



[*Seventh Parliament -First Session*]

No. 246.]

ORDER PAPER OF PARLIAMENT

FOR

Wednesday, January 09, 2013 at 1.00 p.m.

QUESTIONS FOR ORAL ANSWERS

1407/11

1.

Hon. Ravi Karunanayake,— To ask the Prime Minister and Minister of Buddha Sasana and Religious Affairs,— (3)

- (a) Will he inform this House—
 - (i) as to when the Auditor General's Department was brought into existence;
 - (ii) the number of staff members in the approved cadre of the Auditor General's Department;
 - (iii) the current strength of the Department;
 - (iv) the number of vacancies in the cadre to be filled; and
 - (v) the salaries and other emoluments that the staff is entitled to?
- (b) Will he state whether the UN Report has referred to the politicisation of the Auditor General's Department?
- (c) If not, why?

1886/11

2.

Hon. Buddhika Pathirana,— To ask the Minister of Local Government and Provincial Councils,—(2)

- (a) Is he aware that although a period of more than two years have elapsed since the foundation stone was laid for the reconstruction of the Ambalangoda rest house in Galle District after its buildings had been demolished, the aforesaid construction work has not yet been commenced?
- (b) Will he inform this House—
 - (i) of the reasons for stopping the reconstruction work of the aforesaid rest house halfway ;
 - (ii) whether allocations have been made for the aforesaid construction ; and
 - (iii) if so, the amount of money that has been allocated?

(2)

- (c) Will he also inform this House—
- (i) as to how the Ruhunu Tourist Office got powers to demolish the aforesaid buildings which belong to the Ambalangoda Urban Council ;
 - (ii) whether the aforesaid construction work will be recommenced ; and
 - (iii) if so, the date on which it will be done?
- (d) If not, why?

1903/11

3.

Hon. Dayasiri Jayasekara,— To ask the Minister of Mass Media and Information,—(4)

- (a) Will he state—
- (i) whether the ownership of Carlton Sports Network is with the government or an institution affiliated to the government;
 - (ii) if its ownership is with a private institution, the name/names and address/addresses of the owner/owners of that institution; and
 - (iii) the names and addresses of the Board of Directors of that institution?
- (b) Will he inform this House of—
- (i) the date on which telecasting of Carlton Sports Network was started or is due to be started;
 - (ii) the frequency range allocated for the purpose of starting that channel;
 - (iii) the period of time for which telecasting rights were granted to Carlton Sports Network; and
 - (iv) the documents that granted approval for starting that channel and the agreements relevant to the granting of broadcasting rights?
- (c) Will he state—
- (i) the amount paid for starting that channel; and
 - (ii) whether the documents relevant to the aforesaid payment will be submitted?
- (d) If not, why?

2220/'12

4. Hon. Sajith Premadasa,— To ask the Minister of Construction, Engineering Services, Housing and Common Amenities,—(3)

- (a) Is he aware that a pledge was made under the “Samata Niwasak - Hithata Sevanak” programme of the Mahinda Chinthana - A vision for the future manifesto that the programme for making the residents of urban flats and other government housing schemes the freehold owners of their houses would be completed within three months ?
- (b) Will he inform this House of—
 - (i) the date of commencement and the date of completion of the aforesaid programme;
 - (ii) the number of families residing in urban flats that have got freehold ownership of their houses under the aforesaid programme; and
 - (iii) the number of families residing in other government housing schemes that have got freehold ownership of their houses as mentioned above ?
- (c) If not, why?

2503/'12

5. Hon. (Mrs.) Thalatha Atukorale,— To ask the Minister of Mass Media and Information,— (3)

- (a) Will he state separately—
 - (i) the number of media personnel who had registered with the government in each of the years during the period from the year 2005; and
 - (ii) the number of media personnel who disappeared and the number of media personnel who were killed during the aforesaid period ?
- (b) Will he inform this House—
 - (i) separately, of the number of registered newspapers, radio channels, television channels and websites as at 2011;
 - (ii) of the number of media institutions which were banned during the period from the year 2005 up to now; and
 - (iii) of the reasons for banning each of the aforesaid media institutions ?
- (c) If not, why ?

6.

Hon. Anura Dissanayaka,— To ask the Minister of Education,—(2)

- (a) Will he inform this House of—
- (i) the number of national schools that were there in this country as at 31st December 2011; and
 - (ii) the number of students and the number of teachers at those schools;
 - (iii) the total amount of money allocated for national schools for the year 2012;
 - (iv) the number of national schools where vacancies for Principals exist at present;
 - (v) the number of students who applied for admission to the Grade one of the national schools in the years 2011 and 2012; and
 - (vi) the number of students who have been admitted to those schools out of those who applied for admission ?
- (b) If not, why?

7.

Hon. Wasantha Aluwihare,— To ask the Minister of Co-operatives and Internal Trade,—(2)

- (a) Will he admit the facts that—
- (i) resting the financial and administrative powers of the Co-operative Societies in the elected Chairmen and the Board of Directors, lead to corruption and malpractices in those Societies ;
 - (ii) the Matale, Rattota Multi Purpose Co-operative Society has plunged in to a huge financial crisis owing to fraud and corruption that has occurred in the financial affairs of the Society within the aforesaid context; and
 - (iii) the customers are immensely inconvenienced owing to the inability of the Society to run its outlets and ‘Co-op cities’ due to the financial crisis ?
- (b) Will he state separately and in relation to Rattota Multi Purpose Co-operative Society—
- (i) the number of outlets and ‘Co-op’ cities, the number of functioning outlets and ‘Co-op cities’ and employees; and
 - (ii) the number of representatives of the General Assembly that should be present at an election from the outlets, and the number of such representatives that were present at the election held on 20.03.2010 ?

- (c) Will he also state—
- (i) the measures to be adopted regarding the incidents of administrative weaknesses, corruptions and malpractices in the Co-operative Societies;
 - (ii) whether a formal investigation will be conducted regarding the corruptions that have taken place in the Rattota Multi Purpose Co-operative Society ; and
 - (iii) if so, when ?
- (d) If not, why ?

1543/'11

8.

Hon. Ravi Karunanayake,— To ask the Prime Minister and Minister of Buddha Sasana and Religious Affairs,—(3)

- (a) Will he inform this House—
- (i) of the monthly salary payable to a Cabinet Minister from 1st June 2011;
 - (ii) of the other perks that a Minister and the staff assigned to a Minister enjoy per month;
 - (iii) of the monthly salary payable to Deputy Ministers from 1st June 2011 ; and
 - (iv) of the other perks that a Deputy Minister and his staff enjoy per month?
- (b) Will he also state —
- (i) the monthly salary drawn by a Minister or a Deputy Minister if he or she is paid the monthly salary entitled to a Member of Parliament;
 - (ii) whether the Ministers/Deputy Ministers enjoy the benefits referred to in part (a) as a Member of Parliament;
 - (iii) whether the Ministers/ Deputy Ministers are paid a sufficient salary; and
 - (iv) if so, as to how the matter is rectified?
- (c) If not, why?

1889/11

9. Hon. Buddhika Pathirana,— To ask the Minister of Health,—(2)

- (a) Is he aware that—
 - (i) the mortuary of the Mawarala Divisional Hospital situated at Hakmana area in Matara District is in a very dilapidated condition ; and
 - (ii) the people of the area are faced with severe difficulties as a result of the aforesaid shortcoming prevailing at this Hospital, which is situated in a very difficult area?
- (b) Will he inform this House—
 - (i) whether action will be taken to renovate the aforesaid building soon ;
 - (ii) whether allocations have been made for this purpose by now ; and
 - (iii) if so, the date on which the renovation work will be commenced?
- (c) If not, why?

1907/11

10. Hon. Dayasiri Jayasekara,— To ask the Minister of Mass Media and Information,—(4)

- (a) Will he inform this House—
 - (i) whether arrangements have been made to provide the Carlton Sports Channel (CSN) with cassettes or hard discs belonging to the National Television, which contain recordings of sports events;
 - (ii) if so, the reasons for providing, them as mentioned above;
 - (iii) of the basis on which such cassettes or hard discs were provided; and
 - (iv) of the amount of money paid by the Carlton Sports Channel to the National Television for obtaining those cassettes?
- (b) Will he submit to this House—
 - (i) if the Carlton Sports Channel has made a request to obtain those cassettes or hard discs, the details of persons who made that request;
 - (ii) the letter relevant to the aforesaid request; and
 - (iii) the name and the designation of the officer who gave permission for the aforesaid cassettes and hard discs to be released by the National Television?
- (c) If not, why?

2221/'12

11.

Hon. Sajith Premadasa,— To ask the Minister of Construction, Engineering Services, Housing and Common Amenities,—(2)

- (a) Is he aware that a pledge was made under the “Samata Niwasak - Hithata Sevanak” programme of the Mahinda Chinthana - A vision for the future manifesto that each estate worker family would be provided with a new house with basic facilities by the year 2015 ?
- (b) Will he inform this House of the number of—
 - (i) estate worker families that have received new houses as per the pledge mentioned above ; and
 - (ii) estate houses that are being constructed at present ?
- (c) If not, why ?

1849/'11

12.

Hon. Ravi Karunanayake,— To ask the Minister of Foreign Employment Promotion and Welfare,—(2)

- (a) Will he state—
 - (i) the number of Sri Lankans that have been sent to Italy and Malaysia for employments by the Government from 2004 to date on per year basis;
 - (ii) the criteria in sending the people to Italy and Malaysia ;
 - (iii) the amount that has been charged from each person to provide a job in those countries;
 - (iv) the duration of a job contract of a person sent by the government to aforesaid countries; and
 - (v) the average salary of a person working in those countries ?
- (b) If not, why?

1940/'11

13.

Hon. Buddhika Pathirana,— To ask the Minister of Ports and Highways,—(2)

- (a) Is he aware that the warehouse No. 04 that had been allocated for the storage of items of the Sri Lanka Ports Authority has been provided to an Indian company engaged in oil excavation in Mannar?
- (b) Will he inform this House of—
 - (i) the reasons for providing that warehouse to the Indian company ;
 - (ii) the basis on which it has been provided ; and
 - (iii) the income expected through the provision of that warehouse to the Indian company?
- (c) If not, why?

1986/11

14.

Hon. Dayasiri Jayasekara,— To ask the Minister of Finance and Planning,—(4)

- (a) Will he state—
- (i) the number of private companies owned by the government at present;
 - (ii) separately, the names of those companies and the relevant ministries;
 - (iii) the names and the addresses of the members of the Board of Directors of each of the companies;
 - (iv) separately, the percentage of the shares owned by the government and the percentage of the shares owned by the private sector in each of the aforesaid companies;
 - (v) the names and the addresses of the private investors who have invested money in each of the companies; and
 - (vi) separately, the net profit earned or the loss incurred by each of the aforesaid companies in the years 2009 and 2010?
- (b) If not, why?

2222/12

15.

Hon. Sajith Premadasa,— To ask the Minister of Construction, Engineering Services, Housing and Common Amenities,—(2)

- (a) Is he aware that a pledge was made under the “Samata Niwasak - Hithata Sevanak ” programme of the Mahinda Chinthana - A vision for the future manifesto that Rs. 1.5 billion will be allocated for the construction of 30,000 houses targeting fishing towns and villages ?
- (b) Will he inform this House of —
- (i) the year in which a sum of Rs. 1.5 billion was allocated from the budget as per the pledge mentioned above;
 - (ii) the number of houses of which construction work has been completed by now; and
 - (iii) the number of fisher families that have been settled in the aforesaid houses ?
- (c) If not, why ?
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AT THE COMMENCEMENT OF PUBLIC BUSINESS

Notice of Motions

1. The Leader of the House of Parliament,— Sittings of the Parliament,— That notwithstanding the provisions of Standing Order No. 7 and the motion agreed to by Parliament on 09.07.2010, the hours of sitting this day shall be 1.00 p.m. to 6.30 p.m.. At 2.00 p.m. Standing Order 7(5) shall operate.
2. Hon. Arundika Fernando,— Leave to introduce Bill (No.1),— That leave be granted to introduce the following Bill:—
“ Bill to incorporate the M.K.A.D.S. Gunawardana Foundation.”
3. Hon. Hunais Farook,— Leave to introduce Bill (No.2),— That leave be granted to introduce the following Bill:—
“ Bill to incorporate the United Muslim Ummah.”
4. Hon. Hunais Farook,— Leave to introduce Bill (No.3),— That leave be granted to introduce the following Bill:—
“ Bill to incorporate the Sri Lanka Hira Foundation.”

NOTICE OF MOTIONS AND ORDERS OF THE DAY

P. 167/12

1. Hon. T. Ranjith De Zoysa
Hon. Palany Thigambaram
Hon. Douglas Devananda
Hon. Mohan Lal Gero
Hon. V. S. Radhakrishnan
Hon. S. B. Dissanayake
Hon. Reginold Cooray
Hon. Nandimithra Ekanayake
Hon. Weerakumara Dissanayake
Hon. Gitanjana Gunawardena
Hon. Mahinda Amaraweera
Hon. Muthu Sivalingam
Hon. Lasantha Alagiyawanna
Hon. Sanath Jayasuriya
Hon. Lakshman Wasantha Perera

Hon. Jagath Balasuriya
Hon. (Al-Haj) A. H. M. Azwer
Hon. Dullas Alahapperuma
Hon. Mahindananda Aluthgamage
Hon. (Mrs.) Pavithradevi Wanniarachchi
Hon. Duleep Wijesekera
Hon. (Mrs) Sriyani Wijewickrama
Hon. (Mrs) Malani Fonseka
Hon. Dayasritha Thissera
Hon. Vinayagamoorthi Muralidaran
Hon. M. L. A. M. Hizbullah
Hon. A. L. M. Athaulla
Hon. M. K. A. D. S. Gunawardana
Hon. Bandula Gunawardane
Hon. Nirmala Kotalawala
Hon. Vijitha Berugoda
Hon. Janaka Wakkumbura
Hon. H.R. Mithrapala
Hon. Lalith Dissanayake
Hon. Wijaya Dahanayake
Hon. Sarana Gunawardena
Hon. Lakshman Senewiratne
Hon. Achala Jagodage
Hon. Salinda Dissanayake
Hon. Rohitha Abeygunawardana
Hon. (Miss) Kamala Ranathunga
Hon. Jayarathne Herath
Hon. Rohana Dissanayake
Hon. Lakshman Yapa Abeywardena
Hon. A. P. Jagath Pushpakumara
Hon. Arundika Fernando
Hon. Shantha Bandara
Hon. (Dr.) Ramesh Pathirana
Hon. Victor Antony
Hon. Sarath Kumara Gunaratne

Hon. S. M. Chandrasena
Hon. Manusha Nanayakkara
Hon. Janaka Bandara Tennakoon
Hon. Milroy Fernando
Hon. Lohan Ratwatte
Hon. Hunais Farook
Hon. (Mrs) Upeksha Swarnamali
Hon. (Mrs.) Sumedha G. Jayasena
Hon. Piyankara Jayaratne
Hon. Hemal Gunasekera
Hon. Thenuka Vidanagamage
Hon. Kumara Welgama
Hon. Janaka Bandara
Hon. Vidura Wickramanayaka
Hon. A. R. M. Abdul Cader
Hon. Ruwan Ranatunga
Hon. Felix Perera
Hon. Tharanath Basnayaka
Hon. (Dr.) Rohana Pushpa Kumara
Hon. Premalal Jayasekara
Hon. Sanee Rohana Kodithuvakku
Hon. Neranjan Wickremasinghe
Hon. C. B. Rathnayake
Hon. Duminda Dissanayake
Hon. Mahinda Yapa Abeywardena
Hon. Gamini Wijith Wijithamuni De Zoysa
Hon. P. Dayaratna
Hon. Thilanga Sumathipala
Hon. Gamini Lokuge
Hon. Earl Gunasekara
Hon. C. A. Suriyaarachchi
Hon. Udith Lokubandara
Hon. V. K. Indika
Hon. T. B. Ekanayake
Hon. P. Piyasena

Hon. Gunaratne Weerakoon
Hon. A. M. Chamika Buddhadasa
Hon. Siripala Gamalath
Hon. Indika Bandaranayake
Hon. Tissa Karalliyadda
Hon. Praba Ganesan
Hon. Susantha Punchinilame
Hon. (Dr.) (Mrs.) Sudarshini Fernandopulle
Hon. Jeewan Kumaranatunga
Hon. Ranjith Siyambalapitiya
Hon. S. B. Nawinne
Hon. (Dr.) Sarath Weerasekara
Hon. Sajin De Vass Gunawardena
Hon. J. R. P. Suriyapperuma
Hon. Shehan Semasinghe
Hon. Keheliya Rambukwella
Hon. Dilum Amunugama
Hon. Eric Prasanna Weerawardhana
Hon. W. B. Ekanayake
Hon. Roshan Ranasinghe
Hon. Nimal Wijesinghe
Hon. S.C. Mutukumarana
Hon. Nishantha Muthuhettigamage
Hon. (Ven.) Ellawala Medhananda Thero
Hon. Perumal Rajathurai
Hon. Silvastrie Alantin
Hon. (Mrs.) Nirupama Rajapaksa
Hon. Y. G. Padmasiri
Hon. Navin Dissanayake
Hon. Chandrasiri Gajadeera
Hon. Basheer Segu Dawood

Hon. H. M. M. Harees,—Resolution as per Article 107(2) of the Constitution for a motion of Parliament to be presented to His Excellency the President for the removal of the Hon. (Dr.) (Mrs.) Upatissa Atapattu Bandaranayake Wasala Mudiyanse Ralahamilage Shirani Anshumala Bandaranayake from the office of the Chief Justice of the Supreme Court of the Democratic Socialist Republic of Sri Lanka,—

1. Whereas by purchasing, in the names of two individuals, i.e. Renuka Niranjali Bandaranayake and Kapila Ranjan Karunaratne using special power of attorney licence bearing No. 823 of Public Notary K.B. Aroshi Perera that was given by Renuka Niranjali Bandaranayake and Kapila Ranjan Karunaratne residing at No. 127, Ejina Street, Mount Hawthorn, Western Australia, 6016, Australia, the house bearing No. 2C/F2/P4 and assessment No. 153/1-2/4 from the housing scheme located at No. 153, Elvitigala Mawatha, Colombo 08 belonging to the company that was known as Ceylinco Housing and Property Company and City Housing and Real Estate Company Limited and Ceylinco Condominium Limited and is currently known as Trillium Residencies which is referred in the list of property in the case of fundamental rights application No. 262/2009, having removed another bench of the Supreme Court which was hearing the fundamental rights application cases bearing Nos. 262/2009, 191/2009 and 317/2009 filed respectively in the Supreme Court against Ceylinco Sri Ram Capital Management, Golden Key Credit Card Company and Finance and Guarantee Company Limited belonging to the Ceylinco Group of Companies and taking up further hearing of the aforesaid cases under her court and serving as the presiding judge of the benches hearing the said cases;
2. Whereas, in making the payment for the purchase of the above property, by paying a sum of Rs 19,362,500 in cash, the manner in which such sum of money was earned had not been disclosed, to the companies of City Housing and Real Estate Company Limited and Trillium Residencies prior to the purchase of the said property;
3. Whereas, by not declaring in the annual declaration of assets and liabilities that should be submitted by a judicial officer, the details of approximately Rs. 34 million in foreign currency deposited at the branch of NDB Bank located at Dharmapala Mawatha, Colombo 07 in accounts 106450013024, 101000046737, 100002001360 and 100001014772 during the period from 18 April 2011 to 27 March 2012;
4. Whereas, by not declaring in the annual declaration of assets and liabilities that should be submitted by a judicial officer the details of more than twenty bank accounts maintained in various banks including nine accounts bearing numbers 106450013024, 101000046737, 100002001360, 100001014772, 100002001967, 100101001275, 100110000338, 100121001797 and 100124000238 in the aforesaid branch of NDB Bank;
5. Whereas, Mr. Pradeep Gamini Suraj Kariyawasam, the lawful husband of the said Hon. (Dr.) (Mrs.) Upatissa Atapattu Bandaranayake Wasala Mudiyanse Ralahamilage Shirani Anshumala Bandaranayake is a suspect in relation to legal action initiated at the Magistrate's Court of Colombo in connection with the offences regarding acts of bribery and/or corruption under the Commission to Investigate into Allegations of Bribery or Corruption Act, No 19 of 1994;

Whereas, the post of Chairperson of the Judicial Service Commission which is vested with powers to transfer, disciplinary control and removal of the Magistrate of the said court which is due to hear the aforesaid bribery or corruption case is held by the said Hon. (Dr.) (Mrs.) Upatissa Atapattu Bandaranayake Wasala Mudiyanse Ralahamilage Shirani Anshumala Bandaranayake as per Article 111D (2) of the Constitution;

Whereas, the powers to examine the judicial records, registers and other documents maintained by the aforesaid court are vested with the said Hon. (Dr.) (Mrs.) Upatissa Atapattu Bandaranayake Wasala Mudiyanse Ralahamilage Shirani Anshumala Bandaranayake under Article 111H (3) by virtue of being the Chairperson of the Judicial Service Commission;

Whereas, the Hon. (Dr.) (Mrs.) Upatissa Atapattu Bandaranayake Wasala Mudiyanse Ralahamilage Shirani Anshumala Bandaranayake becomes unsuitable to continue in the office of the Chief Justice due to the legal action relevant to the allegations of bribery and corruption levelled against Mr. Pradeep Gamini Suraj Kariyawasam, the lawful husband of the said Hon. (Dr.) (Mrs.) Upatissa Atapattu Bandaranayake Wasala Mudiyanse Ralahamilage Shirani Anshumala Bandaranayake in the aforesaid manner, and as a result of her continuance in the office of the Chief Justice, administration of justice is hindered and the fundamentals of administration of justice are thereby violated and whereas not only administration of justice but visible administration of justice should take place;

6. Whereas, despite the provisions made by Article 111H of the Constitution that the Secretary of the Judicial Service Commission shall be appointed from among the senior judicial officers of the courts of first instance, the Hon. (Dr.) (Mrs.) Upatissa Atapattu Bandaranayake Wasala Mudiyanse Ralahamilage Shirani Anshumala Bandaranayake acting as the Chairperson of the Judicial Service Commission by virtue of being the Chief Justice, has violated Article 111H of the Constitution by disregarding the seniority of judicial officers in executing her duties as the Chairperson of the Judicial Service Commission through the appointment of Mr. Manjula Thilakaratne who is not a senior judicial officer of the courts of first instance, while there were such eligible officers;
7. Whereas, with respect to the Supreme Court special ruling Nos. 2/2012 and 3/2012 the said Hon. (Dr.) (Mrs.) Upatissa Atapattu Bandaranayake Wasala Mudiyanse Ralahamilage Shirani Anshumala Bandaranayake has disregarded and /or violated Article 121 (1) of the Constitution by making a special ruling of the Supreme Court to the effect that the provisions set out in the Constitution are met by the handing over of a copy of the petition filed at the court to the Secretary General of Parliament despite the fact that it has been mentioned that a copy of a petition filed under Article 121 (1) of the Constitution shall at the same time be delivered to the Speaker of Parliament;

8. Whereas, Article 121(1) of the Constitution has been violated by the said Hon. (Dr.) (Mrs.) Upatissa Atapattu Bandaranayake Wasala Mudiyanse Ralahamilage Shirani Anshumala Bandaranayake despite the fact that it had been decided that the mandatory procedure set out in the said Article of the Constitution must be followed in accordance of the interpretation given by the Supreme Court in the special decisions of the Supreme Court bearing Nos. 5/91, 6/91, 7/91 and 13/91;
9. Whereas, irrespective of the absolute ruling stated by the Supreme Court in the fundamental rights violation case, President's Counsel Edward Francis William Silva and three others versus Shirani Bandaranayake (1992 New Law Reports of Sri Lanka 92) challenging the appointment of the Hon. (Dr.) (Mrs.) Upatissa Atapattu Bandaranayake Wasala Mudiyanse Ralahamilage Shirani Anshumala Bandaranayake, when she was appointed as a Supreme Court judge, she has acted in contradiction to the said ruling subsequent to being appointed to the office of the Supreme Court judge;
10. Whereas, the Supreme Court special rulings petition No. 02/2012 filed by the institution called Centre for Policy Alternatives to which the Media Publication Section 'Groundview' that had published an article of the Hon. (Dr.) (Mrs.) Upatissa Atapattu Bandaranayake Wasala Mudiyanse Ralahamilage Shirani Anshumala Bandaranayake, while she was a lecturer of the Law Faculty of the University of Colombo prior to becoming a Supreme Court judge, has been heard and a ruling given;
11. Whereas, in the case, President's Counsel Edward Francis William Silva and three others versus Shirani Bandaranayake (1992 New Law Reports of Sri Lanka 92) that challenged the suitability of the appointment of the Hon. (Dr.) (Mrs.) Upatissa Atapattu Bandaranayake Wasala Mudiyanse Ralahamilage Shirani Anshumala Bandaranayake who holds the office of the Chief Justice and thereby holds the office of the ex-officio Chairperson of the Judicial Service Commission in terms of the Constitution, Attorney-at-Law L.C.M. Swarnadhipathi, the brother of the Magistrate Kuruppuge Beeta Anne Warnasuriya Swarnadhipathi filed a petition against the appointment of the said Hon. (Dr.) (Mrs.) Upatissa Atapattu Bandaranayake Wasala Mudiyanse Ralahamilage Shirani Anshumala Bandaranayake owing to which the Hon. (Dr.) (Mrs.) Upatissa Atapattu Bandaranayake Wasala Mudiyanse Ralahamilage Shirani Anshumala Bandaranayake has harassed the said Magistrate Kuruppuge Beeta Anne Warnasuriya Swarnadhipathi;
12. Whereas, the Hon. (Dr.) (Mrs.) Upatissa Atapattu Bandaranayake Wasala Mudiyanse Ralahamilage Shirani Anshumala Bandaranayake who holds the office of the Chief Justice and thereby holds the office of the ex-officio Chairperson of the Judicial Service Commission in terms of Article 111D (2) of the Constitution has, by acting ultra vires the powers vested in her by the Article 111H of the Constitution ordered the Magistrate (Mrs.) Rangani Gamage's right to obtain legal protection for lodging a complaint in police against the harassment meted out to her by Mr. Manjula Thilakarathne, the Secretary of the Judicial Service Commission;

13. Whereas, the said Hon. (Dr.) (Mrs.) Upatissa Atapattu Bandaranayake Wasala Mudiyanse Ralahamilage Shirani Anshumala Bandaranayake being the Chief Justice and thereby being the Chairperson of the Judicial Service Commission, in terms of Article 111D (2) of the Constitution, has abused her powers by ordering the Magistrate (Mrs.) Rangani Gamage to obtain permission of the Judicial Service Commission prior to seeking police protection thereby preventing her from exercising her legal right to obtain legal protection;
14. Whereas, the Hon. (Dr.) (Mrs.) Upatissa Atapattu Bandaranayake Wasala Mudiyanse Ralahamilage Shirani Anshumala Bandaranayake by performing her duties as the Chairperson of the Judicial Service Commission has referred a letter through the Secretary of the Judicial Service Commission to the Magistrate (Mrs.) Rangani Gamage, calling for explanation from her as to why a disciplinary inquiry should not be conducted against her for seeking protection from the Inspector General of Police by exercising her legal right;

By acting in the aforesaid manner,—

- (i) whereas it amounts to improper conduct or conduct unbecoming of a person holding the office of the Chief Justice;
- (ii) whereas she had been involved in matters that could amount to causes of action or controversial matters,
- (iii) whereas she had influenced the process of delivery of justice,
- (iv) whereas there can be reasons for litigants to raise accusations of partiality/ impartiality,

she has plunged the entire Supreme Court and specially the office of the Chief Justice into disrepute.

Therefore we, the aforementioned Members of Parliament resolve that a Select Committee of Parliament be appointed in terms of Article 107 (3) of the Constitution read with the provisions of Article 107 (2) and Standing Order 78 A of Parliament enabling the submission of a resolution to His Excellency the President for the removal of the Hon. (Dr.) (Mrs.) Upatissa Atapattu Bandaranayake Wasala Mudiyanse Ralahamilage Shirani Anshumala Bandaranayake from the office of the Chief Justice of the Democratic Socialist Republic of Sri Lanka in the event the Select Committee reports to Parliament that one or more of the charges that have been levelled have been proved after the aforesaid charges of misconduct have been investigated.

*2.

Code of Criminal Procedure (Special Provisions) Bill— Second Reading.

*3.

The Minister of Transport,— Regulations under the Motor Traffic Act,— That the Regulations made by the Minister of Transport under Sections 140, 141 and 164 of the Motor Traffic Act (Chapter 203), read with Section 237 of the aforesaid Act, and published in the Gazette Extraordinary No. 1763/26 of June 22nd, 2012 and amended by the Gazette Extraordinary No. 1779/17 of October 10th, 2012, which were presented on 07.12.2012, be approved.

*4.

The Minister of External Affairs,— Resolution under the Constitution of the Democratic Socialist Republic of Sri Lanka (No.1),— That this Parliament resolves under Article 157 of the Constitution of the Democratic Socialist Republic of Sri Lanka, that the Agreement between the Government of the Democratic Socialist Republic of Sri Lanka and the Government of the State of Kuwait for the Reciprocal Promotion and Protection of Investments, signed on 05th November 2009, being an Agreement for the Promotion and Protection of Investments in Sri Lanka of such foreign State, its nationals or corporations, companies and other associations incorporated or constituted under its Laws, which was presented on 07.09.2011 be approved, as being essential for the development of the national economy.

(Cabinet approval signified.)

*5.

The Minister of External Affairs,— Resolution under the Constitution of the Democratic Socialist Republic of Sri Lanka (No.2),— That this Parliament resolves under Article 157 of the Constitution of the Democratic Socialist Republic of Sri Lanka, that the Agreement between the Government of the Democratic Socialist Republic of Sri Lanka and the Government of the Socialist Republic of Vietnam for the Promotion and Protection of Investments, signed on 22nd October 2009, being an Agreement for the Promotion and Protection of Investments in Sri Lanka of such foreign State, its nationals or of corporations, companies and other associations incorporated or constituted under its Laws, which was presented on 07.09.2011 be approved, as being essential for the development of the national economy.

(Cabinet approval signified.)

*6.

The Prime Minister and Minister of Buddha Sasana and Religious Affairs,— Determination under the Constitution,— That this Parliament determines that the salary of Mr. H.A.S. Samaraweera, the incumbent Auditor - General appointed with effect from 15.08.2011 shall be as follows in terms of Article 153(2) of the Constitution of the Democratic Socialist Republic of Sri Lanka.

That this Parliament further determines that Mr. H.A.S. Samaraweera, Auditor - General shall be placed on the salary point of Rs.48,940/- which is the 2nd step in the salary scale of SL-4-2006, with effect from 15.08.2011 when he was appointed to the said post and that he be paid the other allowances relevant to the post and such annual salary increments as specified in the salary scale.

(Cabinet approval signified.)

*7.

The Minister of Lands and Land Development,— Regulations under the Registration of Title Act,— That the Regulations made by the Minister of Lands and Land Development under Section 67 of the Registration of Title Act, No. 21 of 1998 read with Section 60 and 62 of that Act and published in the Gazette Extraordinary No. 1616/23 of August 24th, 2009, which were presented on 06.05.2010, be approved.

(Cabinet approval signified.)

*8.

Order under the Code of Criminal Procedure (Special Provisions) Act,—Adjourned Debate on Question (08th September, 2011) Motion made and question proposed,— “ Order made by the Minister of Justice under subsection (2) of Section 7 of the Code of Criminal Procedure (Special Provisions) Act, No.42 of 2007, and published in the Gazette Extraordinary No. 1708/5 of May 30th, 2011, which was presented on 23.08.2011, be approved.”

*9.

The Prime Minister and Minister of Buddha Sasana and Religious Affairs,— Order under the Fauna and Flora Protection Ordinance,— That the Order made by the Minister of Agrarian Services and Wildlife under subsection (1) of Section 2 of the Fauna and Flora Protection Ordinance (Chapter 469) and published in the Gazette Extraordinary No. 1735/21 of December 06th, 2011, which was presented on 13.12.2011, be approved.

10.

Sri Lanka Women's Conference (Incorporation) Bill — Consideration.

11.

State Employees' Development Finance Corporation (Incorporation) Bill— Consideration.

12.

Institute of Martial Arts (Incorporation) Bill — Consideration.

* *Indicates Government Business*
