

**COUNCIL MEETING OF THE WESTERN PROVINCE
PROVINCIAL COUNCIL**

**at the Council Chamber of the Provincial Council Building Complex of the Western
Province at No. 204, Denzil Kobbekaduwa Mawatha, Sri Jayawardhanapura,
Battaramulla**

On 05th August 2014, at 09.30 a.m.

AGENDA

- I. Announcements by the Chairman**
- II. Presentation of Papers**
- III. Presentation of Committee Reports**
- IV. Petitions**
- V. Questions**

01. Question asked by Hon. Member Sunil Watagala on 22.07.2014 from the Hon. Chief Minister and Minister of Finance and Planning, Law and Order, Land, Education, Local Government and Provincial Administration, Manpower and Employment, Engineering Services and Information . (Q/VI(1)/14/23)

- a) Are you aware that plans are being made to remove the trading community who are engaged in business facing Olcott Mawatha, Colombo 11?
- b) Who owns that land in which they conduct their businesses?
- c) Do you know that the alternative land with trade stalls that would be provided for them belongs to the Department of Railways?
- d) If the above alternative trade stalls are located within the land extent belonging to the Department of Railways, do you accept the fact that the said trade stalls are illegal?
- e) Do you accept the fact that the trading community of Olcott Mawatha is engaged in business there for more than 60 years?
- f) If removal does take place, why a monetary compensation wouldn't be made considering their time of stay and trade?
- g) On which basis did the basic amount of money and tax amount to be charged for alternative trade stalls were decided?

02. Question asked by Hon. Member Mujibur Rahuman on 22.07.2014 from the Hon. Chief Minister and Minister of Finance and Planning, Law and Order, Land, Education, Local Government and Provincial Administration, Manpower and Employment, Engineering Services and Information . (Q/VI(1)/14/24)

- a) How many schools are there within the Western Province separately as provincial schools and national schools?
- b) According to the school categorization, how many schools include to the categories of 1, AB, 1C, 2 ?
- c) According to the Schools Acquisition Act of 1961, what is the number of schools belonging to the Western Province that require maintaining religious ratio?
- d) Is there an obstruction to enroll students of other religious faiths to schools that need to maintain religious ratio when there is no sufficient number of students of the allotted religion?
- e) Are you aware that it does not require maintaining a ratio in other schools which have not been acquired under the School Acquisition Act?
- f) If so, what action would be taken by you with regard to these schools?

03. Question asked by Hon. Member Mujibur Rahuman on 22.07.2014 from the Hon. Chief Minister and Minister of Finance and Planning, Law and Order, Land, Education, Local Government and Provincial Administration, Manpower and Employment, Engineering Services and Information . (Q/VI(1)/14/25)

- a) Do you accept that Principal vacancies need to be filled having called applications properly as per Circular No. 1998/23 when filling Principal vacancies in schools of the Western Province?
- b) What is the number of schools of the Western Province that exist presently with Principal post vacancies?
- c) Are you aware that the total numbers of schools with Principal vacancies have not been included in the Government newspapers notice of 04.06.2014 published to call applications to fill Principal vacancies?
- d) What is the immediate measure that would be taken to fill the Principal vacancies in schools that have not been included thus?

04. Question asked by Hon. Member Lakshman Nipunaarachchi on 22.07.2014 from the Hon. Chief Minister and Minister of Finance and Planning, Law and Order, Land, Education, Local Government and Provincial Administration, Manpower and Employment, Engineering Services and Information . (Q/VI(1)/14/26)

- a) Do you accept that the building inclusive of land of WP/Pili/ Pamankada Sanghamiththa Vidyalaya has been allocated to National Cadet Officer's Headquarters on 06.09.2004 for a period of 25 years according to a decision of Provincial Board of Ministers?
- b) Do you accept that no physical change shall be made without proper consent of Provincial Department Education and Provincial Ministry of Education, is a condition of the said allotment?

- c) Are you aware that physical changes have been made by contravening the relevant conditions?
- d) Do the activities carried out in the relevant place at present comply with the objective of the Ministry of Education of the Province?
- e) If not, why is that?

05. Question asked by Hon. Member Mahinda Jayasinghe on 22.07.2014 from the Hon. Chief Minister and Minister of Finance and Planning, Law and Order, Land, Education, Local Government and Provincial Administration, Manpower and Employment, Engineering Services and Information . (Q/VI(1)/14/27)

- a) (I) Do you accept that the annual Esala Maha Perahera of Ruhunu Maha Kataragama Temple as an official duty of the Western Provincial Ministry of Education?
- (II) If you accept thus, would you explain to this Council as to what that duty was and according to which circular does it become a duty?
-] b) (I) If it is not an official duty, on which basis did the Secretary to the Ministry of Western Provincial Education and Local Government approved official leave from 28.06.2014 to 13.07.2014 to four employees of Col/ Weluwana Vidyalaya, Col/ C.W.W. Kannangara Maha Vidyalaya, Hom/ Ilukovita Primary School, Hom/ Millewa Maha Vidyalaya and a Dancing Instructor?
- (II) Similarly, on which basis did the approval for official leave has been given to the above-mentioned Dancing Instructor on the two days of 19.06.2014 and 20.06.2014?

06. Question asked by Hon. Member Mahinda Jayasinghe on 22.07.2014 from the Hon. Chief Minister and Minister of Finance and Planning, Law and Order, Land, Education, Local Government and Provincial Administration, Manpower and Employment, Engineering Services and Information . (Q/VI(1)/14/28)

- a) (I) Who is the statutory authority with regard to appointments, transfers, disciplinary actions of the Provincial Public Service?
- (II) Have certain delegate/ delegates been appointed to carry out the said powers him?
- (III) If so, who are they?
- b) (I) Who is the statutory authority related to appointment and transfers of Principals?
- (II) Would you explain whether the Principals have been appointed within the Province by complying with the said statutory power?
- (III) Were the Principals of Kalutara Muslim School and Kalutara Jilan Muslim Madya Maha Vidyalaya appointed according to the statutory power?

- (IV) Have the powers related to appointment and transfer of teachers and Principals of Muslim schools of the Province assigned to the Hon. Governor?

07. Question to be asked by Hon. Member Lakshman Nipunaarachchi from the Hon. Minister of Transport, Sports and Youth Affairs, Women's Affairs, Food Supplies and Distribution, Cooperative Development, Domestic Economic Promotion, Fisheries, Rural Development, Tourism Investment Promotion Coordination and Animal Production and Development . (Q/VI(1)/14/30)

- a) Are you aware that Borella – Jayawadanagam road bearing route number 186 is a provincial road that comes under the subject area of your ministry?
- b) Do you accept that bus service in that route does not function properly?
- c) Is the service of Time Keepers of that route is being performed properly?
- d) Would you present a report as to how buses operated in Saturdays and Sundays during the past six – month (6) period?
- e) If not, why is that?

08. Question to be asked by Hon. Member Jagath Withana from the Hon. Minister of Health, Indigenous Medicine, Probation and Child Care Services and Council Affairs. (Q/VI(1)/14/31)

- a) Can a patient be not admitted to a ward by stating the fact that the Emergency Treatment Unit of a Base Hospital is being washed?
- b) Are you aware that a 54 year old patient named Kolambage Don Lakshmi residing at Karandagahawaththa area of Pokunuwita, Horana who came seeking admission to the Horana Base Hospital on 12.07.2014 has been turned away by the relevant Medical Practitioner of the said hospital stating that the Emergency Treatment Unit is being washed and has handed over a chit to the daughter of the patient, Harshani Jayawardhana while instructing her to obtain treatment from the private hospital located in front of the hospital?
- c) Do you know that the said patient who had gone home after obtaining treatment from that private hospital has died on the same night?
- d) Is the Medical Superintendant of the Horana Base Hospital conducting an investigation with regard to this matter?
- e) If not, why is that?
- f) If an investigation is being held, what is its current situation?

09. Question to be asked by Hon. Member Mujibur Rahuman from the Hon. Chief Minister and Minister of Finance and Planning, Law and Order, Land, Education, Local Government and Provincial Administration, Manpower and Employment, Engineering Services and Information . (Q/VI(1)/14/32)

- a) Are you aware that a conflicting situation occurred in Aluthgama and Beruwala areas of Kalutara district of the Western Provincial Council on the days of June 12th , 13th , 14th , 15th and 16th , 2014?
- b) Have the losses and damage caused by that conflicting situation been estimated?
- c) If so, how much is it?
- d) Separately, how many houses, shops, religious places, factories, vehicles and other movable property were destroyed due to that conflicting situation?
- e) How many losses of lives?
- f) Would the Western Provincial Council pay compensation to those losses and damages?
- g) If not, why is that?

VI. Motions for Leave of Absence

VII. Announcements of the Ministries / Statements of the Ministers

VIII. Personal Explanations

IX. Council Affairs

To be presented by the Hon. Minister of Council Affairs:

Motion:

“Since the Presidential Secretariat has referred its observations related to Rules of Procedure Rule Nos. 12, 40 and 49 on 03.09.2013 of the Rules of Procedure Amendment Draft 2011, which has been referred to His Excellency the President by the Hon. Governor of Western Province on 04.08.2011 after having discussed and prepared at Fourth and Fifth Provincial Councils of Western Province, these observations and Rules of Procedure Amendment Draft 2011, for the purpose of reporting to this Council after considering it again, shall be referred to the Committee on Rules and Procedure”

X. Public Affairs

01. Hon. Chief Minister and Minister of Finance and Planning, Law and Order, Land, Education, Local Government and Provincial Administration, Manpower and Employment, Engineering Services and Information (W.P.)

Motion :

Supplementary Estimate – 01 of 2014

In order to provide allocations allotted by the Government to a value of Rupees 450 Million for the completion of half completed school buildings of Western Province; and,

to provide additional provisions to enable utilization of money in year 2014 to a value of Rupees 188 Million which remain unspent from the aid received under World Bank Aid in years 2012 and 2013 for education related development programmes of the Western Province; also,

to allocate provisions necessary for the transfer of Rupees 46 Million to the Ministry of Transport, Sports and Youth Affairs, Women's Affairs, Food Supplies and Distribution, Cooperative Development, Domestic Economy Promotion, Fisheries, Rural Development, Tourism, Investment Promotion, Investment Promotion Coordination and Animal Production and Development from the Provincial Development Programme that has been allocated to the Ministry of Electricity and Power, Provincial Roads, Housing and Construction, Water Supply and Drainage, Social Welfare and Urban and Estate Infrastructure Facilities ;

the Supplementary Estimate – 01 of 2014 (Rs. 684,000,000/-) prepared to meet up the aforementioned affairs, shall be adopted.”

02. Hon. Chief Minister and Minister of Finance and Planning, Law and Order, Land, Education, Local Government and Provincial Administration, Manpower and Employment, Engineering Services and Information (W.P.) .

Motion :

Appropriation Statute related to Supplementary Estimate – 01 of 2014

“The Appropriation Statute No... of 2014 which authorizes the payment of money needed for the Supplementary Estimate - 01 of year 2014 to a value of Six Hundred Eighty Four Million Rupees (Rs. 684,000,000) from the Western Provincial Council Fund and the acceptance of money for the said Western Provincial Fund provided by the Sri Lankan Government as grants or in another way, should be adopted”

XI. Private Members' Affairs

1. Hon. Member Mahesh Almeida:

“At present we see the children of school attending age of the Western Province are afflicted by various diseases and suffering in large numbers. The main reason affecting this situation is bad health habits and abnormalities in behavior systems. As a result, children get afflicted by non-contagious diseases commonly and largely.

Similarly, children are commonly affected by deadly Dengue fever and it has become evident that our lack of interest to keep the environment cleanly has caused this situation. Considering all these situations, as a step towards saving the children from these diseases and suffering, this Council proposes that having established Health Societies in schools by Western Provincial Education Ministry and Health Ministry in collaboration, to mediate through a legal framework for matters like raising awareness in children, providing medicine and instructions on illnesses and cleaning the environment.”

(M/vi (01)/14/02)

2. Hon. Member Sunil Watagala:

“Within the Western Province, by utilizing names of various development programmes, land acquisition process is being carried out hastily by the Central Government. Within this acquiring process, due to non-compliance to the Land Acquisition Ordinance or regulations related to that for certain places, the people of the province are greatly inconvenienced. In many occasions, the compensation or other alternative reliefs entailed within the process of legal acquisition of land, such are not received. Legally, lands can only be acquired for the purpose of public affairs and land cannot be acquired for matters external to that. Therefore, this Western Province Provincial Council proposes to the Government that the relevant authorities, ministers and members should immediately be informed to acquire lands according to the existing rules and regulations.”

(M/vi (01)/14/03)

XII. Adjournment of the Council

K.H.D.K. Samarakoon

Secretary,

Western Province Provincial Council

23.07.2014

Council Secretariat,

Western Province Provincial Council,

5th Floor, Wing 'B',

Sethsiripaya,

Battaramulla.