



(Eighth Parliament - Second Session)

No. 39.]

MINUTES OF PARLIAMENT

Tuesday, October 09, 2018 at 1.00 p.m.

PRESENT :

Hon. J. M. Ananda Kumarasiri, Deputy Speaker and the Chair of Committees

Hon. Selvam Adaikkalanathan, Deputy Chairperson of Committees

Hon. Wajira Abeywardana, Minister of Home Affairs

Hon. Mahinda Amaraweera, Minister of Agriculture

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

Hon. Akila Viraj Kariyawasam, Minister of Education

Hon. Lakshman Kiriella, Minister of Public Enterprise & Kandy City Development
and Leader of the House of Parliament

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. S. B. Nawinne, Minister of Internal Affairs & Wayamba Development

Hon. Gamini Jayawickrama Perera, Minister of Buddhasasana

Hon. Harin Fernando, Minister of Telecommunication, Digital Infrastructure and
Foreign Employment

Hon. Sajith Premadasa, Minister of Housing and Construction

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

Hon. (Mrs.) Chandrani Bandara, Minister of Women and Child Affairs

Hon. Tilak Marapana, Minister of Foreign Affairs

Hon. Faiszer Musthapha, Minister of Provincial Councils, Local Government and
Sports

Hon. Sagala Ratnayaka, Minister of Youth Affairs, Project Management and Southern
Development

Hon. Arjuna Ranatunga, Minister of Petroleum Resources Development

Hon. (Dr.) Wijeyadasa Rajapakse, Minister of Higher Education & Cultural Affairs

Hon. Malik Samarawickrama, Minister of Development Strategies and International Trade

Hon. Mangala Samaraweera, Minister of Finance and Mass Media

Hon. Ravindra Samaraweera, Minister of Labour & Trade Union Relations

Hon. Rauff Hakeem, Minister of City Planning and Water Supply

Hon. Kabir Hashim, Minister of Highways & Road Development

Hon. Field Marshal Sarath Fonseka, Minister of Sustainable Development, Wildlife and Regional Development

Hon. J. C. Alawathuwala, State Minister of Home Affairs

Hon. Ranjith Aluvihare, State Minister of Tourism Development and Christian Religious Affairs

Hon. Wasantha Aluwihare, State Minister of Agriculture

Hon. Lucky Jayawardana, State Minister of City Planning and Water Supply

Hon. Weerakumara Dissanayake, State Minister of Mahaweli Development

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

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

Hon. A. D. Premadasa, State Minister of Plantation Industries

Hon. V. S. Radhakrishnan, State Minister of Education

Hon. (Mrs.) Sriyani Wijewickrama, State Minister of Provincial Councils, Local Government and Sports

Hon. Dilip Wedaarachchi, State Minister of Fisheries & Aquatic Resources Development and Rural Economic Affairs

Hon. Sujeewa Senasinghe, State Minister of International Trade

Hon. (Dr.) M. L. A. M. Hizbullah, State Minister of Highways & Road Development

Hon. A. H. M. Fowzie, State Minister of National Unity and Co-existence

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

Hon. Lasantha Alagiyawanna, Deputy Minister of Finance and Mass Media

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

Hon. Edward Gunasekara, Deputy Minister of Internal Affairs & Wayamba Development

Hon. Nalin Bandara Jayamaha, Deputy Minister of Public Administration & Management and Law & Order

Hon. H. R. Sarathie Dushmantha, Deputy Minister of Justice & Prison Reforms

Hon. Buddhika Pathirana, Deputy Minister of Industry and Commerce

Hon. Seyed Ali Zahir Moulana, Deputy Minister of National Integration,
Reconciliation and Official Languages

Hon. K. Kader Masthan, Deputy Minister of Resettlement, Rehabilitation and
Northern Development

Hon. Ajith Mannapperuma, Deputy Minister of Environment

Hon. Nishantha Muthuhettigamage, Deputy Minister of Ports and Shipping Affairs

Hon. Muthu Sivalingam, Deputy Minister of Social Welfare & Primary Industries

Hon. Ameer Ali Shihabdeen, Deputy Minister of Fisheries & Aquatic Resources
Development and Rural Economic Affairs

Hon. H. M. M. Harees, Deputy Minister of Public Enterprise & Kandy City
Development

Hon. Hector Appuhamy

Hon. Mahinda Yapa Abeywardena

Hon. Lakshman Yapa Abeywardena

Hon. Ananda Aluthgamage

Hon. Mahindananda Aluthgamage

Hon. (Dr.) S. M. Mohamed Ismail

Hon. T. B. Ekanayake

Hon. Ravi Karunanayake

Hon. A. Aravindh Kumar

Hon. Velu Kumar

Hon. Nalaka Prasad Colonne

Hon. Kaveendiran Kodeeswaran

Hon. Chandrasiri Gajadeera

Hon. Chandima Gamage

Hon. Nihal Galappaththi

Hon. Dinesh Gunawardena

Hon. (Dr.) Bandula Gunawardane

Hon. Padma Udayashantha Gunasekera

Hon. S. M. Chandrasena

Hon. D. V. Chanaka

Hon. Sisira Jayakody

Hon. Malith Jayathilake

Hon. (Dr.) Nalinda Jayathissa

Hon. Anura Sidney Jayarathne
Hon. Anuradha Jayaratne
Hon. Piyankara Jayaratne
Hon. Premalal Jayasekara
Hon. (Mrs.) Sumedha G. Jayasena
Hon. Mylvaganam Thilakarajah
Hon. K. Thuraietnasingam
Hon. Janaka Bandara Tennakoon
Hon. Sirinal de Mel
Hon. Piyal Nishantha De Silva
Hon. Mohan Priyadarshana De Silva
Hon. T. Ranjith De Zoysa
Hon. Anura Dissanayaka
Hon. Mayantha Dissanayake
Hon. Wimalaweera Dissanayaka
Hon. Salinda Dissanayake
Hon. Douglas Devananda
Hon. Mohamadu Nazeer
Hon. Vasudeva Nanayakkara
Hon. I. Charles Nirmalanathan
Hon. (Dr.) Ramesh Pathirana
Hon. K. K. Piyadasa
Hon. Susantha Punchinilame
Hon. Dilan Perera
Hon. Sujith Sanjaya Perera
Hon. Johnston Fernando
Hon. (Dr.) (Mrs.) Sudarshini Fernandopulle
Hon. Ashoka Priyantha
Hon. A. D. Susil Premajayantha
Hon. (Mrs.) Hirunika Premachandra
Hon. S. Premarathna
Hon. Bandula Lal Bandarigoda
Hon. Tharaka Balasuriya
Hon. Vijitha Berugoda
Hon. S. M. Marikkar

Hon. Imran Maharroof
Hon. (Mrs.) Vijayakala Maheswaran
Hon. (Prof.) Ashu Marasinghe
Hon. S. C. Mutukumarana
Hon. Anura Priyadharshana Yapa
Hon. Bimal Rathnayake
Hon. C. B. Rathnayake
Hon. Lohan Ratwatte
Hon. Keheliya Rambukwella
Hon. Ishak Rahuman
Hon. Mujibur Rahuman
Hon. Harshana Rajakaruna
Hon. Chamal Rajapaksa
Hon. Namal Rajapaksa
Hon. Mahinda Rajapaksa
Hon. Gamini Lokuge
Hon. Janaka Wakkumbura
Hon. (Mrs.) Pavithradevi Wanniarachchi
Hon. Vidura Wickramanayaka
Hon. (Dr.) Jayampathy Wickramaratne
Hon. A. A. Wijethunga
Hon. (Dr.) (Mrs.) Thusitha Wijemanna
Hon. Lakshman Ananda Wijemanne
Hon. (Mrs.) Rohini Kumari Wijerathna
Hon. Chaminda Wijesiri
Hon. Duleep Wijesekera
Hon. Kanchana Wijesekara
Hon. Hesha Withanage
Hon. Thenuka Vidanagamage
Hon. Chandima Weerakkody
Hon. Kumara Welgama
Hon. S. Shritharan
Hon. Jayantha Samaraweera
Hon. Rajavaroatham Sampanthan, Leader of the Opposition in Parliament
Hon. Annamalai Nadesu Sivasakthi

Hon. Thilanga Sumathipala

Hon. M. A. Sumanthiran

Hon. Vadivel Suresh

Hon. W. D. J. Senewiratne

Hon. Shehan Semasinghe

Hon. Sunil Handunnetti

Hon. Wijepala Hettiarachchi

Hon. Indika Anuruddha Herath

Hon. Kanaka 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 Deputy Speaker took the Chair.

1. Announcements by the Speaker : The Deputy Speaker made the following announcements:-

I

“ I wish to announce the determination of the Supreme Court on the Bill titled “Twentieth Amendment to the Constitution” in respect of which petitions have been filed in the Supreme Court in terms of Article 121 (1) of the Constitution.

The Supreme Court has determined that Clauses 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 19, 20, 21, 22, 23, 26, 27, 28, 29, 30, 32, 34, 35, 36 and 37 of the Bill will have to be passed by a special majority required under the provision of Article 84 (2) of the Constitution and approved by the People at a Referendum.

The Supreme Court has further determined that Clauses 17, 18, 24, 25, 31 and 33 of the Bill can be passed by a special majority specified in Article 82 (5) of the Constitution.

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

II

“ I wish to inform that the Speaker has endorsed the certificate on the Bills entitled Carriage by Air, Pradeshiya Sabhas (Amendment) and Institute of Personal Management of Sri Lanka (Amendment) on the 28th of September 2018, and on the Bills entitled New Villages Development Authority for Plantation Region and Economic

Service Charge (Amendment) on the 04th of October 2018 in terms of the Provisions of Article 79 of the Constitution of the Democratic Socialist Republic of Sri Lanka .”

2. Presentation of Papers : (1) The Deputy Speaker presented the—

- (i) Second Instalment – Part XXVI of the Report of the Auditor-General for the Financial Year 2013;
- (ii) Third Instalment – Part XII of the Report of the Auditor-General for the Financial Year 2014;
- (iii) Second Instalment – Part XXVI of the Report of the Auditor-General for the Financial Year 2015; and
- (iv) Third Instalment – Part I of the Report of the Auditor-General for the Financial Year 2017

in terms of Article 154(6) of the Constitution of the Democratic Socialist Republic of Sri Lanka.

Ordered that the said Report do lie upon the Table and to be printed.

(2) The Deputy Speaker presented the—

- (i) Performance Report of the Finance Commission for the Second quarter of 2018 (01.04.2018-30.06.2018) in terms of Article 41B (6) of the Constitution of the Democratic Socialist Republic of Sri Lanka; and
- (ii) Report of the Commission to Investigate Allegations of Bribery or Corruption for the Second quarter of 2017 (01.04.2017 - 30.06.2017) in terms of Article 41B (6) of the Constitution of the Democratic Socialist Republic of Sri Lanka.

Ordered that the said Report do lie upon the Table.

(3) The Minister of Lands and Parliamentary Reforms presented the —

- (i) Report on the Submission of observations and steps taken in terms of the Standing Order No. 119(4) of the Parliament with regard to the Report presented to Parliament by the Committee on Public Accounts regarding the performance of the Finance Commission in the year 2016; and
- (ii) Report on the Submission of observations and steps taken in terms of the Standing Order No. 119(4) of the Parliament with regard to the Report presented to Parliament by the Committee on Public Accounts regarding the performance of the Election Commission in the year 2016.

and moved that these Reports be referred to the Committee on Public Accounts.

Question put, and agreed to.

(4) The Minister of Lands and Parliamentary Reforms presented the Annual Report of the Civil Aviation Authority of Sri Lanka for the year 2016 and moved that this Report be referred to the Sectoral Oversight Committee on Transport and Communication.

Question put, and agreed to.

(5) The Minister of Lands and Parliamentary Reforms presented the Performance Report of the Inland Revenue Department for the year 2017 and moved that this Report be referred to the Committee on Public Finance.

Question put, and agreed to.

(6) The Minister of Lands and Parliamentary Reforms presented the Performance Report and Annual Accounts of the District Secretariat—Anuradhapura for the year 2017 and moved that this Report be referred to the Sectoral Oversight Committee on Internal Administration and Public Management.

Question put, and agreed to.

(7) The Minister of Lands and Parliamentary Reforms presented the Annual Performance Report of the Department of Government Printing for the year 2017 and moved that this Report be referred to the Sectoral Oversight Committee on Internal Administration and Public Management.

Question put, and agreed to.

(8) The Minister of Lands and Parliamentary Reforms presented the Annual Report of the National Enterprise Development Authority for the year 2013 and moved that this Report be referred to the Sectoral Oversight Committee on Business and Commerce.

Question put, and agreed to.

(9) The Minister of Lands and Parliamentary Reforms presented the Annual Report of the Hector Kobbekaduwa Agrarian Research and Training Institute for the year 2016 and moved that this Report be referred to the Sectoral Oversight Committee on Agriculture and Lands.

Question put, and agreed to.

(10) The Minister of Lands and Parliamentary Reforms presented the Annual Performance Report of the Ministry of Fisheries and Aquatic Resources Development for the year 2017 and moved that this Report be referred to the Sectoral Oversight Committee on Sustainable Development and Environment and Natural Resources.

Question put, and agreed to.

(11) The Minister of Higher Education & Cultural Affairs presented the—

- (i) Order made by the Minister of Higher Education & Cultural Affairs under Section 20(4) (b) of the Universities Act, No. 16 of 1978, with regard to the appointment of Professor Prishantha Gunawardhana as the Competent Authority in lieu of Director of Postgraduate Institute of Archeology with effect from 24.01.2018 and published in the Gazette Extraordinary No. 2077/34 of 29th June 2018;

- (ii) Order made by the Minister of Higher Education & Cultural Affairs under Section 20(4) (b) of the Universities Act, No. 16 of 1978, with regard to the appointment of Professor Prishantha Gunawardhana as the Competent Authority in lieu of Director of Postgraduate Institute of Archeology with effect from 24.04.2018 to 30.06.2018 and published in the Gazette Extraordinary No. 2077/35 of 29th June 2018;
- (iii) Order made by the Minister of Higher Education & Cultural Affairs under Section 27(1) of the Universities Act, No. 16 of 1978 on the recommendation of the University Grants Commission with regard to the establishment of a Department of English Language Teaching in the Faculty of Humanities and Social Sciences of University of Ruhuna and published in the Gazette Extraordinary No. 2079/10 of 09th July 2018;
- (iv) Order made by the Minister of Higher Education & Cultural Affairs under Section 27(1) of the Universities Act, No. 16 of 1978 on the recommendation of the University Grants Commission with regard to the establishment of a Department of Allied Health Sciences in the Faculty of Medical Sciences of University of Sri Jayawardenepura and published in the Gazette Extraordinary No. 2079/11 of 09th July 2018;
- (v) Order made by the Minister of Higher Education & Cultural Affairs under Section 27(1) of the Universities Act, No. 16 of 1978 on the recommendation of the University Grants Commission with regard to the establishment of a Department of English Language Teaching in the Faculty of Management of Uva Wellassa University and published in the Gazette Extraordinary No. 2079/12 of 09th July 2018;
- (vi) Order made by the Minister of Higher Education & Cultural Affairs under Section 27 (1) of the Universities Act, No. 16 of 1978 on the recommendation of the University Grants Commission with regard to the establishment of Department of Marketing Management and Department of Human Resources Management in the Faculty of Management Studies and establishment of Department of Health Promotion and Department of Computing in the Faculty of Applied Sciences of Rajarata University and published in the Gazette Extraordinary No. 2079/13 of 09th July 2018; and
- (vii) Order made by the Minister of Higher Education & Cultural Affairs under Section 27 (1) of the Universities Act, No. 16 of 1978 on the recommendation of the University Grants Commission with regard to the establishment of a Faculty of Medicine of Sabaragamuwa University and published in the Gazette Extraordinary No. 2082/32 of 01st August 2018.

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

Question put, and agreed to.

(12) The Minister of Lands and Parliamentary Reforms presented the Order made by the Minister of Justice & Prison Reforms under Section 2 of the Mutual Assistance in Criminal Matters Act, No. 25 of 2002 and published in the Gazette Extraordinary No. 2088/28 of 11th September 2018 and moved that this Order be referred to the Sectoral Oversight Committee on Legal Affairs (anti-corruption) and Media.

Question put, and agreed to.

(13) The Minister of Lands and Parliamentary Reforms presented the Annual Performance Report of the Department of Export Agriculture for the year 2017 and moved that this Report be referred to the Sectoral Oversight Committee on Manufacturing and Services.

Question put, and agreed to.

(14) The Minister of Provincial Councils, Local Government and Sports presented the Report on the Submission of observations and steps taken in terms of the Standing Order No. 119(4) of the Parliament with regard to the Report presented to Parliament by the Committee on Public Accounts regarding the performance of the Ministry of Provincial Council and Local Government in the year 2016 and moved that this Report be referred to the Committee on Public Accounts.

Question put, and agreed to.

(15) The Minister of Lands and Parliamentary Reforms presented the Annual Report of the Employees' Trust Fund Board for the year 2016 and moved that this Report be referred to the Sectoral Oversight Committee on Economic Development.

Question put, and agreed to.

3. Presentation of Reports from Committees : (1) Hon. M. A. Sumanthiran, the Chairman of the Committee on Public Finance presented the Report of the said Committee on,

- (i) Note on the Supplementary Allocations given from the Budgetary Support Services and Contingent Liabilities provision made under the Department of National Budget as per the Introduction Note of the Annual Estimates; and
- (ii) Financial Performance of the first quarter of the year 2018

which were referred to the said Committee.

Ordered that the said Report do lie upon the Table.

(2) Hon. Malith Jayathilake, the Chairman of the Sectoral Oversight Committee on National Security presented the Report of the said Committee on,

- (i) Order under Section 3 of the Extradition Law, No. 8 of 1977; and
- (ii) Regulation under Section 18 of the Regulation of the Private Security Agencies Act, No. 45 of 1998

which were referred to the said Committee.

Ordered that the said Report do lie upon the Table.

4. Presentation of Public Petitions :

(1) Hon. Wasantha Aluwihare presented a petition dated 20.08.2018 from Mrs. P.G. Tharanga Lakmali Perera of No. 236-D, Udahaduwa, Naula.

(2) Hon. (Mrs.) Sumedha G. Jayasena presented a petition dated 17.07.2018 from Mr. W. A. Amith Kumara Perera of No. 49/A, Ananda Balika Mawatha, Pagoda Road, Pitakotte.

(3) Hon. Susantha Punchinilame presented

(i) A petition dated 08.08.2018 from Mr. D.A. Wasantha Kumara of No. 99/1, L B-02, Somapura, Seruwila; and

(ii) A petition dated 12.09.2018 from Mr.W.A. Samson of No. 26/122, Ruhunu gama, Dadayamthalawa, Ampara.

(4) Hon. Sirinal de Mel presented a petition dated 30.07.2018 from Mr. H. Opana yeka of No. 129/A, Ketamirisipitiya, Walawita, Getahetta.

(5) Hon. (Dr.) Ramesh Pathirana presented—

(i) A petition dated 07.07.2018 from Mr. E.J.P. Dinesh Anjula of No. 158/1B, Muththettugewatta, Ginthota Road, Bope - Galle;

(ii) A petition dated 09.09.2018 from Mr. K.M.G.A.G.W. Dias of No. 180 B, Elliot Road, Galle; and

(iii) A petition dated 27.08.2018 from Mr. Manoj Nuwan Kumara Maitipe of No. 245/19, Udumulla watta, Second Lane, Maitipe, Galle.

The Petitions stood referred under Standing Order 30(10) to the Committee on Public Petitions.

5. Appropriation: The Minister of Finance and Mass Media presented the Bill to provide for the service of the financial year 2019; to authorize the raising of loans in or outside Sri Lanka, for the purpose of such service; to make financial provision in respect of certain activities of the Government during that financial year; to enable the payment by way of advances out of the Consolidated Fund or any other fund or moneys of, or at the disposal of the Government, of moneys required during that financial year for expenditure on such activities; to provide for the refund of such moneys to the Consolidated Fund and to make provision for matters connected therewith or incidental thereto.

The Bill was ordered to be read a second time on Monday, November 05, 2018 and to be printed and to be referred to the Committee on Public Finance.

6. Counter Terrorism: The Minister of Foreign Affairs presented the Bill to make provision for the protection of Sri Lanka and the people of Sri Lanka from acts of terrorism and other offences associated with terrorism; for the prevention of terrorism and other offences associated with terrorism committed within or outside Sri Lanka; for the prevention of the use of Sri Lankan territory and its people for the preparation for terrorism outside Sri Lanka; to provide for the detection of acts of terrorism and other offences associated with terrorism; and to provide for the identification, apprehension, arrest, custody, detention, investigation, prosecution and punishment of any person who has committed an act of terrorism or any other offence associated with terrorism; for the repeal of the Prevention of Terrorism (Temporary Provisions) Act, No. 48 of 1979; and for matters connected therewith or incidental thereto.

The Bill was ordered to be read a second time on Thursday, October 25, 2018 and to be printed and to be referred to the relevant Sectoral Oversight Committee.

7. Recovery of Damages for the Death of a Person: The Minister of Lands and Parliamentary Reforms on behalf of the Minister of Justice & Prison Reforms presented the Bill to provide for the recovery of damages for the death of a person caused by a wrongful act, omission, negligence or default of another and to provide for matters connected therewith and incidental thereto.

The Bill was ordered to be read a second time on Thursday, October 25, 2018 and to be printed and to be referred to the relevant Sectoral Oversight Committee.

8. Sittings of the Parliament: The Leader of the House of Parliament moved,— That notwithstanding the provisions of the Standing Order No. 8 of the Parliament, the hours of Sitting of Parliament on this day shall be 1.00 p.m. to 7.30 p.m.. At 2.00 p.m. Standing Order No. 8(5) of the Parliament shall operate. At 7.30 p.m. Mr. Speaker shall adjourn the Parliament without question put.

Question put, and agreed to.

9. Adjournment (Mid-Year Fiscal Position Report): The Leader of the House of Parliament moved,— That this Parliament do now adjourn.

Question proposed and debated.

The Minister of Public Enterprise & Kandy City Development moved,— That Hon. Piyankara Jayaratne do take the Chair.

Question put, and agreed to.

(At 3.28 p.m. Hon. Piyankara Jayaratne took the Chair.)

The Minister of Finance and Mass Media moved,— That Hon. Sehan Semasinghe do take the Chair.

Question put, and agreed to.

(At 4.37 p.m. Hon. Sehan Semasinghe took the Chair.)

The Deputy Minister of Transport and Civil Aviation moved,— That Hon. Velu Kumar do take the Chair.

Question put, and agreed to.

(At 5.25 p.m. Hon. Velu Kumar took the Chair.)

The Deputy Minister of Transport and Civil Aviation moved,— That Hon. Wijepala Hettiarachchi do take the Chair.

Question put, and agreed to.

(At 6.23 p.m. Hon. Wijepala Hettiarachchi took the Chair.)

Question put, and agreed to; the Parliament was at 7.26 p.m. adjourned until 1.00 p.m. on Wednesday, October 10, 2018.