



(Ninth Parliament - First Session)

No. 67.]

MINUTES OF PARLIAMENT

Thursday, April 08, 2021 at 10.00 a.m.

PRESENT :

Hon. Mahinda Yapa Abeywardana, Speaker

Hon. Ranjith Siyambalapitiya, Deputy Speaker and the Chair of Committees

Hon. Angajan Ramanathan, Deputy Chairperson of Committees

Hon. Mahinda Amaraweera, Minister of Environment

Hon. Mahindananda Aluthgamage, Minister of Agriculture

Hon. Dinesh Gunawardena, Minister of Foreign and Leader of the House of Parliament

Hon. (Dr.) Bandula Gunawardana, Minister of Trade

Hon. Janaka Bandara Thennakoon, Minister of Public Services, Provincial Councils & Local Government

Hon. Nimal Siripala de Silva, Minister of Labour

Hon. Douglas Devananda, Minister of Fisheries

Hon. Vasudeva Nanayakkara, Minister of Water Supply

Hon. (Dr.) Ramesh Pathirana, Minister of Plantation

Hon. (Prof.) G. L. Peiris, Minister of Education

Hon. Johnston Fernando, Minister of Highways and Chief Government Whip

Hon. Prasanna Ranatunga, Minister of Tourism

Hon. C. B. Rathnayake, Minister of Wildlife & Forest Conservation

Hon. Chamal Rajapaksa, Minister of Irrigation and State Minister of National Security & Disaster Management and State Minister of Home Affairs

Hon. Gamini Lokuge, Minister of Transport

Hon. (Mrs.) Pavithradevi Wanniarachchi, Minister of Health

Hon. Dilum Amunugama, State Minister of Vehicle Regulation, Bus Transport Services and Train Compartments and Motor Car Industry

Hon. (Dr.) (Mrs.) Seetha Arambepola, State Minister of Skills Development, Vocational Education, Research and Innovation

Hon. Lasantha Alagiyawanna, State Minister of Co-operative Services, Marketing Development and Consumer Protection

- Hon. Siripala Gamalath**, State Minister of Canals and Common Infrastructure Development in Settlements in Mahaweli Zones
- Hon. (Dr.) Nalaka Godahewa**, State Minister of Urban Development, Coast Conservation, Waste Disposal and Community Cleanliness
- Hon. D. V. Chanaka**, State Minister of Aviation and Export Zones Development
- Hon. Sisira Jayakody**, State Minister of Indigenous Medicine Promotion, Rural and Ayurvedic Hospitals Development and Community Health
- Hon. Anuradha Jayaratne**, State Minister of Tanks, Reservoirs and Irrigation Development related to Rural Paddy Fields
- Hon. Piyanakara Jayaratne**, State Minister of Foreign Employment Promotion and Market Diversification
- Hon. (Prof.) Channa Jayasumana**, State Minister of Production, Supply and Regulation of Pharmaceuticals
- Hon. Dayasiri Jayasekara**, State Minister of Batik, Handloom and Local Apparel Products
- Hon. Jeevan Thondaman**, State Minister of Estate Housing & Community Infrastructure
- Hon. Piyal Nishantha De Silva**, State Minister of Women and Child Development, Preschools & Primary Education, School Infrastructure & Education Services
- Hon. Duminda Dissanayake**, State Minister of Solar Power, Wind and Hydro Power Generation Projects Development
- Hon. Sanath Nishantha**, State Minister of Rural and Divisional Drinking Water Supply Projects Development
- Hon. Arundika Fernando**, State Minister of Coconut, Kithul and Palmyrah Cultivation Promotion and Related Industrial Product Manufacturing & Export Diversification
- Hon. (Dr.) (Mrs.) Sudarshini Fernandopulle**, State Minister of Primary Health Care, Epidemics and COVID Disease Control
- Hon. Susil Premajayantha**, State Minister of Education Reforms, Open Universities and Distance Learning Promotion
- Hon. Vijitha Berugoda**, State Minister of Dhamma Schools, Pirivenas and Bhikkhu Education
- Hon. Prasanna Ranaweera**, State Minister of Rattan, Brass, Pottery, Furniture and Rural Industrial Promotion
- Hon. Shasheendra Rajapaksa**, State Minister of Paddy and Grains, Organic Food, Vegetables, Fruits, Chillies, Onion and Potato Cultivation Promotion, Seed Production and Advanced Technology Agriculture
- Hon. Nimal Lanza**, State Minister of Rural Roads and other Infrastructure
- Hon. Janaka Wakkumbura**, State Minister of Development of Minor Crops including Sugarcane, Maize, Cashew, Pepper, Cinnamon, Cloves, Betel Related Industries and Export Promotion

- Hon. Vidura Wikramanayaka**, State Minister of National Heritage, Performing Arts and Rural Arts Promotion
- Hon. Kanchana Wijsekera**, State Minister of Ornamental Fish, Inland Fish & Prawn Farming, Fishery Harbour Development, Multi day Fishing Activities and Fish Exports
- Hon. Thenuka Vidanagamage**, State Minister of Rural and School Sports Infrastructure Improvement
- Hon. Jayantha Samaraweera**, State Minister of Warehouse Facilities, Container Yards, Port Supply Facilities and Boats and Shipping Industry Development
- Hon. Shehan Semasinghe**, State Minister of Samurdhi, Household Economy, Micro Finance, Self Employment and Business Development
- Hon. Indika Anuruddha Herath**, State Minister of Rural Housing and Construction & Building Material Industries
- Hon. Kanaka Herath**, State Minister of Company Estate Reforms, Tea and Rubber Estates Related Crops Cultivation and Factories Modernization and Tea and Rubber Export Promotion
- Hon. D. B. Herath**, State Minister of Livestock, Farm Promotion and Dairy & Egg Related Industries
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- Hon. Selvam Adaikkalanathan**
- Hon. Amarakeerthi Athukorala**
- Hon. Sampath Athukorala**
- Hon. Tissa Attanayake**
- Hon. Hector Appuhamy**
- Hon. Ashok Abeysinghe**
- Hon. Thushara Indunil Amarasena**
- Hon. Mayadunna Chinthaka Amal**
- Hon. Thavaraja Kalai Arasan**
- Hon. J. C. Alawathuwala**
- Hon. Tiran Alles**
- Hon. Naseer Ahamed**
- Hon. Thisakutti Arachchi**
- Hon. M. Udayakumar**
- Hon. (Major) Pradeep Undugoda**
- Hon. Sanjeeva Edirimanna**
- Hon. Akila Ellawala**
- Hon. Lalith Ellawala**
- Hon. Selvarajah Kajendren**
- Hon. Govindan Karunakaram**
- Hon. Gayantha Karunatileka**

Hon. Sagara Kariyawasam
Hon. Faizal Cassim
Hon. Jayantha Ketagoda
Hon. Lakshman Kiriella
Hon. Udayana Kirindigoda
Hon. Jagath Kumara
Hon. Gevindu Cumaratunga
Hon. (Mrs.) Geetha Samanmale Kumarasinghe
Hon. K. P. S. Kumarasiri
Hon. A. Aravindh Kumar
Hon. Velu Kumar
Hon. Karunadasa Kodithuwakku
Hon. Nalaka Bandara Kottegoda
Hon. Mano Ganesan
Hon. (Mrs.) Diana Gamage
Hon. (Dr.) Upul Galappaththi
Hon. (Mrs.) Kokila Gunawardene
Hon. Yadamini Gunawardena
Hon. Milan Jayathilake
Hon. Nalin Bandara Jayamaha
Hon. (Dr.) Kavinda Heshan Jayawardhana
Hon. Premalal Jayasekara
Hon. Kulasingam Dhileeban
Hon. Premitha Bandara Tennakoon
Hon. Shan Vijayalal De Silva
Hon. (Dr.) Harsha de Silva
Hon. Chamara Sampath Dasanayake
Hon. Anura Dissanayaka
Hon. (Mrs.) Manjula Dissanayake
Hon. Sarathi Dushmantha
Hon. (Major) Sudarshana Denipitiya
Hon. Isuru Dodangoda
Hon. Premnath C. Dolawatte
Hon. W. H. M. Dharmasena
Hon. H. Nandasena
Hon. Gayashan Nawananda
Hon. Asanka Navarathna
Hon. Charles Nirmalanathan

Hon. Kins Nelson
Hon. S. Noharathalingam
Hon. Buddhika Pathirana
Hon. Anupa Pasqual
Hon. Nimal Piyathissa
Hon. Dilan Perera
Hon. Niroshan Perera
Hon. K. Sujith Sanjaya Perera
Hon. G. G. Ponnambalam
Hon. Nalin Fernando
Hon. Harin Fernando
Hon. (Mrs.) Muditha Prishanthi
Hon. Sajith Premadasa, Leader of the Opposition in Parliament
Hon. R. M. Ranjith Madduma Bandara
Hon. (Prof.) Ranjith Bandara
Hon. Rohana Bandara
Hon. Shantha Bandara
Hon. Rishad Bathiudeen
Hon. Sudath Manjula
Hon. S. M. Marikkar
Hon. K. Kader Masthan
Hon. Imran Maharoof
Hon. Imthiaz Bakeer Markar
Hon. Mohomad Muzammil
Hon. Anura Priyadharshana Yapa
Hon. Wasantha Yapabandara
Hon. Patali Champika Ranawaka
Hon. Nipuna Ranawaka
Hon. B. Y. G. Rathnasekara
Hon. (Ven.) Athuraliye Rathana Thero
Hon. Kumarasiri Rathnayaka
Hon. Ali Sabri Raheem
Hon. Ishak Rahuman
Hon. Mujibur Rahuman
Hon. (Dr.) Suren Raghavan
Hon. Harshana Rajakaruna
Hon. Ajith Rajapakse
Hon. Gunathilaka Rajapaksha

Hon. (Dr.) Thilak Rajapakshe
Hon. Upul Mahendra Rajapaksha
Hon. (Dr.) V. Radhakrishnan
Hon. M. Rameshwaran
Hon. Shanakiyan Rajaputhiran Rasamanickam
Hon. Waruna Liyanage
Hon. Gamini Waleboda
Hon. Eran Wickramaratne
Hon. (Mrs.) Rajika Wickramasinghe
Hon. C.V. Wigneswaran
Hon. Chaminda Wijesiri
Hon. M. W. D. Sahan Pradeep Withana
Hon. Madhura Withanage
Hon. Hesha Withanage
Hon. (Prof.) Tissa Vitarana
Hon. Chandima Weerakkody
Hon. Jayantha Weerasinghe, PC
Hon. D. Weerasingha
Hon. Weerasumana Weerasinghe
Hon. Dilip Wedaarachchi
Hon. Kumara Welgama
Hon. Sivagnanam Shritharan
Hon. Mahinda Samarasinghe
Hon. Maithreepala Sirisena
Hon. M. A. Sumanthiran
Hon. Vadivel Suresh
Hon. John Seneviratne
Hon. (Dr.) Rajitha Senarathne
Hon. Abdul Haleem
Hon. Kabir Hashim
Hon. H. M. M. Harees
Hon. Samanpriya Herath
Hon. Marjan Faleel
Hon. Field Marshal Sarath Fonseka

Mr. Dhammika Dasanayake, Secretary-General of Parliament

Mrs. Kushani Rohanadeera, Chief of Staff and Deputy Secretary-General of Parliament

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 announcement:—

“I wish to bring to the notice of House the correct position in respect of the letter that was sent by the Secretary-General of Parliament informing the Chairman of the Election Commission that a vacancy has occurred in the Membership of the Ninth Parliament due to the fact that the Hon. Ranjan Ramanayake, Member of Parliament for the Electoral District of Gampaha has ceased to be a Member of Parliament in terms of Article 66(d) of the Constitution of the Democratic Socialist Republic of Sri Lanka.

The Hon. Ranjan Ramanayake was convicted by the Supreme Court on 12th January, 2021 for the offence of contempt of court punishable under Article 105(3) of the Constitution and was sentenced to a term of four years' rigorous imprisonment. The conviction by the Supreme Court attracted the provisions of the Article 66(d) of the Constitution which reads that " the seat of a Member shall become vacant if he becomes subject to any disqualification specified in Article 89 or 91".

Article 89(d) of the Constitution goes onto say that "no person shall be qualified to be an elector at an election of the President, or of the Members of Parliament or to vote at any Referendum, if he is subject to any of the following disqualifications, namely, if he is serving or has during the period of seven years immediately preceding completed serving of a sentence of imprisonment (by whatever name called) for a term not less than six months imposed after conviction by any court for an offence punishable with imprisonment for a term not less than two years or is under sentence of death or is serving or has during the period of seven years immediately preceding completed the serving of a sentence of imprisonment for a term not less than six months awarded in lieu of execution of such sentence: Provided that if any person disqualified under this paragraph is granted a free pardon such disqualification shall cease from the date on which the pardon is granted;"

Accordingly, by operation of law, Hon. Ranjan Ramanayake would cease to be a Member of Parliament from the date the conviction was entered upon by the Supreme Court. However, Hon. Ranjan Ramanayake, through his lawyers, petitioned the Court of Appeal by way of a writ application that by virtue of the conviction he would not lose his seat and requesting the Court to grant a prohibition or an restraining order preventing the Secretary-General of Parliament from informing the Chairman of the Election Commission that a vacancy has arisen in the Ninth Parliament consequent to the Hon. Ranjan Ramanayake vacating his seat. The Court of Appeal has not accepted this position and has dismissed the case without issuing any formal notice to the Respondents.

With the dismissal of the writ application before the Court of Appeal, the temporary restraining order issued by the Court of Appeal preventing the Secretary-General of Parliament from informing the Chairman of the Election Commission regarding the vacancy has also ceased to exist.

In the circumstances, once all the above requirements are fulfilled under Article 89(d) of the Constitution, to quote the very Order of the Court of Appeal in the writ matter in connection with this case, it is stated as follows:

“I do agree with the submission of the learned Senior Additional Solicitor General that the act of sending a communication to the Election Commission under Section 64(1) of the Parliamentary Elections Act would tantamount to a physical act by the 1st Respondent, short of an exercise of power. In other words, with a vacancy staring in his face, the Secretary-General has no option but he is required by law to inform the Election Commission of such vacancy. In doing so, he is carrying out a purely ministerial act. I have already referred to the fact that the exercise of purely a ministerial act is not subject to be quashed by a writ of *certiorari* nor is such an exercise subject to any restriction by a writ of prohibition. If the Secretary-General fails to act at that stage, a writ of *mandamus* would lie to compel him to perform his legal duty”.

The reason for me to make this Announcement is that yesterday in the House, the Hon. Leader of the Opposition made a statement saying that the Secretary-General of Parliament has taken steps to inform the Chairman of the Election Commission that the Hon. Ranjan Ramanayake has vacated his seat due to non-attendance of Parliament for a period of three months and the non-acceptance of his Leave Motion also contributed to this situation. As indicated above, I would like to inform the Leader of the Opposition that this position is not correct and the vacation of seat by a Member of Parliament for non-attendance for three months is envisaged in the Constitution in Article 66(f), whereas the letter sent by the Secretary-General is under Article 66(d), the content of which has been explained above.

I wish to bring this matter to the notice of the House to provide greater clarity on this issue.

I am also very sorry to state that the behaviour of some of the Members yesterday was unwarranted and baseless. Therefore, I expect all Members of this House will behave a little more responsibly with a more decent attitude towards upholding the decorum of this House.”

2. Presentation of Papers : (1) The Speaker presented the First Instalment – Parts XXII, XXIII and XXIV and Fourth Instalment – Parts IX, X and XI and Fifthth Instalment – Parts VII and VIII of the Report of the Auditor-General for the Financial Year 2019 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 Speaker presented the Eighth Instalment – Part I of the Special Audit Report of the Auditor-General on Maintenance of Buffer Stocks by the Food Commissioner’s Department and Performance of Warehouse Utilization 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.

(3) The Minister of Highways presented the Report of the Auditor General on the President’s Fund for the year 2018 and moved that the Report be referred to the Committee on Public Finance.

Question put, and agreed to.

(4) The Minister of Highways presented the Regulations made by the Minister of Youth and Sports under Section 34 read with Section 3 of the Convention Against Doping in Sports Act, No. 33 of 2013 and published in the Gazette Extraordinary No. 2216/4 of 23rd February 2021 and moved that those Regulations be referred to the Ministerial Consultative Committee on Youth & Sports.

Question put, and agreed to.

3. Presentation of Reports from Committees : Hon. (Prof.) G. L. Peiris, Chair of the Ministerial Consultative Committee on Education presented the Report of the said Committee on—

- (i) Annual Report and Accounts of the Sabaragamuwa University of Sri Lanka for the year 2018;
- (ii) Annual Report and Accounts of the Postgraduate Institute of Pali and Buddhist Studies of University of Kelaniya for the year 2018;
- (iii) Annual Report and Accounts of the University of Colombo School of Computing for the year 2018;
- (iv) Annual Report and Accounts of the University of Moratuwa for the year 2018;
- (v) Annual Report and Accounts of the Postgraduate Institute of Science of University of Peradeniya for the year 2018;
- (vi) Annual Report and Accounts of the South Eastern University of Sri Lanka for the year 2018;
- (vii) Annual Report and Accounts of the Postgraduate Institute of Archaeology – University of Kelaniya for the year 2018;
- (viii) Annual Report and Accounts of the Wayamba University of Sri Lanka for the year 2018;
- (ix) Annual Report and Accounts of the Gampaha Wickramarachchi Ayurveda Institute of University of Kelaniya for the year 2018;
- (x) Annual Report and Accounts of the Rajarata University of Sri Lanka for the year 2018;
- (xi) Annual Report and Accounts of the Postgraduate Institute of Humanities and Social Sciences of University of Peradeniya for the year 2018;
- (xii) Annual Report and Accounts of the Uva Wellassa University of Sri Lanka for the year 2018;
- (xiii) Annual Report and Accounts of the Eastern University of Sri Lanka for the year 2018;
- (xiv) Annual Report and Accounts of the Institute of Biochemistry, Molecular Biology and Biotechnology - University of Colombo for the year 2018;
- (xv) Annual Report and Accounts of the Swami Vipulananda Institute of Aesthetic Studies of Eastern University of Sri Lanka for the year 2018;
- (xvi) Annual Report and Accounts of the University of Jaffna for the year 2018;

- (xvii) Annual Report and Accounts of the University of Ruhunu Sri Lanka for the year 2019;
- (xviii) Annual Report and Accounts of the Open University of Sri Lanka for the year 2019;
- (xix) Annual Report and Accounts of the Postgraduate Institute of Agriculture, University of Peradeniya for the year 2019;
- (xx) Annual Report and Accounts of the Postgraduate Institute of Medicine for the year 2019;
- (xxi) Annual Report and Accounts of the University of Sri Jayewardenerpura for the year 2018;
- (xxii) Annual Report and Accounts of the University Grants Commission for the year 2018;
- (xxiii) Annual Report of the Buddhist and Pali University of Sri Lanka for the year 2019;
- (xxiv) Annual Report of the University of Peradeniya for the year 2019;
- (xxv) Annual Report and Annual Accounts of the Institute of Technology of the University of Moratuwa for the year 2019; and
- (xxvi) Annual Report of the Institute of Indigenous Medicine of the University of Colombo for the year 2019

which were referred to the Committee.

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

4. Presentation of Public Petitions :

- (1) Hon. D. B. Herath presented a petition dated 03.10.2020 from Mr. K. L. N. Sahabandu of No. 73, Wickramasinghepura, Mawathagama.
- (2) Hon. Gayantha Karunatileka presented a petition dated 15.01.2021 from Mr. Nimal Samarasundara of No. 126, Kekulandala, Agalawatta.
- (3) Hon. (Dr.) Rajitha Senarathne presented a petition dated 04.01.2021 from Mr. E. G. N. K. P. Chandrasena of No. 26, Wademada, Ovilikanda, Matale.

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

5. Colombo Port City Economic Commission : The Minister of Foreign on behalf of the Prime Minister and Minister of Finance, Minister of Buddhasasana, Religious & Cultural Affairs and Minister of Urban Development & Housing presented,— “Bill to provide for the establishment of a Special Economic Zone; to establish a Commission empowered to grant registrations, licences, authorisations and other approvals to carry on businesses and other activities in and from such Zone; to provide for the identification of a Single Window Investment facilitator for the promotion of ease of doing business within such Zone; to determine and grant incentives and other exemptions for the promotion of businesses of strategic importance within such Zone; to enter into transactions as provided, of government marketable land and project company marketable land and premises and condominium parcels standing thereon within such Zone; to promote and facilitate international trade, shipping logistic

operations, offshore banking and financial services, information technology and business process outsourcing, corporate headquarters operations, regional distribution operations, tourism, and other ancillary services within such Zone; to establish an international Dispute Resolution Centre within such Zone; to promote urban amenity operations and the settlement of a presidential community within such Zone; and for matters connected therewith or incidental thereto.”

The Bill was ordered to be read a second time on Tuesday, April 20, 2021 and to be printed.

6. Sri Lanka Land Development Corporation (Amendment) : The Minister of Foreign on behalf of the Prime Minister and Minister of Finance, Minister of Buddhasasana, Religious & Cultural Affairs and Minister of Urban Development & Housing presented,— “Bill to amend the Sri Lanka Land Development Corporation Act, No. 15 of 1968.”

The Bill was ordered to be read a second time on Tuesday, April 20, 2021 and to be printed.

7. Sittings of the Parliament : The Leader of the House of Parliament moved,— That notwithstanding the provisions of the Standing Order 8 of the Parliament and the motion agreed to by Parliament on 06th October 2020, the hours of Sitting of Parliament on this day and Friday, April 09th, 2021 shall be 10.00 a.m. 12.30 p.m. and 1.30 p.m. to 4.30 p.m.. At 11.00 a.m. Standing Order 8(5) of the Parliament shall operate. At 4.30 p.m. Mr. Speaker shall adjourn the Parliament without question put.

Question put, and agreed to.

8. Adjournment (Final Report of the Commission of Inquiring to Investigate and Inquire into and Report or Take Necessary Action on the Bomb Attacks on 21st April, 2019) : The Leader of the House of Parliament moved,— That this Parliament do now adjourn.

Order read for resuming; Adjourned debate on question (07th April 2021).

Question again proposed and debate resumed.

(At 1.30 p.m. the Deputy Chairperson of Committees took the Chair.)

The State Minister of Dhamma Schools, Pirivenas and Bhikkhu Education moved,— That Hon. Harshana Rajakaruna do take the Chair.

Question put, and agreed to.

(At 1.45 p.m. Hon. Harshana Rajakaruna took the Chair.)

The State Minister of Dhamma Schools, Pirivenas and Bhikkhu Education moved,— That Hon. Premnath C. Dolawatte do take the Chair.

Question put, and agreed to.

(At 3.31 p.m. Hon. Premnath C. Dolawatte took the Chair.)

And it being 4.30 p.m. debate stood adjourned; debate to be resumed on Friday, April 09, 2021.

And it being 4.30 p.m. Parliament was adjourned by the Presiding Member without Question put, pursuant to the Resolution of Parliament this day.

Parliament adjourned accordingly until 10.00 a.m. on Friday, April 09, 2021.