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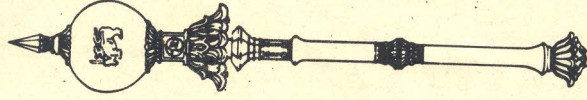
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Friday, 15th December, 1995



# පාර්ලිමේන්තු විවාද

(හන්සාඩ්)

பாராளுமன்ற விவாதங்கள்

(ஹன்சாட்)

PARLIAMENTARY DEBATES

(HANSARD)

නිල වාර්තාව

அதிகார அறிக்கை

OFFICIAL REPORT



සාලින්ද දිසානායක මහතා  
(*ಶ්‍රී. ශාඛිඤ්ඤ නිඛාඤ්ඤ*)  
(Mr. Salinda Dissanayake)

මේ අමාත්‍යාංශය පිළිබඳව කථා කිරීමේදී ජනවාර්ගික ප්‍රශ්නය ගැනත් කථා කළ යුතුවය කිබෙනවා. මට කියන්නට අවශ්‍ය වෙන්නේ, එදා බලය පවත්වාගෙන යෑම සඳහා එල්ටීටීඊ එක පාවිච්චි කරන්නට උත්සාහ කළාට, එල්ටීටීඊ එක පාවිච්චි කරන්නට බැරි වුණා. අවසානයේ එල්ටීටීඊ එක විසින් රාජ්‍ය නායකයා මරා දැමුවා. ඉතාමත් අවාසනාවන්ත විධියට මේ රටේ එම සිදුවීම සිදු වුණා. මේ ප්‍රශ්නය ඇතිවූ අවස්ථාවේදී ඉන්දියාවෙන් පරිපූර්ණ දැමීමට පසුව හිටපු ජනාධිපති ජේ. ආර්. ජයවර්ධන මහතා මේ ප්‍රශ්නය විසඳන්නට පළාත් සභා දුන්නා. නමුත් ප්‍රේමදාස හිටපු ජනාධිපතිතුමා උතුරේ පළාත් සභා විනාශ කර දැමුවා. එම නිසා දිගින් දිගටම අප කෙරෙහි අවිශ්වාස තත්ත්වයක් උච්චිත ජනයා තුළ ඇති වී තිබෙනවා. ඒ නිසාම මේ රටේ ජාතිවාදී ගිනිදැල් දිගින් දිගටම ඇවිලුණා. අවුරුදු 12ක් තිස්සේ මේ රටේ මේ යුද්ධය වඩාගෙන කන්නට පුළුවන්කම ලැබුණේ ඒ විධියට මේ රට විශාල පරිහානියකට පත්කළ නිසයි. [බාධා කිරීම]

සභාපතිතුමා  
(*ශ්‍රී. ශාඛිඤ්ඤ නිඛාඤ්ඤ*)  
(The Chairman)

ගරු මන්ත්‍රීතුමා, මබනුමා දැන් කථා කරන්නට මිනෑ, මේ අයවැය ගැනයි. ජාතිවාදය ගැන හොඳයි. එම නිසා අයවැය ගැන කථා කරන්න.

සාලින්ද දිසානායක මහතා  
(*ශ්‍රී. ශාඛිඤ්ඤ නිඛාඤ්ඤ*)  
(Mr. Salinda Dissanayake)

මේ මාකෘතාව හරහා මම එතැනට එනවා. මේ රටේ දේපොළ විනාශ කර තිබෙනවා; සම්පත් විනාශ කර තිබෙනවා; මේ රටේ අනාථයන් ඇති කර තිබෙනවා. මුළු රටම යුද්ධයෙන් විනාශකර තිබෙනවා. එහෙම කරන ගමන් ජනතාවගේ පැත්තට හැරී, 'බෝධි පුජා පවත්වන්න' යැයි කිව්වා. නමුත් ඒ බෝධි පුජා පැවැත්වූ බෝගස් වලට පසුවදාම කොටි ඇවිත් ගැහුවා. පසුගිය කාලයේ ඉතිහාසය පුරාම එවැනි තත්ත්වයක් මේ රටේ නිර්මාණය කර තිබෙන බව මතක් කරන්නට මිනෑ.

එවැනි තත්ත්වයක් ඇති වී තිබූ අවස්ථාවක තමයි, මේ ප්‍රශ්නය විසඳන්නට ගරු ජනාධිපතිතුමාට ජන වරමක් ලැබුණේ. එතුමාගේ අවංකභාවයත්, දුරදර්ශීභාවයත්, පුරාතනාත්මක රාජ්‍ය නීපුණත්වයත් නිසා මේ ප්‍රශ්නය ඉතා සාර්ථක ලෙස විසඳන්නට එතුමාට පුළුවන්කම ලැබී තිබෙනවා. අවස්ථාවාදීව සලකා මේ ප්‍රශ්නය විසඳන්නට බැහැ; ජාතිවාදී ඇසකින් බලා මේ ප්‍රශ්නය විසඳන්නට බැහැ; බල ලෝභීව සිතා මේ ප්‍රශ්නය විසඳන්නට බැහැ; පාර්ලිමේන්තුවේ ආසන දිගා බලාගෙන මේ ප්‍රශ්නය විසඳන්නට බැහැ; කතරගම දෙවියන්ට පුද පවුරු පූජා කිරීමෙන් මේ ප්‍රශ්නය විසඳන්නට බැහැ. රටේ ජන වරයේ මූලික මිනිස් අයිතිය පිළිබඳ ප්‍රශ්නයක් නිසා ඒ විධියට කල්පනා කළොත් තමයි, මේ ප්‍රශ්නය විසඳන්නට පුළුවන්කම ලැබෙන්නේ. එම නිසා ගරු ජනාධිපතිතුමා ඉතාමත් පැහැදිලි ලෙස මෙය මූලික මිනිස් අයිතීන් පිළිබඳ ප්‍රශ්නයක් හැටියට සලකා එය විසඳන්නට උත්සාහ කර තිබෙනවා. විශේෂයෙන්ම මේ ප්‍රශ්නයේදී ජාත්‍යන්තර පුජාවගේ විවිධාකාර දිගා ගන්නට අපට පුළුවන්කම ලැබී තිබෙනවා; අද මේ රටේ පුරාතනත්වවාදය තහවුරු කරන්නට පුළුවන්කම ලැබී තිබෙනවා; මූලික මිනිස් අයිතීන් තහවුරු කරන්නට පුළුවන්කම ලැබී තිබෙනවා. මානව හිමිකම් තහවුරු කරන්නට පුළුවන්කම ලැබී තිබෙනවා. රුපියල් කොටි ප්‍රකෝච්චි ගණනක මුදලක් අපගේ යෑම තනර කර මේ රටේ මේ විධියේ සාර්ථක අයවැයක් ඉදිරිපත් කරන්නට අද පුළුවන්කම ලැබී තිබෙන්නේ ඒ හේතූන් නිසාය කියන එක මම මේ ගරු සභාවට දැනුම් දෙන්නට මිනෑ.

ගරු සභාපතිතුමනි, කාලයක් තිස්සේ මේ රටේ සංවර්ධනය සඳහා මුදල් යොදවන්නට බැරි වන ලෙසට මේ රටේ අනවශ්‍ය යුද්ධයක් ඇති කර, ජාතීන් අතර ප්‍රශ්න ඇති කර, ඒ ප්‍රශ්න තුළින් මේ රටේ රාජ්‍ය බලය දිගටම පවත්වා ගෙන යන්නට කළ උත්සාහය අද මේ රටින් අවසන් කර, මේ ප්‍රශ්නය විසඳ මේ රටේ ජනතාව සංවර්ධනය කිරීම සඳහාත්, සාමය හා සමෘද්ධිය ගොඩනැගීම සඳහාත් මෙම අමාත්‍යාංශය ගෙන ඇති පියවර අප ඉතාම ප්‍රශංසනීය ලෙස අගය කරනවා. මේ ප්‍රශ්නය විසඳමින් රටේ තත්ත්වය වර්ධනය කර හොඳ තත්ත්වයකට ගෙන එන්නට කටයුතු කළ ගරු ජනාධිපතිතුමාටත්, ගරු නියෝජ්‍ය මුදල් අමාත්‍යතුමාටත්, ගරු

රාජ්‍ය ආරක්ෂක නියෝජ්‍ය අමාත්‍යතුමාටත්, උතුරේ සටන් කර දීම් පිද රණ විරුවන්ටත්, රාජ්‍ය ආරක්ෂක අමාත්‍යාංශයේ නිලධාරීන්ටත් අපේ ගෞරව ප්‍රශංසාමය පුද කරන්නට මම මෙය අවස්ථාවක් කර ගත්තවා. සතුවයි.

වෛද්‍ය රාජිත සේනාරත්න මහතා  
(*ශ්‍රී. ශාඛිඤ්ඤ නිඛාඤ්ඤ*)  
(Dr. Rajitha Senaratne)

Hon. Chairman, I am glad to speak on the Votes of the Ministry of Finance for the second year. I must remind the Minister that last year, on the 22nd of March, I raised some matters regarding the Adviser to the Ministry of Finance, Mr. Nihal Ameresekere. I tabled two documents about two complaints. The Hon. Minister replied to me last time. It is in Column 2950 of the HANSARD of 22nd March 1995. It says:

"I think, it is also correct to refer to what was said about Mr. Nihal Sri Ameresekere because these are officers who do not have the right of reply in this House. There would consequently be a violation of the rules of natural justice, if I said nothing about that matter. Now, my view is that an allegation made to the Institute of Chartered Accountants or any other Body is not proof of guilt. That is self-evident. If there was a charge which had been proved. That is a different matter. If action had been taken by a professional body, if there had been a conviction by a criminal Court, that is a different matter. But here the mere allegation which has not been found to be correct, and, I think, it is wrong to use an allegation of that nature on the Floor of this House."

අ. හ. 2.00

This is how you defended Mr. Nihal Ameresekere last time. Now what happened after that? The "Sunday Leader" headline of 1st October 1995. says:

"New Turn in Hilton Dispute - Ameresekere to sue G.L."

The same Nihal Sri Ameresekere is to sue Professor G. L. Peiris, the man who defended him a few months before. Not only that; there was an adjournment question raised by my Friend Mr. Mahinda Samarasinghe. That was on the 19th of September. He asked a question from the Hon. Minister of Constitutional Affairs and Deputy Minister of Finance, and the learned Professor replied. It is on 19th September, 1995. At Column 141 of HANSARD he says:

"The contract of Mr. Nihal Sri Ameresekera, Adviser to the Ministry of Finance will expire on 21st September, 1995.

Her Excellency the President is considering what steps are appropriate with regard to the Secretary to the Treasury."

Now I have a letter from Mr. Nihal Ameresekere, the same person I criticised last time. He had written a letter to Mr. Mahinda Samarasinghe, Member of Parliament from our side. He says:

"Dear Sir,

ADJOURNMENT QUESTION & ANSWER ON 19TH SEPTEMBER '95

I refer to the answer given by the Dep. Minister of Finance, Prof. G. L. Peiris to the Adjournment Question raised by you on 19th September '95, particularly, to the following paragraphs therein;

"The contract of Mr. Nihal Sri Ameresekere, Advisor to the Ministry of Finance, will expire on 21st September, 1995.



[වෛද්‍යවරයා රාජීව සේනාරත්න මහතා]

The President is considering what steps are appropriate with regard to the Secretary to the Treasury."

I enclose a copy of my Letter addressed to Mr. A. S. Jayawardena, Secretary, Ministry to Finance, Planning, Ethnic Affairs & National Integration, dated 13th September '95, the contents of which are self-explanator"

By the time you replied to this he had already resigned. So this is well proved by Mr. A. S. Jayawardena's letter.

He further says:

"Mr. Jayawardena, by his reply dated 19th September '95, intimated as follows:

"I wish to inform you that the Hon. Minister of Finance, Planning, Ethnic Affairs & National Integretion has noted that you do not wish to renew your contract, which is due to expire on 21.09.95."

"I wish to thank you for the valuable services rendered by you to the Ministry during your tenure of office."

I do not think that the Hon. Minister was not aware of this letter about Mr. Nihal Sri Amerasekera's resignation. Mr. Amerasekera goes on to say -

"Having considered the matter, I decided to write to you, to set out the facts as referred to hereinabove.

Long prior to the contract coming up for renewal, I have intimated to the Secretary, that I did not wish to renew the same. I believe that, accordingly, it had been so recorded by him.

Yours faithfully,  
(Sgd.) Nihal Sri Amerasekera.

cc : Ranil Wickremasinghe Esqr., Leader of the Opposition  
Ratnasiri Wickramanayake Esqr., Leader of the House  
K. B. Ratnayake Esqr., Speaker"

I do not know why my friend Mr. Mahinda Samarasinghe did not take up this matter again in this House for further clarification from the Minister. But, anyway, now this is the fact. You criticised me for presenting a complaint in writing signed by a person called Vishvanandan giving reference of the three Cabinet Ministers of your Government. That you said was incorrect and you came and made a statement which is totally untrue, against the same Nihal Amarasekera. And what do you say today about that allegation? After that, I will come to the Hilton Affair, the famous and infamous Hilton Affair.

Today I must say there are so many affairs. The first one is about the computerization of the Bank of Ceylon, where the Commission accused Mrs. Rohini Nanayakkara. You are still keeping Mrs. Rohini Nanayakkara there. Mr. Rajan Asirwathan says, "If Rohini goes I also will go". So Rohini is kept. The second affair you talked about is the Airbus deal. The Commission said that that was the best deal.

The third one is the famous Hilton Affair. Now what has happened to that? You pointed the gun at Mr. Chosky and others who were in the Government. Now the same guns are

today pointed at you all. I will be proving this. Professor G. L. Peiris, during the UNP government, was a Council Member of the Securities and Exchange Commission appointed by Hon. Premadasa, the then President. If there was a fraud the Members of this Commission had tried to cover up by not heeding and taking any action, on the many written complaints that had been made by a shareholder of the Hilton Hotel Company, Mr. Nihal Sri Amerasekera, and his Lawyers. It is not I who say this, but your very own Hon. Lakshman B. Kiriella. My good Friend is a Deputy Minister today. The Deputy Minister of Finance who was a Member of the Securities Exchange Commission is a Minister of the same Government.

Mr. Kiriella strongly condemned and criticised the conduct and actions of the Members of the Securities & Exchange Commission at that time, particularly on their conduct and actions on the Hilton Hotel alleged fraud and other connected matters. I quote Hon. Lakshman Kiriella from the HANSARD of 18th May 1994 on the matter of the Hilton scandal. This is what Hon. Lakshman Kiriella said, at Column 754.

"Then, I would like to remind the Hon. Minister about the SEC, the Securities Exchange Commission. There are various allegations about this Securities Exchange Commission."

And he goes on to say at Column 755 :

"That is correct. But as regards this entire affair this is what I say. The auditors, the directors of LB Finance, the Securities Exchange Commission, all had vested interests."

That means, Prof. G. L. Peiris, a Member of that Commission, also had vested interests.

"This is my argument and when this matter was brought upto the Chairman by one of the directors of Hilton, that the annual report is rigged, it does not show the actual position of the hotel, the SEC did not take any action. Several letters were written to the Chairman of the SEC saying that this annual report is wrong, that it is a fictitious report, this hotel is running at a loss. Despite the fact that a rigged up annual report was put forward, shares were put out for sale, the shares went up to Rs. 40 and mind you after these people sold their shares they withdraw the rigged annual report."

That is what he says!

"So, that shows the attitude of the people working in the SEC."

This is one of your Deputy Ministers telling about you at that time. That was how Hon. Lakshman Kiriella condemned and criticised the Members of the Securities & Exchange Commission, which then included Prof. G. L. Peiris. Hon. Kiriella had referred to them as persons who were indifferent to fraud, having vested interests. What has Hon. Lakshman Kiriella got to say now about Prof. G. L. Peiris and such conduct?

In view of the above circumstances, the former Attorney-General, Mr. Tilak Marapana had very correctly included a Clause in the Hilton Settlement Agreements that had been finalised by him in June 1993, stating that the Government should quite rightly take



action against the Members of the Securities & Exchange Commission in regard to their conduct and inaction on the several complaints that had been made by Mr. Amarsekera in regard to the Hilton. This very same Clause has been included in the Hilton Settlement Agreements that have been executed in June 1995 by this Government, approved by the Solicitor-General.

It was accepted by the then Attorney-General as well as the present Solicitor-General.

Therefore, this Government has signed Agreements committing to take action against Prof. G. L. Peiris, amongst other Members of the Securities & Exchange Commission. This has been in accordance with the considered opinion of the former Attorney-General and the present Solicitor-General, who had very correctly approved such condition. Can Hon. Kiriella state otherwise?

When Prof. G. L. Peiris discovered this, in anger and madness what did he do? He made a false statement to mislead the Members of Parliament, diabolically and calculatedly only quoting a small part of a paragraph taken out of context from the Hilton Settlement Agreements to give a completely distorted picture. He deliberately did not read the balance parts of the paragraph. The full paragraph however was before him.

This is what Prof. G. L. Peiris stated on the 8th August, 1995, I quote from Column 707 of the Hansard:

"The Government of Sri Lanka shall and will assist Mr. Amarsekera in settling three cases filed against him by the People's Bank and two cases filed in the Magistrates Court of Negombo by the Commissioner of Labour and to have him released and/or held harmless and or indemnified therefrom and from any other proceedings and/or actions presently instituted and/or to be instituted in the future by the Commissioner of Labour and/or others, in connection with, Sun Cornel Textiles Limited and/or the Colombo Apothecaries Company Limited."

But this is only a part of the statement. What was the complete statement? Professor Peiris however deliberately suppressed from this House the following balance parts of the very same paragraph, which explain the part he read:

"Whereas in the context of the promotion of the Colombo Hilton Hotel and or Hotel Developers (Lanka) Limited Nihal Srinath Amarsekera (hereinafter referred to as "Mr. Amarsekera") of 167/4, Sri Vipulasena Mawatha, Colombo 10, having been induced by the main promoters thereof to get involved and or concerned in the affairs of Sun-Cornel Textiles Ltd., and the Colombo Apothecaries Co. Ltd., and in consideration of the settlement initiated by the Government and the write-offs, reductions and rescheduling referred to in Agreement No. 1, the Government, as the major Shareholder and Guarantor, being a beneficiary thereof and further in the context of the conditions stipulated in Clause 9 in the Agreement No. 4....."

And the part which I read from the HANSARD as stated by the Professor must come into this, and again it must continue from there to say—

".....and whereas in some of the said Actions, Mr. Amarsekera had been added and or had been moved to be added as a party and or an accused, only after the institution of the litigations referred to in the aforesaid Agreement No. 3, to which this Annexure "Y" relates."

So, only a part was stated in that.

Quoting only part of a paragraph, that too out of context, Professor Peiris has made a false statement very knowingly and consciously to Parliament, having had the full facts before him. This is very bad.

Professor Peiris did not also refer to the following Clauses in the Settlement Agreements, which was another Clause pertaining to the same subject matter :

"Mr. Amarsekera shall and will refrain from ever filing suit against Mitsui and Taisei or any of their respective Employees or other Officers in respect of any litigation involving Sun-Cornel Textiles Ltd. and/or The Colombo Apothecaries Co. Ltd."

Therefore Prof. Peiris did not give the true and full picture of the very subject matter referred to. Why did he do so.

He did this out of anger to slander and humiliate Mr. Nihal Sri Amarsekera, who he considered was a threat to him in exposing his past conduct and actions. Professor Peiris, having been a part of the very so-called system he now openly criticises, has deliberately made a false statement to Parliament fully knowing the full facts that were before him.

Not only did Professor Peiris mislead the House, but also he did not disclose that he himself was very much and affected party by the Hilton Settlement Agreements. He should have disclosed his interest to Parliament in the first instance before he made any statement.

Professor Peiris stated that he had discovered a number of obligations, not one, but a number of obligations of an unacceptable nature. Having said that, he however did not disclose to the House as to what those number of obligations exactly were. He did not do so for very obvious reasons, which even a child could see through.

I will disclose what those unacceptable obligations to Professor Peiris were.

This is where the Professor Peiris – A. S. Jayawardene fight started. These were the things. However, they have been found acceptable to the former Attorney-General and the present Solicitor-General as very necessary and appropriate in reaching proper settlement in the context of all the facts and issues involved. One such unacceptable conditions is obviously the following –

this is part of the Agreement :

"The Government shall and will take appropriate independent actions on the conduct and actions of the Securities and Exchange Commission of Sri Lanka and or members of its Commission and the Colombo Stock Exchange and or of its Directors."

2.15 p.m.

After signing the same agreement, Professor Peiris came on the TV with Hon. Kadirgamar, A learned lawyer, and said, "Today is one of my happiest days in life." That was how he



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Obviously, having been an affected person as a then Member of the Securities and Exchange Commission Professor G. L. Peiris now finds that such Clause is of an unacceptable nature. He only wants to prosecute others but does not want himself to be prosecuted. Professor G. L. Peiris has gone on record saying that all wrong doers on the Hilton would be very severely dealt with and punished. He should accordingly himself resign and offer to be prosecuted for his conduct in accordance with the opinion of the Attorney-General. Mind you, Professor G. L. Peiris is the Minister of Justice & Constitutional Affairs!

Another Clause in the Hilton Settlement Agreement quite clearly unacceptable to Professor G. L. Peiris would be the following Clause pertaining to the Auditors of the Hilton Hotel Company.

This is the other clause -

"The government shall and will requisition and hold meetings of the Board of Directors of Hotel Developers Ltd. and/or Shareholders of HDL and pass requisite Resolutions to, have the present Auditors of HDL removed and have another firm of Auditors appointed and have the Annual Accounts of March 1990 finalised in the context of this Agreement and the settlement and withdrawal of D. C. Colombo Action No. 3231/Spl."

This is the other recommendation in the Agreement. The Auditors referred to are Ford, Rhodes, Thornton & Co. Chartered Accountants. Mr. Rajan Asirwatham is the Senior Partner of this Audit firm, Ford, Rhodes, Thornton & Co. It is Mr. Asirwatham who had, people say, brokered Prof. G. L. Peiris to the Peoples Alliance from the UNP.

On the day this agreement was finalised, we saw on the TV Prof. Peiris cheerfully making an announcement to the entire Nation. "It is one of my best days, one of my happiest days in my life for concluding this agreement." So the same agreement dictates to charge Prof. G. L. Peiris and Mr. Rajan Asirwatham and to take action against them.

It is this Audit firm that had certified the Accounts of the Hilton Hotel Company. The District Court had issued Enjoining orders previously on the premise of fraud that had been alleged by shareholder Amersekere. To these Auditors this had not mattered. They had failed to investigate and report as had been required of them. Not only that, I also find that Mr. Amersekere had filed another legal Action after these Auditors certified the Annual Accounts of Hotel Developers (Lanka) Ltd. The Company owning the Hilton Hotel. These Accounts certified by these Auditors, including Mr. Rajan Asirwatham, have been enjoined by Court as far back as January 1991. Upto date these Accounts stand enjoined. Neither the Company nor the Auditors have been able to do anything about this. This is a tragedy in a public listed Company, whose shares are still quoted and traded in the Colombo Stock Exchange.

What had Hon. Kiriella said about this? He had said that these Annual Accounts of Hilton are fictitious and had been rigged up? That is what Mr. Kiriella said at that time.

Subsequently, the Court has issued notice on all the partners of this Audit firm, including Mr. Asirwatham, to show cause as to why they should not be added as defendants in the matter of the certification of these Annual Accounts. It is none other than Mr. Rajan Asirwatham himself who had signed the Affidavit in Court in deference. I have a copy of his Affidavit.

Mr. Chairman, this is the copy of the Affidavit filed by Mr. Rajan Asirwatham in Court. Two main names appear in this Affidavit. One is, Mr. Gamini Christopher Bernard Wijeyesinghe of 8A, Gregory's Road, Colombo 7 - Mr. G. C. B. Wijeyesinghe, Gamini Wijeyesinghe. He is again appointed by Her Excellency the President as a Member of the Securities Exchange Commission after it was accepted that he had made a wrong thing by approving the accounts. Mr. G. C. B. Wijeyesinghe is the President Partner of Ford, Rhodes Thornton & Co. The other person is, Mr. Rajanayagam Nalliah Asirwatham of 27/1, Unity Place, Colombo 3.

Now, what does he say? This is his affidavit.

"I RAJANAYAGAM NALLIAH ASIRWATHAM of 27/1, Unity Place, Colombo 3 being a Christian do hereby make oath and state as follows:

1. I am a Partner of Messrs Ford Rhodes Thornton & Co. and the 3rd Respondent in the above case."

And he goes on to say at page 3 -

"I have duly audited the accounts of the Company and issued the necessary endorsements (details contained in the pleadings of this action)."

And he concludes the Affidavit by stating:

"Signed and Sworn to by the declarant abovenamed at Colombo on this 24 day of March 1994."

Signed Rajan Asirwatham.

So, these are the people who called the UNP Government the cronies. Now, they themselves have become the cronies of the UNP Government. If there is a fraud, they have to be charged. Why is it only Mr. Choksy is to be charged? Why is it only Mr. Cornel Perera is to be charged? Why is that? Is it because they are in the Opposition? Why is it that the people in the Government are not to be charged?

I appeal to the Presidential Commission. If you are independent, if you are a neutral legal body appointed to discharge justice to everybody equally before the law, why is that you do not charge Prof. Peiris? Why do you not charge Mr. Rajan Asirwatham also for the Hilton fraud? Why? If there is a fraud in the Hilton Hotel what has Mr. Choksy done? He has only given an opinion. But what has Mr. Rajan Asirwatham done? He has given a certificate. Which is worse? Giving an opinion or giving a



certificate? Hon. Chairman, you are a lawyer. You will agree with me that a certificate is worse than an opinion. But the man who has given the opinion is being charged while the man who had certified the fraud has been appointed as the Chairman, Bank of Ceylon and also Chairman of PERC. Next Tuesday you are going to bring a Bill to give Draconian powers to Mr. Rajan Asirwathan to sell our property to anybody he wishes without coming under any Minister, the Cabinet or Parliament. On that I will speak in detail on Tuesday.

This case also has been covered by the Hilton Settlement with the Auditors having to be removed. Having gone into the matter, I find that these Auditors had also been the Auditors of Mitsui. Now, they say they have done a fraud. They have done their accounts also. They have done the SDL accounts also. How did they certify such Accounts? Prof. G. L. Peiris himself in the famous happy day Press Conference referred to this as the misdeed of the former Government.

Who were the partners of the former government? Professor G. L. Pieris and Mr. Rajan Asirwathan. It is a very nice story. He says it is a misdeed of the former government. The last government also had the same Prof. G. L. Pieris and Mr. Rajan Asirwathan. They are the people. Why has he not dealt with these auditors? Is it not because they are cronies.

Not only that, the Hon. L. B. Kiriella in his statement in Parliament on 18th May 1994 referred to these Auditors, the Directors of L. B. Finance and Members of the Securities & Exchange Commission as people all having vested interests. Hon. L. B. Kiriella stated the Annual Accounts and Report of the Hilton Hotel Company was rigged and shares sold to unsuspecting innocent public at Rs. 40 when actually the price should have been well below Rs. 10. What does Hon. L. B. Kiriella say today on this very same matter?

Let us see as to who these persons are? Mr. Rajan Asirwathan, a Senior partner of the Audit firm and a party directly affected as a defendant in a fraud case. Mr. G. C. B. Wijeyesinghe, President Partner, Ford, Rhodes, Thornton & Co., who, Her Excellency the President, as the Minister of Finance, has once again appointed to the Securities & Exchange Commission. Mr. G. C. B. Wijeyesinghe together with Mr. Asirwathan are the Auditors of the Hilton enabling the sale of its Shares at Rs. 40 as stated by Hon. Kiriella. This is not what I say. This is what the Hon. L. B. Kiriella says.

Not forgetting that Prof. G. L. Peiris himself was a Member of the Securities & Exchange Commission at that time when this fiasco took place and no action was taken even when a complaint had been lodged. The Deputy Minister of Finance is a professor of law. So, he cannot say that he did not see the agreement properly. That is why he announced that it was one of the happiest days in his life.

Then, this is the other letter dated 22nd, September 1992. The Lawyers sent a letter to: "Members, Securities and Exchange Commission of Sri Lanka.", under the heading, "Hotel Developers Lanka Limited." The Attorneys are, Mr. De Silva and Mr. Perera. What do they say?

We refer to the Letter dated 26.08.'92 from your Commission. In this connection we wish to invite your attention to our Letter dated 04.08.92 and the enclosure thereto, and our Letters dated 17.08.'92, 20.08.'92 and 02.09.92 addressed to your Commission.

We regret, that the Commission has deliberately continued to be negligent and have failed to take any action whatsoever, whilst the said Company, Hotel Developers (Lanka) Ltd., has been permitted to continue regardlessly as a listed Public Company and have its shares traded in the Colombo Stock Exchange, in violation of relevant statutes, regulations and rules.

Whilst clear and cogent submissions had been made to you as far back as August '91 of the full facts pertaining to matters under reference, your very belated decision now to seek the opinion of the Hon. Attorney-General and the advice of the Ministry of Finance is a mere eye-wash to cover up your aforesaid omissions and commissions and your deliberate failure and neglect to discharge your duties and responsibilities as Members of the Commission, under the Securities & Exchange Commission Act No. 36 of 1987, and the duties, responsibilities and objectives of the Commission.

"Had the Ministry of Finance ever prevented you from taking any action whatsoever in this regard and under what provisions of the aforesaid Act was the matter referred to them for advice? Consequent to your said communication, what advice, if at all, have you now received from them?"

To whom was this letter sent? Mr. L. S. Jayawardena, Chairman. Mr. J. C. de Alwis, Director-General/Member Mr. H. A. Abhayagunawardhana, Member, Mr. Nivard A. L. Cabraal, Member, Dr. S. T. G. Fernando, Member, Mr. Baku Mahadeva, Member, Mr. P. Pasupati, Member, Prof. G. L. Peiris, Member, S. K. Wickramasinghe, Member, Mr. G. C. B. Wijeyesinghe, Member. The letter was sent to their names and personally handed over. So, nobody can say that they have not seen this letter. They have been asked to take action. If there was a fraud the Securities and Exchange Commission could have taken action. They cleared it. Now, they come to the Government and say that the UNP had done a fraud. They were sitting in the same place where they could have taken action. They said, 'there is no fraud.' and they certified all those things.

Hon. Lakshman Kiriella exposed this in the House when he was in the Opposition. Today, this PA Government is talking about cleansing the society having these very persons in key and important positions. Prof. Peiris is appointed National List MP and the Deputy Minister of Finance and the Minister of Justice and Constitutional affairs, and Mr. Rajan Asirwathan is appointed the Chairman of the Bank of Ceylon and the Chairman of the PERC which is in charge of selling this country under the guise of privatization. However, can 'people with vested interests', as Hon. Kiriella has alleged be entrusted with such positions and tasks?

2.30 p.m.

The Special Presidential Commission has now issued charge sheets on a number of persons including senior Ministers of the UNP Government and a number of other officials. This Presidential Commission wanted a report from the architects. This is the report on the investigations carried out by the panel of architects appointed by the Special Presidential Commission of



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Inquiry on the Colombo Hilton International Hotel dated 14th November 1995. I have this report with me. What does this report say in page six, Clause 4, about the total floor area, and in Clause 'C' part (c)? The Construction Agreement P31 dated 30.11.1984 had given the construction area as 39,042 sq. metres. That is the contractual area. (b) - The total floor area of the hotel construction inclusive of the covered parking is about 39,245 sq. metres. This does not include newly added floor area of the Chinese Restaurant and the 'Curry Leaf Restaurant.' These are the new buildings. Now, according to the contract, the Hilton Hotel must have 39,042 sq. metres. But, actually now they have measured and found that there is a floor area of 39,245 sq. metres. Over 200 odd more sq. metres are available. But the architects say, "The total area of the hotel building constructed is more or less the same as indicated in the construction agreement". That is 39,042 sq. metres. So, what does this report indicate? Why are they scared to tell the truth? It is said that on the contract they have to give a floor area of 39,042 sq. metres. Now they have said that they have found a floor area of 39,245 sq. metres. So, it is more. There is nothing like 'more or less'. What is this? They are architects, not draftsmen who have been asked to do this. Why? They are scared? They are scared because Her Excellency the President said that five floors are missing? On the TV she said five floors are missing and a Senior Cabinet Minister of the UNP Government is involved. Then Mr. Nihal Amerasekera said two floors are missing. Her Excellency has gone further than Mr. Nihal Amerasekera also. Mr. Nihal Amerasekera is the one who had filed action against this. He says two floors are missing and she says five floors are missing. And Suren Wickramasinghe, the Chairman of the UDA, says that the basement is missing. Now they say there is more floor area. But still the people are being charged. Even the accused do not know what the charges are. Let the Commission take necessary action. We are not going to talk about the Commission and what action it is going to take.

Hon. Chairman, my argument is, if there is a fraud, there is no harm taking action against anybody. Let it be UNP or PA, we must get rid of corruption from this country. There is no problem. We will support you to bring anybody who has done a fraud. Do that! Clean the society. Clean our parties also. But, if they are going to bring Mr. Choksy, if they are going to bring Mr. Cornel Perera, if they are going to bring Mr. Mendis to Court, they must bring Prof. G. L. Peiris and Rajan Asirwatham also before the Presidential Commission. Otherwise, openly I will name this Presidential Commission as a kangaroo court - not a Presidential Commission, not as a Judicial body, but a kangaroo court. Do that and show that the judiciary is independent. That they can stand up above political power. They can prove that now. This is the best chance for those learned judges in that Commission to prove. Now, why were no charge sheets being issued on Mr. Rajan Asirwatham or the auditors who had tried to cover up the fraud and Prof. G. L. Peiris as a Member of the Security Exchange Commission who had stood a blind eye and permitted a number of commercial crimes? Why is this selective prosecution? Is it a political witch hunt? Is that what you want? Then you can do that. Business people will do business.

Business people will do business in so many ways and if they break the law, then they must be definitely dealt with. But how much more serious it would be when auditors who are engaged to detect fraud to protect the innocent shareholders, chiefly accounts try to cover up fraud. Prof. G. L. Peiris and Mr. Rajan Asirwatham should resign from public office immediately, so that all aspects of the Hilton scandal could be thoroughly investigated fairly and without political interference and favours.

Another interesting development is Prof. G. L. Peiris' recent conduct about the Hilton affairs. Sir, I draw your attention to Article 116 of the Constitution. Mr. Chairman, Article 116 of the Constitution says interference with the judiciary is an offence. I quote Article 116 of the Constitution.

"(1) Every judge, presiding officer, public officer or other person entrusted by law with judicial powers or functions or with functions under this Chapter or with similar functions under any law enacted by Parliament shall exercise and perform such powers and functions without being subject to any direction or other interference proceeding from any other person except a superior court, tribunal, institution or other person entitled under law to direct or supervise such judge, presiding officer, public officer or such other person in the exercise or performance of such powers or functions."

And the sub section (2) says:

"(2) Every person who, without legal authority, interferes or attempts to interfere with the exercise or performance of the judicial powers or functions of any judge, presiding officer, public officer or such other person as is referred to in paragraph (1) of this Article, shall be guilty of an offence punishable by the High Court on conviction after trial without a jury with imprisonment of either description for a term which may extend to a period of one year or with fine or with both such imprisonment and fine and may, in addition, be disqualified for a period not exceeding seven years from the date of such conviction from being an elector and from voting at a Referendum or at any election of the President of the Republic or at any election of a Member of Parliament or any local authority or from holding any public office and from being employed as a public officer."

So, this is the punishment. Why I do say this and why I quote Article 116 of the Constitution is this. Because his conduct and reserved statement amounted to the giving or an implied direction to the judiciary whose career, promotions and destinies, depended on him as Minister of Justice. He is the Minister of Justice. As Prof. G. L. Peiris being the very Minister of Justice and as an interested party on the Hilton affair abused and misused power and violated Article 116 of the Constitution. Being the very Minister of Constitutional Affairs, I suggest that the recent conduct of Prof. Peiris be inquired. The Commission should investigate as to whether the Prof. G. L. Peiris' conduct tantamounts to the abuse and misuse of power.

The Affidavit sworn by Mr. A. S. Jayawardena, then Secretary to the Treasury, was a matter before Court. The Deputy Minister of Finance and Minister of Justice wanted Mr. Jayawardena removed just for that - Mr. Jayawardena's Affidavit. Is this not clearly the interference with the Judiciary and the whole judicial process in a matter which was sub-judice?

Has Prof. Peiris not brought to bear undue influence and pressure through Her Excellency the President, virtually blackmailing her, on Mr. Jayawardena, a person who had sworn



an Affidavit in Court, whilst Prof. Peiris had made a false statement in Parliament? Is it not contempt of Court in its most elementary form? This is so for every layman, but as the Minister of Justice, he should keep the law and strictly conform thereto by example. He has miserably failed. Does not the conduct of the Deputy Minister of Finance and Minister of Justice amount to an implied direction, an interference with the Judge and the Judiciary in violation of the Constitution, whilst being also the Minister of Justice, who recommends the promotion of Judges. Furthermore, Prof. G. L. Peiris in addition is an affected party.

The other thing is this. Now the same Professor, the same Hon. Minister who has interfered with the Judiciary fought saying that Mr. A. S. Jayawardena must be removed. Why? Now the "Sunday Leader" of November 26th says:

"Legal action against GL"

and the same paper of October 29th says:

"Prof. Peiris - A. S., in open conflict"

There, it very well refers to Mr. A. S. Jayawardena's affidavit in Court. Because of that only Professor Pieris had demanded Mr. A. S. Jayawardena to be removed, and another article in the "Sunday Leader" of November 1st says:

"G. L. refuses to present Budget"

There also they say that he demands Mr. A. S. Jayawardena to be removed because he had filed an affidavit. That is an interference with the Judiciary. This is why I think the same document had gone to Her Excellency. She investigated it very well. That is why she defended Mr. A. S. Jayawardena. All those Hon. Ministers went and demanded and because of that demand their decisions were changed. But they saw the document. So they knew that Mr. A. S. Jayawardena was not at fault. That is why he was supported by the highest person in this country.

Therefore Mr. Chairman, my last appeal is this. Now I have presented all the documents on this case. I have proved that Professor G. L. Pieris and Mr. Rajan Asirwatham are parties to the Hilton affair, and if it is a fraud, both these people are part and parcel of this fraud. So for the fraud, for this scandal if they take action against Mr. Choksy, take Professor Pieris, take Mr. Rajan Asirwatham, and let all the people stand up and bring them before the Presidential Commission. Then we will say the Special Presidential Commission is the correct Judiciary. Otherwise we will have to accept, though with all honour to those Judges, that it is only a Kangaroo Court. Thank you very much.

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(திரு. டி. சித்தார்த்தன்)

(Mr. D. Sithadthan)

கௌரவ தவிசாளர் அவர்களே, நிதி, திட்டமிடல், இன விவகார, தேசிய ஒருமைப்பாட்டு அமைச்சின் மீதான குழுநிலை விவாதத்தில் பேசுவதற்கு சந்தர்ப்பம் தந்ததற்காக உங்களுக்கு எனது நன்றியைத் தெரிவித்துக்கொள்கிறேன். நிதி, திட்டமிடல், இன விவகார, தேசிய ஒருமைப்பாட்டு அமைச்சரான கௌரவ ஜனாதிபதி அவர்கள், ஆற்றலும் அறிவும் மிக்க பேராசிரியர் பீரிஸ் அவர்களையும், ஆற்றலும் செயல் திறனும் மிக்க கௌரவ ஜெயராஜ் பெர்னாந்துபுள்ளே அவர்களையும் உதவி அமைச்சர்களாகக் கொண்டு இந்த அமைச்சின் செயற்பாடுகளைத் திறம்பட நடத்தி வருகிறார். அவர்களுக்கு எனது பாராட்டை முதற்கண் தெரிவித்துக்கொள்ள விரும்புகிறேன்.

இன்று யுத்தத்தினால் வடக்கு — கிழக்கு முழுவதுமே அழிக்கப்பட்ட ஒரு நிலைமையில் இருக்கின்றது. வடக்கு — கிழக்குக்கு முழுமையான ஓர் அபிவிருத்தித் திட்டத்தை இப்பொழுது தயாரிக்க வேண்டும். இத்திட்டத்தைப் பகுதி பகுதியாக, முதலில் மக்கள் தங்களுடைய அன்றாட வாழ்க்கையை இயல்பாக நடத்துகின்ற அந்த இடங்களில், ஆரம்பித்து பின்பு விடுவிக்கப்பட்ட பகுதிகளுக்கும் அல்லது படிப்படியாக இயல்பான நிலைமைக்கு வந்து கொண்டிருக்கின்ற பகுதிகளுக்கும் எடுத்துச் செல்லலாம். ஆகவே, திட்டமிடல் அமைச்சர் உடனடியாக ஒருங்கிணைந்த கிராம அபிவிருத்தித் திட்டமொன்றைத் தயாரித்து, அத்திட்டத்தைப் படிப்படியாக, பகுதிபகுதியாக, மாவட்டம் மாவட்டமாக எடுத்துச் செல்ல முடியும். ஆகவே, உடனடியாக அத்திட்டத்தை ஆரம்பிக்க வேண்டுமென்று கேட்டுக்கொள்கிறோம்.

அடுத்ததாக, இந்த பன்முகப்படுத்தப்பட்ட வரவுசெலவுத் திட்ட நிதிக்கு 15 வருட காலமாக ஏறக்குறைய 2.5 மில்லியன் ரூபாதான் கொடுக்கப்பட்டு வருகிறது. இன்றிருக்கும் செலாவணி நிலைமையைப் பார்க்கும்போது, இந்த 2.5 மில்லியன் ரூபா என்பது 'யானைப் பசிக்குச் சோழப்பொரி போட்டது போல்' மிகமிகக் குறைவாகவே இருக்கிறது. நேற்றுக்கூட எமது தேர்தல் தொகுதியின் பன்முகப்படுத்தப்பட்ட வரவு செலவுத் திட்டம் சம்பந்தமான கூட்டத்தை நடத்தி ஆராய்ந்தோம். அங்கு ஒதுக்கப்பட்டு நிதியைப் பங்கிடும்போது எதைச் செய்வது, எதை விடுவது என்று தெரியவில்லை. ஒரு சீரான அபிவிருத்தித் திட்டத்தைக்கூட எடுத்துச் செல்ல முடியாத நிலைமையுள்ளது. ஏனென்றால், தரப்படும் நிதி மிகமிகக் குறைவாகவே இருக்கிறது. ஒரு பிரதேச செயலகப் பிரிவுக்கு இந்த 2.5 மில்லியன் ரூபாவைத் தந்தால்கூட ஓரளவு சில அபிவிருத்தி வேலைகளை நாம் செய்வதற்கு உதவியாக இருக்கும்.

வன்னி தேர்தல் மாவட்டத்தைப் பொறுத்தவரையில் அங்குள்ள வவுனியா, மன்னார், முல்லைத்தீவு போன்ற மூன்று நிர்வாக மாவட்டங்களில் 14 பிரதேச செயலாளர் பிரிவுகள் இருக்கின்றன. இந்தப் பெரிய மாவட்டத்துக்கு 2.5 மில்லியன் ரூபா எந்த விதத்திலே போதுமென்று எங்களுக்கு விளங்கவில்லை. அது ஒரு பிரதேசமும் அற்ற நிலையில்தான் இருக்கிறது. ஆகவே, அபிவிருத்தியடைந்த கොழும்பு போன்ற பகுதிகளுடன் வன்னியையே அல்லது தெற்கில் இருக்கும் தேர்தல் தொகுதிகளையோ நாம் ஒப்பிட்டுப் பார்க்க முடியாது. அங்கு அபிவிருத்தி வேலைகள் பல இருக்கின்றன. ஆகவே, இதற்கொரு வழிமுறை வைத்து இந்த மாவட்டங்களுக்குப் பன்முகப்படுத்தப்பட்ட வரவு செலவுத் திட்ட நிதி மூலம் கூடிய தொகையைக் கொடுக்கக்கூடிய ஒரு நிலைமையை உருவாக்க வேண்டும் என்று நான் அமைச்சர் அவர்களைக் கேட்டுக்கொள்கிறேன்.

இன அலுவல்கள், தேசிய ஒருமைப்பாட்டு அமைச்சர் உருவாக்கப்பட்ட போது பலர் மத்தியில் பலத்த எதிர்பார்ப்பு இருந்தது. இந்த நாட்டிலே இருக்கக்கூடிய இனப்பிரச்சினைக்கு — இனங்களுக்கிடையே இருக்கக்கூடிய முரண்பாடுகளுக்கு — தீர்வு காணும்பொருட்டு சரியான, ஒருங்கிணைந்த ஒரு திட்டம் தயாரிக்கப்பட்டு, இனங்களுக்கிடையே புரிந்துணர்வையும் நல்லுறவையும் கொண்டுவருவதற்கு இந்த அமைச்சர் பெருமளவில் செயற்படும் என்ற ஓர் எதிர்பார்ப்பு இருந்தது. அந்த எதிர்பார்ப்பானது நாளடைவிலே செத்துவிட்டது. இந்த எதிர்பார்ப்புக்களை நிவர்த்தி செய்வதற்கு இந்த அமைச்சர் எந்தவிதத்திலும் செயற்படாததாக நாங்கள் அறியவில்லை. இந்த அமைச்சின் செயற்பாடுகள் என்னவென்பதுகூட எமக்குச் சரியாகத் தெரியவில்லை. எமக்கே தெரியாதென்றால் பொது மக்களுக்கும் தெரியவில்லை என்பதுதான்.

வடக்கிலே, பிரத்தியேகமாக யாழ் குடாநாட்டிலே விடுவிக்கப்பட்ட பகுதிகளின் புனருத்தாரண வேலைகளுக்காக இந்த அமைச்சிலுள்ள திரு. சேனாரத்னவை இந்த அமைச்சர் நியமித்திருக்கின்றது. இதைவிட வேறு எதனை இந்த அமைச்சர் செய்கின்றது என்பது எங்களுக்குத் தெரியாது. தேசிய ஒருமைப்பாட்டை எப்படியான முறையிலே வளர்த்தெடுக்கலாம். எப்படியான திட்டங்களை அமுல் நடத்தி இனங்களுக்கிடையே ஒற்றுமையைக் கொண்டுவரலாம் என்பது குறித்து ஒரு சரியான செயல்திட்ட மொன்றை உருவாக்கி, அத்திட்டத்தைச் சரியான முறையிலே அமுல் நடத்துவதன் மூலம்தான் இந்த நாட்டிலேயுள்ள இனங்களுக்கிடையே ஒற்றுமையையும் ஒருமைப்பாட்டையும் உண்டாக்க முடியும். அதற்கு இந்த அமைச்சர் எவ்வளவோ பெரிய அளவில், பல வழிமுறைகளில் சேவைகளைச் செய்ய முடியும். எனவே, அவற்றை இந்த அமைச்சர் முன்னெடுத்துச் செல்ல வேண்டுமென்று நான் கேட்டுக்கொள்ளுகின்றேன்.



**ANSWER:**

ගරු මහාචාර්ය ඩී. එල්. පීරිස් මහතා  
(ගෞරවනීය ප්‍රධානියාණන් ජී. ඒ. ඩබ්. පීරිස්)  
(The Hon. Prof. G. L. Peiris)

It is rather a long answer. I would like to table it, if that is acceptable.

ප්‍රකාශනය මත පිටපත් ලද පිටපත්:  
ප්‍රකාශනය මත පිටපත් ලද පිටපත්:  
Answer tabled:

- (1) No.
- (2) Show Cause Notices, setting out acts of commission and/or omission that were fraudulent and detrimental to the interests of Hotel Developers (Lanka) Ltd. and/or the Government have been served on several persons. The inquiry is proceeding.
- (3) The total claim as at 30th June 1995 was as follows:

	Jap.yen. Million
Capital	13,700
Accrued Interest	14,006
Insurance Premium	87
	<u>27,793</u>

Payments were stopped due to the derivative action filed by Mr. Nihal Sri Amereseckere against Hotel Developers (Lanka) Ltd.

- (4) It is correct that an agreement has been entered into by the Government to settle the outstanding payments to the contractors. The agreement provides for the write-off of Japanese yen. 13,450 million on account of interest and 30% of the capital. A total of Japanese yen. 17,586 million is therefore written off. The Agreement provides for the settlement of the outstanding payment by an initial lump sum payment and fifteen annual instalments. The Lump Sum payments of Japanese Yen. 2,138 million was made on 29th October, 1996 and the first annual payment of Japanese Yen. 972 million on 15th November, 1996.
- (5) The Board of Hotel Developers (Lanka) Ltd. at its meeting held on 28th June, 1995 unanimously approved the settlement agreement.
- (6) Mr. Nihal Sri Amereseckere is a shareholder and a Director of Hotel Developers (Lanka) Ltd. Action against Mr. Amereseckere by Government in respect of matters related to his involvement as a director of Cornel Co. Ltd. were settled.
- (7) Yes. The loan obtained for the construction of the Colombo Hilton Hotel is on a Government guarantee. The long delay in the service of this loan has resulted in a contingent liability on Government. The Government re-scheduled this loan with favorable terms for the country. The write-off of interest and capital amounting to Jap. Yen. 17, 586 million i.e. SL Rs. 10,624 million as at 28th June 1995, and re-scheduling of the balance over a further period of 15-years going up to 2010, is of benefit to the country.

නව්‍යායකයා  
(ප්‍රකාශකයන් අයුරු)  
(Mr. Speaker)

Answer to the question raised by Mr. Sarath Gunawardene on 20.08.96.

ගරු මහාචාර්ය ඩී. එල්. පීරිස් මහතා  
(ගෞරවනීය ප්‍රධානියාණන් ජී. ඒ. ඩබ්. පීරිස්)  
(The Hon. Prof. G. L. Peiris)

- (1) yes.
- (2) yes.
- (3) yes.
- (4) yes.

(5) No. Samurdhi Lotteries are being held under the provisions of the Section 05 F and 20 of the Samurdhi Authority Act No. 30 of 1995. Samurdhi Lottery is conducted by National Lotteries Board on behalf of the Samurdhi Authority as that institution does not have facilities to conduct lotteries. Therefore, the question of violation of Regulations under the provisions of Finance Act. No. II of 1963 or violation of National Lotteries Board regulations, does not arise.

(6) Does not arise in view of 05 above.

(7) Does not arise in view of 05 above.

නව්‍යායකයා  
(ප්‍රකාශකයන් අයුරු)  
(Mr. Speaker)

Mr. Vasudeva Nanayakkara's question raised on 22.11.1996 to be answered by the Hon. Deputy Minister of Finance and Planning.

ගරු මහාචාර්ය ඩී. එල්. පීරිස් මහතා  
(ගෞරවනීය ප්‍රධානියාණන් ජී. ඒ. ඩබ්. පීරිස්)  
(The Hon. Prof. G. L. Peiris)

- 1. While the ownership of Balangoda Plantations Company remained with the Government, its management was handed over to the Uva-Sabaragamuwa Plantations Co. Ltd. This agreement is effective only for the period 11th June 1992 to 27th October 1996 (30 days after sale of 51 Percent of the shares).
- 2. 51 Percent of the share Capital of the Balangoda Plantations Company that is, 10,200,000 shares was purchased by the Sri Lanka Distilleries Corporation Ltd at a consideration of Rs. 420.75 million.
- 3. It is the policy of the Government to gift 10 Percent of the Government-owned shares of privatized institutions to the respective employees. The proper distribution of shares in this case is a tedious task as there are over 15,000 employees in the Company. Action is being taken to allocate such shares to the employees of Balangoda Plantations Company.
- 4. According to Companies law, dividends are paid only to shareholders. It was only in the latter part of September 1996 that 51 Percent of the shares of this Company were transferred to the private sector. Accordingly, the employees of the Company had no shareholding there of in 1995. They are, therefore, not entitled to receive dividends of the Company.
- 5. Does not arise in view of (4) above.
- 6. As stated in (3) above, action is being taken by the 'PERC' to duly allocate 10 Percent of the shares of privatized Plantation Companies, among the employees of such companies.