුම්පත

—දෙවන වර කියවීම

like this comes up you shall, whatever your other business may be, detail a judge to deal with that matter and dispose of it without taking up any other work."

ශ්‍රී ඩඩ්ලි සේනානායක

(කෙළරව උද්ගිරි ජේනානායක)

(The Hon. Dudley Senanayake)

If a similar provision is in the Bribery Act and if two things of that nature come up, what happens?

ආචාර්ය කොල්වින් ආර්. ද සිල්වා

(කලාතිථි කොල්වින් ආර්. ද සිල්වා)

(Dr. Colvin R. de Silva)

You may put in the familiar clause that this shall prevail over whatever is in any other written law in that respect. It is usually in the District Court. These are the only ways I can think of. I am not averse to being an innovator in the law.

ශ්‍රී ජේ. ආර්. ජයවර්ධන

(කෙළරව ජේ. ආර්. ජයවර්ධන)

(The Hon. J. R. Jayewardene)

In the Standing Committee we can work out all that.

ආචාර්ය කොල්වින් ආර්. ද සිල්වා

(කලාතිථි කොල්වින් ආර්. ද සිල්වා)

(Dr. Colvin R. de Silva)

I for my part will stand up, if I am allowed, sixty times against this Bill so long as this clause is insisted upon, but if the Hon. Prime Minister gives us an assurance in the Second Reading Debate that he will drop this terrible proposal that if the Supreme Court says the litigant can suffer—my God he is suffering enough already—

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(කෙළරව උද්ගිරි ජේනානායක)

(The Hon. Dudley Senanayake)

We will agree to a suitable amendment.

ආචාර්ය කොල්වින් ආර්. ද සිල්වා

(කලාතිථි කොල්වින් ආර්. ද සිල්වා)

(Dr. Colvin R. de Silva)

Thank you for that much immediately. I hope that means that it is agreed that this principle cannot

stand. These are the most drastic ways you can think of. The most drastic way is to say in the law that the Supreme Court shall forthwith take up that matter in preference to all other work and detail a judge to deal with it to its conclusion. That is the most drastic way you can do it.—[Interruption]. You can put it in the law. We cannot say who shall be the judge who will hear it. That is the only point. There may be hon. Members who would like that privilege also. I do not think that is permitted.

Now to come to the rest of the Bill, I wish to say that it is unwise for a Government to achieve an objective which may be broadly desirable by methods which are wholly or mainly undesirable. That is my criticism of the main Bill and I do appeal to hon. Members on the other side too to realize that I am not speaking from partisanship on this occasion. If I were, I would not appeal to the Hon. Prime Minister. I would try to fight him on this issue in the country.

This is how it goes. Under the Land Acquisition Act certain steps have to be taken for the Government to acquire a land. There are two procedures as regards the actual taking over possession. There is a normal procedure and there is an abnormal special procedure for quickly taking over possession; and generally speaking the trouble arises when the matter goes to the District Court, because of these efforts at special taking over possession. But that does not matter. It is like this. I shall state to this honourable House certain difficulties that already exist and must be borne in mind when we are talking on this. The first is, if the Government, say, is eyeing a land, then it can send its officers to that land in order to make a survey and to find out whether it is in fact suitable for its purpose.

Please, Sir, I am speaking at this moment on the footing that everything is being done *bona fide*. I am not referring even to judicial pronouncements at this moment. I

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කෙටුම්පත

—දෙවන වර කියවීම

[ආමායම් කොල්වින් ආර්. ද සිල්වා]

am not speaking of the remarkable coincidences that have been found under every government, of political expediency coinciding with public interest! I do not propose to talk on that. At this moment my purpose is not an attack on a department or a ministry, but on the contents of a Bill which genuinely must work every one of us.

Now, you go in that way. And the next stage will be an announcement that the Government intends to take over the land. This will require two steps simultaneously: one is a public notice on that very land; the other is a notice to all those who the Government knows have interests in that land. Thereafter, people who have interests in the land may protest against the taking over. That has to be done to the Permanent Secretary, and the Permanent Secretary will report on the objections to the Minister. And every Minister—and there has been one honourable Minister now for 13 years to deal with these things—will say this: that if there is any subject on which more pressures and counter-pressures have been made, it has yet to be discovered. That does not matter. Let us assume that he keeps himself free of the pressures and preserves his objectivity. But the point is this: then he will make an order, and by that order certain things will be decided on the law as it stands. I shall read the Section for convenience. This is Section 4 (5) of the present Land Acquisition Ordinance.

“When the time allowed by a notice under this Section for making objections to the intended acquisition of the land or servitude referred to in the notice has expired and, where any such objections have been made within such time, after the Minister has considered the Permanent Secretary's recommendations on those objections, the Minister shall, subject to the provisions of subsection (6), decide whether that land or servitude should or should not be acquired under this Act.”

And Section 5 says:

“5. (1) Where the Minister decides under subsection (5) of section 4 that a particular land or servitude should be

acquired under this Act, he shall make a written declaration that such land or servitude is needed for a public purpose and will be acquired under this Act, and shall direct the acquiring officer....”

(2) A declaration made under subsection (1) in respect of any land or servitude shall be conclusive evidence that such land or servitude is needed for a public purpose.”

That is how it goes. Later we come to the actual acquisition and the like. This Bill is seeking to alter that law in the following way. To the decision that it is needed for a public purpose, the following new sub-section is added:

“(7) The decision made under subsection (5) in respect of any land or servitude as to whether that land or servitude should or should not be acquired under this Act shall be final and conclusive, and accordingly such decision shall be conclusive evidence of the fact as to whether that land or servitude should or should not be acquired.”

I said I would refrain from certain comments. Otherwise, I have some very interesting comments to make on the contexts in which these things happen. We will forget that. The point here is that the decision itself becomes unchallenged as to the question whether it should or should not be taken over. That is really unchallengeable. Then:

“Section 5 of the principal Act is hereby amended in sub-section (2) of that section by the substitution for the words ‘shall be conclusive evidence’ of the words ‘shall be final and conclusive and accordingly such declaration shall be conclusive evidence that such land or servitude is needed for a public purpose.’”

In other words, firstly, the very fact that it is declared that it is needed for a public purpose makes the question of it being needed for a public purpose unchallengeable. Secondly, if in any proceedings it becomes relevant, then the mere fact that the declaration is made is conclusive evidence of the fact that it is for a public purpose. In other words, the ministerial motives may not be inquired into independently. That is the intention. Let us get that clear.

Then we have, similarly, a notice to take possession, which is made conclusive of the need to take possession.

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කෙටුම්පත

—දෙවන වර කියවීම

And then we come to this. It is provided for in this Bill. In Clause 5, there is an amendment of section 51 by insertion of new section 51A (1) where it is said :

“Where it is provided by this Act that any decision, declaration or Order shall be final and conclusive, then, such decision, declaration or Order, and any act or thing done under—”

Please remember that this is a “decision, declaration or Order of a Minister, not of a court—

—“or in consequence of, such decision, declaration or Order shall not, except as hereinafter provided, be called in question in any court whether by way of action, appeal, application in revision, mandates in the nature of writs referred to in section 42 of the Court Ordinance or otherwise.”

In short, it shall not be called in question at all save in the special matter that is later provided for, and I shall show what that is :

“(2) Any person who is aggrieved by any decision declaration or Order referred to in sub-section (1) on any ground other than a ground to which the provisions of this sub-section do not apply, may, within a period of one month from the date thereof, make an application to the Supreme Court.....”

And I have read the rest to you.

Now, in truth and in fact, this conceding of an application to the Supreme Court is a concession of nothing. If you cut out all the grounds under this Act and say that the mere fiat of the Minister is conclusive of everything, then not even the late Mr. H. V. Perera's ingenuity is likely to discover a ground not covered by those sections, and he being dead all litigants in this field will be more than orphaned. Well, you say it is for some reason. What you are saying is this. I can remember the Hon. Prime Minister and his Colleagues in the days of the previous Governments standing up here, not wandering up and down the seats, no doubt as I do—the Hon. Prime Minister wanders out of his seat only on the wrong occasions in this House, if you will permit me to say so—but thundering against the Government of the day that they are “disgracing

the courts of our land, disgracing the administration of the law, taking undemocratically the citizen away from his access to the ordinary court of the land,”—he was then, Sir, a Wal Botale Hampden whose breast was stirred—

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(கௌரவ டட்ளி சேனாநாயக்க)

(The Hon. Dudley Senanayake)

I am from Botale, not from Wal-Botale.

ආචාර්ය කොල්වින් ආර්. ද සිල්වා

(கலாநிதி கொல்வின் ஆர். டி. சில்வா)

(Dr. Colvin R. de Silva)

I beg his pardon. He is from Botale without the adjective. I for one would have taken pride in the adjective rather than the village. That is by the way. Those were the days when he used to thunder, and now, he is the malefactor, and I have to tell him not to be the malefactor. It is certainly a transformation of roles in politics

Now, I say this. Does not one see what is being said here? Today if a person has a protest to make, has an objection to take in respect of an attempt to acquire his land, for instance, if he undertakes to demonstrate in a court of law that it is not for reasons of the public interest but for reasons of political and personal spite that the land is sought to be taken over—sometimes in the middle of a by-election—then he can go to the courts. He can go to the District Court, and since the legislature in its wisdom has in the Civil Procedure Code laid down that before you can bring an action against the Crown you must give one month's notice of your intention to file action to the Attorney-General, you have to wait a month, however quick you are, after giving notice, before you can file your action. Therefore it is that pending that month today people in that situation apply to the Supreme Court to use its writ power—not writ power really but the special power given to it in the Courts Ordinance—to issue

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කෙටුම්පත

—දෙවන වර කියවීම

[ආචාර්ය කොල්වින් ආර්. ද සිල්වා]
to it in the Courts Ordinance—to issue injunctions either of a permanent or of a temporary nature. I think it is Section 20 of the Courts Ordinance, as my good Friend the hon. Member for Dompe reminds me. Sir, then, they go to the Supreme Court and make an application for an interim or temporary injunction which is usually, when allowed, a matter of six weeks only. That is, Sir, to overshoot that month so as to enable you to prepare your plaint and file it. It is ordinarily somewhere in that period—five or six weeks. And then, if you file your answer in the court, you file it knowing this consequence. That is what happens every day, and the Supreme Court never issues that injunction ordinarily as a matter of course. Or let us put it the other way round. The law requires that it should not do so as a matter of course even if it has sometimes done so. It looks into it. It must look into the petition and affidavit. It sometimes actually, Sir, allows the interim injunction only until the Crown has come in to show cause. That is not even one month. And, in fact, this case which has recently been reported in the “Daily News” and which I have before me is really deserving of more quotation than the “Daily News” itself would like. We have this remarkable pronouncement by the judge: it is reported in the “Daily News” of Tuesday, April 15, 1969, and I shall only read the first paragraph:

—“I cannot resist the observation that it is remarkable how often over the years it has turned out by some extraordinary coincidence that the public interest appeared to require the acquisition of lands belonging to persons politically opposed to the party in power at the time. It is, therefore, necessary that courts, while discouraging frivolous and groundless objections to acquisitions, should be vigilant if it is open to them to do so”

Please note that this observation has been made by Mr. Justice Samarawickreme who, it is quite

proper to say, did not get his appointment from the wrong Government: “... while discouraging frivolous and groundless objections to acquisitions, should be vigilant if it is open to them to do so”. That is a very important phrase. He goes on to say:

“to scrutinize acquisition proceedings where it is alleged that they are done *mala fide* and from an ulterior motive.”

I am not quoting this just to hit at someone. This covers all the Governments. I have never forgotten the time when, as a fledgling politician, I came into this House after the 1947 elections, having taken part in a nine-months’ campaign in Mirigama, struggling for my friend and now, I think, my enemy, Mr. Edmund Samarakkody, against my good Friend the Prime Minister of the day, Mr. D. S. Senanayake, and one of the things I found happening by administrative order was that every leading person in the Mirigama Electorate who had given his land for a meeting to Mr. Samarakkody against Mr. D. S. Senanayake, discovered that his land was needed for village expansion. That is a public purpose, is it not? Mr. Wilmot Perera, a great friend of this Government today, openly stated that in this very House—

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(கேரவ டட்ளி சேனாநாயக்க)

(The Hon. Dudley Senanayake)

Not all!

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(கலாநிதி கொல்வின் ஆர். டி. சில்வா)

(Dr. Colvin R. de Silva)

I am willing to accept that. There are some exceptions that prove the rule. I accept the Hon. Prime Minister’s statement. This is not a matter I want to go into, except to say this. A judge of the Supreme Court has stated in his judgment that it is necessary for the courts to be vigilant to scrutinize acquisition proceedings. The judge has been very cautious and fair. I am not saying that this particular matter is the result of his observation. That is a matter for the district court to look

into. He says that on the material placed before him by certain members of the Ratwatte family in respect of the effort to take over certain lands—

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තැපැල් හා විදුලි සන්නිවේදන අමාත්‍ය)

(කෙළරාව මොණ්ඩේලා ඉයවික්රම—අර
පාසාසුරු කැටුම්බෙලා, පාසාසුරු, පාසාසුරු පොසුරු
වැරදුම් අමාත්‍ය)

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

What Justice Samarawickreme
said was not true.

ආචාර්ය කොල්වින් ආර්. ද සිල්වා

(කලාතිථි කොල්වින් ආර්. ද සිල්වා)

(Dr. Colvin R. de Silva)

I do not know if Mr. Justice Samarawickreme has not said all that. But has Mr. "Justice" Montague Jayewickreme some private, special, direct telephone or line to Mr. Justice Samarawickreme for whom, permit me to say in public, we all have at the Bar the utmost and unrelieved respect? And that is not for partisan reasons; he is one of your fine choices, Mr. Prime Minister. And if he found it necessary to say that this kind of coincidence has happened, I will say this to the Hon. Minister of Public Works, who is my very good personal friend and whom I do not like to be sharp with: I can give him a current case in which he need not have a direct line. The next time he meets the hon. Parliamentary Secretary to the Minister of Labour he can ask him whether I am not speaking accurately. Here is one of your acquisitions now being done. Permit me two minutes.

Down in Kalubowila, in the heart of my old constituency of Dehiwala-Galkissa, is the Colombo South Hospital. The road to that hospital from the turn-off to Galle Road, now known as Hospital Road, has been widened into a modern road right up to and including the frontage of the hospital. Then, as almost every hon.

Member of this House knows, there is a sudden stoppage and one of the usual bottlenecks begins.

This road—on the left hand side of it is the Hospital—has been widened up to the hospital wall. Then it comes up against a gentleman who is very well known in that area, and there is a boutique known as "Harrison's boutique". I think the hon. Parliamentary Secretary will agree with me that this gentleman is the owner of that boutique and has suffered very much in his cause at all times.

Now, if the road is to continue as planned up to Kalubowila junction near which the hon. Parliamentary Secretary lives and at which also there are certain properties on which he has had some interesting litigation, then it would take in Harrison's land and—forgive me for having to mention a name—it would take in the land of an hon. Senator—Y. R. Piyasena Esquire. The road stops there.

The idea is that it must be a good road without twists and turns any more. Kalubowila Road was originally a much twisting road and was straightened out in the widening.

Now a strange thing has happened. I got the material. The road continues, and is not to continue, as it ought to continue! On the contrary it will now deviate to the right, a very natural thing for this government, but still not so obtrusively and obviously, and it will take in the land of one Mr. Costa, amongst others, who has not distinguished himself by support of the hon. Parliamentary Secretary. But that is not my point. It does not matter whose supporters they are.

Please, Mr. Prime Minister, I appeal to you to look into these things. That road will now leave Senator Piyasena and Harrison alone. It will deviate to the right and take a block, then it will go further and deviate to the left and go on along its original line, and God knows where it will again deviate. We were to have a straight, fine road. It is now going

ஒருவர் அந்தக் காலத்தில் (கனெக்டெட்) பதன்
கொடுத்திருந்தார்—தேவன் வர கியதில்

கல் நூலில்

[அவர்கள் கொடுத்தார் அர். டி. டி. டி.]
to be one of the old bullock cart
winders, I say, for a motive which is
not even remotely connected with
the public interest but is a motive of
deliberate political patronage of the
most corrupt nature in respect of
any government of the day. All this
you will by this law prevent the
courts inquiring into. That is my
point.

Why are we afraid of the courts, I
wonder? The courts have never been
non-co-operative as far as this Gov-
ernment is concerned. Never. Why
are you angry with them like this?
Why do you want to push them out?
What you have stated in this law is
clear. Recourse to the District
Court—that is why I gave the pro-
cedure—is cut out and you are going
to make the Supreme Court what it
ordinarily never should be—a court
of original jurisdiction.

I have taken the opportunity in
this honourable House to point out
how by bringing the Supreme Court
directly into the election petition
trials we have put the Supreme
Court itself in a false position. That
is what you do when you give it an
original jurisdiction instead of this
appeal jurisdiction.

Now, you are going to take away
the ordinary courts, cut them out,
and then send this to the Supreme
Court direct, not even on the true
grounds that you will have but on
grounds that you will have to suck
out of your thumb.

தமிழ்நாடு சட்ட சபை 7 ஆவது கூட்டம்
அன்று நடைபெற்று கல் நூலில்

அன்று நடைபெற்று 1969 ஆம் ஆண்டு 6 ஆவது
அன்று நடைபெற்று கல் நூலில்

அப்போது பி. ப. 7 மணியாகிவிடவே சபையின்
நடவடிக்கைகள் இடை நிறுத்தப்பட்டு, விவாதம் ஒத்தி-
வைக்கப்பெற்றது.

1969 மே, 6 ஆம் தேதி செவ்வாய்க்கிழமை விவாதம்
மீள் ஆரம்பமாகும்.

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

Debate to be resumed on Tuesday, 6th
May 1969.

கல் நூலில்

ஒத்திவைப்பு

ADJOURNMENT

யோசனாவை ஒத்திவைக்கக் கருதுவதில்
சபைக்கு கல் நூலில்

“மன்றத் தீர்மானம் கல் நூலில்
[அர். டி. டி. டி. டி.]

சபை இப்பொழுது ஒத்திவைக்கப்பெற்றுமாக கௌரவ
ச. பி. டி. சிவ்வா எனும் பிரேரணை பிரேரிக்கப்பட்டு
வினா எடுத்தியம்பபெற்றது.

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

பெர்னாட் சோய்ஸா மஹோ.

(திரு. பெர்னாட் சோய்ஸா)

(Mr. Bernard Soysa)

Sir, I have to thank you for giving
me this opportunity. I have already
informed the Hon. Minister that I
intend to ask this question, which is
regarding the protest currently being
carried out by the employees of the
Central Bank in regard to the mis-
management of their canteen.

The canteen of the Central Bank
has a facility that has been given, a
welfare facility in the interests of the
employees by the bank. This canteen,
like our own, is a subsidized one. The
salaries of the employees of the
canteen are paid by the Central Bank.
There is no room rent levied for the
canteen. The salaries of the em-
ployees are paid, the cutlery is pro-
vided, the furniture is provided, and
all the expenditure involved in the
running of the canteen is the purchase
of the raw material that goes into the
preparation of the food that is served
there.

Now, there is no reason why, on
the one side, food of good quality
cannot be given and, on the other,
why it should be run at a loss.

Well, Sir, there was a manager
appointed, who had rather unsavoury
antecedents. The person was appoint-
ed on a salary of Rs. 1,000 a month.
The contract is for one year only. The
canteen was run at a loss despite the
fact that complaints were made at the
time that the quality of the food was
very poor. Despite the poor quality of
the food, the canteen was managed
at a loss.

කල් තැබීම

[ස්ථානීය නිලධාරීන් මහ.]

මේ ගෙවල් කාලයක් තිස්සේම අළුත් වැඩියා කරන්නට බැරි වී තිබෙනවා. වැසි කිළි සියල්ලම වාගේ කඩා වැටී තිබෙනවා. එපමණක් නොවෙයි. මේ ඇමති තුමා පත් වෙන්නටත් කලින් සිටම අප විටින් විට පසුගිය කාලයේ සිටි පළාත් පාලන ඇමතිවරුන්ගෙන් එක්තරා ඉල්ලීමක් කර තිබෙනවා. මාස්පතා ගෙවීමේ ක්‍රමයක් අනුව මේ ගෙවල් ඒවායේ සවිර වශයෙන් පදිංචි වී සිටින අයටම භාර දෙන්නය යනු ඒ ඉල්ලීමයි. එසේ භාර දුන්නොත් ඒ මිනිසුන් මේවා අළුත්වැඩියා කරගෙන තවදුරටත් මේවා දියුණු කරගෙන වාසය කරනවා ඇති. නමුත් මේ අවස්ථාවේ දී මා මතු කරන්නේ මේ ගෙවල්වල වර්තමාන තත්ත්වය පිළිබඳ ප්‍රශ්නයයි. මේ ගෙවල්වල කුලිය වශයෙන් එකතු වී තිබෙන මුදල තැන්පත් මුදලක් වශයෙන් කෝට්ටේ පළාත් ආණ්ඩු සභාවේ වෙනම ගිණුමකට දමා තිබෙනවා. පළාත් පාලන ඇමතිතුමාට ප්‍රථමත් නම් ඒ මුදලින් අත්‍යවශ්‍ය අළුත්වැඩියා කිරීම් කරන්නට පළාත් ආණ්ඩු සභාවේ සභාපතිතුමාට බලයක් දීම සඳහා නියෝගයක් කරන්න.

මෙතැන කාරණා දෙකක් තිබෙනවා. පළමුවැනි කාරණය අත්‍යවශ්‍ය අළුත්වැඩියා කිරීම් සඳහා ගරු ඇමතිතුමා කෝට්ටේ පළාත් ආණ්ඩු සභාවේ සභාපතිතුමාට බලයක් ලැබෙන සේ හැකි නම් නියෝගයක් කිරීමයි. දෙවැනි කාරණය ඇමතිතුමා කල්පතා කර බලා මේ ගෙවල් ඒවායේ සවිර වශයෙන්ම පදිංචි වී සිටින උදවියට අර කුලියට අයිතිය පැවරීමේ ක්‍රමය—Rent Purchase Scheme—යටතේ පවරා දීමයි. ඒ සඳහා යම් වැඩ පිළිවෙලක් සකස් කරන මෙන් මා ඉල්ලා සිටිනවා.

ගරු ඩඩ්ලි සේනානායක

(කෙළරව උද්ගිරි ජෙනරායායක)

(The Hon. Dudley Senanayake)

Mr. Deputy Chairman, the hon. Member for Gampaha (Mr. S. D. Bandaranayake) has every day during the past so many days been asking me some questions on this same matter. It would have been convenient if he could have asked all these questions together on one day, because I have to be present here at the Adjournment to answer these

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questions, but presumably the hon. Member requires time to get his instructions. So he comes here each day with a question.

My answer to the question he has now asked is this. It is correct that the request was made to the Municipal Commissioner that permission should not be granted for political meetings and rallies to be held at public places under the control of the municipality on Wesak day. This was only a request.

ගරු වන්නිනායක

(කෙළරව වන්නිනායක)

(The Hon. Wanninayake)

In regard to the matter raised by the hon. Member for Colombo South (Mr. Bernard Soysa), it has been engaging the attention of the Monetary Board. However, I shall draw their attention to it again.

ගරු ආර්. ප්‍රේමදාස (පළාත් පාලන ඇමති සහ ප්‍රවාහන හා ගුවන් විදුලි ඇමතිගේ පාර්ලිමේන්තු ලේකම්)

(කෙළරව ආර්. ප්‍රේමදාස—මහලොව පාලන අමාත්‍යවරයා, දුරකථන සහ ගුවන් විදුලි අමාත්‍යවරයා)

(The Hon. R. Premadasa—Minister of Local Government and Parliamentary Secretary to the Minister of Information & Broadcasting)

රජයේ සහ පළාත් පාලන ආයතනවල ගෙවල් කුලියට සිත්තවීමේ ක්‍රමයට පවරා දීම සම්බන්ධයෙන් පනත් කෙටුම්පතක් ඉදිරිපත් කරන්නට රජය බලාපොරොත්තු වන බව මා කියන්නට සතුටුයි.

දෙවැනි කාරණය අළුත්වැඩියා කිරීම් සම්බන්ධවයි. ඒ ගැන සොයා බලනවා.

ප්‍රශ්නය විමසන ලදින්, සහ සම්මත විය.

ඛිණික විමසුමකට පත්වූ ඉල්ලීමක් සම්බන්ධයෙන්.

Question put, and agreed to.

මන්ත්‍රී මණ්ඩලය ඊට අනුකූලව අ. හා. 7.8 ට, 1969 මැයි 6 වන අගනරා වාද පූ. හා. 10 වන තෙක් කල් ගියේය.

අදාළ සභා පි. ප. 7.8 මණිකු, 1969 මේ 6, සෙව්වාරායායකිමය ප්‍ර. ප. 10 මණිවරා ඉදිකිරීමට පෙරතු.

Adjourned accordingly at 7.8 P.M. until 10 A.M. on Tuesday, 6th May 1969.

டயக் இடல் : இடல் வேலை சீரெனப் பஐவ் ஈரணை லக்ஷை ஈடு லக்ஷ 12க் ஈடல்
 ரூ. 32.00ஈ. (ஈக்ஷேபித ஈடுபத் ஈடல் நஈ ரூ.35.00ஈ.) லக்ஷ 6ஈ ஈக்ஷுலெத் ஈடல்.
 ஈடுபத் ஈடு 30ஈ. நஈடல் ஈடு 45ஈ. இடல், ஈக்ஷுல ஈடு இலஈர், ஈக்ஷுல
 ஈக்ஷுல ரக்ஷை ஈக்ஷுல ஈக்ஷுல ஈக்ஷுல ஈக்ஷுல ஈக்ஷுல ஈக்ஷுல ஈக்ஷுல ஈக்ஷுல ஈக்ஷுல

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