



PARLIAMENT SERIES NO 312

THE NINTH PARLIAMENT OF THE DEMOCRATIC SOCIALIST
REPUBLIC OF SRI LANKA

(Fourth Session)

SECOND REPORT
OF
THE COMMITTEE ON ETHICS AND PRIVILEGES

Presented by

The Hon. Chamal Rajapaksa

Chair of the Committee on Ethics and Privileges

Presented to Parliament on 24 January 2024

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The members appointed in the Committee on Ethics and Privileges for the Ninth Parliament

First Session

1. Hon. Tharaka Balasuriya, (Chair)
2. Hon. (Dr.) Wijeyadasa Rajapakshe
3. Hon. M .U. M. Ali Sabry
4. Hon. Kanaka Herath
5. Hon. Premitha Bandara Tennakoon
6. Hon. Vijitha Berugoda
7. Hon. Anuradha Jayaratne
8. Hon. A. Aravindh Kumar
9. Hon. Kabir Hashim
10. Hon. G. G. Ponnambalam
11. Hon. Velu Kumar
12. Hon. (Mrs.) Kokila Gunawardene
13. Hon. Shan Vijayalal De Silva
14. Hon. C.V. Wigneswaran
15. Hon. Gevindu Cumaratunga
16. Hon. (Prof.) Ranjith Bandara

Second Session

1. Hon. Tharaka Balasuriya, (Chair)
2. Hon. (Dr.) Wijeyadasa Rajapakshe
3. Hon. M .U. M. Ali Sabry
4. Hon. Kanaka Herath
5. Hon. Premitha Bandara Tennakoon
6. Hon. Vijitha Berugoda
7. Hon. Anuradha Jayaratne
8. Hon. Kabir Hashim
9. Hon. R. M. Ranjith Madduma Bandara
10. Hon. (Mrs.) Thalatha Athukorala
11. Hon. G. G. Ponnambalam
12. Hon. Velu Kumar
13. Hon. (Mrs.) Kokila Gunawardene
14. Hon. Shan Vijayalal De Silva
15. Hon. Gevindu Cumaratunga
16. Hon. (Prof.) Ranjith Bandara

Third Session

1. Hon. (Dr.) Wijeyadasa Rajapakse (Chair)
2. Hon. Dilan Perera
3. Hon. Dullas Alahapperuma
4. Hon. Kabir Hashim
5. Hon. R. M. Ranjith Madduma Bandara
6. Hon. (Mrs.) Thalatha Athukorala
7. Hon. Kanaka Herath
8. Hon. Vijitha Berugoda
9. Hon. Tharaka Balasuriya
10. Hon. Anuradha Jayaratne
11. Hon. Jayantha Ketagoda (appointed on 08.11.2022)
12. Hon. G. G. Ponnambalam
13. Hon. Hessa Withanage
14. Hon. (Mrs.) Kokila Gunawardene
15. Hon. Weerasumana Weerasinghe
16. Hon. Samanpriya Herath

Fourth Session

- 1 Hon. Chamal Rajapaksa (Chair)
- 2 Hon. (Dr.) Wijeyadasa Rajapakse
- 3 Hon. Kanaka Herath
- 4 Hon. Vijitha Berugoda
- 5 Hon. Tharaka Balasuriya
- 6 Hon. Anuradha Jayaratne
- 7 Hon. Johnston Fernando
- 8 Hon. Dullas Alahapperuma
- 9 Hon. Kabir Hashim
- 10 Hon. R. M. Ranjith Madduma Bandara
- 11 Hon. (Mrs.) Thalatha Athukorala
- 12 Hon. Jayantha Ketagoda
- 13 Hon. G. G. Ponnambalam
- 14 Hon. Hessa Withanage
- 15 Hon. (Mrs.) Kokila Gunawardene
- 16 Hon. Ali Sabri Raheem
(suspended on Parliamentary motion with effect from 22.09.2023)
- 17 Hon. Samanpriya Herath
- 18 Hon. (Dr.) (Ms.) Harini Amarasuriya

**The Report contains the following Questions of Privileges examined by the
Committee on Ethics and Privileges.**

- I. The Question of Privilege raised by the Hon. M. A. Sumanthiran on 06.08.2021 with regard to a video footage of the Hon. Rajvarothiam Sampanthan, M.P., published on Facebook page named “*Batti TV*”.
(Annex - I)
- II. The Question of Privilege raised by the Hon. Patali Champika Ranawaka on 21.10.2021 with regard to tapping his WhatsApp conversations by the officers of the Criminal Investigation Department.(Annex - II)
- III. The Question of Privilege raised by the Hon. Jayantha Ketagoda on 10.03.2022 with regard to a article published in the “Lankadeepa” newspaper on 09.03.2022. (Annex - III)
- IV. The Question of Privilege raised by the Hon. Samanpriya Herath on 04.10.2022 with regard to an article published in “Sathi Aga Aruna” newspaper on 02.10.2022 and a programme “Derana Aruna” telecasted by TV Derana on the same news article.(Annex- IV)
- V. The Question of Privilege raised by the Hon. M. A. Sumanthiran on 06.10.2022 with regard to a suspected motorbike which was followed him on 05.10.2022 around 12.45 p.m. when he left from Parliament. (Annex V)
- VI. The Question of Privilege raised by the Hon. (Mrs.) Rohini Kumari Wijerathna on 08.03.2023 with regard to the uncivilized words used by the Hon. (Dr.) Susil Premajayantha during the House proceedings on 24.02.2023. (Annex VI)
- VII. The Question of Privilege raised by the Hon. Ajith Rajapakse, the Deputy Speaker of Parliament, on 17.01.2023 regarding the News Articles published on Lankadeepa and Mawbima newspapers on 11.01.2023 and 12.01.2023 respectively stating that a personal property belongs to the Hon. Deputy Speaker had been used to cultivate cannabis. (Annex VII)
- VIII. The Question of Privilege raised by the Hon.(Dr.) (Ms.) Harini Amarasuriya, on 18.07.2023 on the statement made by the Hon. S.M. Marikkar at a media conference held on 04.07.2023. (Annex VIII)
- IX. The Question of Privilege raised by the Hon. (Mrs.) Diana Gamage, on 05.10.2023 regarding the uncivilized words used over her by the Hon. R.M. Ranjith Madduma Bandara in the House on 21.09.2023. (Annex IX)

- X. The Question of Privilege raised by the Hon. Chandima Weerakkody, on 06.10.2023 regarding the response of the Secretary, Ministry of Defense at Sectoral Oversight Committee on National Security held on 05.10.2023. (Annex X)
- XI. The Question of Privilege raised by the Hon. (Dr.) Susil Premajyantha on 25.08.2023 against the Hon. Ali Sabri Raheem. (Annex XI)
- XII. The Question of Privilege raised by the Hon. Chaminda Wijesiri on presenting a letter related to a Court Case against him by the Hon. Anuradha Jayaratne in the House on 10.11.2023 while interfering to the debate regarding the list of speakers in the Parliament. (Annex XII)
- XIII. The motion moved in the House on 01.12.2023 on the submission by the Hon. Anuradha Jayarathna and 23 other Members of Parliament degrading the adverse remarks made over the Assistant Secretary General, Mr. Hansa Abeyrathne by the Hon. Chaminda Wijesiri. (Annex XIII)
- XIV. The motion moved in the House on 01.12.2023 on the submission by the Hon. Lakshman Kiriella and 26 other Members of Parliament regarding the discrimination done by the Assistant Secretary General, Mr. Hansa Abeyrathne to the Hon. Chaminda Wijesiri. (Annex XIV)
- XV. The motion moved in the House on 01.12.2023 on the submission by Mr. Hansa Abeyrathne, the Assistant Secretary General on placing adverse remarks over him several times by the Hon. Chaminda Wijesiri. (Annex XV)

THE REPORT

The Committee on Ethics and Privileges is pleased to present its Second Report of the Ninth Parliament.

The Committee appointed for the Fourth Session commenced its meetings on 08.03.2023 and has held Eighteen Meetings as of today.

This Report contains the Questions of Privileges raised in the First, Second, Third and Fourth Sessions of Ninth Parliament. The Committee met on 07.11.2023, decided to present its Second Report covering all Questions of Privileges examined and concluded during the Ninth Parliament.

Examinations conducted by the Committee and its recommendations

I. The Question of Privilege raised by the Hon. M. A. Sumanthiran on 06.08.2021 with regard to the video footage of Hon. R. Sampanthan, published on Facebook page named “*Batti TV*”.

By the motion moved on 20.11.2021 in the House, the above Question of Privilege was referred to the Committee for further investigation. Accordingly the Committee commenced its examinations on 04.10.2022.

The Committee resolved to invite the Hon. M. A. Sumanthiran as a complainant and to summon Mr. Yokarasa Shandrakumar, Chief Executive Officer, “*Batti TV*”, as the pertinent party.

The Hon. M.A. Sumanthiran appeared before the Committee on 04.10.2022, and he was given the opportunity to make his complaint.

Later on, Mr. Yokarasa Shandrakumar, Chief Executive Officer, “*Batti TV*” was called for his evidence on the subject matter.

Mr. Yokarasa Shandrakumar informed the Committee that the questionable video was sent to him by the Hon. Sivanasethurai Chandrakanthan, M.P., Leader of the Tamil Makkal Viduthalai Puligal. Further he stated that he was unaware of the consequences that may result by publishing the contents and he unreservedly tendered his apology before the Committee and expressed his regrets about making a defamatory statement on the Hon. R. Sampanthan.

Mr. Yokarasa Shandrakumar agreed that within two weeks he would hold a media conference and expressly tender his apology for the statement he made referring to the Hon. R. Sampanthan.

As agreed, Mr. Shandrakumar, the Chief Executive Officer of the “*Batti TV*” had tendered his unreserved apology to the Committee while holding a media conference thereto.

On 18.10.2022 the Hon. M.A. Sumanthiran was called before the Committee and he accepted the apology made by the Chief Executive Officer of the “*Batti TV*” and stated that he wanted to make a complaint against the Hon. Sivanesathurai Santhirakanthan based on the statement made by the CEO of the “*Batti TV*”.

On 15.11.2022 the Hon. M.A. Sumanthiran and the Hon. Sivanesathurai Santhirakanthan, M.P., were called before the Committee.

While responding, the Hon. Sivanesathurai Santhirakanthan stated that if any mental agony created to the Hon. Sampanthan being published the video, he would make an apology to him in person. As a base of settlement, the Hon. Sivanesathurai Santhirakanthan agreed to express his regrets.

Observations

- i. The Committee resolved that the image of the Hon. R. Sampanthan has been tarnished by this action.
- ii. The Committee after consideration agreed to the following recommendations and decided to conclude the matter.

Recommendations

- i. The Committee recommended that regulating the social media under a certain standard is very important to prevent these kinds of unnecessary issues.
- ii. The Committee recommended that attention should be paid regarding the release of videos taken from mobile phones of Members of the Parliament inside the House to media and social media.

II. The Question of Privilege raised by the Hon. Patali Champika Ranawaka on 21.10.2021 with regard to tapping his WhatsApp conversations by the officers of the Criminal Investigations Department.

By the motion moved on 19.01.2022 in the House, the above Question of Privilege was referred to the Committee for further investigation. Accordingly, the Committee commenced its examinations on 04.10.2022.

The Committee decided to call the Hon. Patali Champika Ranawaka, the complainant and Director, Criminal Investigation Department, the pertinent party to the above complaint.

The Hon. Patali Champika Ranawaka was called before the Committee on 18.10.2022, and was given the opportunity to make his complaint.

Following Officials of the Criminal Investigation Department were summoned before the Committee on 18.11.2022, based on the explanation made by the Hon. Patali Champika Ranawaka.

- Mr. Prasad Ranasinghe, Deputy Inspector General of Police,
- Mr. N. M. S. Herath, Chief Inspector of Police,
- Mr. D. R. A. S. Basnayake, Sub Inspector of Police,

The Officials were given the opportunity to explain their views in this regard. The officials of the CID explained that there was no any investigation against the Hon. Patali Champika Ranawaka and he was called for a statement regarding an inquiry had been carried out against another party. Further the officials stated that they do not have any malware to listen WhatsApp calls.

Observations

- i. The Committee was of the view that the media had given a huge publicity with regard to the incident and the reputation of the Hon. Patali Champika Ranawaka has been tarnished.
- ii. The Committee observed that the CID has sought the details of the telephone contacts of the other person based on a Circular issued by the Inspector General of Police and that such circular cannot supersede Section 49 (c) of Telecommunications Act, whereas no person can seek telephone contacts without a Court Order.

Recommendations

- i. Recommended to seek the the opinion of the Hon. Attorney General in the future when and where necessary to get details of the telephone contacts of the persons.
- ii. As there was no investigation carried out against the Hon.Patali Champika Ranawaka, though his name had been transpired in the media. Moreover the CID was ordered to make aware the media within one month in this regard.

(The Committee was informed the actions taken by the Criminal Investigation Department regarding the above recommendations of the Committee by the letter dated 06.12.2022.) (Annex XVI)

III. The Question of Privilege raised by the Hon Jayantha Ketagoda in Parliament on 10.03.2022 with regard to a “Lankadeepa” newspaper article published on 09.03.2022 with the heading “මැතිසභා කැන්ටීනේ දියර කිරි හිඟවී මන්ත්‍රීවරු යකා නටයි”.

By a motion moved on 19.04.2022 in the House, the above Question of Privilege was referred to the Committee for further investigation. Accordingly, the Committee commenced its examinations on 04.10.2022.

The Committee decided to call the Hon. Jayantha Ketagoda as the complainant and the following pertinent parties to the above complaint.

- Mr. Raj Edirisinghe, Director, Catering and Housekeeping Services in Parliament
- Mr. Anjula Maheeka Weerathne and Mr. Sujith Hewajulygae, Journalists, of “Lankadeepa” Newspaper

The Hon. Jayantha Ketagoda was called before the Committee on 04.10.2022, given an opportunity to make his complaint.

The pertinent parties and witnesses were called before the Committee for evidence.

Mr. Raj Edirisinghe Director, Catering and Housekeeping Services in Parliament stated that he had investigated the matter and no information is available about such incident took place inside the Members Restaurant.

Mr. Anjula Maheeka Weerathne, and Mr. Sujith Hewajulygae, Journalists, in Lankadeepa Newspaper stated that the information for the said article came within the Parliament, itself. Then the Committee asked them to reveal the names of those people, but they refused to reveal.

Mr. Weerathne and Mr. Hewajulygae, at the first instance tendered their apology and agreed to publish their apology in the newspaper giving same publicity. The Hon. Jayantha Ketagoda agreed to the settlement and thereby the Committee decided to conclude the matter.

Observations

- i. Journalists should use the freedom to express their own views in a more responsible manner by protecting others rights and the dignity.

- ii. The Chief Editor of the Lankadeepa Newspaper had published unreserved apology on 15.10.2022 with regard to the above incident and forwarded the same to the Committee.
- iii. The Committee after consideration agreed to the following recommendations and decided to conclude the matter.

Recommendation

- i. To make aware of the media personnel/journalists with regard to Parliament (Powers and Privileges) Act No. 21 of 1953.

IV. The Question of Privilege raised by the Hon. Samanpriya Herath on 04.10.2022 with regard to an article published in “Sathi Aga Aruna” newspaper on 02.10.2022 and a programme “Derana Aruna” telecasted by TV Derana on the same news article.

By the motion moved on 06.10.2022 in the House, the above Question of Privilege referred to the Committee for further investigation. Accordingly, the Committee commenced its examinations on 18.10.2022.

The Committee decided to call the Hon. Samanpriya Herath as a complainant and the following pertinent parties to the above complain.

According to the Hon. Samanpriya Herath the headline “දියවන්තාවේ බන්ජන කෙටිපුවට” had been published in “Sathi Aga Aruna” Newspaper and Mr. Sanka Amarajith had mentioned in “Derana Aruna” TV programme with so many exaggerations.

- Mr. Yuwaraj Athukorala, Director, News and Current Affairs, Derana, Power House Limited.
- Mr. Sanka Amarjith, Presenter, Derana TV

The Hon. Samanpriya Herath expressed his deep dissatisfaction over the comments made by Mr. Sanka Amarjith, presenter of “Derana Aruna” Programme telecasted by the TV Derana on 02.10.2022 , and said that the Presenter had made his own exaggerations which actually was not appeared in the said news article. Therefore, this presentation was disgraceful for all Members of Parliament.

Mr. Sanka Amarjith, the respondent was allowed to express his views in this regard. The respondent stated that he did not have any intention to insult or degrade the status of the Members of Parliament and he had just expressed the general status of the society through his presentation.

The Hon. Samanpriya Herath and Mr. Sanka Amarjith, thereafter, agreed to reach to a settlement and Mr. Sanka Amarjith, the respondent agreed to act with sense of responsibility in the future. The Committee decided to conclude the matter.

Observation

- i. The Chair emphasized that the Media have the freedom to express their own views in a more responsible manner by protecting others rights and the dignity, but not to the extent of creating public dissatisfaction.

Recommendation

- i. To make aware of the media personnel/journalists with regard to Parliament (Powers and Privileges) Act No. 21 of 1953.

V. Question of Privilege raised by the Hon. M. A. Sumanthiran in Parliament on 06.10.2022 with regard to suspected motorbike which was followed on 05.10.2022 around 12.45 p.m. when he was away from Parliament.

By the motion moved on 08.11.2022 in the House, the above Question of Privilege was referred to the Committee for further investigation. Accordingly, the Committee commenced its examinations on 08.11.2022.

At the first meeting the Hon. M.A. Sumanthiran was called before the Committee. The Hon. M.A. Sumanthiran explained the Committee that he left Parliament on 05.10.2022 around 12.45 p.m. to attend a pre-arranged meeting at Horton Place, Colombo. At that time a suspected motorbike (numbered EP BEY 2600) had followed him and it was also noticed by his security personnel. When inquired about this matter from the Cinnamon Garden Police, who had informed that the follower was from the State Intelligence Service.

The Hon. Member further stated that he appeared before the Committee on Ethics and Privileges on 04.10.2022 with regard to the Question of Privilege raised by him on a video footage of the Batti TV criticizing the conduct of the Hon.Sampanthan.

The Committee deliberated and resolved that the Commissioner General of Motor Traffic or his nominee and the Officer In Charge of the Cinnamon Garden Police be summoned before the Committee to inquire into the matter at the next meeting of the Committee.

The Committee decided to inform the Commissioner General of Motor Traffic to submit adequate information on the ownership of the Motorbike bearing No EP BEY 2600.

Accordingly, Mr. T.M.S.K. Tennakoon, Chief Examiner of Motor Vehicles of the Department of Motor Traffic participated the Committee on 15.11.2022 representing the Commissioner General of Motor Traffic.

The Committee enquired from Mr. T.M.S.K.Tennakoon, Chief Examiner of Motor Vehicles of the Department of Motor Traffic about the details of the owner of the EP BEY 2600 motorbike. Mr. Tennakoon stated that the name of the owner of the motorbike was Mr. Muhammadu Careem Pawsul Ameen and his address denoted as No.179/02, Unit 08, Mollipothana. Further he stated that his NIC number and other details could not be traced due to unavailability of the registration file.

The Committee directed Mr.Tennakoon to submit all necessary details to the Committee including the identification of the owner within a weeks time, and to submit any inconveniences to comply with the above directives to be submitted the reasons in writing.

Then Mr. Aloka Bandara Senanayake OIC, Cinaman Garden, Police Station was summoned before the Committee on 06.12.2022.

Mr. Aloka Bandara Senanayake, explained to the Committee that this matter had known by the Police through a 119 investigation. After receiving the complaint immediate action had been taken by the Police and his officials had visited the location and identified that the riders of the motorbike were from State Intelligence Service.

Observation

- i. A copy of details of the motorbike tabled by the Department of Motor Traffic was also handed over to Mr. Aloka Bandara, OIC and directed him to submit a comprehensive report within one week to the Committee.

After receiving the said Report, it was duly confirmed that the relevant people are from the State Intelligence Service.

Recommendation

- i. The Committee decided to inform the Chief of the State Intelligence Service about the complaint made by the Hon. M.A. Sumanthiran and the Report of the OIC, Cinnamon Garden Police Station thereon and inform that the Committee is seriously concerned about this type of conduct in relation to the Members of Parliament. The Director of the State Intelligence Service was informed regarding this by the letter dated 20.12.2022.

VI. The Question of Privilege raised by the Hon. (Mrs.) Rohini Kumari Wijerathna on 08.03.2023 with regard to the uncivilized words used by the Hon. (Dr.) Susil Premajyantha during the House Proceedings on 24.02.2023.

By the motion moved on 09.03.2023 in the House, the above Question of Privilege was referred to the Committee for further investigation. Accordingly, the Committee commenced its examinations on 26.04.2023.

The Hon. (Mrs.) Rohini Kumari Wijerathna was summoned before the Committee on 26.04.2023.

The Hon. (Mrs.) Rohini Kumari Wijerathna explained the incident which took place in the House on 24.02.2023 when she was explaining the incident on the Ministry of Education. The Hon. (Dr.) Susil Premajyantha has deliberately used uncivilized remarks on her, however the Hon (Dr.) Susil Premajyantha has expressed his regrets in this regard after 11 days in the Parliament. Moreover, she stated that even though these uncivilized words had been expunged from the Hansard Report, due to the live telecast of the Parliament proceedings, this could have gone viral even in the social media.

The Committee observed that these kinds of uncivilized wordings will definitely underestimate the value of the Parliament and expressed its regret towards the Hon. (Mrs.) Rohini Kumari Wijerathna.

On 27.04.2023, both the Hon. (Dr.) Susil Premajyantha and the Hon. (Mrs.) Rohini Kumari Wijerathna were called before the Committee and the Hon. (Dr.) Susil Premajyantha agreed to pay his apology to the Hon. (Mrs.) Rohini Kumari Wijerathna in the House on the following day.

Observation

- i. The Committee observed that these type of unnecessary incidents will definitely tarnish the reputation of the Parliament Members as a whole and these type of incidents should be terminated from happening.

Recommendation

- i. Ultimately the Committee recommended that the Hon. (Dr.) Susil Premajayantha should tender his apology to the Hon. (Mrs.) Rohini Kumari Wijerathna and directed the Hon. Susil Premajayantha to make a statement in the House on following day. (28.04.2023)

Accordingly, the Hon. (Dr.) Susil Premajayantha paid his apology regarding the said matter in the House on 28.04.2023.

VII. Question of Privilege raised by the Hon. Ajith Rajapakse, the Deputy Speaker of Parliament, on 17.01.2023 regarding the News Articles published on Lankadeepa and Mawbima Newspapers on 11.01.2023 and 12.01.2023 respectively stating that a personal property belongs to the Hon. Deputy Speaker had been used to cultivate cannabis.

By the motion moved on 27.04.2023 in the House, the above Question of Privilege was referred to the Committee for further investigation. Accordingly, the Committee commenced its examinations on 06.07.2022.

All the parties relevant to this matter were called before the Committee on 06.07.2023, including the Hon. Ajith Rajapakse, Mr. Ranjan Kasthuri, the News Editor and Mr. Srinath Prasanna Jayasuriya, the Reporter from “Lankadeepa” Newspaper and Mr. Chamuditha Samarawickrama from Hiru TV.

In addition to that a report was called from the Hambanthota Divisional Secretary regarding the ownership of the said land and the report clearly indicated that the said land not belongs to the Hon. Ajith Rajapakse.

Moreover another report was called from the Special Task Force regarding the raid they have done at the said land. That Report also clearly indicated that the STF had not done any investigation regarding the ownership of the said land.

The Hon. Ajith Rajapakse, the Deputy Speaker explained the matter to the Committee indicating that “Lankadeepa” and “Mawbima” Newspapers have published false news items mentioning that his land had been used to cultivate cannabis. However the said land is not a property of him. According to the Hon. Ajith Rajapakse, the Hon. Deputy Speaker said that this false news had tarnished his reputation and he could not face the society. However “Mawbima” newspaper had corrected this up to a satisfactory level, but “Lankadeepa” newspaper had not done that. Then the Committee decided to summon the relevant authorities from “Lankadeepa” newspaper.

Mr. Ranjan Kasthuri and Mr. Srinath Prasanna Jayasuriya were summoned before the Committee and enquired regarding this and they accepted the fault from their side. So they agreed to make an apology to the Hon. Ajith Rajapakse through a correction notice published in “Lankadeepa” newspaper giving the same publicity to extent of the alleged news. Mr. Chamuditha Samarawickrama from Hiru TV also agreed to elaborate the Correction Notice while the telecast of Hiru TV “පත්තරේ විස්තරේ”. Accordingly the Hon. Ajith Rajapakse agreed to resolve this matter.

Observation

- i. The Committee observed that the National Media of the Country should act in a very responsible manner and get the confirmation before publishing their news in newspapers.

Recommendation

- i. The Committee recommended that this false news item should be corrected giving the same publicity as the original news. Then the Chief Editor presented the structure of the correction notice of the news to the Committee and got the approval. As they published the correction notice at the front page of the newspaper giving the same publicity, the Hon Deputy Speaker agreed to resolve the matter.

The correction notice was published in the “Lankadeepa” Newspaper on 20.07.2023 and Mr Chamuditha Samarawickrama also mentioned about the correction notice during the Hiru TV morning news reading programme.

VIII. The Question of Privilege raised by the Hon.(Dr.) (Ms.) Harini Amarasuriya on 18.07.2023 on the statement made by the Hon. S.M. Marikkar at a media conference held on 04.07.2023.

By the motion moved on 06.09.2023 in the House, the above Question of Privilege was referred to the Committee for further investigation. Accordingly, the Committee commenced its examinations on 18.10.2023.

The Hon. (Dr.) Harini Amarasuriya and the Hon. S.M. Marikkar were called before the Committee on 18.10.2023.

The Hon. (Dr.) Harini Amarasuriya mentioned that the Hon. Marikkar had expressed during a media conference that the National Peoples' Power (NPP) members of the Parliament had deliberately avoided and escaped at the division held in the House against the Domestic Debt Optimization Resolution and interpreted it as a "Deal" between the President and NPP. She further said that interpretation had tarnished the name of the Party. However, the Committee observed, according to the Hansard report of that day the Hon. (Dr.) Harini Amarasuriya was present, and had voted against the said Resolution.

Thereafter, the video clip which included the extracts of the media conference of the Hon. S.M. Marikkar was played before the Committee.

The Hon. S.M. Marikkar stated that he only had said that the Hon. (Dr.) (Ms.) Harini Amarasuriya had not participated in the debate on the Resolution, not that she did not vote for or against the Resolution. Moreover he stated that he meant only she had not participated in this debate.

Observation

- i. The Committee observed that all the representatives of the people in Parliament should protect the dignity of the Parliament and the dignity of the Members of Parliament when they express their views in public.

Recommendation

- i. The Committee recommended that the Hon. S.M. Marrikar should express his apology to the Hon. (Dr.) (Ms.) Harini Amarasuriya. The Hon. S. M.Marikkar apologized to the Hon. (Dr.) (Ms.) Harini Amarasuriya. The Hon. (Dr.) (Ms.) Harini Amarasuriya agreed to resolve the matter and the matter was concluded, accordingly.

IX. The Question of Privilege raised by the Hon. (Mrs.) Diana Gamage on 05.10.2023, regarding the uncivilized words used over her by the Hon. R.M. Ranjith Madduma Bandara in the House 21.09.2023.

By the motion moved on 05.10.2023 in the House the above Question of Privilege was referred to the Committee for further investigation. Accordingly the Committee commenced its examinations on 08.11.2023.

According to the Hon. Diana Gamage, from the date she joined with the Government, the Members of Parliament from SJB had insulted her several times with uncivilized words. She stated that she had complained regarding that even to the Hon. Speaker, but there has been no attempt to intervene regarding the matter. According to her all these insults were not “double meaning”, but direct insulting wordings.

Then the Chair read out the relevant Hansard Report inclusive of the expunged wordings of the Hon. Ranjith Madduma Bandara to the Committee.

Explaining further regarding the matter, the Hon. Diana Gamage stated that she can apologize this only one time, but happening of these type of incidents recurrently should be addressed without any delay.

The Hon. Ranjith Madduma Bandara explaining the incident mentioned that the Hon. Diana Gamage had made a defamatory statement regarding him and as a response he had to indicate these wordings. However according to him he had made an apologizing remarks regarding this in the House and no intention to continue with this matter further.

Observation

- i. The Committee observed that the Hon. Ranjith Madduma Bandara had used uncivilized words against the Hon. Diana Gamage. Further the Committee also observed that the Hon. Ranjith Madduma Bandara had apologized in this regard in the House.

Recommendation

- i. The Chair mentioned that both parties have the responsibility to maintain the dignity of the Parliament. Accordingly, the Committee resolved to conclude this matter.

X. The Question of Privilege raised by the Hon. Chandima Weerakkody on 06.10.2023 regarding the response of the Secretary, Ministry of Defence at Sectoral Oversight Committee on National Security held on 05.10.2023.

By the motion moved on 08.11.2023 in the House, the above Question of Privilege was referred to the Committee for further investigations. Accordingly, the Committee commenced the examinations on 08.11.2023.

The Hon. Chandima Weerakkody along with the Gen (Retired) Defence Secretary, the Ltu. Gen. Vikum Liyanage (Commander of Army) and the Hon. (Dr.) Sarath Weerasekera, the Chair of the Sectoral Oversight Committee on National Security appeared before the Committee and the Committee decided to hear to the audio recordings of the Meeting of the Sectoral Oversight Committee on National Security held on 05.10.2023.

The Committee decided to listen to the audio recordings of the particular meeting.

The Hon. Chandima Weerakkody stated that on that day he was giving his opinion in the SOC meeting regarding the suggestion of reducing the number of staff of the Armed Forces up to 100,000. In his view the best option available is decreasing the facilities provided for high rankers of the armed force instead of reducing the staff. At this moment the contention was started, Defence Secretary and the Army Commander had argued with him intimidating and threatening him.

However, the Hon. Chandima Weerakkody absolutely rejects this behavior and emphasized that his parliamentary privileges are severely violated.

Furthermore, the Hon. Chandima Weerakkody stated that he had seen a parade of 13 vehicles of Sri Lanka Army, at a night passing through Southern Highway and he was suspicious that this parade was for the security of the Army Commander. According to him he had made a statement regarding that in the Parliament and the Commander of Army and the Defense Secretary had insulted him constantly quoting this statement. The Hon. Chandima Weerakkody mentioned that intimidating on a statement that had been stated inside the Parliament is clearly an offence indicated in the Parliament Powers and Privileges Act.

The Hon. (Dr.) Sarath Weerasekera, the Chair to the Sectoral Oversight Committee on National Security was called for the evidence.

The Hon. (Dr.) Sarath Weerasekera mentioned that the usage of vehicles by the Officials of the Armed forces was not in the Agenda of the Sectoral Oversight Committee on National Security on 05.10.2023. However the Hon. Chandima Weerakkody had mentioned regarding this during the meeting and it had caused an unnecessary chaos inside the meeting.

Then Gen. (Retired) Kamal Gunarathne, the Defence Secretary was called for evidence.

Explaining the said incident, Gen. (Retired) Kamal Gunarathne mentioned that on that day he was not intended to insult the Hon. Chandima Weerakkody, but the statement made by the Hon. Chandima Weerakkody made him to behave like that. However according to him, nothing inhuman had happened on that day.

Thereafter, the Army Commander, Lt. Gen. Vikum Liyanage was called for evidence.

He explained that the incident was unexpectedly happened and he made his apology in that regard.

Observations

- i. The Committee resolved that although the Hon. Chandima Weerakkody made his statement very peacefully, he was provoked by the response received from the Defense Secretary and others causing chaotic situation in the Committee.
- ii. Then the Committee observed that this could be considered as a breach of Privileges according to the Parliamentary (Powers and Privileges) Act. No 21 of 1953.

Schedule Part A : Section 1

“Assaulting, insulting or willfully obstructing any member coming to or going from Parliament or on account of his conduct in Parliament or any committee, or endeavoring to compel any member by force, insult or menace to declare himself in favor of or against any proposition or matter depending or expected to be brought before Parliament or any committee.”

Schedule Part A : Section 2

“Sending to a Member any threatening letter or challenging a Member to fight on account of his conduct in Parliament or Committee.”

Recommendations

- i. The Committee recommended that the Chairman is responsible to carry out the Committee proceedings in an impartial manner and also to secure the privileges of the Members of Parliament.
- ii. The Officials attending in Committees of Parliament should be aware of the Parliament (Powers and Privileges) Act. No. 21 of 1953.
- iii. The Chair recommended that the Defense Secretary, Gen. (Retired) Kamal Gunarathne and the Lt. Gen. Vikum Liyanage (Commander of Army) should make their apology in this Committee Meeting itself to the Hon. Chandima Weerakkody.
- iv. The Defense Secretary and the Commander of Army had paid their apology to the Hon. Chandima Weerakkody and the matter was resolved, accordingly.

XI. The Question of Privilege raised by the Hon. (Dr.) Susil Premajyantha against the Hon. Ali Sabri Raheem, on 25.08.2023.

By the motion moved on 06.09.2023 in the House, the above Question of Privilege was referred to the Committee for further investigation. Accordingly, the Committee commenced its examinations on 18.10.2023.

According to the Hon. (Dr.) Susil Premajyantha, the Hon. Ali Sabri Raheem had attempted to bring Gold and Smart Mobile Phones which are valued more than 70 Million Rupees illegally to Sri Lanka through the VIP lounge of the Katunayake Bandaranaike International Airport misusing his Diplomatic Passport. When this illegal deed activity confirmed, the Sri Lanka Customs has confiscated all the gold and smart mobile phones and the Hon. Ali Sabri Raheem was imposed a fine of 7.5 Million Rupees. The incident happened in 23.05.2023 and the incident was confirmed by a letter directed to the Secretary General of Parliament the Director General of Customs on 14.06.2023.

The Hon. Ali Sabri Raheem was summoned before the Committee on 18.10.2023 for evidence.

Commencing his explanation, the Hon. Ali Sabri Raheem stated that he knew nothing about these gold and mobile phones which were inside his bags until they were examined at the Dubai Airport. Then only he got to know that the person accompanied him had put these to his bags. After arriving to Sri Lanka, according to him, he had declared all these items at the VIP Lounge Katunayake Airport to the Custom Officers. However the Sri Lanka Customs had inquired the person accompanied the Hon. Member and he also had accepted his fault. However both of them were fined at the Airport and the Hon. Ali Sabri Raheem had paid both fines and they had got bailed out. He said that he had filed a Court Case against the person accompanied him and the Case is still pending before the Court.

On 08.11.2023, nine officials from the Sri Lanka Customs appeared before the Committee. Their names and designations are as follows:

- Mr. D.B.N. Samarathunga, Director of Customs
- Mr. P.N.P.P. Premarathne, Senior Deputy Director of Customs

- Mr. S.A.U. Indrajith, Superintendent of Customs
- Mr. A.M.A.S. Amarasinghe, Deputy Superintendent of Customs
- Mr. R.R.G.B.C. Bandara, Superintendent of Customs
- Mr. G.P.D.W.M.R.N.J. Samarawickrama, Assistant Superintendent of Customs
- Mr. Y.B.L. Indika, Superintendent of Customs
- Mr. N.I. Balage, Assistant Superintendent of Customs
- Mr. S.H. Madarasinghe, Assistant Superintendent of Customs

The Director of Customs, Mr. D.B.N. Samarathunga clearly mentioned that due to an information received by them confidentially, they decided to particularly examine the arrival of the Hon. Ali Sabri Raheem into the Katunayake International Airport and they identified that the Hon. Ali Sabri Raheem's behavior was somewhat suspicious and when the Hon. Member was attempting to bypass declaration and move himself with the luggage, he was arrested by the Sri Lanka Customs. Then the Custom Officers have given him a form to declare the belongings of him, the Hon. Ali Sabri Raheem had correctly declared the items which were inside his luggage. The items which were inside the luggage of the Hon. Ali Sabri Raheem were as follows,

The item	Weight in Grams (g)	Value in LKR
24 carot Gold Biscuits 13	1515.9	32,212,875
24 carot Gold Biscuits 1	1000	21,250,000
22 carot Gold Pendant 135	584.1	13,667,940
22 carot Gold Rings 30	247	5,779,800
22 carot Gold Braslets 4	39.1	914,940
22 carot Gold Bangles	11.1	259,740
22 carot Gold Pendent 1	0.5	11,700
Smart Mobile Phones	91 Phones	4,288,500
	Total Value	78,385,495

Then according to the rules of Sri Lanka Customs, gold and mobile phones are in the list which should be definitely declared before departing from the Airport. Therefore all these belongings of the Hon. Ali Sabri Raheem were

confiscated and in addition a fine of 7.5 Million Rupees had imposed over him. The Hon. Ali Sabri Raheem had paid the fine on that day itself and due to that he was bailed out from Sri Lanka Customs.

While the Custom Officers were revealing all these information regarding the particular incident, the Hon. Ali Sabri Raheem was permitted to remain inside the Committee Room and listen to the complete discussion. Then the Chair asked from the Hon. Ali Sabri Raheem whether he admits all these information revealed by the Officers from Sri Lanka Customs. Then the Hon. Ali Sabri Raheem clearly mentioned that he has no objections regarding the facts revealed.

Observations

- i. The Committee observed that the Hon. Ali Sabri Raheem had brought these gold and mobile phones deliberately from Dubai to Sri Lanka. Also the Committee observed that a proper penalty should be imposed on the Hon. Ali Sabri Raheem for this offence committed by him, because this offence had tarnished the reputation of all Parliamentarians.
- ii. The Committee observed that the Hon. Ali Sabri Raheem had violated the following Sections of the *Code of Conduct for the Members of Parliament*.

6. *“The Members shall on all occasions act in accordance with the public trust entrusted with them and shall always behave with probity and integrity including the use by them of any public resources.”*

24. *“Every Member is personally responsible for ensuring that any expenses, facilities and services provided to them from public money is in accordance with the rules laid down on such matters. The Members shall also ensure that the use of any public resources by them is always in support of their parliamentary duties and it shall not confer any undue personal or financial benefit on such Members or anyone else or any political organization.”*

- iii. However the Committee decided to seek the advice of the Hon. Attorney General to impose a suitable penalty to the Hon. Ali Sabri Raheem. According to the advice received (Annex XIX), the Committee resolved that the Hon. Ali Sabri Raheem should be imposed the following punishments as per the Section 54 of the *Code*

of Conduct for the Members of Parliament approved by the Parliament on 7th of March 2018 and resolved that this be adopted with effect from 15th April 2018, read with the Parliament (Powers and Privileges) Act No. 21 of 1953.

54. Where it has been found that a Member has indulged in any unethical behavior or that there is other misconduct in respect of any Member or that any Member has breached any provision of the Code of Conduct, the Committee on Ethics and Privileges may recommend to the House the imposition of one or more of the following sanctions;

(a) censure:

(b) reprimand;

(c) suspension from Parliament for a period as may be specified by the Committee on Ethics and Privileges. However, such period shall not exceed the limits as set out in the Parliamentary (Powers and Privileges) Act, No. 21 of 1953; and....

Recommendations

- i. The Hon. Ali Sabri Raheem be reprimanded by the Hon. Speaker in the House.
- ii. The Hon. Member be imposed with a suspension from the service of Parliament for a period of one month.
- iii. Request from the Hon. Speaker to impose legislative enactments to prevent illegal activities that members commit under the powers and privileges vested on them.

XII. The Question of Privilege raised by the Hon. Chaminda Wijesiri on 14.11.2023 on presenting a letter related to a Court Case against him by the Hon. Anuradha Jayarathna in the House on 10.11.2023 while interfering to the debate which occurred regarding the list of speakers in the Parliament.

XIII. The motion moved in the House on 01.12.2023 on the submission by the Hon. Anuradha Jayarathna and 23 other Members of Parliament degrading the adverse remarks made over the Assistant Secretary General by the Hon. Chaminda Wijesiri.

XIV. The motion moved in the House on 01.12.2023 on the submission by the Hon. Lakshman Kiriella and 26 other Members of Parliament regarding the discrimination done by the Assistant Secretary General to the Hon. Chaminda Wijesiri.

XV. The motion moved in the House on 01.12.2023 on the submission by Mr. Hansa Abeyrathne, the Assistant Secretary General on placing adverse remarks over him several times by the Hon. Chaminda Wijesiri.

As all these complaints are related to each other, the Committee decided to examine them all together.

The first Question of Privilege was referred to the Committee for further investigation by the resolution presented in the House on 15.11.2023 and the remaining questions of privilege by the resolution presented in the House on 01.12.2023. Accordingly, the Committee commenced its examinations on 05.12.2023.

The Hon. Chaminda Wijesiri was summoned before the Committee as the complainant as per the decision of the Committee.

During the chaos occurred regarding the Sepaker's list of the Parliament on 10.11.2023, the Hon. Anuradha Jayaratne had presented an indictment issued to the Hon. Chaminda Wijesiri on a Court Case against him at Badulla High Court during the House proceedings and he emphasized that it as an offence done by the Hon. Anuradha Jayaratne.

The Assistant Secretary General, Mr. Hansa Abeyrathne was called for evidence regarding the incident occurred on 10.11.2023 inside the House as per the decision of the Committee.

Mr. Hansa Abeyratne stated that although this incident happened on 10.11.2023, it was the end result of a chain of events that happened before it.

The Committee watched the relevant videos to this incident.

The first incident of this happened on 06.09.2023, where several questions that were to be asked by the Hon. Chaminda Wijesiri in the Parliament were rejected by the Table Office due to the similarity as per the Standing Orders. Although the related letter is issued with the signature of himself, it is not his sole decision. The Hon. Chaminda Wijesiri has spoken against him in Parliament on 07.09.2023 and 08.09.2023 in this regard.

On 05.10.2023, there was a tense situation in the House of Parliament and at that time only he was staying in the Chamber representing the panel of the Secretaries. After consulting the Hon. Deputy Speaker, he has been instructed to adjourn the House for 10 minutes. Accordingly, the Chair adjourned the meeting for 10 minutes and the Hon. Chaminda Wijesiri, who was present in the meeting at that moment, strongly criticized the decision as it was the decision of him when he left the House. On 05.10.2023, the Hon. Chaminda Wijesiri stated in Parliament that he will save the deal with the relevant people when the time is right.

After that, the incident happened on 10.11.2023. The Hon. Chaminda Wijesiri has called him a thief and has said that he has been appointed to that position through illegal means. Due to these incidents, his professional career as well as his personal life have been severely affected. Moreover the Hon. Chaminda Wijesiri had stated that “අතින් පයින් දෙන්නේ” and he considers it as a serious situation as an Official of the Government.

The Committee decided to summon the Hon. Madhura Withanage as he was the presiding Member on that moment on 10.11.2023.

According to the testimony of the Hon. Madhura Withanage, on that day, the Hon. Chaminda Wijesiri requested that the next speech be given to him due to his personal requirement. But since he does not have the authority to act outside the list of speakers presented by the Chief Opposition Whip, he has forwarded the list of speakers to Hon. Chaminda Wijesiri via WhatsApp and informed him to speak with the members who are on the list of speakers before him. The name of the Hon. Gayantha Karunathilake had included in the list of speakers by the Chief Opposition Whip and the Hon. Chaminda Wijesiri MP exchanged his speaking position with him. According to the list of speakers, the Hon. Gayantha Karunathilaka was in the sixth position and the Hon. Chaminda Wijesiri was recorded in the eleventh position. However,

this incident has started when the Hon. Chandima Weerakkodi, who was in fourth place, commenced his speech.

According to the Hon. Madhura Withanage, the Hon. Chaminda Wijesiri targeted the Assistant Secretary General and blamed him for not giving him the opportunity to make the next speech.

The Hon. Madhura Withanage stated that, at that time, he had informed the Hon. Chaminda Wijesiri several times to stop using those insulting words, but he did not listen to it and then he instructed him as the Chair to remove the relevant words from the Hansard report.

The Committee decided to summon the Hon. Gayantha Karunatileka for evidence of the incident happened on 10.11.2023.

The Hon. Gayantha Karunathilaka appeared before the Committee in this regard, and he stated that, as the Deputy Opposition Whip, himself told the Hon. Chaminda Wijesiri that the next speech will be given to him. He stated that he was not aware that according to the list of speakers, the next speech was given to the Hon. Chandima Weerakkodi. Thus, the Committee decided that the issue has arisen due to a misunderstanding between the parties concerned in the matter of the list of speakers.

The Hon. Anuradha Jayaratne was summoned before the Committee for evidence of the incident happened on 10.11.2023.

The Hon. Anuradha Jayaratne stated that the Assistant Secretary General, Mr. Hansa Abeyratne, who worked as a State Counsel at the time, had signed a indictment presented against the Hon. Chaminda Wijesiri at the Badulla High Court, and because of that, the Hon. Chaminda Wijesiri has a personal grudge against the Assistant Secretary General, Mr. Hansa Abeyratne. It was also stated that the Hon. Chaminda Wijesiri has accepted that before the Committee. However, the Attorney General's Department does not conduct the indictment process by one person alone, it is the result of an overall process and Mr. Hansa Abeyratne, who worked as a state counsel at that time, has only performed his professional duties regarding the indictment presented against the Hon. Chaminda Wijesiri. The Committee unanimously accepted that it was by no means his personal work or work done alone.

Further the Hon. Anuradha Jayaratne stated that as the indictment is a public document and therefore tabling it in the Parliament can not be considered as an offence.

At the time when he was informed to come and give evidence on 08.12.2023 via a letter on 02.12.2023 about the complaint presented by the Hon. Lakshman Kiriella, he verbally informed that he would not be able to present at that time and requested for another date in January 2024.

However, the Assistant Secretary General, Mr. Hansa Abeyratne stated that due to the defamatory statements made by the Hon. Chaminda Wijesiri, his professional and personal life has been greatly damaged and if the Hon. Chaminda Wijesiri apologizes in the same manner as he made those statements and accepts that those statements are false and gives a guarantee that such statements will not be made again, Mr. Hansa Abeyratne does not expect to take further action in this regard.

The Committee suggested that a statement prepared by the Committee itself should be readout by the Hon. Chaminda Wijesiri in the House and this matter can be resolved thereafter.

At that moment the Hon. Chaminda Wijesiri had agreed to that suggestion.

Observations

- i. The Committee observed that there was a misunderstanding regarding the list of speakers on this day among all parties.
- ii. The Committee observed that questions for oral answers or suspending the House are not under the sole authority of the Assistant Secretary General.
- iii. Thus, the Committee unanimously observed that the false, hateful and insulting statements and threats made by the Hon. Chaminda Wijesiri to the Assistant Secretary General were completely wrong.
- iv. The Committee observed that an indictment is not a confidential document, but a public document.

Recommendations

- i. Section 5 of the Schedule B of the Parliament (Powers and Privileges) Act No. 21 of 1953 states:

“Assulting or resisiting or willfully interfering with an Officer of Parliament in the Chamber or in committee or in the precincts of Parliament.”

- ii. Accordingly, the Committee prepared the statement and handed it over to the Hon. Chaminda Wijesiri with a letter dated 07.12.2023 to readout the statement before the House to settle this matter. The

relevant letter and the statement had been annexed as Annex XVII and Annex XVIII.

(The Hon. Chaminda Wijesiri has not made the relevant statement in the House, until the resignation from his Parliamentary membership on 09.01.2024)

iii. Section 1 of the schedule B of the Parliament (Powers and Privileges) Act No: 21 of 1953 states;

“The wilful failure or refusal to obey any order or resolution of Parliament under this Act, or any order of the President or Speaker or any member which is duly made under this Act.”

Accordingly, the Committee recommended this as an offense punishable by Parliament or the Supreme Court.