ANNEXURE- X

PROPOSALS FOR DEVOLUTION OF POWERS ALMOST FINALISED AT THE ALL-PARTY CONFERENCE TOWARDS THE END OF ITS DELIBERATIONS IN 1984 AND KNOWN AS

Annexure C

In terms of paragraph six of the President’s statement of December 1st, 1983, the following proposals which have emerged as a result of the discussions in Colombo and New Delhi are appended for consideration by the All-Party Conference. These proposals are in the context of the unity and integrity of Sri Lanka, and will form a basis for formulating the Agenda of the All-Party Conference.

(1) The District Development Councils in a Province be permitted to combine into one or more Regional Councils if they so agree, by decisions of the Councils and approved by referendum in that district.

(2) In the case of the District Councils in the Northern and Eastern Provinces respectively, as they are not functioning due to the resignation of the majority of Members, their union within each province to be accepted.

(3) Each Region will have a Regional Council if so declared. The convention will be established that the leader of the party which commands a majority in the Regional Council would be formally appointed by the President as the Chief Minister of the Region.

(4) The President and the Parliament will continue to have overall responsibility over all subjects not transferred to the regions and generally for all other matters relating to the maintenance of the sovereignty, integrity, unity, security and progress and development of the Republic as a whole.

(5) The legislative power of the Region would be vested in the regional councils which would be empowered to enact laws and exercise executive powers in relation thereto on certain specified listed subjects including the maintenance of Internal Law and Order in the Region, the Administration of Justice, Social and Economic Development. Cultural
matters and Land policy. The list of subjects which will be allocated to the Regions will be worked out in detail.

(1) The Regional Councils will also have the power to levy taxes, cess or fees and to mobilise resources through loans, the proceeds of which will be credited to a Consolidated Fund Set up for that particular Region, to which also will be credited grants, allocations or subventions made by the Republic. Financial resources will be apportioned to the Regions on the recommendations of a representative Finance Commission appointed from time to time.

(2) Provision will be made for constituting High Court in each region. The Supreme Court of Sri Lanka will exercise appellate and constitutional jurisdiction.

(3) Each Region will have a Regional Service consisting of (a) officers and other public servants of the Region and (b) such other officers and public servants who may be seconded to the Region. Each Region will have a Regional Public Service Commission for recruitment and for exercising disciplinary powers relating to the members of the Regional Service.

(4) The armed forces of Sri Lanka will adequately reflect the national ethnic position. In the Northern and Eastern Region the police force for internal security will also reflect the ethnic composition of these Regions.

(5) A Port Authority under the Central Government will be set up for administering Trincomalee Port and Harbour. The area which will come under the administrative jurisdiction of the Port Authority as well as the powers to be assigned to it will be further discussed.

(6) A national policy on land settlement and the basis on which the Government will undertake land colonisation will have to be worked out. All settlement schemes should be based on ethnic proportion so as not to alter the demographic balance subject to agreement being reached on major projects.

(7) The Constitution and other laws dealing with the official language Sinhala and the national language Tamil will be accepted and
implemented as well as similar laws dealing with the National Flag and Anthem.

(8) The Conference should appoint a committee to work out constitutional and legal changes that may be necessary to implement these decisions. The Government would provide its Secretariat and necessary legal offices.

(9) The consensus of opinion of the All-Parties Conference will itself be considered by the United National Party Executive Committee and presumably by the executive bodies of the other parties as well, before being placed before Parliament for legislative action.