



(Eighth Parliament - First Session)

No. 104.]

MINUTES OF PARLIAMENT

Tuesday, October 04, 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. (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 and Minister of Lands

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

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

Hon. Ravi Karunanayake, Minister of Finance

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

Hon. Daya Gamage, Minister of Primary Industries

Hon. Dayasiri Jayasekara, Minister of Sports

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

Hon. S. B. Dissanayake, Minister of Social Empowerment and Welfare

Hon. S. B. Nawinne, Minister of Internal Affairs, Wayamba Development and Cultural Affairs

Hon. Gamini Jayawickrama Perera, Minister of Sustainable Development and Wildlife

Hon. Sajith Premadasa, Minister of Housing and Construction

Hon. R. M. Ranjith Madduma Bandara, Minister of Public Administration and Management

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. Chandima Weerakkody, Minister of Petroleum Resources Development

Hon. Mahinda Samarasinghe, Minister of Skills Development and Vocational
Training

Hon. (Dr.) Rajitha Senaratne, Minister of Health, Nutrition and Indigenous
Medicine

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. Kabir Hashim, Minister of Public Enterprise Development

Hon. Field Marshal Sarath Fonseka, Minister of Regional Development

Hon. Lakshman Yapa Abeywardena, State Minister of Finance

Hon. Wasantha Aluwihare, State Minister of Agriculture

Hon. T. B. Ekanayake, State Minister of Lands

Hon. Piyanakara Jayaratne, State Minister of Provincial Councils and Local
Government

Hon. Dilan Perera, State Minister of Highways

Hon. Niroshan Perera, State Minister of National Policies and Economic Affairs

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. V. S. Radhakrishnan, State Minister of Education

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

Hon. Sujeewa Senasinghe, State Minister of International Trade

Hon. Lakshman Senewiratne, State Minister of Science, Technology and Research

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. Dunesh Gankanda, Deputy Minister of Disaster Management

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

Hon. Palitha Kumara Thewarapperuma, Deputy Minister of Internal Affairs, Wayamba Development and Cultural Affairs

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

Hon. H. R. Sarathie Dushmantha, Deputy Minister of Justice and Deputy Minister of Buddhasasana

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

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. Tharanath Basnayaka, Deputy Minister of Telecommunication and Digital Infrastructure

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

Hon. Nimal Lanza, Deputy Minister of Home Affairs

Hon. Eran Wickramaratne, Deputy Minister of Public Enterprise Development

Hon. Duleep Wijesekera, Deputy Minister of Post, Postal Services and Muslim Religious Affairs

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

Hon. Hector Appuhamy

Hon. Mahinda Yapa Abeywardena

Hon. Sisira Kumara Abeysekara

Hon. Thushara Indunil Amarasena

Hon. J. C. Alawathuwala

Hon. Ananda Aluthgamage

Hon. Ranjith Aluvihare

Hon. A. Aravindh Kumar

Hon. J. M. Ananda Kumarasiri
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. Padma Udhayashantha Gunasekera
Hon. S. M. Chandrasena
Hon. Sisira Jayakody
Hon. (Dr.) Nalinda Jayathissa
Hon. Nalin Bandara Jayamaha
Hon. Anura Sidney Jayarathne
Hon. (Dr.) Kavinda Heshan Jayawardana
Hon. Lucky Jayawardana
Hon. Premalal Jayasekara
Hon. Mylvaganam Thilakarajah
Hon. Arumugan Thondaman
Hon. M. S. Thowfeek
Hon. Sirinal de Mel
Hon. Piyal Nishantha De Silva
Hon. T. Ranjith De Zoysa
Hon. Anura Dissanayaka
Hon. Wimalaweera Dissanayaka
Hon. Salinda Dissanayake
Hon. Douglas Devananda
Hon. Mohamed Navavi
Hon. Vasudeva Nanayakkara
Hon. I. Charles Nirmalanathan
Hon. Buddhika Pathirana
Hon. (Dr.) Ramesh Pathirana
Hon. K. K. Piyadasa

Hon. Sanath Nishantha Perera
Hon. Sujith Sanjaya Perera
Hon. Ashoka Priyantha
Hon. S. Premarathna
Hon. Bandula Lal Bandarigoda
Hon. Tharaka Balasuriya
Hon. Vijitha Berugoda
Hon. Muhammad Ibrahim Muhammad Mansoor
Hon. S. M. Marikkar
Hon. Seyed Ali Zahir Moulana
Hon. Imran Maharroof
Hon. Ajith Mannapperuma
Hon. Tilak Marapana
Hon. (Prof.) Ashu Marasinghe
Hon. S. C. Mutukumarana
Hon. Seeniththamby Yoheswaran
Hon. Prasanna Ranatunga
Hon. Prasanna Ranaweera
Hon. Keheliya Rambukwella
Hon. Ishak Rahuman
Hon. Mujibur Rahuman
Hon. Harshana Rajakaruna
Hon. Chamal Rajapaksa
Hon. Gamini Lokuge
Hon. Janaka Wakkumbura
Hon. (Mrs.) Pavithradevi Wanniarachchi
Hon. A. A. Wijethunga
Hon. (Dr.) (Mrs.) Thusitha Wijemanna
Hon. Lakshman Ananda Wijemanne
Hon. (Mrs.) Rohini Kumari Wijerathna
Hon. (Mrs.) Sriyani Wijewickrama
Hon. Chaminda Wijesiri
Hon. Heshan Withanage
Hon. Wimal Weerawansa
Hon. S. Shritharan
Hon. Gnanamuthu Srineshan

Hon. Rajavaroatham Sampanthan, Leader of the Opposition in Parliament

Hon. M. H. M. Salman

Hon. Dharmalingam Sithadthan

Hon. Muthu Sivalingam

Hon. M. A. Sumanthiran

Hon. Vadivel Suresh

Hon. Mavai S. Senathirajah

Hon. Sunil Handunnetti

Hon. Wijepala Hettiarachchi

Hon. Vijitha Herath

Mr. Dhammika Dasanayake, Secretary-General of Parliament

Mr. Neil Iddawala, Chief of Staff and Deputy Secretary-General of Parliament

Mrs. Kushani Rohanadeera, Assistant Secretary-General

Mr. Tikiri K. Jayathilake, Assistant Secretary-General

Parliament met pursuant to adjournment. The Speaker took the Chair.

1. Announcements by the Speaker : The Speaker made the following announcements:—

I

“I wish to inform the Parliament that I have received a copy of the petition filed at the Supreme Court under Article 121(1) of the Constitution in respect of the Bill entitled ‘**Engineering Council, Sri Lanka**’.”

II

“I wish to inform that in terms of Standing Order No. 128A of the Parliament and the resolution adopted by Parliament on 26 February 2016 and further to the announcement made by me on 22 July 2016, Committee of Selection has nominated the Hon. M. A. Sumanthiran to serve in the Committee on High Posts.”

III

“I wish to inform that in terms of paras 8 (d) and (e) of the resolution with regard to the Sectoral Oversight Committees adopted by the Parliament on 19 December 2015, the Committee of Selection has discharged the Hon. Sisira Jayakody from the membership of the Sectoral Oversight Committee on Transport and Communication and nominated the Hon. Kanaka Herath to serve in this Committee.”

IV

“I wish to inform that in terms of paras 8(d) and (e) of the resolution with regard to the Sectoral Oversight Committees adopted by the Parliament on 19 December 2015, the Committee of Selection has discharged the Hon. Kanaka Herath from the membership of the Sectoral Oversight Committee on Manufacturing and Services and nominated the Hon. Sisira Jayakody to serve in this Committee.”

2. Presentation of Papers : (1) The Minister of Tourism Development and Christian Religious Affairs and Minister of Lands presented the Performance Report of the Sri Lanka Survey Department for the year 2015 and moved that this report be referred to the Sectoral Oversight Committee on Agriculture and Lands.

Question put, and agreed to.

(2) The Minister of Parliamentary Reforms and Mass Media presented the Annual Report of the National Transport Medical Institute for the year 2012 and moved that this report be referred to the Sectoral Oversight Committee on Transport and Communication.

Question put, and agreed to.

(3) The Minister of Higher Education and Highways presented—

- (i) the Order, made by the Minister of Higher Education and Highways under Section 25A of the Universities Act, No. 16 of 1978 amending the Order published in the Gazette Extraordinary No. 1948/11 of 06th January 2016 recognizing the “Sri Lanka International Buddhist Academy” as a Degree Awarding Institute, which was published in the Gazette Extraordinary No. 1979/21 of 09th August 2016; and
- (ii) the Order, made by the Minister of Higher Education and Highways under Section 25A of the Universities Act, No. 16 of 1978 amending the Order published in the Gazette Extraordinary No. 1818/7 of 09th July 2013 recognizing the “Colombo International Nautical and Engineering College (Private) Limited” as a Degree Awarding Institute, which was published in the Gazette Extraordinary No. 1979/21 of 09th August 2016.

and moved that these Orders be referred to the Sectoral Oversight Committee on Education and Human Resources Development.

Question put, and agreed to.

(4) The Minister of Health, Nutrition and Indigenous Medicine presented the Performance Report of the Ministry of Indigenous Medicine for the year 2014 and moved that this report be referred to the Sectoral Oversight Committee on Health and Human Welfare, Social Empowerment.

Question put, and agreed to.

(5) The Minister of Parliamentary Reforms and Mass Media presented the Report of the Auditor General on the President Fund for the year 2013 and moved that this report be referred to the Committee on Public Finance.

Question put, and agreed to.

(6) The Minister of Parliamentary Reforms and Mass Media presented the Performance Report of the Ministry of Hill Country New Villages, Infrastructure and Community Development for the year 2015 and moved that this report be referred to the Sectoral Oversight Committee on Health and Human Welfare, Social Empowerment.

Question put, and agreed to.

3. Presentation of Reports from Committees : (1) Hon. Hector Appuhamy Member of the Sectoral Oversight committee on Sustainable Development and Environment and Natural Resources, on behalf of Hon. (Mrs.) Pavithradevi Wanniarachchi, Chairman of the said Committee presented the Report of the Sectoral Oversight Committee on Sustainable Development and Environment & Natural Resources on "Regulations under the Fisheries and Aquatic Resources Act, No. 2 of 1996" referred to the said Committee.

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

(2) Hon. Seyed Ali Zahir Moulana, Chairman of the Sectoral Oversight Committee on Business and Commerce presented the Report of the Sectoral Oversight Committee on Business and Commerce on, "the Annual Report of the Sri Lanka State Trading (General) Corporation Ltd. for the year 2012/2013" referred to the said Committee.

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

(3) Hon. Ajith Mannapperuma, Chairman of the Sectoral Oversight Committee on Legal Affairs (anti-corruption) and Media presented the Report of the Sectoral Oversight Committee on Legal Affairs (anti-corruption) and Media on the Bills entitled "Law Commission (Amendment)" and "Code of Criminal Procedure (Amendment)" referred to the said Committee.

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

4. Petitions :

- (1) Hon. Lakshman Yapa Abeywardena presented a petition dated 20.07.2016 from Mr. A. P. Somapala of No. 51, Derangala- Stage II, Kiriwelkele, Pitabeddara.
- (2) Hon. Lucky Jayawardana presented a petition dated 04.09.2016 from Mr. S. G. Senarathna of No. 77, Werawala, Welambada.
- (3) Hon. Edward Gunasekara presented a petition dated 30.05.2016 from Mr. T. A. D. T. Senanayaka serving in Port Police Station, Trincomalee.
- (4) Hon. Ranjith Aluvihare presented a petition dated 14.08.2016 from Mrs. G.G. Chandrika Godaliyadda of No.10, Eriyagolla, Udathenna, Matale.
- (5) Hon. Padma Udhayashantha Gunasekera presented a petition dated 10.06.2016 from Mr. K. G. Kithsiri of 5th Post, Nannapurawa, Bibila.

- (6) Hon. Ananda Aluthgamage presented a petition dated 04.07.2016 from Mr. P. G. Dharmadasa of “Prasanna Nivasa”, No. 13, Dangahahinna, Pallegama (Pasbage), Nawalapitiya.
- (7) Hon. Harshana Rajakaruna presented a petition dated 04.09.2016 from Mr. L. H. Sarathchandra of Dadagamuwa Junction, Dadagamuwa, Weyangoda.

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

5. Value Added Tax (Amendment) : The Minister of Higher Education and Highways on behalf of the Minister of Finance presented,— “Bill to amend the Value Added Tax Act, No.14 of 2002.”

The Bill was ordered to be read a second time on Thursday, October 20, 2016 and to be printed and to be referred to the relevant Sectoral Oversight Committee.

6. Code of Criminal Procedure (Amendment) Bill : Order for Second Reading read.

The Minister of Justice and Minister of Buddhasasana moved,— That the Bill be now read a second time.

Question proposed, and debated.

(At 2.56 p. m. the Deputy Chairman of Committees took the Chair.)

The Minister of Sports moved,—That Hon. Edward Gunasekara do take the Chair.

Question put, and agreed to.

(At 4.00 p.m. Hon. Edward Gunasekara took the Chair.)

The Minister of Higher Education and Highways moved,—That Hon. Lucky Jayawardana do take the Chair.

Question put, and agreed to.

(At 5.28 p.m. Hon. Lucky Jayawardana took the Chair.)

Question put, and agreed to.

Bill accordingly read a second time.

The Minister of Justice and Minister of Buddhasasana 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 Presiding Member took the Chair.

Clause 1 was agreed to.

Clause 2

The Minister of Justice and Minister of Buddhasasana proposed an amendment to leave out lines 12 and 13 in page 1 and insert:—

"for the words "two thousand five hundred rupees or more" of the words "one hundred thousand rupees" ."

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.

Clauses 3 and 4 were agreed to.

NEW CLAUSE

The Minister of Justice and Minister of Buddhasasana proposed an amendment to insert the following New Clause immediately after line 19 in page 1:—

"Insertion of new section 432A in the principal enactment.

4. The following new section is hereby inserted immediately after section 432 of the principal enactment and shall have effect as section 432A of that enactment:-

"Procedure where claimant appears within two months.

432A. (1) Where the person entitled to the possession of such property establishes his claim within two months, the Magistrate shall order the property to be delivered to him on such conditions, as the Magistrate may think fit:

Provided however, where the person entitled to the possession of such property does not consent to take the possession of the same, such property may be sold under the order of the Magistrate.

(2) The proceeds of such sale shall be deposited in a deposit account opened and operated in that behalf, in a Government owned bank, until the judgement of the case is pronounced.

(3) The person entitled to the possession of the property referred to in subsection (1), shall make an application, in the prescribed form and manner to obtain the value of such property and the payment shall be made subject to the recorded verdict of the case.

(4) Regulations shall be made prescribing the manner of administration and management of the deposit account referred to in subsection (2)."

Question that the Clause be read a second time, put, and agreed to.

Question that the Clause be added to the Bill, put, and agreed to.

Enacting Clause and Title

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

Bill reported with Amendments.

The Minister of Justice and Minister of Buddhasasana 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.

7. Law Commission (Amendment) Bill : Order for Second Reading read.

The Minister of Justice and Minister of Buddhasasana moved,— That the Bill be now read a second time.

Question proposed, and debated.

Question put, and agreed to.

Bill accordingly read a second time.

The Minister of Justice and Minister of Buddhasasana 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 Presiding Member took the Chair.

Clauses 1 was agreed to.

Clause 2

Hon. Ajith Mannapperuma proposed the following amendment; a proposal of the Sectoral Oversight Committee on Legal Affairs (anti-corruption) and Media, as a sub clause to the Clause 2:—

"2(1) අ (iii) වගන්තියට ඉක්බිතිව පහත සඳහන් උප වගන්තිය ඇතුළත් විය යුතුය.

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

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

Clauses 3 to 7 were agreed to.

Enacting Clause and Title

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

Bill reported without Amendments.

The Minister of Justice and Minister of Buddhasasana moved,— That the Bill be now read the third time.

Question put, and agreed to.

Bill accordingly read the third time and passed.

8. Adjournment (Declaration of Baduwila Wetland as an Environmentally Conserved Zone) : The Minister of Parliamentary Reforms and Mass Media moved,— That this Parliament do now adjourn.

Question proposed, and debated.

The Minister of Parliamentary Reforms and Mass Media moved,—That Hon. Edward Gunasekara do take the Chair.

Question put, and agreed to.

(At 6.30 p. m. Hon. Edward Gunasekara took the Chair.)

Question put, and agreed to; the Parliament was at 7.16 p. m. adjourned until 1.00 p. m. on Wednesday, October 05, 2016.