



(Eighth Parliament - First Session)

No. 48.]

MINUTES OF PARLIAMENT

Tuesday, February 09, 2016 at 1.00 p.m.

PRESENT :

Hon. Karu Jayasuriya, Speaker

Hon. Thilanga Sumathipala, Deputy Speaker and Chairman of Committees

Hon. Selvam Adaikkalanathan, Deputy Chairman of Committees

Hon. Ranil Wickremesinghe, Prime Minister and Minister of National Policies and
Economic Affairs

Hon. (Mrs.) Thalatha Atukorale, Minister of Foreign Employment

Hon. Wajira Abeywardana, Minister of Home Affairs

Hon. John Amaratunga, Minister of Tourism Development and Christian Religious
Affairs

Hon. Mahinda Amaraweera, Minister of Fisheries and Aquatic Resources
Development

Hon. (Dr.) Sarath Amunugama, Minister of Special Assignment

Hon. Gayantha Karunatileka, Minister of Parliamentary Reforms and Mass Media
and the Chief Government Whip

Hon. Ravi Karunanayake, Minister of Finance

Hon. Akila Viraj Kariyawasam, Minister of Education

Hon. Lakshman Kiriella, Minister of Higher Education and Highways and the Leader
of the House of Parliament

Hon. Mano Ganesan, Minister of National Co-existence, Dialogue and Official
Languages

Hon. Daya Gamage, Minister of Primary Industries

Hon. Nimal Siripala de Silva, Minister of Transport and Civil Aviation

Hon. Palany Thigambaram, Minister of Hill Country New Villages, Infrastructure and
Community Development

Hon. Navin Dissanayake, Minister of Plantation Industries

- Hon. S. B. Nawinne**, Minister of Internal Affairs, Wayamba Development and Cultural Affairs
- Hon. Gamini Jayawickrama Perera**, Minister of Sustainable Development and Wildlife
- Hon. Harin Fernando**, Minister of Telecommunication and Digital Infrastructure
- Hon. Rishad Bathiudeen**, Minister of Industry and Commerce
- Hon. (Mrs.) Chandrani Bandara**, Minister of Women and Child Affairs
- Hon. Faiszer Musthapha**, Minister of Provincial Councils and Local Government
- Hon. Anura Priyadharshana Yapa**, Minister of Disaster Management
- Hon. Sagala Ratnayaka**, Minister of Law and Order and Southern Development
- Hon. Arjuna Ranatunga**, Minister of Ports and Shipping
- Hon. (Dr.) Wijeyadasa Rajapakshe**, Minister of Justice and Minister of Buddhasasana
- Hon. Malik Samarawickrama**, Minister of Development Strategies and International Trade
- Hon. Mahinda Samarasinghe**, Minister of Skills Development and Vocational Training
- Hon. Ranjith Siyambalapitiya**, Minister of Power and Renewable Energy
- Hon. W. D. J. Senewiratne**, Minister of Labour and Trade Unions Relations
- Hon. Wijith Wijayamuni Zoysa**, Minister of Irrigation and Water Resources Management
- Hon. D. M. Swaminathan**, Minister of Prisons Reforms, Rehabilitation, Resettlement and Hindu Religious Affairs
- Hon. Rauff Hakeem**, Minister of City Planning and Water Supply
- Hon. Abdul Haleem**, Minister of Post, Postal Services and Muslim Religious Affairs
- Hon. P. Harrison**, Minister of Rural Economic Affairs
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- Hon. Lakshman Yapa Abeywardena**, State Minister of Finance
- Hon. Wasantha Aluwihare**, State Minister of Agriculture
- Hon. T. B. Ekanayake**, State Minister of Lands
- Hon. Piyankara Jayaratne**, State Minister of Provincial Councils and Local Government
- Hon. (Dr.) (Mrs.) Sudarshini Fernandopulle**, State Minister of City Planning and Water Supply
- Hon. A. D. Premadasa**, State Minister of Industry and Commerce Affairs
- Hon. Palitha Range Bandara**, State Minister of Skills Development and Vocational Training
- Hon. (Mrs.) Vijayakala Maheswaran**, State Minister of Child Affairs

Hon. Ruwan Wijewardene, State Minister of Defence

Hon. Dilip Wedaarachchi, State Minister of Fisheries and Aquatic Resources
Development

Hon. Ravindra Samaraweera, State Minister of Labour and Trade Unions Relations

Hon. Vasantha Senanayake, State Minister of Irrigation and Water Resources
Management

Hon. M. L. A. M. Hizbullah, State Minister of Rehabilitation and Resettlement

Hon. A. H. M. Fowzie, State Minister of National Integration and Reconciliation

Hon. Ashok Abeysinghe, Deputy Minister of Transport and Civil Aviation

Hon. Lasantha Alagiyawanna, Deputy Minister of Megapolis and Western
Development

Hon. Faizal Cassim, Deputy Minister of Health, Nutrition and Indigenous Medicine

Hon. Dunes Gankanda, Deputy Minister of Disaster Management

Hon. (Dr.) (Mrs.) Anoma Gamage, Deputy Minister of Petroleum Resources
Development

Hon. Anuradha Jayaratne, Deputy Minister of Mahaweli Development and
Environment

Hon. (Mrs.) Sumedha G. Jayasena, Deputy Minister of Sustainable Development and
Wildlife

Hon. (Dr.) Harsha De Silva, Deputy Minister of Foreign Affairs

Hon. Karunarathna Paranawithana, Deputy Minister of Parliamentary Reforms and
Mass Media

Hon. Susantha Punchinilame, Deputy Minister of Public Administration and
Management

Hon. Ajith P. Perera, Deputy Minister of Power and Renewable Energy

Hon. Lakshman Wasantha Perera, Deputy Minister of Plantation Industries

Hon. Arundika Fernando, Deputy Minister of Tourism Development and Christian
Religious Affairs

Hon. Indika Bandaranayake, Deputy Minister of Housing and Construction

Hon. Ranjan Ramanayake, Deputy Minister of Social Empowerment and Welfare

Hon. Nimal Lanza, Deputy Minister of Home Affairs

Hon. Ameer Ali Shihabdeen, Deputy Minister of Rural Economic Affairs

Hon. H. M. M. Harees, Deputy Minister of Sports

Hon. Hector Appuhamy

Hon. Rohitha Abeygunawardana

Hon. Mahinda Yapa Abeywardena
Hon. J. C. Alawathuwala
Hon. Dullas Alahapperuma
Hon. Ananda Aluthgamage
Hon. Mahindananda Aluthgamage
Hon. Ranjith Aluvihare
Hon. A. Aravindh Kumar
Hon. J. M. Ananda Kumarasiri
Hon. (Mrs.) Geetha Samanmalee Kumarasingha
Hon. Velu Kumar
Hon. Nalaka Prasad Colonne
Hon. Kaveendiran Kodeeswaran
Hon. Chandrasiri Gajadeera
Hon. Chandima Gamage
Hon. Udaya Prabhath Gammanpila
Hon. Nihal Galappaththi
Hon. Dinesh Gunawardena
Hon. Bandula Gunawardane
Hon. Edward Gunasekara
Hon. S. M. Chandrasena
Hon. D. V. Chanaka
Hon. Sisira Jayakody
Hon. (Dr.) Nalinda Jayathissa
Hon. Nalin Bandara Jayamaha
Hon. Anura Sidney Jayarathne
Hon. (Dr.) Kavinda Heshan Jayawardana
Hon. Lucky Jayawardana
Hon. Mylvaganam Thilakarajah
Hon. Janaka Bandara Tennakoon
Hon. Palitha Kumara Thewarapperuma
Hon. M. S. Thowfeek
Hon. Sirinal de Mel
Hon. Mohan Priyadarshana De Silva
Hon. T. Ranjith De Zoysa
Hon. Anura Dissanayaka
Hon. Mayantha Dissanayake
Hon. Wimalaweera Dissanayaka

Hon. Weerakumara Dissanayake
Hon. Salinda Dissanayake
Hon. Douglas Devananda
Hon. Mohamed Navavi
Hon. Vasudeva Nanayakkara
Hon. I. Charles Nirmalanathan
Hon. K. K. Piyadasa
Hon. Sanath Nishantha Perera
Hon. Sujith Sanjaya Perera
Hon. Johnston Fernando
Hon. Ashoka Priyantha
Hon. (Mrs.) Hirunika Premachandra
Hon. S. Premarathna
Hon. Bandula Lal Bandarigoda
Hon. Tharaka Balasuriya
Hon. Vijitha Berugoda
Hon. Muhammad Ibrahim Muhammad Mansoor
Hon. S. M. Marikkar
Hon. K. Kader Masthan
Hon. Imran Maharoof
Hon. Abdullah Mahrooff
Hon. Ajith Mannapperuma
Hon. Tilak Marapana
Hon. (Prof.) Ashu Marasinghe
Hon. S. C. Mutukumarana
Hon. C. B. Rathnayake
Hon. Prasanna Ranaweera
Hon. Roshan Ranasinghe
Hon. Keheliya Rambukwella
Hon. Ishak Rahuman
Hon. Mujibur Rahuman
Hon. Harshana Rajakaruna
Hon. Chamal Rajapaksa
Hon. Namal Rajapaksa
Hon. Angajan Ramanathan
Hon. Gamini Lokuge
Hon. Janaka Wakkumbura

Hon. (Mrs.) Pavithradevi Wanniarachchi
Hon. Vidura Wickramanayaka
Hon. (Dr.) Jayampathy Wickramaratne
Hon. A. A. Wijethunga
Hon. (Mrs.) Rohini Kumari Wijerathna
Hon. Chaminda Wijesiri
Hon. Kanchana Wijesekara
Hon. Hesha Withanage
Hon. Thenuka Vidanagamage
Hon. Wimal Weerawansa
Hon. Kumara Welgama
Hon. S. Shritharan
Hon. Gnanamuthu Srineshan
Hon. (Mrs.) Shanthi Sriskandarasa
Hon. Jayantha Samaraweera
Hon. Sandith Samarasinghe
Hon. Rajavarothiam Sampanthan, Leader of the Opposition in Parliament
Hon. M. H. M. Salman
Hon. (Dr.) S. Sivamohan
Hon. Sivasakthy Ananthan
Hon. M. A. Sumanthiran
Hon. Vadivel Suresh
Hon. Lakshman Senewiratne
Hon. Ali Zahir Moulana Seyed
Hon. Mavai S. Senathirajah
Hon. Chathura Sandeepa Senaratne
Hon. Shehan Semasinghe
Hon. Sunil Handunnetti
Hon. Wijepala Hettiarachchi
Hon. Indika Anuruddha Herath
Hon. Kanaka Herath
Hon. Vijitha Herath
Hon. Gardihewa Sarath Chandralal Fonseka

Mr. Dhammika Dasanayake, Secretary-General of Parliament
Mr. Neil Iddawala, Deputy Secretary-General
Mrs. Kushani Rohanadeera, Assistant Secretary-General
Mr. Tikiri K. Jayathilake, Assistant Secretary-General

Parliament met pursuant to adjournment. The Speaker took the Chair.**1. Oath or Affirmation :**

The Hon. Gardihewa Sarath Chandralal Fonseka, Member of Parliament under Article 99A of the Constitution; made and subscribed the Affirmation required by law and signed the **Book** at the **Table**.

2. Announcements by the Speaker : The Speaker made the following announcements :-

I

“I wish to inform the Parliament that I have received the Determination of the Supreme Court in respect of the Bill entitled **“Local Authorities Elections (Amendment)”** which has been challenged in the Supreme Court in terms of Article 121(1).

The Supreme Court has determined that the Clause 4 of the Bill is inconsistent with Article 12(1) of the Constitution and the inconsistency would cease if the Clause 4 be amended as suggested by the Court.

The Court further determined that the other provisions of the Bill are not inconsistent with the Constitution and the inconsistency between the Sinhala text and the English text in the Clause 2 could be corrected at the Committee Stage of the Bill.

I order that the Determination of the Supreme Court be printed in the Official Report of today's proceedings.”

II

“I wish to inform the Parliament in terms of Standing Order No. 50(2)(a) of Parliament that I have received copies of two petitions filed at the Supreme Court under Article 121(1) of the Constitution in respect of the Bill entitled **“Buddhist Temporalities (Amendment)”**. ”

3. Presentation of Papers : (1) The Minister of Parliamentary Reforms and Mass Media presented the Performance Report and Annual Accounts of the District Secretariat, Anuradhapura for the year 2014.

Ordered that the said Report do lie upon the **Table**.

(2) The Minister of Parliamentary Reforms and Mass Media presented the Annual Report of the Sri Lanka Institute of Textile and Apparel for the year 2013.

Ordered that the said Report do lie upon the **Table**.

(3) The Minister of Parliamentary Reforms and Mass Media presented the Annual Report of the National Institute of Plantation Management for the year 2013.

Ordered that the said Report do lie upon the **Table**.

(4) The Minister of Women and Child Affairs presented the Annual Performance Report of the Department of Probation and Child Care Services for the year 2014.

Ordered that the said Report do lie upon the **Table**.

4. Petitions :

- (1) Hon. Harin Fernando presented a petition dated 05.12.2015 from Mr. K. A. T. I. Kodituwakku of No. 297, Helawatta, Diyathalawa.
- (2) Hon. Ashok Abeysinghe presented a petition dated 26.10.2015 from Mr. M. G. M. Millawana of No. 47, Wagollawatta, Gokarella.
- (3) Hon. Mahinda Yapa Abeywardena presented —
 - (i) a petition dated 04.10.2015 from Mr. M. G. David Appuhami of No. 216/1, Deniyaya Road, Poramba, Akuressa; and
 - (ii) a petition dated 28.09.2015 from Mr. P. H. Gunapala of Gangasevana, Pelana, Weligama.
- (4) Hon. Vasudeva Nanayakkara presented —
 - (i) a petition dated 03.10.2015 from Mr. M. T. A. Mansoor of No. 277/A, Main Street, Ehaliyagoda; and
 - (ii) a petition dated 18.11.2015 from Mr. W. Jayantha Weerasiri of No. A 58 - 2, "Dahami Sevana", Algoda, Dehiowita.
- (5) Hon. Rohitha Abeygunawardana presented —
 - (i) a petition dated 02.11.2015 from Mr. A. S. Kamal Perera of Galle Road, Pohoddaramulla, Wadduwa;
 - (ii) a petition dated 27.11.2015 from Mrs. J. S. W. Silva of "Tharanga", No. 41, Jaya Mawatha, Araliya Uyana, Kalutara South; and
 - (iii) a petition dated 04.11.2015 from Ven. Pathakada Wimalagnana Thero of Veerawardhanaramaya, No. 34, Temple Road, Kalutara North.
- (6) Hon. K. K. Piyadasa presented a petition dated 20.10.2015 from Mr. A. M. Gamini Lakshman of No. 95/2, Kiriwelheenna, Morahenegama, Hatton (via).
- (7) Hon. Ananda Aluthgamage presented a petition dated 28.12.2015 from Mrs. S. L. Pathima Riyana of No. 54, Baily Road, Nawalapitiya.
- (8) Hon. Nalaka Prasad Colonne presented a petition dated 15.09.2015 from Mr. W. A. Hemakumara of No. 13, B. O. P. 317, Thalpotha, Polonnaruwa.
- (9) Hon. Mujibur Rahuman presented a petition dated 15.10.2015 from Mr. A. K. Syrik of No. 259/3, Galle Road, Mount Lavinia.

The Petitions stood referred under Standing Order No. 25A of the Parliament, to the Committee on Public Petitions.

5. Local Authorities Elections (Amendment) Bill : Order for Second Reading read.

The Prime Minister and Minister of National Policies and Economic Affairs moved,— That the Bill be now read a second time.

Question put, and agreed to.

Bill accordingly read a second time.

The Minister of Higher Education and Highways on behalf of the Prime Minister and Minister of National Policies and Economic Affairs moved,— That the Bill be referred to a Committee of the whole Parliament.

Question put, and agreed to.

Parliament immediately resolved itself into Committee.

(In the Committee)

The Speaker took the Chair.

Clauses 1 to 3 were agreed to.

Clause 4

The Minister of Higher Education and Highways on behalf of the Prime Minister and Minister of National Policies and Economic Affairs proposed an amendment to leave out all words in lines 14 to 26 (both inclusive) in page 3 and insert,—

'Declaration
of women
members to
be returned.

65AA. In the apportionment, in accordance with the order of priority of ranking, of the number of women members to be returned from all the wards of such Local Authority area among the recognized political parties and independent groups, as referred to in section 28(2A), the Commissioner of Elections shall take into consideration the number of valid votes polled by each recognized political party and independent group in all the wards of such local authority area, and the method of apportionment set out in Article 99A of the constitution of the Democratic Socialist Republic of Sri Lanka shall, *mutatis mutandis*, apply thereto:

Provided that, the Commissioner of Elections shall not require the secretary of any recognized political party or group leader of any independent group to make any nomination of persons in addition to the persons already nominated under section 28 nor shall the Secretary or group leader, as the case may be, submit any list making any nomination.'

Question that the amendment be agreed to, put, and agreed to.

Question that the Clause as amended stand part of the Bill, put and agreed to.

Clause 5

The Minister of Higher Education and Highways on behalf of the Prime Minister and Minister of National Policies and Economic Affairs proposed an another amendment to leave out all words in lines 27 to 33 (both inclusive) in page 3 and insert,—

“ ‘5. Section 66 of the principal enactment is hereby amended in subsection (1) of that section by the substitution for the words and figure “returned under section 65A of this Ordinance” of the words and figures “returned under section 65A and section 65AA of this Ordinance’.”

Question that the amendment be agreed to, put, and agreed to.

Question that the Clause as amended stand part of the Bill, put and agreed to.

Clause 6

The Minister of Higher Education and Highways on behalf of the Prime Minister and Minister of National Policies and Economic Affairs proposed an amendment to leave out all words in lines 3 to 5 (both inclusive) in page 4 and insert,—

“ ‘(a) in paragraph (b) of that subsection -

(1) by the substitution for the words and figure “returned under section 65A of this” of the words and figures “returned under sections 65A and 65AA of this”;

(2) by the substitution for the words “Ordinance to fill such vacancy.” of the words “Ordinance to fill such vacancy; or’;”

Question that the amendment be agreed to, put, and agreed to.

The Minister of Higher Education and Highways on behalf of the Prime Minister and Minister of National Policies and Economic Affairs proposed another amendment to leave out all words in line 11 in page 4 and insert,—

“Declare returned within thirty days of the occurrence”.

Question that the amendment be agreed to, put, and agreed to.

The Minister of Higher Education and Highways on behalf of the Prime Minister and Minister of National Policies and Economic Affairs proposed another amendment to leave out all words in lines 14 to 16 (both inclusive) in page 4 and insert,—

“the other nomination paper submitted by the respective recognized political party or independent group, as the case may be, in terms of subsection (2A) of section 28.”

Question that the amendment be agreed to, put, and agreed to.

Question that the Clause as amended stand part of the Bill, put and agreed to.

Clause 7 was agreed to.

Enacting Clause and Title

Question that the Enacting Clause and Title stand part of the Bill, put, and agreed to.

Long Title

Question that the Long Title stand part of the Bill, put, and agreed to.

Bill reported with Amendments.

The Minister of Higher Education and Highways on behalf of the Prime Minister and Minister of National Policies and Economic Affairs moved,— That the Bill, as amended be now read the third time.

Question put, and agreed to.

Bill, as amended, accordingly read the third time and passed.

6. Adjournment : The Leader of the House of Parliament moved,— That this Parliament do now adjourn.

Question put, and agreed to; the Parliament was at 3.05 p.m. adjourned until 1.00 p.m. on Wednesday, February 10, 2016.