

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

17th November 2015, at 09.30 a.m.

AGENDA

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

01. **The question asked by Hon. Member Janaka Deepal Weliwatta on 20.10.2015 from Hon. Minister of Fisheries, Roads, Transport, Cooperative Development and Trade, Housing and Construction, Estate Infrastructure Facilities, Industries and Rural Development. (Q/VI(1)/15/39)**

- a) How much gold jewelry has been auctioned in Western Provincial Cooperative Rural Banks and District Rural Banks in years 2014/ 2015? How much is that?
- b) At what price a gold sovereign has been sold by each society at the said auctions?
- c) Within that time period how many Cooperative Societies have sold them in stocks?
- d) What is the net profit or loss earned by each society at the said gold auctions?

02. **Question asked by Hon. Member Harishchandra de Costa on 03.11.2015 from the Hon. Chief Minister and Minister of Finance and Planning, Engineering Services, Law and Order, Local Government and Provincial Administration, Economic Promotion, Electricity and Energy, Environmental Affairs, Water Supplies and Drainage and Tourism Affairs. (Q/VI(1)/15/46)**

- a) Are you aware that the outer dam and culvert letting the natural flow of rain water, constructed in 1978s by the Agrarian Services Office in the "Henakambiladeniya" paddy field in Pelanwaththa in the Kesbewa Urban Council authority area has been flattened by Road Roller while low-land extents of more than 06 Acres in this area are being systematically converted into high-lands without approval and action is being taken to construct illegal constructions on the said lands?

- b) Are you aware that Technical Officers of the Planning Section in the Kesbewa Urban Council by fraudulently approving new plans to buildings in low- lands in this area for two storey and three storey houses older than 10 – 15 years, have functioned in a manner causing a loss of large sum of penalty fees payable to the Council?
- c) Would you hold a proper inspection on the situations of environmental damage and health risks caused occurred as a result and about fraudulent actions taken place?
- d) If not, why is that?

03. Question asked by Hon. Member Kithsiri Kahatapitiya on 03.11.2015 from the Hon. Chief Minister and Minister of Finance and Planning, Engineering Services Law and Order, Local Government and Provincial Administration, Economic Promotion, Electricity and Energy, Environmental Affairs, Water Supplies and Drainage and Tourism Affairs. (Q/VI(1)/15/47)

- a) How many are the jobs vacant in your ministry within year 2015?
- b) Have you planned to make recruitments to the said vacancies within year 2015?
- c) If vacancies which are to be recruited for within year 2015 would be stated separately, what are they?
- d) What is the minimum educational qualification proposed for relevant recruitments to the said vacant positions?
- e) What are the methods used when filling the said vacant positions?

04. Question asked by Hon. Member Kithsiri Kahatapitiya on 03.11.2015 from the Hon. Minister of Education, Culture and Arts Affairs, Sports and Youth Affairs and Information and Technology. (Q/VI(1)/15/49)

- a) How many are the jobs vacant in your ministry within year 2015?
- b) Have you planned to make recruitments to the said vacancies within year 2015?
- c) If vacancies which are to be recruited for within year 2015 would be stated separately, what are they?
- d) What is the minimum educational qualification proposed for relevant recruitments to the said vacant positions?
- e) What are the methods used when filling the said vacant positions?

05. Question asked by Hon. Member Lakshman Nipuna Arachchi on 03.11.2015 from the Hon. Minister of Fisheries, Roads, Transport, Cooperative Development and Trade, Housing and Construction, Estate Infrastructure Facilities, Industries and Rural Development. (Q/VI(1)/15/51)

- a) How much is the total amount of money spent to construct the Homagama new bus terminal?
- b) (i) When did the constructions start?
(ii) When was the constructions completed?
- c) Why isn't it being used as a proper bus-terminal at present?
- d) How much is the loss incurred owing to over-expenditure than the expected expenditure and non-achievement of the objectives intended by constructing the bus terminal?
- e) If any loss has incurred, who should be responsible for it?
- f) What actions would be taken or has already taken regarding persons responsible?
- g) If not, why is that?

06. Question asked by Hon. Member Lakshman Nipuna Arachchi on 03.11.2015 from the Hon. Minister of Fisheries, Roads, Transport, Cooperative Development and Trade, Housing and Construction, Estate Infrastructure Facilities, Industries and Rural Development. (Q/VI(1)/15/52)

- a) Is there a system under the Road Passenger Transport Authority to issue permits free of charge, without calling tenders?
- b) (i) Have permits been issued free of charge according to a system or without a system?
(ii) To which buses? Who are their owners?
- c) How much is the revenue lost due to issuance of free permits to buses thus?
- d) Who shall be responsible for the loss incurred?
- e) What are the actions already taken or will be taken regarding responsible persons?
- f) If not, why is that?

07. Question asked by Hon. Chief Opposition Whip - U. George Perera on 03.11.2015 from the Hon. Minister of Education, Culture and Arts Affairs, Sports and Youth Affairs and Information and Technology. (Q/VI(1)/15/53)

- a) How many teachers who have passed in Principals' Examination and Principals' Grade are serving in schools of Kelaniya Education Division in Kelaniya Education Zone?
- b) Would you mention them by their names?
- c) Do these teachers hold Principals' posts in schools of Kelaniya Education Division?
- d) If so, would you mention the names of such schools and Principals?
- e) Are persons who do not belong to Principals' Grade, but passed in Educational Administration Examination, hold Principals' posts in Kelaniya Education Zone?
- f) Could you mention the names of those Principals and schools?
- g) If so, why aren't they appointed to the Education Directors' positions at present?

08. Question to be asked by Hon. Member Sarath Pathirana from the Hon. Chief Minister and Minister of Finance and Planning, Engineering Services, Law and Order, Local Government and Provincial Administration, Economic Promotion, Electricity and Energy, Environmental Affairs, Water Supplies and Drainage and Tourism Affairs. (Q/VI(1)/15/54)

- a) Are you aware that matters have been discussed in Parliament as well as in media pertaining to pollution of water in Kelani River?
- b) Did you participate in "Gammedda" television programme telecast in Sirasa television channel with regard to this matter?
- c) As mentioned by you in that programme, at present, what action has been taken by the Western Provincial Ministry of Environment?
- d) Are you aware that matters presented by me in relation to the pollution of Kelani River water was recorded in the Hanzard Report of 10.12.2012?
- e) Could you explain to this Council as to what action was taken by the Western Provincial Ministry of Environment pertaining to the matters referred thus? If not, why is that?

09. Question to be asked by Hon. Member Sunil Watagala from the Hon. Chief Minister and Minister of Finance and Planning, Engineering Services, Law and Order, Local Government and Provincial Administration, Economic Promotion, Electricity and Energy, Environmental Affairs, Water Supplies and Drainage and Tourism Affairs.
(Q/VI(1)/15/55)

- a) Are you aware that the property in Barnes Place, Colombo 07 at Rates No. 43 is privately owned property prior to year 1973?
- b) Do you know that the said property, owing to the reason of non-payment of rates was acquired by Colombo Municipal Council by the Extraordinary Gazette paper No. 97/9, dated 17.07.1980?
- c) Subsequent to acquiring thus, has the above mentioned property been assigned to a private ownership?
- d) Do you accept that certain person is illegally occupying the said property as a result?
- e) Has the former Municipal Commissioner Mrs. Bhadrani Jayawardhana lodged a complaint regarding the said matter at Cinnamon Gardens Police under No. CIB (2)/ 89/274, dated 29.10.2013?
- f) If it is accepted that the above occupation is illegal, what action has so far being taken against him?

10. Question to be asked by Hon. Member Sunil Watagala from the Hon. Minister of Education, Culture and Arts Affairs, Sports and Youth Affairs and Information and Technology.
(Q/VI(1)/15/56)

- a) From which circular will the children be enrolled to Grade 01 in Provincial Council schools belonging to Western Provincial Council for the year commencing from 01st of January 2016?
- b) Could you table the said circular?
- c) Are you aware that within the said authority under Western Provincial Council, i.e., in Colombo, Gampaha, Kalutara districts, based on illegal constructions and/ or on illegal expelling, removals have taken place?
- d) Do you know that in such significant places where a similar type of removal took place, the residents had their names in the Electoral Registers dating back to 40 to 50 years?
- e) Do you know that in certain removals mentioned in the above paragraphs, houses had been provided for some people from Housing Schemes?
- f) Do you know that the previous residing of people who went to reside in Housing Schemes or to other places had been ignored when enrolling children of such families to Grade 01?
- g) If such neglecting has taken place, can you inform the relevant authorities to consider such previous residing?

11. Question to be asked by Hon. Member D. W. C. Pushpakumara de Silva from the Hon. Minister of Health, Indigenous Medicine, social Welfare, Probation and Child Care Services, Women's Affairs and Council Affairs. (Q/VI(1)/15/57)

- a) Do you know that the Minuwangoda Hospital is a main hospital which receives the largest number of patients apart from Negombo and Gampaha Hospitals?
- b) Are you aware that the Minuwangoda Hospital, having declared as a Base Hospital by the previous Chief Minister of Western Province, was opened on 17th July 2014?
- c) Are you aware that, currently, the hospital activities in that hospital declared open thus, have been weakened by transferring all the specialist doctors serving in the said hospital to other hospitals?
- d) Are you aware that the equipment of the Operating Theatre and Premature Babies Unit, which have been constructed at an enormous amount of public money, get destroyed and turn to unusable state as a result of not using them up to this date?
- e) Why the fully equipped Operating Theatre was not declared open to this date?
- f) Are you aware that a propaganda stating that the Minuwangoda Hospital faced this situation with the appointment of President Maithripala Sirisena is being carried on?
- g) Would you take action to convert Minuwangoda Hospital into a Base Hospital and to open the Operating Theatre having re-attached specialist doctors to the said hospital?
- h) If so, when would it be?

12. Question to be asked by Hon. Leader of the House - Sunil Jayamini from the Hon. Minister of Fisheries, Roads, Transport, Cooperative Development and Trade, Housing and Construction, Estate Infrastructure Facilities, Industries and Rural Development. (Q/VI(1)/15/58)

- a) Do you accept that Cooperative (Amendment) Statute No. 04 of 2011 is in effect to regularize the administration of Cooperative Societies within the Western Province?
- b) Do you accept that an investigation may be conducted according to the said statute, if any corruption, forgery, irregularity or anomaly did occur in certain institution?
- c) Do you accept the fact that the judgment has to be announced within 18 months after conducting an investigation and thereon found out a person or society to be an offender?
- d) Even though the legal situation is thus, subsequent to the adoption of the statute, on how many occasions had the Commissioner of Cooperatives given judgments against the law, after the lapse of 18 months?
- e) Would you present the said societies' or persons' name list to this Council?
- f) Do you accept the fact that the Commissioner of Cooperatives, giving out judgments like this on the days he prefers, is not legal?

- g) Would you annul the wrong judgments given by the Commissioner of Cooperatives by contravening the statute?
- h) If not why is that?

13. Question to be asked by Hon. Member Leonard Karunaratne from the Hon. Minister of Fisheries, Roads, Transport, Cooperative Development and Trade, Housing and Construction, Estate Infrastructure Facilities, Industries and Rural Development. (Q/VI(1)/15/59)

- a) How many are the Cooperative Societies within the Western Province, which has their official tenures outdated, yet not have had their elections held?
 - (i) What are they by their names?
- b) Separately, what are the reasons for not holding the elections of these societies on due time?
- c) What are the societies which function under the previously appointed director boards without holding elections though relevant official tenures have lapsed?
- d) What are the societies which function under control boards appointed by the Commissioner of Cooperatives without holding elections though the relevant official tenures have lapsed?
- e) What is the maximum time period of a control board appointed by the Commissioner under the Western Provincial Cooperative Statute?
- f) What are the societies which have control boards that function exceeding the said maximum time period?
- g) Do you know that postponing the holding of elections at a long run when the relevant official tenures have lapsed is contrary to the Cooperative Statute?
 - (i) Is it the Minister relevant to the subject who decides the postponing of these elections contrary to the statute?
 - (ii) If not, by whom?

14. Question to be asked by Hon. Member Kithsiri Kahatapitiya from the Hon. Minister of Education, Culture and Arts Affairs, Sports and Youth Affairs and Information and Technology. (Q/VI(1)/15/60)

- a) How many registered Daham schools of Buddhist, Hindu, Muslim religions, existing in Western Province in the years of 2012, 2013 and 2014?
- b) How much has been allocated in each such year for the development of each registered Daham school?

- c) From which fund was the relevant allocations raised?
- d) Are there registered Daham schools which have not been allotted with funds thus?
- e) If such non-allocation has occurred due to which reason was that? If provided with allocations, on which method was that?

15. Question to be asked by Hon. Member M. Rose Fernando from the Hon. Minister of Fisheries, Roads, Transport, Cooperative Development and Trade, Housing and Construction, Estate Infrastructure Facilities, Industries and Rural Development.
(Q/VI(1)/15/61)

- a) Do you know that the Katana Multipurpose Cooperative Society was selected as the best Cooperative Society?
- b) Do you know that this Cooperative Society which consisted of 60 cooperative sales centers has currently been limited only to 18?
- c) Do you know that a large number of financial frauds did occur within this Cooperative Society during the previous era?
- d) Would you present to this Council the investigative reports of the investigations conducted in this Cooperative Society which was subjected under the Commissioner's control owing to the said irregularities?
- e) If not, why is that?
- f) For how many years have the elections not been held in this Cooperative Society?
- g) What is the loss caused to the Society as a result of financial irregularities?

VI. Motions for Leave of Absence

VII. Announcements of the Ministries / Statements of

the Ministers

VIII. Personal Explanations

IX. Private Members' Affairs

(a) **No-confidence motion to be presented under Rules of Procedure Rule No. 55:**

- **Hon. Member Susil Kindelpitiya**
- **Hon. Member Lalantha Gunasekera**

Motion:

"Mr. Lalith Wanigarathne, as a member of Western Province Provincial Council holds the ministerial position of Fisheries, Roads, Transport, Cooperative Development and Trade, Housing and Construction, Estate Infrastructure Facilities, Industries and Rural Development whilst enjoying all the privileges relevant to the said positions. He, however, is functioning very unjustly by appointing unsuitable persons to the Chairmen's positions in Road Passenger Transport Authority and Provincial Road Development Authority as stressed by the special statement made by Hon. member of Provincial Council Susil Kindelpitiya on 22.09.2015 regarding "the efforts taken to appoint unsuitable persons to the Chairmen's position in two important institutions of Western Province", and by neglecting the protests made by other members within and outside Provincial Council regarding appointment of persons to several other positions, thus, by appointing persons charged with forgeries, corruption black-listings and other charges to the relevant and other positions. At the same time, as he has functioned in a manner violating the requests and privileges of people's representatives of Western Province, also, by breaching the rights of the people of Western Province; this honourable Council proposes and states that the confidence held on Mr. Lalith Wanigarathne as the Minister of Fisheries, Roads, Transport, Cooperative Development and Trade, Housing and Construction, Estate Infrastructure Facilities, Industries and Rural Development has waned further for the peoples representatives and the people of Western Province."

(S.M./vi(1)/15/01)

(b) **Private Members' Affairs**

1. Hon. Member Aruna Deepal:

"In relation to the subjects assigned to Provincial Councils, even though a number of statutes had been adopted and implemented by the Provincial Council, the awareness about the said statutes among professionals and public lie at a minimum level. One reason observed is that the non-circulation of the adopted statutes among the public. Therefore Western Province Provincial Council is in the opinion that opportunity shall be provided to public to buy all the statutes adopted by the Western Provincial Council by printing them, whereas a separate sales center should be established to allow people to buy the said statutes and other public documents published by the Provincial Council."

(M/vi (01)/14/12)

2. Hon. Member Indika Bandara:

“Several Ranaviru Villages have been established within the Western Province and in these villages live the soldiers who sacrificed their lives to save our country from the war existed in our country for more than 30 years, soldiers who became disabled owing to the same cause, their parents, wives and children.

Although, during election times, representatives of all the political parties go to the said villages and obtain votes, the people of these villages suffer from various problems such as: lack of transport facilities, health facilities, educational facilities and drinking water facilities. Therefore, this Western Province Provincial Council hereby proposes that a systematic programme shall be set up to look into the above mentioned requirements and problems of people living in those Ranaviru Villages who actually made a great commitment to our country and to uplift the living conditions of the said people as a solution to the above mentioned requirements and problems.”

(M/vi(01)/14/13)

X. Adjournment of the Council

K.H.D.K. Samarakoon
Secretary,
Western Province Provincial Council

04.11.2015
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