



(Ninth Parliament - Second Session)

No. 9.]

MINUTES OF PARLIAMENT

Tuesday, February 22, 2022 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 Rajapaksa, Prime Minister and Minister of Economic Policies & Plan Implementation, Minister of Buddhasasana, Religious & Cultural Affairs and Minister of Urban Development & Housing

Hon. Mahinda Amaraweera, Minister of Environment

Hon. Mahindananda Aluthgamage, Minister of Agriculture

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

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

Hon. S. M. Chandrasena, Minister of Lands

Hon. Nimal Siripala de Silva, Minister of Labour

Hon. Vasudeva Nanayakkara, Minister of Water Supply

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

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. Namal Rajapaksa, Minister of Youth & Sports, Minister of Development Co-ordination and Monitoring and State Minister of Digital Technology and Enterprise Development

Hon. Basil Rohana Rajapaksa, Minister of Finance

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

Hon. (Dr.) Sarath Weerasekera, Minister of Public Security

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, Waste Disposal and Community Cleanliness
- 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. Piyankara Jayaratne**, State Minister of Foreign Employment Promotion and Market Diversification
- 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. Mohan Priyadarshana De Silva**, State Minister of Coast Conservation & Low-Lying Lands Development
- Hon. Duminda Dissanayake**, State Minister of Solar Power, Wind and Hydro Power Generation Projects Development
- Hon. Wimalaweera Dissanayake**, State Minister of Wildlife Protection, Adoption of Safety Measures including the Construction of Electrical Fences and Trenches and Reforestation and Forest Resource Development
- Hon. Sanath Nishantha**, State Minister of Rural and Divisional Drinking Water Supply Projects Development
- Hon. (Dr.) (Mrs.) Sudarshini Fernandopulle**, State Minister of Primary Health Care, Epidemics and COVID Disease Control
- Hon. Tharaka Balasuriya**, State Minister of Regional Co-operation
- 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. Lohan Ratwatte**, State Minister of Gem & Jewellery related Industries
- Hon. Shasheendra Rajapaksa**, State Minister of Promoting the Production & Regulating the Supply of Organic Fertilizer, and Paddy and Grains, Organic Foods, Vegetables, Fruits, Chilies, Onion and Potato Cultivation Promoting, 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. Kanchana Wijesekera**, 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. S. Viyalanderan**, State Minister of Backward Rural Areas Development and Promotion of Domestic Animal Husbandary & Minor Economic Crop Cultivation
- 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. Kapila Athukorala**
- Hon. (Mrs.) Thalatha Athukorala**
- Hon. Tissa Attanayake**
- Hon. Hector Appuhamy**
- Hon. Ashok Abeysinghe**
- Hon. (Dr.) (Ms.) Harini Amarasuriya**
- Hon. Mayadunna Chinthaka Amal**
- Hon. Thavaraja Kalai Arasan**
- Hon. J. C. Alawathuwala**
- Hon. Naseer Ahamed**
- Hon. Thisakutti Arachchi**
- Hon. M. Udayakumar**
- Hon. U. K. Sumith Udukumbura**
- Hon. (Major) Pradeep Undugoda**
- Hon. Sanjeeva Edirimanna**
- Hon. Lalith Ellawala**
- Hon. Selvarajah Kajendren**

Hon. Govindan Karunakaram
Hon. Gayantha Karunatilleka
Hon. Faizal Cassim
Hon. Jayantha Ketagoda
Hon. Lakshman Kiriella
Hon. Udayana Kirindigoda
Hon. Lalith Varna Kumara
Hon. Gevindu Cumaratunga
Hon. (Mrs.) Geetha Samanmale Kumarasinghe
Hon. K. P. S. Kumarasiri
Hon. A. Aravindh 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. Sivanesathurai Santhirakanthan
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. S. B. Dissanayake
Hon. (Mrs.) Manjula Dissanayake
Hon. Mayantha Dissanayake
Hon. Rohana Dissanayaka
Hon. (Major) Sudarshana Denipitiya
Hon. Isuru Dodangoda
Hon. Premnath C. Dolawatte
Hon. W. H. M. Dharmasena
Hon. H. Nandasena
Hon. (Dr.) Gayashan Nawananda

Hon. Asanka Navarathna
Hon. Charles Nirmalanathan
Hon. Kins Nelson
Hon. S. Noharathalingam
Hon. Buddhika Pathirana
Hon. Anupa Pasqual
Hon. Nimal Piyathissa
Hon. Jagath Pushpakumara
Hon. Niroschan Perera
Hon. K. Sujith Sanjaya Perera
Hon. G. G. Ponnambalam
Hon. Nalin Fernando
Hon. Ashoka Priyantha
Hon. (Mrs.) Muditha Prishanthi
Hon. (Dr.) Susil Premajayantha
Hon. Sajith Premadasa, Leader of the Opposition in Parliament
Hon. Uddika Premarathne
Hon. R. M. Ranjith Madduma Bandara
Hon. (Prof.) Ranjith Bandara
Hon. Rohana Bandara
Hon. Shantha Bandara
Hon. Sudath Manjula
Hon. S. M. Marikkar
Hon. K. Kader Masthan
Hon. Imran Maharoof
Hon. Imthiaz Bakeer Markar
Hon. Ajith Mannapperuma
Hon. S. M. M. Muszhaaraff
Hon. Mohomad Muzammil
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. Upul Mahendra Rajapaksha
Hon. (Dr.) V. Radhakrishnan
Hon. Shanakiyan Rajaputhiran Rasamanickam
Hon. Waruna Liyanage
Hon. Gamini Waleboda
Hon. Eran Wickramaratne
Hon. Ranil Wickremesinghe
Hon. C.V. Wigneswaran
Hon. (Mrs.) Rohini Kumari Wijerathna
Hon. Chaminda Wijesiri
Hon. M. W. D. Sahan Pradeep Withana
Hon. Madhura Withanage
Hon. Hesha Withanage
Hon. (Prof.) Tissa Vitarana
Hon. Chandima Weerakkody
Hon. D. Weerasingha
Hon. Weerasumana Weerasinghe
Hon. Dilip Wedaarachchi
Hon. Sivagnanam Shritharan
Hon. M. A. Sumanthiran
Hon. Jagath Kumara Sumithraarachchi
Hon. Vadivel Suresh
Hon. John Seneviratne
Hon. (Dr.) Rajitha Senarathne
Hon. Kabir Hashim
Hon. (Prof.) Charitha Herath
Hon. Jayarathna Herath
Hon. Vijitha Herath
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. Messages from the President : The Speaker read the following message received from the President:—



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இலங்கை சனாதிபதி
President of Sri Lanka

My No. PS/CSA/00/1/12/7

February 21, 2022

Hon. Mahinda Yapa Abeywardana
Speaker
Parliament of Sri Lanka

Hon. Speaker,

The Public Security Ordinance (Chapter 40)

By virtue of the powers vested in me by Section 12 of the Public Security Ordinance (Chapter 40), I have issued an order to the effect that all members of the Armed Forces specified in the First Schedule are summoned for the maintenance of Public Order in the areas specified in Second Schedule thereof taking into consideration the need for the Public Order to be maintained.

Accordingly, I hereby inform the Parliament of the said Order in terms of Section 2(3) of the aforesaid Ordinance read with Section 21(2) thereof.

Yours sincerely,

Gotabaya Rajapaksa

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இலங்கைச் சனநாயக சோசலிசக் குடியரசு
Democratic Socialist Republic of Sri Lanka

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

I

“I wish to inform Parliament that I have received the Determination of the Supreme Court in respect of the Bill titled ‘Special Goods and Services Tax’ which was challenged in the Supreme Court in terms of Article 121(1) of the Constitution.

The Supreme Court makes the following Determination in terms of Article 120 read with 123 of the Constitution:—

- (i) Clauses 2, 3 and 4 of the Bill are jointly and severally inconsistent with Article 148 read with Article 76(1) of the Constitution.
- (ii) Clauses 2, 3 and 4 of the Bill are inconsistent with Article 3, read with Article 4(a) and 4(d) of the Constitution.
- (iii) Clauses 2, 3 and 4 of the Bill are inconsistent with Article 12(1), read with Article 3 and 4(d) of the Constitution.
- (iv) Clauses 2 and 3 of the Bill are inconsistent with Article 152 of the Constitution.
- (v) Clause 9(1) of the Bill is inconsistent with Article 148 of the Constitution.
- (vi) Clause 9(1) of the Bill is inconsistent with Article 149(1) and 150(1) of the Constitution.
- (vii) Clauses 11(1) and 11(3) of the Bill are inconsistent with Article 4(c) read with Article 3 of the Constitution.
- (viii) The Supreme Court has further stated that in view of the analysis contained in this Determination and the foregoing conclusions, and—
 - (a) in view of the inseparable nature of Clauses 2, 3, and 4 of the Bill;
 - (b) the compelling need to consider such Clauses of the Bill both individually and as a whole;
 - (c) as it is necessary to view Clauses 2, 3, and 4 of the Bill in conjunction with the remaining Clauses of the Bill; and
 - (d) the finding arrived at by the Supreme Court in Clauses 2, 3, and 4 of the Bill are irremediably inconsistent with Article 3 read with 4(a) and 4(d) of the Constitution and Articles 12(1), 76(1) and 148 of the Constitution,

acting in terms of Article 123(2)(c) of this Constitution, this Court holds that the ‘Special Goods and Services Tax’ Bill requires to be passed as required by Article 84(2) of the Constitution, by not less than two-thirds of the whole number of Members of Parliament (including those not present) voting in favour thereof and approved by people at a Referendum by virtue of the provisions of Article 83 of the Constitution.

The Court has further stated that since it would be impracticable to suggest clause specific amendments to the Clauses of the Bill that have been found to be inconsistent with the Constitution as it would fundamentally alter the basic nature and structure of the Bill and become inconsistent with the declared objectives of the Bill, the Court while exercising discretion conferred on it by the Constitution will refrain from determining the manner in which the afore-stated Clauses 2, 3, 4, 5 and 9(1) could be amended so as to alter such Clauses to become consistent with the Constitution.

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

II

"I wish to inform that I have under the provisions of Article 79 of the Constitution of the Democratic Socialist Republic of Sri Lanka, endorsed the certificate on the Bill entitled 'Mahapola Higher Education Scholarship Trust Fund (Amendment)' on 14 February 2022, and on the Bills entitled 'Code of Criminal Procedure (Amendment)', 'Prohibition of Anti-Personnel Mines', 'Judicature (Amendment)', 'Civil Procedure Code (Amendment)' and 'Provincial Councils (Transfer of Stamp Duty) (Amendment)' on 17 February 2022."

III

"I wish to inform Parliament that I have received copies of six petitions filed at the Supreme Court under Article 121(1) of the Constitution in respect of the Bill entitled 'Prevention of Terrorism (Temporary Provisions) (Amendment)'."

IV

"I wish to inform that the Hon. Kins Nelson, Member of Parliament, has been nominated to serve in the Ministerial Consultative Committee on Wildlife & Forest Conservation by the Committee of Selection on 17th February 2022, in terms of provisions of Standing Order 127(3) of the Parliament to fill the vacancy occurred due to the resignation of the Hon. Thushara Indunil Amarasena, Member of Parliament, from the Membership of the said Committee."

V

"I wish to inform that the Hon. Thushara Indunil Amarasena, Member of Parliament, has been nominated to serve in the Ministerial Consultative Committee on Environment by the Committee of Selection on 17th February 2022, in terms of provisions of Standing Order 127(3) of the Parliament to fill the vacancy occurred due to the resignation of the Hon. Kins Nelson, Member of Parliament, from the Membership of the said Committee."

VI

"I wish to inform that I have nominated the following Co-opted Members to serve in the Legislative Standing Committee for the consideration of the 'Sri Shakyasinharama Viharastha Karyasadhaka Sanvidanaya (Incorporation) Bill', in terms of Standing Order 113(2) of the Parliament:—

Hon. Gayantha Karunatileka
 Hon. Tissa Attanayake
 Hon. Buddhika Pathirana
 Hon. Sudath Manjula
 Hon. Wasantha Yapabandara
 Hon. B. Y. G. Rathnasekara
 Hon. Gevindu Cumaratunga
 Hon. Lalith Varna Kumara.”

3. Presentation of Papers : (1) The Minister of Highways presented the Report on the submission of observations and steps taken in terms of the Standing Order 119(4) of the Parliament with regard to the matters mentioned on the Ministry of Buddhasasana, Religious and Cultural Affairs in the report of the Committee on Public Accounts which was presented to Parliament and moved that the Report be referred to the Committee on Public Accounts.

Question put, and agreed to.

(2) The Minister of Highways presented the Annual Report of the National Council for Road Safety for the year 2017 and moved that the Report be referred to the Ministerial Consultative Committee on Transport.

Question put, and agreed to.

(3) The Minister of Highways presented the Annual Report of the Wijaya Kumaratunga Memorial Hospital for the year 2019 and moved that the Report be referred to the Ministerial Consultative Committee on Health.

Question put, and agreed to.

(4) The Minister of Highways presented the Annual Report and Statement of Accounts of the Sri Lanka Press Council for the year 2019 and moved that the Report be referred to the Ministerial Consultative Committee on Mass Media.

Question put, and agreed to.

4. Presentation of Reports from Committees : (1) Hon. Kanaka Herath, Member of the Committee on behalf of Hon. (Dr.) Ramesh Pathirana, Chair of the Ministerial Consultative Committee on Plantation presented the Report of the said Committee on—

- (i) Regulations made by the Minister of Plantation under Section 8 of Rubber Replanting Subsidy Act (Chapter 437) and published in the Gazette Extraordinary No. 2241/36 dated 18.08.2021;
- (ii) Regulations made by the Minister of Plantation under Section 9 read with Sub sections (4) and (6) of Section 2 of the Licensing of Produce Brokers Act No. 9 of 1979 and published in the Gazette Extraordinary No. 2222/44 dated 08.04.2021;
- (iii) Annual Report of the Sugarcane Research Institute for the year 2018;

- (iv) Annual Report of the Coconut Development Authority for the year 2019;
- (v) Annual Report of the Coconut Cultivation Board for the year 2019;
- (vi) Annual Report of the Chilaw Plantations Ltd for the year 2019;
- (vii) Annual Report of the Gal-Oya Plantations (Pvt) Limited for the year 2017/2018; and
- (viii) Annual Report of the Sri Lanka Tea Board for the year 2019

which were referred to the Committee.

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

(2) Hon. Premitha Bandara Tennakoon, Member of the Committee on behalf of Hon. Anura Priyadarshana Yapa, Chair of the Committee on Public Finance presented the Report of the said Committee on the Regulations under the Imports and Exports (Control) Act, No. 1 of 1969 which were referred to the Committee.

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

5. Presentation of Public Petitions :

- (1) Hon. Jayantha Samaraweera presented —
 - (i) a petition dated 23.11.2021 from Mr. Liyanage Suranga Perera of No. 272/B/01, Gamunu Mawatha, Walana, Panadura and 13 others; and
 - (ii) a petition dated 14.09.2020 from Mr. S. H. Rathnapala of Omaththa Road, Sandagirikanda, Agalawatta.
- (2) Hon. R. M. Ranjith Madduma Bandara presented a petition dated 28.04.2021 from Mr. D. A. Anil Nishantha Dinarathne of No. 218, Chilaw Road, Wennappuwa.
- (3) Hon. Dilip Wedaarachchi presented a petition dated 15.07.2021 from Mr. Samantha Thushara Galpayage of No. 150/1, Weligampitiya, Pokunuwita.
- (4) Hon. Mujibur Rahuman presented a petition dated 09.07.2021 from Mr. M. G. Sarath of No. 217/1/4, Kanatta Road, Pelanwatta, Pannipitiya.
- (5) Hon. Lalith Ellawala presented a petition dated 19.11.2021 from Mrs. M. K. A. Malani Gunawardena of No. 15, Parakrama Mawatha, Kantale.

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

6. Surcharge Tax : The Minister of Education on behalf of the Minister of Finance presented,—“Bill to provide for the imposition of surcharge tax and for matters connected therewith and incidental thereto.”

The Bill was ordered to be read a second time on Tuesday, March 08, 2022, be printed and be referred to the Committee on Public Finance.

7. Regulations under the Licensing of Produce Brokers Act : The Minister of Plantation moved,— That the Regulations made by the Minister of Plantation under Section 9 read with Section 2(4),(6) of the Licensing of Produce Brokers Act, No. 9 of 1979 and published in the Gazette Extraordinary No. 2222/44 of 08th April 2021, which were presented on 20.01.2022, be approved.

(At 12.05 p.m. the Deputy Speaker took the Chair.)

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

The State Minister of Regional Co-operation moved,—That Hon. (Mrs.) Kokila Gunawardene do take the Chair.

Question put, and agreed to.

(At 2.27 p.m. Hon. (Mrs.) Kokila Gunawardene took the Chair.)

The State Minister of Rural Housing and Construction & Building Material Industries moved,— That Hon. Shanakiyan Rajaputhiran Rasamanickam do take the Chair.

Question put, and agreed to.

(At 3.21 p.m. Hon. Shanakiyan Rajaputhiran Rasamanickam took the Chair.)

The State Minister of Rural Housing and Construction & Building Material Industries moved,— That Hon. Wasantha Yapabandara do take the Chair.

Question put, and agreed to.

(At 3.51 p.m. Hon. Wasantha Yapabandara took the Chair.)

Question put, and agreed to.

8. Regulations under the Rubber Replanting Subsidy Act : The Minister of Plantation moved,— That the Regulations made by the Minister of Plantation under Section 8 of the Rubber Replanting Subsidy Act (Chapter 437) and published in the Gazette Extraordinary No. 2241/36 of 18th August 2021, which were presented on 20.01.2022, be approved.

Question put, and agreed to.

9. Adjournment (Control of Dengue Outbreak) : The Minister of Highways moved,— That this Parliament do now adjourn.

Question proposed, and debated.

Question put, and agreed to; Parliament was at 5.19 p.m. adjourned by the Presiding Member until 10.00 a.m. on Wednesday, February 23, 2022.