



Eighth Parliament  
of the  
Democratic Socialist Republic of Sri Lanka

Parliament Series No. 119

SIXTH REPORT  
of  
THE COMMITTEE ON PUBLIC PETITIONS

Submitted under the Standing Order No. 128(5) of Parliament of  
Democratic Socialist Republic of Sri Lanka

*[For the Period from 01.01.2013 to 26.06.2015 of the First Session  
of the Seventh Parliament and from 01.09.2015 to 31.08.2016 of  
the First Session of the Eighth Parliament ]*

*Presented by*

Hon. Sujeewa Senasinghe, M.P.  
Chairman of the Committee on Public Petitions

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## Message of the Hon. Chairman

I served as a Committee Member during the period from 01.01.2013 to 26.06.2015 and a pro.tem. Chairman of many committee meetings and as the Chairman of the Committee on Public Petitions, I am pleased to get the opportunity to add few ideas to the report of the Committee on Public Petitions from 02.12.2015 up to date.

The Committee on Public Petitions has been established for the purpose of providing for a relief mechanism for grievances of people who are subjected to disadvantages at certain instances due to the functions of government agencies and decisions and resolutions taken by officers of such agencies. As such, the Committee on Public Petitions can be termed as a Committee which directly transacts within the legislature for people to obtain relief for the injustices caused to them. At the same time, the large number of petitions referred to Parliament by Members of Parliament **point to the fact that people's awareness on the Committee on Public Petitions has** escalated by now.

I make this opportunity to thank ,

- the Hon. Lalith Dissanayake (former Deputy Minister) (from March 2012 to February 2015)
- the Hon. (Dr.) (Mrs.) Sudarshani Fernandopulle (from February 2015 to June 2015) who served as Chairmen for the period from 01.01.2013 to 26.06.2015

and

- the Hon. Gamini Lokuge
- the Hon. (Dr.) Rajitha Senaratna
- the Hon. Gamini Wijith Wijayamuni Zoysa
- the Hon. Susantha Punchinilame
- the late Hon. M.K.A.D.S. Gunawardena
- the Hon.(Mrs.) Thalatha Athukorale who served as pro.tem. Chairmen,

and

- the Hon. Susantha Punchinilame
- the Hon. Nihal Galappaththi
- the Hon. Bimal Ratnayake who served as pro.tem. Chairmen from 01.09.2015 to 31.08.2016 of the First Session of the Eighth Parliament.

I make this opportunity to pay my gratitude towards the Hon. Members for their co-operation by active participating at the Committee meetings.

In the same way, I would like to place a note for the Hon. S.C. Muthukumarana who gave his views for more petitioners by presenting at meetings even though he is not a Member. I make this opportunity to give an open invitation for all the Members of Parliament to be present at our meetings to take an idea about the way of our functions.

96 meetings were held by the Committee on Public Petitions during the period 01.01.2013 – 26.06.2015 and 935 petitions have been investigated and 390 have been redressed. In the same way the relevant Ministries intimated the Committee that recommendations for redress for 92 persons had been implemented.

Further, the Committee on Public Petitions of the 8<sup>th</sup> Parliament was appointed by the Hon. Speaker on 14.11.2015 and the first meeting was held on 02.12.2015. From then up to 31.08.2016, 14 meetings were held and 124 petitions were investigated. Recommendations relevant to 70 petitions have been issued but only 8 petitioners have been redressed. Reminders have been sent regarding all the other files.

According to Standing Orders of Parliament the petitions received by the Committee on Public Petitions can also be referred to the Parliamentary Commissioner for Administration and accordingly, 216 petitions relevant to this report from 01.01.2013 to 31.08.2016 have been referred to the Parliamentary Commissioner for Administration. I would like to deliver a special thank to the Parliamentary Commissioner for Administration and his staff for their co-operation extended by inquiring into those petitions efficiently.

As the Chairman, I thank the Secretaries to the Ministries and their staff for the co-operation given and I would like to mention here that we could not pursue without their assistance. I remind here that the then Ministers of Posts, Finance and Planning, Power and Energy, Co-operative and Internal Trade, Lands and Land Development came forward to assist the petitioners on the request of the Committee. In the same way, I would like to mention that the Institutions such as the Public Services Commission, Pension Department, Director General – Establishment and Director General - Combined Services were very much cooperative to the Committee.

I also like to mention that even though the Public Service Commission is an institution which functions in accordance with the Constitution and their Procedural Rules and due to that problems have arisen when implementing the recommendations which are given by Committee on the grounds of compassion and therefore, the problems regarding the Public Service Commission and the Judiciary Services Commission should be solved.

We have to accept that it is not possible to provide relief to all the petitioners who come before the Committee and the possibility of implementing the decision given by the Committee within the existing legal framework too should be taken into consideration when providing relief to the petitioners as the Members of the Committee. The Committee does not give unfair decisions that cannot be implemented and the Committee has given its utmost consideration in this regard if not, we ourselves will demean the Committee. However, the Committee has looked into the grievances of the petitioners in a humanitarian view and steps have been taken to provide relief to the petitioners as much as possible within the existing legal framework and I think it will serve the purpose of ensuring the sovereignty and credibility of Parliament.

In the same way, I would like to pay my gratitude towards the Secretary General of Parliament, staff of the Committee on Public Petitions, Interpreter Department of Parliament and the other staff for their unstinted service.

As the Chairman of the Committee, the assistance of the Hon. Committee Members and the staff is expected in future also to carry out the duties of the Committee successfully.

Thank You

Sujeewa Senasinghe, MP  
State Minister of International Trade  
Chairman – Committee on Public Petitions  
2016.11.29

## 1. Committee on Public Petitions of Parliament

Some of decisions taken by the officers of Public Institutions are sometimes unfair and unjustifiable and on such occasions, the Committee on Public Petitions of Parliament is the one of the places that the general public can file their grievances.

The Committee is functioning further or parallel to the following institutions such as,

- (i) Parliamentary Commissioner for Administration (Ombudsman)
- (ii) Sri Lanka Human Rights Commission
- (iii) Public Service Commission
- (iv) Administrative Appeals Tribunal

## 2. Beginning and evolution of the Committee on Public Petitions

The inclusion of the Committee on Public Petitions in No. 27 to 30 of the Standing Orders of Parliament that have been prepared in 1946 to facilitate the functioning of Parliament in orderly and meaningful manner indicates that in the Constitutions introduced to Sri Lanka by the Lord Colebrook who came to Sri Lanka in 1833 for constitutional reforms and the constitutional reforms done by the Lord Donoughmore who came to Sri Lanka and the Soulberry Constitution introduced in 1947 which took inspirations from the Westminster system have taken certain **measures to address people's grievances. We can see such provisions in the** amendments done to the Standing Orders at a later stage and though there were provisions with regard to the Committee on Public Petitions there is no clear evidence of the functioning of it. However, the Hansard Report on 12.11.1981 shows that at the earlier stages the Hon. Speaker has acted as the Chairman of the Committee.

Article 74 of the Constitution of 1978 of the Democratic Socialist Republic of Sri Lanka has given the power to the Parliament to formulate the Standing Orders for the regulation of the business of Parliament and preservation of order at its sittings. Accordingly, the Parliament of Sri Lanka has improved the Standing Orders and enacted the Standing Orders of the Democratic Socialist Republic of Sri Lanka with effect from 01.05.1979. Since the Standing Orders with regard to the Committee on Public Petitions had not been clearly interpreted the functions of the Public Petitions Committee Office, the said Standing Order had, however, been amended on 03<sup>rd</sup> November 1981 detailing the functions of the Committee Office. From that day the Committee has functioned as a Sub-Committee of the Committee Office of the Parliament in accordance with the aforesaid orders and the rules passed by the Committee from time to time.

Later the number of petitions received by the Committee increased day by day and the tasks performed by the Secretariat with regard to the petitions submitted by the Hon. Members of Parliament, follow up activities, sending of reminders and the preparation of files and folders needed additional staff for the Committee Office and in addition to that Ministerial Secretaries, Heads of the Departments, the Members who present the petitions and petitioners frequently call the Secretariat and to perform the huge workload assigned to the Committee efficiently the Committee on Public Petitions proposed in 1990 to establish a separate Committee on Public Petitions. The number of petitions present to the Parliament has been increased from the beginning of the decade 2000 and in 2007 a proposal has been made to establish a separate Committee for that purpose.

Once the approval of the Parliamentary Staff Advisory Committee was given the Committee on Public Petitions was established on 22<sup>nd</sup> October 2008 and arrangements were made to perform the activities of the Committee on Public Petitions more effectively.

### 3. Composition of the Committee on Public Petitions

The Committee on Public Petitions consists of ten members nominated by the Committee of Selection representing all the political parties in Parliament and three members shall form the quorum.

During the period after 1981 the number of members in each Committee has been changed from time to time and accordingly through the resolutions passed in the House on 05.02.2008 and 10.06.2009 the number of members in the Committee on Public Petitions has been increased to 31 and 33 respectively.

#### The Committee during the period from 01.01.2013 to 26.06.2015

- i. Hon. Lalith Dissanayaka, Chairman ( up to 20.01.2015)
- ii. Hon. (Dr.) (Mrs.) Sudharshanie Fernandopulle, Chairperson (from 18.02.2015)
- iii. Hon. (Mrs.) Pavithra Devi Wanniarachchi
- iv. Hon. Gamini Lokuge
- v. Hon. (Dr) Rajitha Senarathna
- vi. Hon. Kumara Welgama
- vii. Hon. Muthu Sivalingam
- viii. Hon. Susantha Punchinilame
- ix. Hon. T.B. Ekenayaka
- x. Hon. (Mrs.) Nirupama Rajapaksha
- xi. Hon. M. K. A. D. S. Gunawardhana
- xii. Hon. Gaminie Vijith Wijayamuni Soyza
- xiii. Hon. Achala Jagodage
- xiv. Hon. Palitha Range Bandara
- xv. Hon. (Dr.) Jayalath Jayawardhana ( up to 31.05. 2013)
- xvi. Hon. Sunil Handunnetti
- xvii. Hon. Faizal Cassim
- xviii. Hon. Pon Selvarasa
- xix. Hon. Gayantha Karunatilaka
- xx. Hon. A. Vinayagamoorthi
- xxi. Hon. (Mrs.) Thalatha Athukorala
- xxii. Hon. Ajith Kumara



- xxiii. Hon. Dayasiri Jayasekara ( up to 29.07.2013)
- xxiv. Hon. (Ven) Athuraliya Rathana Thero
- xxv. Hon. Wasantha Aluvihare
- xxvi. Hon. (Dr.) Sarath Weerasekara
- xxvii. Hon. Sujeewa Senasinghe
- xxviii. Hon. (Mrs.) Rosy Senanayaka
- xxix. Hon. Huneis Farook
- xxx. Hon. Ajith P. Perera (from 22.11.2013)
- xxxi. Hon. Buddhika Pathirana (from 22.11.2013)

At the beginning of the first session of 8<sup>th</sup> Parliament the composition of the Committee on Public Petitions was 20 as per the resolution passed in the House on 14.11.2015 and the number of members in the Committee has been increased to 22 through the resolution passed in the House on 26.02.2016.

The Committee during the period from 14.11.2015 to 02.26.2016

- i. Hon. Sujeewa Senasinghe, Chairman
- ii. Hon. Susantha Punchinilame
- iii. Hon. Douglas Dewananda
- iv. Hon. Salinda Dissanayaka
- v. Hon. Mahinda Yapa Abeywardhana
- vi. Hon. Nihal Galappaththi
- vii. Hon. Bimal Rathnayaka
- viii. Hon. Ranjith Aluwihare
- ix. Hon. Anura Sydney Jayarathna
- x. Hon. Lakshman Ananda Wijemanna
- xi. Hon. K. Thuraiatretnasingam
- xii. Hon. (Dr.) Ramesh Pathirana
- xiii. Hon. Vidura Wickramanayaka
- xiv. Hon. Kanaka Herath
- xv. Hon. Mylwaganam Thilakarajah
- xvi. Hon. Muhammu du Ibrahim Muhammu du Mansoor
- xvii. Hon.(Dr.) (Mrs.) Thusitha Wijemanna
- xviii. Hon. Chaminda Wijesiri
- xix. Hon. (Mrs.) Shanthi Sriskandarasa
- xx. Hon. (Dr.) S. Sivamohan

The Hon. Wajira Abeywardhana has been appointed as a member of the Committee in addition to the above 20 members and accordingly, now the composition of the Committee is 21.

#### 4. Powers of the Committee on Public Petitions

According to the 2<sup>nd</sup> amendment to the Standing Orders on 03<sup>rd</sup> November 1981 Standing Order No. 25 A of the Parliament of the Democratic Socialist Republic of Sri Lanka has been imposed and according to that after a Member of Parliament presents a petition to the Parliament it will be referred to the Committee on Public Petitions and further action is taken by the Committee according to the Standing Order No. 128.

According to the Section 10 of the Parliament (Powers and Privileges) amended Act No. 21 of 1953 the Committees have the power to send for persons, papers and records, may order any person to attend before Parliament or before such committee, and to produce any paper, book, record or document in the possession or under the control of such person and according to the section 12 of the Act the committee has power to get statements by an oral examination. Therefore Standing Order No. 128 (7) has been imposed and the Committee on Public Petitions functions base on that power.

According to the Standing Order No. 128 (4) and (5), the Committee shall, from time to time report to Parliament its opinion on the petitions together with such other recommendations on such petitions as it may think fit.

Sections 16 and 17 of the Privileges Act provides for the persons testifying before a Committee and the evidence thereof be protected while section 14 of that Act assigned duties to the persons who give evidence.

**The Parliament or the Supreme Court can punish under the Part “B” of the Schedule** of the above Act for the willful disobedience of the officers to any order for attendance or for production of papers, books, records or documents made by Parliament or any Committee.

The Committee has only the recommendation powers and it has no power to take further action against the non implementation of its recommendations the **Committee carry out its affairs on the concept of ‘agreement between the parties’ and refusal to act on that agreement later is an offence punishable by the Supreme Court under the Schedule “A” of the Privileges Act for lying before Parliament. The** Committee always attempts to soften the rigidity of the administrative decisions by looking at the problems in a humanitarian point of view rather than confining to the legal framework relating to them. The Committee, which attempts to provide redress to the problems of the petitioners on the agreement of both parties, plays the role of a mediator in this context. However, at instances when parties do not reach agreement, the Committee does not hesitate to make recommendations which it thinks are fair.

Contents in petition are not made public and evidence obtained by the Committee will not be made **available to media**.

If petitioners find it difficult to properly file the necessary information and present it before the Committee they can obtain the service of a defending officer. However this practice of appearing before the Committee with a defending officer is not encouraged by the Committee since it involves a cost on the part of the petitioner.

The procedure adopted by the Committee to make inquiries is flexible and even though specific time limits have not been prescribed on various stages of the inquiry the Committee always attempts to consider the petitions as early as possible and make fair recommendations.

## 5. Presentation of petitions in Parliament by Hon. Members of Parliament

The procedure followed in this regard is mentioned in Standing Order No. 25 A . Accordingly petition shall be addressed to the Hon. Speaker and shall be presented by a Member of Parliament. The petition shall be signed by the MP at the top. The petitioner should describe very clearly and briefly the injustice caused to him and mention clearly, at the end of the petition the redress sought by him. Petitioner or petitioners should have signed the petition and a person who is unable to write should affix his thumb mark in the presence of a witness. A specimen of a petition is there in Schedule 1 and the reasons for the rejection of a petition have been mentioned in Schedule 2. Documents of any type or affidavits should not be attached to the petition.

Petitions thus received are checked by the Petitions Committee Office of the Secretariat of the Parliament and if they are consistent with the Standing Orders, they are referred to the Hon. Speaker by the Secretary General of Parliament for approval. Petitions approved by the Hon. Speaker are presented in the House by the relevant Member. Petitions thus presented in the House are referred back to the Committee on Public Petitions for further action.

Committee on Public Petitions receives a large number of petitions daily and nearly 25% of those petitions have to be rejected due to the inconsistencies with the Standing Orders and the decisions taken by the Committee from time to time.

## 6. Role of the Committee on Public Petitions

According to Standing Orders, when a petition is presented in Parliament the Committee has the power to consider it in the following two manners.

- (a) Inquiry by the Committee itself
- (b) Obtaining determination of the Parliamentary Commissioner for Administration (Ombudsman)

### (a) Inquiry by the Committee itself

Having referred the petition to the Secretary of the relevant Ministry and obtained a report, an extract of that report is sent to the petitioner to obtain his view on it. With the receipt of the views of the petitioner the petition is ready for inquiry before the Committee and letters are sent to the petitioner, the Secretary to the relevant Ministry and the relevant officers to appear before the Committee. It is the responsibility of the Secretary to the Ministry to bring with him/her the other relevant officers with the relevant documents. At this meeting the Committee attempts to arrive at an agreement with the parties with a view to providing redress to the petitioner, by examining the documents and cross examining officers. The Committee considers that it is the responsibility of the Secretary to the Ministry to grant relief to the petitioner by implementing the agreements reached.

(b) Obtaining determination of the Parliamentary Commissioner for Administration (Ombudsman)

As per article 156 of the Constitution of the Democratic Socialist Republic of Sri Lanka of 1978 the Parliamentary Commissioner for Administration Act No. 17 of 1981 was passed by the Parliament which makes provisions for the creation of the post of Parliamentary Commissioner for Administration (Ombudsman) in order to discharge the duty of inquiring and reporting under and in accordance with the provisions of the law the complains or allegations of violation of fundamental rights or any other acts of injustice made by the made by the public officers and the officers of semi government institutions, Public Corporations, Local Authorities and other institutions.

Accordingly, His Excellency the President appoints a Parliamentary Commissioner for Administration (Ombudsman). In accordance with the article 10 of the Parliamentary Commissioner for Administration Act, the petitions which are referred to him out of those received by Parliament are inquired into by him and his determinations according to section 17 of the Act in regard to those are referred back to the Committee along with reasons for such determination. Views so referred to the Committee are re – inquired by the Committee without calling the relevant parties and if the Committee is in agreement with such determinations the office sends letters to the relevant parties informing them to implement those determinations.

The Committee acts as mentioned in (a) above in regard to petitions which the Ombudsman refers without his determinations and such petitions of which the Committee opines that the determinations of the Ombudsman should be further inquired into.

The list of names of Ombudsmen who have co-operated with the Committee on Public Petitions from the year 1981 to 31.08.2016 .

- |    |                               |   |             |
|----|-------------------------------|---|-------------|
| 1. | Mr. Sam Wijesinghe            | - | 1982 – 1991 |
| 2. | Mr. L. H. Alwis               | - | 1991 – 1993 |
| 3. | Mr. G. Abeygunasekara         | - | 1993 – 1995 |
| 4. | Prof. B. E.S.J. Bastianpillai | - | 1995 – 2001 |
| 5. | Dr. R. B. Ranaraja            | - | 2001 – 2010 |
| 6. | Mr. L. A. Tissa Ekanayake     | - | from 2010   |

7. Chairpersons and Competent Officers of Committee on Public Petitions at service since 1981.

<b>1. Hon. L. Alhaj Abdul Barker 1983 - 1988</b>		
10.03.1983	Proposed	Hon. M. Sivasithamparam
	Seconded	Hon. A. M. R. B. Attanayaka
08.03.1984	Proposed	Hon. W. Dahanayaka
	Seconded	Hon. Meryl Kariywasam
05.03.1985	Proposed	Hon. W. Dahanayaka
	Seconded	Hon. R. P. Wijesiri
05.03.1986	Proposed	Hon. Meryl Kariywasam
	Seconded	Hon. M. Haleem Ishak
25.02.1987	Proposed	Hon. W. Dahanayaka
	Seconded	Hon. M. Haleem Ishak
01.03.1988	Proposed	Hon. Meryl Kariywasam
	Seconded	Hon. E. P. Paul Perera
<b>2. Hon. Stanley Thilakarathna 1989 - 1990</b>		
23.03.1989	Proposed	Hon. Mahinda Rajapaksha
	Seconded	Hon. Geethanjana Gunawardena
<b>3. Hon. Chandra Ranathunga 1990 - 1994</b>		
21.05.1990	Proposed	Hon. Stanley Thilakarathna
	Seconded	Hon. Mahen Gunasekara
16.05.1991	Proposed	Hon. Athauda Senevirathna
	Seconded	Hon. Stanley Thilakarathna
17.06.1993	Proposed	Hon. Athauda Senevirathna
	Seconded	Hon. Somasara Dassanayaka

<b>4. Hon. Mahinda Wijesekara</b>			<b>1995 - 1999</b>
22.02.1995	Proposed	Hon. Suranimala Rajapaksha	
	Seconded	Hon. (Mrs.) Sumitha Priyangani Abeyweera	
19.03.1996	Proposed	Hon. Nandamithra Ekanayaka	
	Seconded	Hon. Thilak Karunarathna	
<b>5. Hon. Chamal Rajapaksha</b>			<b>1999 - 2001</b>
03.08.1999	Proposed	Hon. Suranimala Rajapaksha	
	Seconded	Hon. Kesaralal Gunasekara	
<b>6. Hon. Harindra J. Corea</b>			<b>2001 - 2002</b>
10.05.2001	Proposed	Hon. Chandrasiri Gajadheera	
	Seconded	Hon. Mahindananda Aluthgamage	
<b>7. Hon. Lakshman Yapa Abeywardhana</b>			<b>2002 - 2003</b>
05.03.2002	Proposed	Hon. Nihal Galappaththi	
	Seconded	Hon. K. Velaudam	
15.12.2003	Proposed	Hon. Ajith Kumara	
	Seconded	Hon. Nihal Galappaththi	
<b>8. Hon. Dew Gunasekara</b>			<b>2004 - 2005</b>
23.09.2004	Proposed	Hon. Piyasena Gamage	
	Seconded	Hon. Joseph Michael Perera	
<b>9. Hon. Mahinda Yapa Abeywardhana</b>			<b>2006 - April 2010</b>
20.06.2006	Proposed	Hon. (Dr.) Rajitha Senarathna	
	Seconded	Hon. Dew Gunasekara	
23.07.2008	Proposed	Hon. Wajira Abeygunawardhana	
	Seconded	Hon. Susantha Punchinilame	

<b>10. Hon. Janaka Bandara</b>		<b>July 2010 - January 2012</b>
03.07.2010	Proposed	Hon. T.B. Ekanayaka
	Seconded	Hon. Susantha PUNCHINILAME
<b>11. Hon. Lalith Dissanayaka</b>		<b>March 2012 - February 2015</b>
22.03.2012	Proposed	Hon. M.K.A.D.S. Gunawardhana
	Seconded	Hon. Gamini Wijith Wijayamuni Zoysa
<b>12. Hon. (Dr.) (Mrs.) Sudarshini Fernandopulle</b>		<b>February 2015 - June 2015</b>
18.02.2015	Proposed	Hon. A. Vinayagamoorthy
	Seconded	Hon. M.K.A.D.S. Gunawardhana
<b>13. Hon. Sujeewa Senasinghe</b>		<b>Since December 2015</b>
02.12.2015	Proposed	Hon. Susantha PUNCHINILAME
	Seconded	Hon. Nihal Galappaththi

The Secretary General of Parliament is ex-office Secretary of the Committee. Accordingly since 1981 Secretaries General of Parliament Mr. S.N. Seneviratne, Mr. B.S.B. Thiththawella, Mrs. Priyani Wijesekara and Mr. Dhammika Kitulgoda have acted in the Committee as its Secretary representing the Secretary General of Parliament and have given necessary directions to the Assistant Directors and the present Secretary General Mr. W.B.D. Dasanayake too follows suit. The Deputy Secretary General and Assistant Secretaries General of Parliament assist the Secretary General of Parliament overseeing the activities of the Committee.

On the order of the Secretary General of Parliament, the following officers have served as Secretary of the Committee on Public Petitions during the respective periods.

1. Mr. K.T.N. de Silva - 1981
2. Mr. M.S.M.C.B. Sakalasuriya - 1985
3. Mr. W. Palliyaguruge - 1986
4. Mr. Ronald A de Soyza - 1987
5. Mr. T.H.A.L.de Silva - 1991
6. Mr. U Wijesinghe - 1995
7. Mr. J.R. Gajaweera Arachchige - 2000
8. Mr. J.Samaraweera - 2002

9.	Mr. N.S.K.Waidyaratne	-	2006
10.	Mr. W.M.P.C. de Silva	-	2008
11.	Mrs. Ramani Jayawardane	-	2011
12.	Mrs. Shyama M. Fernando	-	from 2013

8. Activities of the Committee on Public Petitions of Seventh Parliament from 01.01.2013 to 26.06.2015

In pursuance of a special resolution adopted by the Committee on Public Petitions of the Seventh Parliament established subsequent to the dissolution of the Sixth Parliament on 05.02.2010 and the General Election held on 08.04.2010 the petitions received by the Committee during the Sixth Parliament and whose investigations could not be completed were examined by the Seventh Parliament. In addition, there had also been a large number of petitions received afresh by the Seventh Parliament for inquiry.

Further, as per a suggestion of the Committee Office, petitioners were summoned on every day on which the Committee held its meetings and after the completion of discussion on petitions, action was taken to review the progress from the relevant Ministry and officials as regards the implementation of agreements relevant to the petitions of the Ministry scheduled or the day, thus increasing the efficiency by following up with 5-10 number of petitions per day.

Although, the Hon. MPP were intimated the date of submission of petitions forwarded by them by a letter, there were instances where they were unable to be present to submit the petitions to the Parliament as the date is not convenient to them. So, the Committee could minimize the shortcoming by allocating a convenient date for them over the telephone.

Arrangements were made to inquire 61 petitions by the Sub-Committee appointed on 06.03.2014 comprised of the women parliamentarians of the Committee on Public Petitions to settle the problems of women who are subjected to injustice immediately and efficiently.

9. Activities of the Committee on Public Petitions from 26.06.2015 to 01.09.2015

The Committee on Public Petitions engaged in the following activities during the period from 26.06.2015 the day the Seventh Parliament was dissolved up to 01.09.2015 when the First Session of the Eight Parliament was started .

- (i) About 100 petitions were referred to the Ombudsman after the Parliament was dissolved on 26.06.2015 according to the resolution arrived at the Committee on Public Petitions held on 12.06.2015 that the petitions are suitable to refer to the Parliamentary Commissioner for administration (Ombudsman) for investigation to avoid the injustice that will be caused to the petitioners due to the inability to further investigation if the Parliament is dissolved in future.



- (ii) As the work of all the petitions were over due to the dissolution of the Seventh Parliament, all the petitioners were informed in writing to forward a new petition to the Eighth Parliament.

10. Policy decisions taken by the Committee on Public Petitions

- (i) To prepare a common format for presentation of petitions and to make the general public aware of the matters considered therein through the Members of Parliament,
- (ii) To forward public petitions to the Committee on Public Petitions under a common format and intimate the general public about this common format through the Members of Parliament, (Specimen format is given under the first schedule)
- (iii) To refer again to the Public Service Commission together with favorable recommendations of the Ministry for reconsideration, if it is clear an injustice has been caused to petitioners as a result of their petition being rejected by the Public Service Commission on technical reasons,
- (iv) The Committee observed that despite the possibility of administering punishment under section 14 of the Parliament Powers and Privileges Act and section 190 of the Criminal Procedures Code against officials of Ministries who consent at the Committee to recommendations made by the Committee on Public Petitions and subsequently violate such agreement for belittling the Committee on Public Petitions, such a course of action was distant and difficult to be implemented in practice. The Committee, having taken into account the legal and departmental impediments encountered by officials in implementing the matters agreed upon at the Committee, also decided to review the agreements reached at the Committee when such problematic situations emerge and make necessary amendments. However, the Committee underscored the need for officials to be more responsible in reaching agreements,
- (v) Not to pursue action regarding the petitions that coming under the scope of the Judicial Service Commission until a decision is taken regarding them as the Commission has declined to send reports,
- (vi) Not to entertain the petitions on non admission of children to Grade 1 of school, (Decision dated 08.06.2011)
- (vii) To consider the petitions those are being inquired before the Human Rights Commission, Parliamentary Commissioner for Administration (Ombudsman) or Public Service Commission after completion of such inquiries by the said institutions.,
- (viii) Not to consider the petitions which have been resubmitted seeking further relief when a ruling had already been given and disposed of by the Committee.

- (ix) To discuss at the Committee without summoning the petitioner the measures that can be taken with regard to petitions on issues that clash with state policies,
- (x) Not to consider petitions received in connection with financial frauds which have been inquired and proved with regarding state own financial Institutions, (Committee decision dated 20.11.2012)
- (xi) Since problems had arisen regarding the enforcement of Standing Orders currently in force and since this undermines not only the Committee on **Public Petitions of Parliament but the people's faith in the supremacy of Parliament** the Committee identified the need for amending Standing Orders relevant to the Committee on Public Petitions empowering it to conduct an inquiry into the petitions of the petitioners and issue an enforceable order and the proposals of the Committee towards this end have been directed to the Chairman of the Committee .
- (xii) According to a suggestion of the Committee Office, action was taken to enquire the progress of implementation of recommendations given by the Committee earlier before reconsideration of a petition which was investigated and given a recommendation.

11. A Review of the Targets set in the 5<sup>th</sup> Report of the Committee on Public Petitions

- (i) Completing inquiries of a petition as soon as possible after being presented in Parliament by a Hon. Member of Parliament.
- (ii) Implementation of the agreements reached with various Ministries and institutions to grant relief to the petitioner as soon as possible .
- (iii) Taking action to provide relief to petitioners who have not been redressed by the Ministries despite the agreements reached in the previous Parliament.

The step taken by the Committee in order to fulfill the above three targets was to handle a petition by the same officer until it is finalized. There by finalizing a petition is efficient as all facts are with him and it eases the co-ordination and the conclusions can be implemented as soon as possible.

**Further, on the reason that the President' Secretary has been reported that** the recommendations given by the Committee after the petitions are investigated, the Cabinet was informed the matter by issuing a circular No. E&O/AC/1/8/6 dated 10.10.2014. The Committee expected that the attention of the relevant institutions would be paid on that. (schedule 3)

- (iv) Formulating the law to enable the reviewing of the appeals of petitions which have been inquired into and completed by the Public Service Commission but redirected to the Committee following its hearing.

Views were exchanged regarding the measures to be followed by both parties to minimize problems created when the recommendations are implemented regarding the petitions that had been once inquired and finalized by the Public Service Commission at the discussion held on 23.07.2014 under the aegis of the Hon. Speaker and with the participation of Hon. Members including the Chairman of the Committee and Chairman of the Public Service Commission and agreed to take further action regarding the petitions sent requesting further inquiry.

- (v) Studying the workings of the Parliamentary Petitions Committees in other countries and making use of such studies to enhance the efficiency of our Committee.

The Chairman of the Committee through a letter dated 18.03.2014 made a request to the Hon. Speaker to consider on naming the Members of the Committee on Public Petitions for local/foreign training sessions. (Schedule 4)

12. Targets and recommendations of the Committee on Public Petitions of the Seventh Parliament.

- (i) Initiating action to enlist the assistance of the Insurance Ombudsman and the Financial Ombudsman when inquiring into the Public to petitions
- (ii) Working in close cooperation with the Petitions Committees operative in the Provincial Councils of Sri Lanka since more petitioners can be granted relief through such a system.
- (iii) Since it is claimed in the first report submitted by the Committee on Public Petitions in 1994 with relevance to the period from 1981 to 1990 that allegations have been made to the effect that the jurisdiction of the Ombudsman has been restricted as by Section 11 of the Parliamentary Commissioner for Administration Act No 17 of 1981, it is recommended to submit a proposal to the Legal Draftsman having consulted the views of the Ombudsman as well to see whether the relevant section of the said Act should be amended and also to recommend that the Ombudsman be empowered to conduct follow up activities to ascertain whether the petitioners have truly been granted relief as regards the petitions considered by the Ombudsman.
- (iv) Recommending the introduction of a suitable procedure for further action regarding the non implementation of the recommendations made as no such procedure has been introduced in that respect even though the report of the Ombudsman presented to the President and Parliament as per 3 (c) of section 17 of the Ombudsman Act amended by the Act No. 26 of 1994 is presented to Parliament through the Committee on Public Petitions on instances where relief is not granted to the petitioners despite the recommendations made; and
- (v) Recommending the introduction of a suitable procedure for further action regarding the non implementation of the relief measures recommended by the Human Rights Commission subsequent to investigations as no such procedure has been stipulated other than presenting to Parliament the reports prepared by the Human Rights Commission as section 15(8) of Human Rights Commission Act No. 21 of 1996 mentioning the instances of not implementing the relief granted even though reports mentioning the matter and referred to His Excellency the President are referred to the Hon. **Speaker by the President's office.**

13. Actions to be taken by Eighth Parliament to Achieve the above Targets of the Seventh Parliament

- (i) Discussing with the Insurance Ombudsman and the Finance Ombudsman
- (ii) Conducting a cordial discussion with Chairmen and Secretaries of Public Petition Committees at provincial councils
- (iii) Informing the Committee on Standing Orders to formulate laws enabling reports submitted to the Parliament be referred to the Committee as per section 17 of the Parliamentary Commissioner for Administration and Section 15 (8) of the Human Rights Commission Act of Sri Lanka and inclusion of the same in the Report of the Sub-Committee on Public Service of the Constitutional Assembly.

14. Targets of the Committee on Public Petitions of the Eighth Parliament

- (i) Committee could not have a clear idea about the way of dealing with petitions requiring intervention of the Judicial Service Commission, an independent body stipulated in the Constitution and action to be taken thereto, to be considered.
- (ii) Requesting approval of the Hon. Speaker for a study tour for conducting sessions of the Public Petitions Committees in other countries.
- (iii) Making arrangements to appoint an officer from each Ministry to coordinate with petitions in order to expedite affairs of the Committee on Public Petitions by cutting down delays in dealing with other ministries.

15. A Summary of Petitions Inquired by the Committee during the Period from 01.01.2013 to 26.06.2015

(a) Received by the Committee on Public Petitions

1	Number of petitions received by the Committee on Public Petitions	1366
2	Number of petitions rejected by the Committee for not being in compliance with the Standing Orders	334
3	Number of petitions presented to Parliament and taken up for necessary action	1061
4	Number of petitions referred to the Ombudsman	184
5	Number of meetings held by the Committee	96
6	Number of petitions taken up for discussion -	
	with relevance to the 7 <sup>th</sup> Parliament	848
	with relevance to the 6 <sup>th</sup> Parliament	87
7	No of petitioners received relief -	
	with relevance to the 7 <sup>th</sup> Parliament	85
	with relevance to the 6 <sup>th</sup> Parliament	7
8	Number of petitions dismissed subsequent to investigations —	
	with relevance to the 7 <sup>th</sup> Parliament	424
	with relevance to the 6 <sup>th</sup> Parliament	16
9	Of the petitions dismissed above, the number dismissed having determined that no redress can be offered subsequent to the preliminary investigation of the Committee —	
	Number of petitions with relevance to the 7 <sup>th</sup> Parliament	289
	Number of petitions with relevance to the 6 <sup>th</sup> Parliament	9
	• Some petitions were taken up for discussion more than once. Accordingly, the total number of petitions subject to discussions of the Committee —	
	with relevance to the 7 <sup>th</sup> Parliament	1202
	with relevance to the 6 <sup>th</sup> Parliament	127

(b) According to the Relief Given

	<b>Ministry concerned and File No.</b>	<b>Petitions relieved</b>
1. Reinstatement		13
	Education- (856)	
	Health - (1946)	
	Law and Order - (627)	
	Local Government and Provincial Councils - (1161, 1162)	
	Youth Affairs and Skills Development - (1552)	
	Postal Services - (214, 311)	
	Agriculture - (166)	
	Power and Energy - (1630)	
	Public Administration and Home Affairs- (1194,1618)	
	Finance and Planning - (1653)	
2. Granting promotions/ Regularizing promotions by granting active service		13
	Co-operatives and Internal Trade - (1189)	
	Education - (1013,1258,2071)	
	Finance and Planning - (44,45,46,47,802)	
	Public Administration and Home Affairs - (887)	
	Agriculture - (1109)	
	Law and Order - (901)	
	Health - (1656)	
3. Granting correct pension or EPF funds in arrears		11
	Co-operatives and Internal Trade - (606)	
	Education - (256,677)	
	Health - (621,622)	
	Law and Order - (1221)	
	Higher Education- (779)	
	Local Government and Provincial Councils - (921)	
	Finance and Planning - (2080)	
	Power and Energy - (639)	
	Defence and Urban Development - (1298)	

	<b>Ministry concerned and File No.</b>	<b>Petitions relieved</b>
4. Granting increments/salary arrears		5
	Education - (27, 943)	
	Agrarian Service and Wildlife - (725)	
	Law and Order - (2133)	
	Finance and Planning - (1814)	
5. Granting compensation		8
	Co-operatives and Internal Trade - (469)	
	Finance and Planning - (610, 800, 1736, 2051)	
	Foreign Employment Promotion and Welfare - (1441)	
	Transport - (121)	
	Local Government and Provincial Councils - (110)	
6. Confirmation of Service		4
	Local Government and Provincial Councils - (491, 1099)	
	Rehabilitation and Prison Reforms - (1049)	
	Agriculture - (727)	
7. Anti dating promotions/appointments		1
	Finance and Planning - (1028)	
8. Granting new appointments		9
	Finance and Planning - (1274)	
	Postal Services - (208, 769)	
	Public Administration and Management - (1909)	
	Education - (432, 1190)	
	Health - (1935, 2204)	
	Local Government and Provincial Councils - (1139)	
9. Granting appointments (substitute)		2
	Postal Services - (425)	
	Transport - (351)	

SIXTH REPORT OF THE COMMITTEE ON PUBLIC PETITIONS

	<b>Ministry concerned and File No.</b>	<b>Petitions relieved</b>
10. Transfers		1
	Youth Affairs and Skills Development – (1683)	
11. Making due payments		2
	State Resources and Enterprise Development – (541)	
	Transport - (1235)	
12. Granting Widows' and Orphans' Pension		1
	Finance and Planning – (604)	
13. Granting dividends and incentives along with arrears		1
	Power and Energy – (1254)	
14. Granting electricity supply		1
	Power and Energy – (1431)	
15. Granting deeds or permits for lands		3
	Irrigation and Water Resources Management - (282,1141)	
	Presidential Secretary - (114)	
16. Providing a proper water supply system		1
	Irrigation and Water Resources Management - (1053)	
17. Stopping projects detrimental to environment		1
	Local Government and Provincial Councils - (1432)	
18. Granting university admission		1
	Higher Education – (1101)	
19. Granting insurance entitlement		1
	Finance and Planning - (1850)	
20. Providing alternative roads		1
	Lands and Land Development -(246)	
21. Providing relief in settling loans		1
	Finance and Planning – (1510)	
22. Activation of Passenger Transport Licence		1
	Private Transport Services - (437)	
	<b>Total</b>	<b>82</b>



## (c) Ministry wise summary of petitions investigated

*SIXTH REPORT OF THE COMMITTEE ON PUBLIC PETITIONS*(c) According to the Ministry Inquired  
(Received & Inquired in Seventh Parliament)

Serial No	Ministry	Number of petitions received by the Committee	Number of petitions referred to Ministries by the Committee	Number of petitions investigated by the Committee	Number of petitions for which relief was recommended by the Committee	Number of petitions for which relief was granted on such recommendations	Of petitions recommended, the percentage for which relief was granted (%)
1	Agrarian Services and Wildlife	0	0	6	2	1	50
2	Agriculture	9	8	20	12	3	25
3	Buddha Sasana and Religious Affairs	0	0	1	0	0	-
4	Civil Aviation	2	2	2	0	0	-
5	Cooperatives and Internal Trade	5	5	16	8	3	38
6	Coconut Development and Janatha Estate Development	2	1	2	2	0	0
7	Construction, Engineering Services, Housing and Common Amenities	4	2	7	2	0	0
8	Culture and Arts	1	1	NI	0	0	-
9	Defence and Urban Development	46	44	31	6	1	17
10	Economic Development	25	19	11	9	0	0
11	Education	93	84	108	38	10	21
12	Environment and Renewable Energy	5	4	NI	-	-	-
13	External Affairs	1	1	NI	-	-	-
14	Finance and Planning	196	44	98	44	17	26
15	Fisheries and Water Resources	3	2	4	0	0	-
16	Foreign Employment Promotion and Welfare	2	2	1	1	1	100
17	Health	34	33	46	26	6	23
18	Higher Education	5	4	6	2	2	100

NI - Not Investigated

SIXTH REPORT OF THE COMMITTEE ON PUBLIC PETITIONS

Serial No.	Ministry	Number of petitions received by the Committee	Number of petitions referred to Ministries by the Committee	Number of petitions investigated by the Committee	Number of petitions for which relief was recommended by the Committee	Number of petitions for which relief was granted on such recommendations	Of petitions recommended, the percentage for which relief was granted (%)
19	Highways, Ports and Aviation	16	14	14	4	0	0
20	Indigenous Medicine	6	4	5	2	0	0
21	Industry and Commerce	13	10	10	5	0	0
22	Irrigation and Water Resources Management	17	15	24	14	3	21
23	Justice	7	5	1	-	-	-
24	Labour and Labour Relations	4	3	5	4	0	0
25	Lands and Land Development	20	17	17	8	1	12
26	Law and Order	102	77	97	26	4	15
27	Livestock and Rural Community Development	1	1	5	1	0	0
28	Local Government and Provincial Councils	42	36	45	22	8	36
29	Media and Information	6	5	9	3	0	0
30	Minor Export Crop Development	1	1	NI	-	-	-
31	National Heritage and Cultural Affairs	3	2	3	1	0	0
32	National Languages and Social Integration	1	1	NI	-	-	-
33	Parliamentary Affairs	1	1	NI	-	-	-
34	Petroleum Industries	4	4	1	1	0	0
35	Plantation Industries	4	1	1	-	-	-
36	Postal Services	21	18	34	17	5	29
37	Power and Energy	22	22	29	12	4	25

NI - Not Investigated

SIXTH REPORT OF THE COMMITTEE ON PUBLIC PETITIONS

Serial No	Ministry	Number of petitions received by the Committee	Number of petitions referred to Ministries by the Committee	Number of petitions investigated by the Committee	Number of petitions for which relief was recommended by the Committee	Number of petitions for which relief was granted on such recommendations	Of petitions recommended, the percentage for which relief was granted (%)
38	Private Transport Services	1	1	1	1	1	100
39	Productivity Promotion	0	0	1	0	0	-
40	Public Administration and Home Affairs	48	40	64	15	4	27
41	Rehabilitation and Prison Reforms	13	9	13	4	1	25
42	Social Services	2	2	1	1	0	0
43	Sports	1	1	2	0	0	-
44	State Resources and Enterprise Development	2	2	5	2	1	50
45	Sugar Industry	1	1	NI	-	-	-
46	Technology and Research	1	1	NI	-	-	-
47	Telecommunications and Information Technology	1	0	9	5	0	0
48	Traditional Industries and Small Enterprises Development	2	1	NI	-	-	-
49	Transport	33	26	57	19	3	16
50	Water Supply and Drainage	3	3	3	2	0	0
51	Youth Affairs and Skills Development	4	4	4	4	2	50
52	Presidential Secretary	1	1	6	2	1	50
53	Attorney General	0	0	1	1	0	0
54	Parliament of Sri Lanka	1	0	1	0	0	-
	<b>Total</b>	<b>838</b>	<b>585</b>	<b>827</b>	<b>328</b>	<b>82</b>	<b>25</b>

NI - Not Investigated

(d) According to the Ministry Inquired  
(Received in Sixth Parliament & Inquired in Seventh Parliament)

Serial No.	Ministry	No of petitions investigated by Committee	No of petitions for which relief was recommended by the Committee	No of petitions for which relief was granted on such recommendations	Of petitions recommended, the percentage (%) for which relief was granted
1	Defence and Urban Development	2	2	1	50
2	Economic Development	1	0	-	-
3	Education	2	2	0	0
4	Finance and Planning	4	1	1	100
5	Health	5	4	1	25
6	Highways, Ports and Shipping	3	1	0	0
7	Industries and Commerce	2	2	0	0
8	Irrigation & Water Resources Management	41	41	2	5
9	Lands and Land Development	2	2	1	50
10	Law & Order	3	1	0	0
11	Livestock & Rural Community Development	1	0	-	-
12	Media and Information	1	1	0	0
13	Postal Services	3	2	0	0
14	Posts & Telecommunications	1	0	-	-
15	Public Administration & Home Affairs	3	2	0	0
16	Transport	2	1	0	0
17	Youth Affairs and Skills Development	1	0	-	-
18	Parliament of Sri Lanka	3	0	-	-
	<b>Total</b>	<b>80</b>	<b>62</b>	<b>6</b>	<b>10</b>

(e) Referred to the Parliamentary Commissioner for Administration (Ombudsman)

Within the period from 01.01.2013 to 26.06.2015 :-	
Number of petitions referred to the Parliamentary Commissioner for Administration	184
Out of the petitions referred to the Parliamentary Commissioner for Administration within the period from 01.01.2013 to 26.06.2015 :-	
No. of petitions examined by the Committee with relevance to the	21
No. of petitions examined by the Committee with relevance to the Sixth Parliament	7
Petitions provided with the relief recommended by the Parliamentary Commissioner for Administration :-	
No. of petitions relevant to the Seventh Parliament	3
No. of petitions relevant to the Sixth Parliament	1
No. of petitions dismissed by the Parliamentary Commissioner for Administration	19

16. Synopses of petitions provided with relief by the Committee

(1) Mr. C.M. Chandradasa

Wathuwaththa, Dummalasooriya

COM/PP/2012/1431

The petitioner has submitted the petition seeking relief as he had not received electricity facilities up to then even though 1 year and 9 months had lapsed since the payment of relevant money as advised to obtain bulk supply of electricity for his business premises.

Responding to the inquiry made by the Committee on Public Petitions as requested by the petitioner, Ceylon Electricity Board has taken steps to supply electricity.

(2) Mrs. Chandralatha Magamamudali

No.18, Aatygala Niwasa, Kesbawa, Piliyandala

COM/PP/2011/606

The petitioner has submitted the petition claiming that she had been appointed to the post of Personnel and Public Relations Manager, Secretary to the Board of Directors and Chief Clerk on 01.03.1973, even though her post had to be converted to the post of Administrative Manager as per the Salary Circular No.102/80 dated 24.12.1980 she had not been granted that post or the salary but

was appointed to a lower grade casual post of Personnel Manager and she has requested the delivery of justice by paying her gratuity based on the last drawn salary prior to retirement.

It has been informed that the Co-operative Services Commission had acceded to **the petitioner's request finding it reasonable and decided to provide her a sum of Rs.529, 372.24 as gratuity, salary in arrears and penalty interest in consideration of her 34 year service, payment was to be made in a first installment of three lakhs and the balance in 2 installments scheduled for 01<sup>st</sup> June and 01<sup>st</sup> Of September 2013 and that action had already been taken to provide to the petitioner a cheque drawn for 3 lakhs.**

(3) Mr.A.M.Gratian Ashoka

**“Sumihiri”, Kimbilla, Chilaw.**

COM/PP/2012/1189

The petitioner has submitted the petition claiming that he was currently serving as a Co-operative Inspector in the North Western Province and requesting delivery of justice as he had not been granted the promotion to Grade One that he was entitled to after 10 years of service in the said capacity since he had been **absorbed as a Class “A” Co-operative Inspector on 01.01.1996.**

The Secretary to the Ministry of Co-operatives and Internal Trade has sent a letter informing that action had been taken to grant the promotion to Grade One as requested by the petitioner.

(4) Mr. T.C. Darius de Sa

No.85, Harishchandra Mawatha, Anuradhapura

COM/PP/2011/725

The petitioner has submitted the petition complaining that he had been subjected to serious difficulty as no payment had been made despite the completion of work as per the contract for the construction of Wasgamuwa, KiriOya road, the payment had been withheld as a late fee for a fault on the part of the administration of the institution and that he had not received any relief even though ICTAD had been informed and he has requested the release of part payments, the deposit and the late fee.

On the ruling given by the Committee after considering this petition, Rs.437, 850.62 as additional work charges, Rs.845, 916.00 as late fee and the deposit of Rs.488, 205.72 have been released and the petitioner has been provided relief.

(5) Mr. W. H. S. Fernando

No. 174, Malwaththa Road, Matale

COM/PP/2010/282

The petitioner has submitted the petition requesting the grant of a long term license to continue the metal industry in the land provided to him for that purpose as his metal industry had been banned owing to the reservoir constructed for the water supply scheme.

This petition was referred to the Ombudsman for further investigation and he has recommended the granting of that long term license. Accordingly, the petitioner has been granted the annual license to continue the industry subject to the approval of the Central Environmental Authority and Geological Surveys and Mines Bureau and the Circular of the Mahaweli Authority and he has been informed that action would be taken to issue the long term license under the Crown Lands Ordinance according to the progress in the development activities.

(6) Mrs. N. Priyangika Nilmini

No. 333, Jayantha Watta, Kaluthara North

COM/PP/2010/114

The petitioner has submitted the petition complaining that she had paid an advance requesting a plot of land from Pembroke Estate located in Nagoda, Kaluthara but the relevant land had not been transferred to her up to then by the Land Reforms Commission despite obtaining the required affidavit to provide a 24.78 perch plot out of the said land to her as per the recommendation of the Public Petitions Committee and she requested the provision of the said land for her to reside.

Accordingly, action has been taken to issue the title deed bearing No.4982 dated 25.11.2011 to the petitioner after she paid for the land as per the valuation carried out by the Government Valuer based on 2003.

(7) Mrs. Indrani Galpatha

No. B/66, Kurundu Watta, Anguruwella, Ruwanwella.

COM/PP/2011/606

Even though the petitioner had served as a clerk at the Department of Health for 26 years, she was not entitled to a pension as she had not been confirmed in her post and she has submitted the petition requesting confirmation of her appointment.

Accordingly, as per the instructions given by the Committee to confirm the petitioner in the post of Health Clerk on compassionate grounds in consideration of her long term of service making the confirmation personal to her, the petitioner was confirmed in her post with effect from 01.10.1985, her date of first appointment, making it personal to her only for the purpose of adjusting her pension in consideration of her long and satisfactory period of service of 26 years and action has been taken to send her on retirement as she had concluded service.

(8) Mr. D.G. Wimalasena

No. 4218, Samagipura, Viharagala, Sooriyawewa.

COM/PP/2012/1141

The petitioner who claims that a portion of the plot of land received by him through the Mahaweli land Kachcheri has been obtained by another person in an unfair manner, has submitted the petition requesting to be legally granted the full ownership of the land.

When the Committee inquired about the progress in providing the permits, the officers who admitted that issuing two permits for the same land was a mistake, informed that action had been taken to provide a separate land for the petitioner and provide the deed of the land for him, to correct that situation.

(9) Mr. N.P.S. Rathnayake

Godagama, Pelmadulla

COM/PP/2012/1053

The petitioner has submitted the petition requesting the delivery of justice as the **canal and the small tank that provided water to the petitioner's land called Poollanda** had been destroyed blocking the water supply.

When this petition was examined by the Committee, it was observed to be a negligence of duty on the part of the relevant Grama Niladhari and the Divisional Secretary as protection of the reserve was their duty and they were directed to take action to get the reserve released and the petitioner was advised to engage in cultivation by solving the personal disputes and the Committee also advised the officers to extend the required support to the petitioner for his cultivation.

(10) Mr. I.P.K.H.K. Dharmasiri,

No. 576, Pelpitiya, Ehaliyagoda.

COM/PP/2012/1274

The Petitioner who sat and passed the written examination held by the Bank of Ceylon for the post of Bank of Ceylon Staff Assistant (Trainee) and faced the interview, has submitted the petition requesting the grant of relief under Cabinet paper No.04/0766/027/006 for the allocation of approximately 3% of the employment opportunities in the public, private and corporate sector for the disabled.

As per the directive given by the Committee to grant the relief made available for the disabled on the aforesaid Cabinet decision, action has been taken to recruit the petitioner to the post of Trainee Staff Assistant with effect from 01.01.2013.



(11) Mr. K. Lokuliyana

No. 44/9, Temple Road, Moratumulla, Moratuwa.

COM/PP/2011/779

This petitioner had served as the Internal Auditor of the Buddhist and Pali University and resigned from his post soon before completing 55 years of age and he has mentioned that the EPF benefits that should have been paid within 3 months were paid after 15 months. Therefore he has submitted the petition requesting the payment of the interest due to him for the delay and the provision of his gratuity.

As per the recommendations made by the Committee after investigations in this regard, the relevant payment has been made to the petitioner by the Buddhist and Pali University.

(12) Mr. K.N.G.N. Perera

No.225, Sri Gnanamoli Mawatha, 11<sup>th</sup> Lane, Makola North, Makola.

COM/PP/ 2011/610

The petition has been submitted requesting the delivery of justice as the petitioner who had joined the service as a clerk had been denied promotions for several years but promoted to Class III of Grade 3 after 17 years and the petitioner has claimed that he had retired due to distress as he was not granted the promotion to Class I of Grade 3 recommended to be granted with effect from 01.06.1995 after his appeal to the Committee on Political Victimization.

After discussions even though it was agreed initially to pay the petitioner Rs.200, 000.00 and later Rs350, 000 on compassionate grounds, as the petitioner declined to accept that payment, as a relief measure personal to the petitioner was the only request made, the petitioner was informed to accept the said amount as the compassionate allowance was paid in deference to the Committee.

(13) Mr.A. Siripala

No. 363, Dagonna, Via Negombo

COM/PP/2012/1221

The petitioner has submitted the petition requesting the grant of relief claiming that he had been sent on retirement subject to Section 12 of the Minutes on Pensions and that he had been aggrieved due to the loss of pension as a result of not sending him on retirement according to the General Procedure after granting him the promotion to the post of Sub Inspector that he was entitled to, even though the case against him was concluded on 30.11.2011 by acquitting him.

As per the instructions given by the committee having investigated this petition, action has been taken to convert the retirement of the petitioner into a general retirement and to promote him to the position of sub police inspector.

(14) Mr. W.S. Peris

No. 41/1, D.S. Fonseka Road, Thibirigasyaya, Colombo 05

COM/PP/2011/541

The petitioner has sent the petition informing that he is retired, that he owed a payment for 36 months from 01.08.2005 to 01.07.2008 as per the budget allowance number 36 of 2005, and that a part of the said payment has been given and he requests that the balance of the due amount be paid and that his provident fund allocations be credited to the provident fund account since contributions have not been made by the institution except for two months during this period although he had provident fund entitlements for the period from July 2007 to April 2009.

It was stated that the particular payments have been made to the petitioner as per the recommendations of the Committee and the petitioner too has forwarded a letter to the committee confirming the same.

(15) Mr. Mathugamage Premarathne

No.344, Dodamkumbura Watta, Dodamkumbura, Alawwa

COM/PP/2011/856

The petitioner who has been a sports and physical education teacher and in spite of the fact that he has informed the principal that he can not report for duty due to bad health while serving in Co/ Saint Josephs Boys School , Grandpas, Colombo 14 and as it has been considered that he has vacated post, he has sent this petition requesting to be reinstated.

Although the petitioner has re-requested that his salary for the period during which he has not been in service be paid, he has been reinstated in agreement with the condition Number 05 of the letter dated 28.03.2012 issued to him by the Zonal director of Education informing to reinstate him which emphasizes the point that the appeals which will be submitted afterwards would not be considered.

(16) Mrs. S.A. Pernalatha

No. 95/15, Kakkelewatta, Pallewela

COM/PP/2011/621

The petitioner has sent the petition informing that she who lost her post due to political reasons had been reinstated with effect from 10.08.1978 as per the cabinet decision dated 05.06.1996, but the previous service period has not been included with regard to calculating the pensions.

The pensions of the petitioner has been properly calculated and provided as per the instructions given to the officials of the Department of Pensions by the committee having investigated the petition, and requesting to amend the pensions including the period during which the petitioner was not in service, for the purpose of calculating the retirement pensions.

(17) Mrs. K. Seelan

No.68/42, Neelammahara, Buthpitiya

COM/PP/2011/622

The petitioner has sent the petition informing that she who lost her post due to political reasons had been reinstated with effect from 10.08.1978 as per the cabinet decision dated 05.06.1996, but the previous service period has not been included with regard to calculating the pensions.

The pensions of the petitioner has been properly calculated and provided as per the instructions given to the officials of the Department of Pensions by the committee having investigated the petition, and requesting to amend the pensions including the period during which the petitioner was not in service for the purpose of calculating the retirement pensions.

(18) Mr. H. M. Wijerathne Bandara

No.62, Hulandawa South, Moneragala

COM/PP/2010/311

The petitioner has sent the petition informing that his wife got the appointment of sub post mistress in the Hulandawa South Sub-Post Office administered by the Moneragala post office when he was serving in the Moneragala Sub-Post Office as a postal substitute and owing to this reason stating that it is not appropriate to employ me in the same post office and without employing him in any other post office, he was dismissed on that ground He requests that his cancelled appointment be activated , that promotions relevant for the particular period be nominally provided and that he be appointed to the post deserved by him at present.

As per the recommendations of the Committee and on sympathetic grounds, the petitioner has been placed as the last in the seniority register of the Moneragala post office and has been given the appointment of registered substitute without considering the age of the petitioner.

(19) Mr. Dissanayake Padmasiri

Dissanayake stores, Janapadaya, Nakiyadeniya

COM/PP/2010/213

The petitioner has sent the petition requesting to be reinstated in service informing that while he was serving in the office of registered substitute in the Galle post Office, his service was suspended and later at the formal disciplinary inquiry conducted his registered substitute post was cancelled as per the disciplinary order.

On request by the Committee the situation of this petitioner has been considered on sympathetic grounds and the registered substitute appointment has been provided without pension entitlements.

(20) Mrs. M.R.A. Dayanali Subhashini Premachandra

**“Samanpaya”, Pussellawa, Parakaduwa**

COM/PP/2010/208

The petitioner has sent the petition informing that the appointment to the post of acting sub post master in the Pussella-Millawitiya sub post office which was to be given to her was cancelled and she requests to be reinstated in service as the said post has been re-gazetted.

An interview was again conducted to provide this appointment and as Mrs. G. Sureka Lakmini Perera became first in the interview, and accordingly as arrangements were made to appoint her as the acting sub post mistress of the the Pussella-Millawitiya sub post office, the appointment has not been provided since both Mrs. Sureka and the petitioner have appeared before the committee.

Later as per the new recruitment procedure, Mrs. G. Sureka Lakmini Perera who obtained the highest marks at the second interview and who had already arranged the office was appointed the acting sub post mistress in the Pussella-Millawitiya sub post office, and action has been taken to appoint Mrs. MRADS Premachandra to some other appropriate place in the same district.

(21) Mrs. G. Sureka Lakmini Perera

**“Wasana”, Pussella, Parakaduwa**

COM/PP/2011/769

The petitioner has sent the petition informing that the appointment to the post of acting sub post master in the Pussella-Millawitiya sub post office which was to be given to her as she became the first in the examination conducted for the appointment of acting sub post master in the Pussella-Millawitiya sub post office , and as she underwent training in the Kuruwita post office for about 1 ½ months until receiving the approved appointment from the Ministry, and has refurbished the post office utilizing money from a loan obtained by her husband and informing that somebody else was appointed for the post office by the ministry. Therefore she requests that justice be meted out .

As Mrs. G. Sureka Lakmini Perera is the best suitable for this post as she has obtained the highest marks at the second interview, and as the petitioner has prepared a location for her office, the relevant position has been given to her.

(22) Mrs. D.K.H. Wasantha

No. 7/19, Galwalalanda Mawatha, Makuluduwa, Piliyandala

COM/PP/2010/27

The petitioner who has worked as an instructor in the Textile Department has been later absorbed into the teachers service and has sent the petition requesting that the former service period be included for calculating the pensions allowance and also that the salary increment benefits be granted as per clause 9 of Para vii of the Establishment Code.

The committee having investigated this petition, has recommended that relief be provided to the petitioner and action has been taken to provide the salary **increment benefits as per the Establishments Code as at awarding the teachers' appointment.**

(23) Mr. P.P. Dharmadasa

Bowaththa, Mudukatuwa, Marawila

COM/PP/2010/256

The petitioner has stated that he was subjected to political revenge after the general election 1977, and that he migrated for personal security and submitted an application for retirement and owing to these reasons he got a less amount as the pension allowance .He has presented the petition requesting that the relief provided to the other teachers who were subjected to political revenge be provided to him as well taking his health issues into consideration.

The committee has recommended that an amended pensions be provided to the petitioner under Public Administration Circular 7/96 and 7/96(1) and accordingly, the pensions has been amended considering him to have been in service until the age of 60.

(24) Mr. D.A. Daya Bandara

**“Daskon Sevana” Gamagoda, Kalutara.**

COM/PP/2011/627

The petitioner has worked as a Police Constable and had to undergo medical treatment owing to a health issue which came up suddenly and in spite of the fact that both oral and written notice has been given to the immediate boss, it has been considered as he has vacated the post .He requests to be reinstated in service and to be provided with the salary with arrears.

At the investigation of this petition by the committee it was informed by the petitioner and the officers that the petitioner has been reinstated in service.

(25) Mr. Anura P. Polwatta

Swashakthi House, Sri Gunapalattissa Mawatha, Nebada

COM/PP/2012/1510

The petitioner who has served as a branch manager of the Regional Development Bank, Kalutara had been interdicted on the allegation that he has supported a customer , and further he had been dismissed after an unfair disciplinary inquiry. The petition has been submitted requesting him to be reinstated.

At the investigation, the Committee decided that it is not possible to reinstate him in service and on directive given to the bank to make arrangements to provide him certain relief pertaining to the recovery of his loans, the petitioner has been provided with such relief related to the settlement of loans.

(26) Mrs. S.M. Rohini Dayakanthi

No.5/16, Namaldeniya, Parakaduwa

COM/PP/2012/1161

**The two petitioners have served in the Government Children's Home, in Kuruwita** in Sabaragamuwa Provincial Council as matrons on contract basis and their service has been terminated as the result of examinations conducted related to a death of a child under their protection. The petitioner has submitted the petition requesting to get another opportunity to serve in the said post.

At the second investigation of the petition by the Committee, it was recommended that the petitioner be re-recruited on whichever basis possible. Accordingly, action has been taken to recruit the petitioner on contract basis.

(27) Mrs. T.H. Indrani Jayasinghe

No.26, Madala, Ellagawa

COM/PP/2012/1162

**The two petitioners have served in the Government Children's Home, in Kuruwita** in Sabaragamuwa Provincial Council as matrons on contract basis and their service has been terminated as the result of examinations conducted related to a death of a child under their protection. The petitioner has submitted the petition requesting to get another opportunity to serve in the said post.

At the second investigation of the petition by the Committee, it was recommended that the petitioner be re-recruited on whichever basis possible. Accordingly, action has been taken to recruit the petitioner on contract basis.

(28) Mr. C.K. Mandalawatta

No.76, Manigewatta, Ihalakimbiya, Galle

COM/PP/2011/1552

A group of individuals including the petitioner have been recruited for the posts of carpenter, welder and electrician in the technical colleges that are administered by the Ministry of Youth Affairs and Skills Development but the salaries have not been paid after a period of three months and further they have been dismissed having re-examined the qualifications. The petitioner has submitted the petition requesting to be reinstated.

When this petition was investigated by the Committee, the officers of the Ministry informed that the qualifications of the respective individuals have been checked and that the posts of Field Assistant have been awarded in accordance with that.

(29) Mr. M. Ganeshrajah

Puliyawatta Tamil Maha Vidyalaya, Dikoya

COM/PP/2014/2071

The petition has been submitted stating that the petitioner was attending a foreign training course at the time that interviews for promoting to Grade I of the **Principals' Service were held, hence he was unable to participate in the interviews** as a result of which he has missed the promotion. Although requests were made asking for an alternate date for him to face the interview, a favorable response had not been received in that regard. Thus the petition is submitted requesting that the promotion for which he is duly eligible be granted to him.

A report regarding this petition was called from the Secretary to the Ministry of Education and in response, the Secretary to the Ministry has reported that the aforesaid promotion was granted to the petitioner.

(30) Mr. U.S.S. Fernando and others

**“Suranga”, St. Savior Road, Ulhitiya, Wennappuwa**

COM/PP/2011/802

The petition has been submitted requesting that justice be served since they were unable to gain their respective promotions because the Essay and Comprehension question paper set for the interview for recruiting Trainee Officers to the Bank of Ceylon was inconsistent with Circular 2010/48.

Action has been taken in accordance with the directive issued by the Committee to the effect that the said petitioners be granted their respective promotions back dated to the date on which other candidates who sat for the same examination were given their promotions since an injustice has been caused to the petitioners.

(31) Mr. D.D. Wijesena

No.83/A, Pamunugama, Alubomulla

COM/PP/2010/469

The petition has been submitted requesting that the overdue salaries and compensation amounts be paid to the petitioner in keeping with the order issued by the Cooperative Employees Commission since the Cooperative Society of the Petitioner has defaulted paying the overdue salaries and compensation amounts recommended by the Cooperative Employees Commission to be paid to the petitioner who was employed at the Bandaragama Multipurpose Cooperative Society.

As per the information provided by the officers stating that action is being taken to comply with the decision given by the Cooperative Employees Commission to the effect that payments be made to the petitioner, all payments have been made to the petitioner.

(32) Mr. K.H. Nihal

Pathiragoda, Ganegoda, Akmeemana

COM/PP/2011/491

The petition has been submitted requesting that the petitioner be made permanent in service in consideration of the facts that the petitioner has been employed at the Road Development Authority of the Southern Province for approximately 17 years in casual basis and that he has fulfilled all required qualifications.

As per the notification made to the relevant officers by the Committee instructing that the petitioner be made permanent in service when this matter was initially taken into consideration at the Committee in the presence of the petitioner, he has been made permanent in his service.

(33) Mrs. E.M. Sandya

No. 48, Indigahalanda, Udawattagoda Rd., Kaluthara

COM/PP/2012/1028

The petition has been submitted requesting that she be granted a permanent appointment remedying the injustice she had to face. The service of the petitioner had been terminated while she was on maternity leave but she had been recruited again after an appeal was submitted by her. However, she had been made permanent in service disregarding her previous period of service.

As per the agreement arrived while the Committee was investigating the petition submitted by the petitioner, the appointment of the petitioner has been backdated, relevant salary increments have been given w.e.f. the said date and she has been placed in the correct salary step without any arrears.

(34) Mr. M.T.A. Manzoor

No. 277/ A, Main Street, Eheliyagoda

COM/PP/ 2011/677

The petition has been submitted requesting that the petitioner be provided with the pension in consideration of his 18 years of service. The petitioner had been unable to report to duty as a result of a mental illness that afflicted him while serving as a Teacher.

In keeping with the recommendation made by the Committee to grant the petitioner his pension using the fact that a vacation of post notification had not been issued to the petitioner as an opportunity to grant him a concession since proper procedures of the Establishment Code have not been followed, the said petitioner has been granted his pension.



(35) Mr. V. Sundaramoorthy

No.79, Tintern Way, Harrow, Middlesex, HA2 ORZ, London, UK

COM/PP/2011/800

The petitioner who had been employed as a Branch Manager, had gone abroad on no-pay leave for his life safety. Although requests had been sent asking that he be retired, no response has been received. Hence the petition has been sent requesting that he be paid the pension.

Since a vacation of post notification has been issued to the petitioner, pension entitlement cannot be granted to the petitioner but as a token of respect to the Committee, the Bank has made arrangements to make a payment of Rs.750,000/- as an alternate measure of relief.

(36) Mr. S.W.A. Karunasiri

Thalpawila, Kekandura

COM/PP/2011/887

The petition has been submitted requesting that justice be granted to him in view of the fact that the petitioner was not given the promotion although he has passed the limited competitive examination of the supra grade of the Management Service.

The petitioner has informed the Committee that the said promotion has been granted to him on compassionate grounds after calling a report from the Ministry.

(37) Mr. H.A. Jayarathna

No.67/2, Diyagama, Kiriwaththuduwa

COM/PP/2012/1254

Service of the petitioner, who had been an employee of the Ceylon Electricity Board, was terminated and he was reinstated in service without break after a court decision to that effect was issued. The petition has been submitted requesting that payments payable to him as per the said court decision be made to him since allowances due to be paid to him have not been paid.

Ceylon Electricity Board has taken action to pay all allowances payable to the petitioner as per the decision of the court in keeping with the recommendation issued by the Committee after investigating the petition.

(38) Mr. J.M.P. Bandara

**‘Sanka’, Hettiheraliyagahawatta, Palleperuwa, Heeloya, Bandarawela**

COM/PP/2012/1258

The petitioner, who is a 2-I Grade Principal, has a service period of 27 years and **is qualified to be appointed to Grade I of the Principals’ Service. The petition has** been submitted requesting that he be granted the promotion to Grade I of the **Principals’ Service.**

When a report in this regard was called from the Ministry of Education, the Ministry has reported that the petitioner has been promoted to Grade I of Sri **Lanka Principals’ Service.**

(39) Mr. W.M.Saranapala

No. 20/3, Peiris Mawatha, Moragasmulla, Rajagiriya

COM/PP/2013/1909

At the age of 58 years and 6 months, the petitioner had applied for the post of marriage registrar for which the age of eligibility is 60 years. The petition has been submitted requesting that he be granted the said appointment since he was denied the appointment sighting that his age is close to 60 years of age.

When a report in this regard was called by the Committee from the Ministry of Public Administration, the Ministry has informed that action was taken to grant the said appointment and the petitioner too has informed the Committee that the appointment was granted to him.

(40) Miss. U.G.L.T. Niroshani

Kandawatta, Karandana, Ratnapura

COM/PP/2012/1049

The petitioner, who was recruited to the post of Welfare Officer (Class II-casual) of the Department of Prisons based on her qualifications, had not been made permanent in the post when the time for making the officer permanent in her post had arrived sighting that her height is 1.5 inches shorter than the required height. The petition has been submitted requesting that she be made permanent in the post since the said requirement is not applicable to the said post.

Action has been taken in line with the recommendation made by the Committee to submit a Cabinet Paper and obtain approval of the Cabinet to make the petitioner permanent in her post therefore the appointment of the petitioner has been made permanent.

(41) Mrs. K.R.Nimalawathi

Nanawala, Gowinna

COM/PP/2013/1946

The petitioner, who has a service of 15 years in the post of Family Health Midwife had been interdicted. Even by that time, she had not been made permanent in the post. Hence, the petition has been submitted requesting that she be reinstated in service.

A report was called from the Ministry of Health in this regard and accordingly the Ministry has informed that she has been reinstated in service subject to 4 conditions mentioned in the disciplinary order which was issued to the petitioner.

(42) Mr. Chammi Manoj de Silva

Katukurundugahalanda, Payagala

COM/PP/2012/1441

The petitioner, who had been employed at the Foreign Employment and Welfare Ministry, had become disabled as a result of a vehicle accident that occurred while he was on duty. The petition has been submitted requesting that he be provided some relief since neither salary nor compensation was paid to him as he was considered a casual worker.

After investigating the matter, the Committee had recommended that the petitioner, who is now a fully disabled person, be granted compensation and the pension. Accordingly, compensation has been paid and action is being taken regarding his pension entitlement.

(43) Ms. N.D. Swarnamali Wijesuriya

Pinnagollawatta, Weligodapitiya, Polgahawela

COM/PP/2013/1935

The petitioner, who had been employed as a sanitary worker, was unable to report to duty because she had to be hospitalized due to illness that afflicted her in connection to an incident she had to face while on duty. The petition has been submitted requesting that she be reinstated in service as she admits that she acted in breach of the values and responsibilities of her job.

As per the recommendation made by the Committee to the effect that the petitioner be given an appointment as a new employee in view of the difficulties she had to face, she has been recruited to the De Soysa Hospital for Women in Colombo.

(44) Mr. Dhanapala Vijayahewa

Dinujaya Fishing Company, No.12, Pasalwatta, Gurubewila, Weligama

COM/PP/2014/2051

The multiday fishing vessel of the petitioner who is a fisherman had been destroyed. The petition has been submitted requesting that the petitioner be paid insurance compensation since the payment of compensation has been denied to him for the multiday fishing vessel which was insured at the Sri Lanka Insurance Corporation.

The Committee which decided that the petitioner has clearly been affected recommended that the petitioner be paid insurance compensation for his vessel. Accordingly, action has been taken to pay an amount of Rs. 33,10,000.00 as compensation.

(45) Miss. A.P. Harshi Thanuja

No.294, Agbopura, Kanthale

COM/PP/2011/432

**The petition has been submitted requesting that the petitioner's appointment as a voluntary teacher be made permanent since her appointment was not made permanent earlier as she did not have 3 years' continuous service which was required when making voluntary teachers permanent in their service.**

After looking into this petition the Committee decided that it is not possible to grant a permanent teacher appointment to the petitioner. Hence a request was made to the Hon. Minister of Education to the effect that she be granted an appointment in the non-academic staff. In response, action has been taken to grant her an appointment as a school office assistant.

(46) Mr. B.K. Gunarathna

**'Chandani', Nannapurawa, Bibile**

COM/PP/2010/121

While the petitioner was employed as a driver at the Monaragala Depot, he had to be hospitalized as a result of injuries from an accident that occurred at the workplace due to the oversight of another driver. He had not received any relief measure from the institution and his service had been terminated although he submitted medical reports. The petition has been submitted requesting that the petitioner, who is now a disabled person, be paid his arrears salary, and a sum of Rs. three hundred thousand in lieu of the physical injuries that he had to suffer.

The officers of the Sri Lanka Transport Board informed the Committee that as per the decision of the Committee, the SLTB has agreed to pay a sum of Rs.250,000 in five installments of Rs.50,000. It was further informed that four installments of this payment have already been made and the last installment will also be paid.

(47) Mr. N.A. Perera

**No. 186 D, Farmers' Colony, Wathupitiwala**

COM/PP/2011/921

The petitioner has worked in Wathupitiwala Base Hospital as a casual labourer from the year 1974. However, his pension has been prepared for the period from the year 1988, the year in which he was confirmed on the post, up to 2009 considering that he has worked only for the aforesaid period of time. Due to this reason he receives only a very small pension and he has submitted this petition requesting that the aforesaid matter be resolved and the correct pension which he is entitled to be prepared.

The matter has been resolved having counted 2/3 of the period of service which he has completed as a casual worker for preparing his pension and the amended pension has been paid to him along with the gratuity due to him as per the conversion.

(48) Mr. H.L. Wiranjith Lasantha

**“Sama Sevana”, Karuwalagaspara, Walgama, Matara.**

COM/PP/2011/1101

This petition has been submitted claiming that an injustice has been caused to the petitioner due to the fact that he was not provided the due marks for which he is entitled to under extra curricular activities, even though he should have been selected for a course in a university under the category in which the students who have acquired competencies in extra curricular activities are given prominence.

The petitioner has been selected to the Physical Science course in the University of Sri Jayawardanapura for the academic year 2010/2011.

(49) Mr. M.T. Newton Perea

Katudeniya, Bopitiya

COM/PP/2012/1432

This petition has been submitted making a request to the effect that a stone quarry at Murugampala Watta, Katudeniya, Pannala which is run by a private **institution named “Nem” be stopped due to the fact that it has posed a threat to the property and lives of the residents of the area.**

According to the report of the Ministry in this regard, the court has given an order hearing the case filed by a group of persons including the petitioner to stop breaking stones and restrict the work only to crushing stones and preparing bitumen and even the aforesaid activities be carried out once in a fortnight. However, all the activities of the quarry have been stopped as the validity period of the license given to the quarry has elapsed. As the petitioner was not responding when inquired into this from him, the inquiry into the petition was stopped assuming that the activities of the project have been concluded even by then as was expected by the petitioner.

(50) Mr. H.V. Nandasiri

Doovagoda, Poruwagama

COM/PP/2010/166

The petitioner was employed as a permanent labourer in District Agricultural Training Centre at Poddala. He was arrested and remanded in connection with a charge of theft and during the period he was kept in remand custody he was dismissed from service upon the charge that he had vacated the post. He has submitted this petition requesting that he be reinstated.

As per the information given to the effect that decision given by the Committee to reinstate the petitioner shall be implemented, steps have been taken to reinstate him.

(51) Mr. T.N.D.S Weerakkody

No. 08, Park Street, Colombo 05

COM/PP/2013/1850

Even though the petitioner has obtained an insurance coverage against acts of theft from Sri Lanka Insurance Corporation he has not been granted his due claims. Due to that reason he has submitted this petition claiming that the insured sum, compensation and other relief which he is entitled to be granted.

As the vehicle was in the possession of the petitioner when the investigation was conducted for the last time, he was informed to obtain the sum of Rs.125,000.00, which the Sri Lanka Insurance Corporation had decided to pay him upon the estimation of the loss of the petitioner, having taken action to legally transfer the vehicle to the Sri Lanka Insurance Corporation.

(52) Mr. J.H. Sumanasiri

**“Sirisada”, Thalalla – South**

COM/PP/2011/1013

The petitioner has appeared for the interview which was held for promoting to **Grade 1 of Principal’s Service on seniority and merit basis. Even though the** petitioner had fulfilled the required qualifications the promotion was not provided to him. Therefore, he has submitted this petition requesting that he be given the promotion.

The Committee observed that there are vacancies for the petitioner should be granted the promotion. Accordingly, steps have been taken to promote him to **Grade I in Principal’s Service.**

(53) Mr. R.A.T. Harischandra

Police Driving School, Sri Lanka Police College, Kalutara

COM/PP/2014/133

The petitioner is a Sub-Inspector who is carrying out his duties having been attached to the Driving School of Sri Lanka Police College and is in a disabled condition at present. Through this petition he states that an injustice has been caused to him as he has not been provided one salary increment applicable for the period from the year 2000 up to 2007 and requests that his salary increment be granted.

A report was called from the Ministry of Law and Order in this regard and as per the said report action has been taken to grant the salary increment of the petitioner along with the arrears.

(54) Mr. K.C. Mataraarachchi

Kolawatta, Weyangoda

COM/PP/2013/1630

The petitioner had been working as an Electrical Superintendent when he was deprived of his employment in an arbitrary manner. He has submitted this petition requesting that he be given his employment again.

Upon the recommendation given by the Committee the petitioner has been reinstated as a new employee.

(55) Mrs. B.Y.N. Perera

No. 1508, Kottawa, Pannipitiya

COM/PP/2014/2204

**The petitioner had been working as a nurse in Ridgeway Children's Hospital and** as a result of a huge number of problems which she encountered following the delivery of her child she was not able to report for duties. Due to that reason an order has been issued to the effect that she is deemed to have vacated her post. This petition has been submitted by her requesting that she be reinstated.

The Ministry of Health has informed the Committee that the petitioner has been reinstated as a new employee.

(56) Mr. A.N. Ruwansiri De Alwis

No. 658/15, Thannewatta Mawatha, Farmgarden, Rathnapura.

COM/PP/2013/1683

The petitioner states through his petition that he was inconvenienced due to transfers given to him while working as the watcher of Medagama Technical College and he has submitted this petition requesting that he be deployed in a convenient place of work along with the promotions which he is entitled to having stopped unjustifiable transfers.

As per the agreement reached in the Committee to provide a convenient place of work to the petitioner in accordance with the vacancies available, he has been given a transfer to Warakapola Technical College.

(57) Mrs. P.M.V.L. Samudra Devi Bandaranayake

Divisional Secretariat, Matale

COM/PP/2013/1618

The petitioner states in her petition that she had been working as an officer in Public Management Assistant Service when a disciplinary order was issued against her having served a baseless charge sheet on her. She was unable to report for her duties owing to the stressful situation into which she had fallen and as a result of which she was deemed to have vacated her post. The petitioner has submitted this petition requesting that she be reinstated.

Upon the request of the Committee to consider the matter on sympathetic grounds and provide relief to her if she makes an appeal to that effect, the petitioner has been reinstated considering that she was on no pay leave during the period from the day on which she vacated her post up to the day on which she reports for her duties again.

(58) Mr. D.T. Suraj Kumara

**“Chami”, Gunasena de Silva Mawatha, Dimbuldoova, Kuligoda**

COM/PP/2011/425

The petitioner states in his petition that he had been working as a casual employee in Kuleegoda Post Office and he was not able to face the interview for the post of Substitute Postman due to an error in the name though he was prepared to sit for the aforesaid interview. Therefore, he has submitted this petition requesting he, who is presently working as a casual Postman, be given the post of Substitute Postman.

Action has accordingly been taken to provide the registered substitution to the petitioner as requested by him.

(59) Mr. K. Siripala

Ihala Morawatta, Ruwanwella

COM/PP/2012/1235

The petitioner states in his petition that only Rs. 120,542.50 has been paid up to now out of the gratuity payment of Rs.172,500.00 which is due to him for his 20 years period of service and he has submitted this petition requesting that the remaining amount and the surcharge on it be given to him.

The officers from the Sri Lanka Transport Board stated that the remaining sum of the gratuity payment due to the petitioner has been paid along with the surcharge and they produced the documents required to prove that fact to the Committee.



(60) Mr. R.M. Nimal Karunathilaka

No. 122, Sinhagama, Aluthoya, Hingurakgoda

COM/PP/2010/351

The petitioner states in his petition that a notice of vacation of the post has been served on him, who was indisposed. He has submitted this petition requesting that he be reinstated paying attention to the helpless condition of his and his family.

The Ministry has agreed to give an appointment to the petitioner as a substitute on sympathetic grounds even though the past record of his service is not satisfactory and even the Committee has informed that the said appointment be given to him. Accordingly, action has been taken to give an appointment to the petitioner as a Substitute Labourer.

(61) Mr. S.K. Premaratne

No. 02, Outer Circular Road, Near Kiriwewa, Puttalam

COM/PP/2012/1139

The petitioner states in his petition that he was given an appointment as a Sprinkling Machine Operator (on substitution basis) and he has gone overseas following he is being confirmed on his post. On his return to the country he has been deprived of both his job and the money he has collected. He submitted this petition requesting that he be reinstated on the basis that he was on no pay leave during the period he was not in service.

The officers stated that the Governor of the North Western Province has reinstated the petitioner as a new employee and the request of the petitioner has been granted accordingly.

(62) Mrs. Thantrige Pemawathie Ruberu

**“Chandraleka”, Jamburaliya, Madapatha**

COM/PP/2011/604

The petitioner states in her petition that her husband worked as a Regional Development Officer in the Ministry of Planning and Implementation and her husband was deprived of his employment in connection with a financial fraud which occurred in the Ministry, having conducted a unilateral inquiry. She has submitted this petition requesting that she be given the Widows and Orphanage Pension as her husband has passed away.

The Director General of Pensions has informed the Committee that the Widows and Orphanage Pension to which the petitioner is entitled to has been calculated and it has been referred to Kasbewa Divisional Secretariat for making payments.

(63) Mrs. U. Wajirani Weththasinghe

No. 05, Nidahas Mawatha, 300 Colony, Padavi Parakramapura

COM/PP/2013/1653

The petitioner states in her petition that she served in Bank of Ceylon as Multi Service Assistant for about 08 years with great dedication and during the aforesaid period of time she was only paid a daily wage of Rs. 250.00. In the year 2010 the services of casual and contract basis employees were suspended without citing reasons and accordingly the service of her also was suspended. She has submitted this petition requesting that she be reinstated on a suitable post and be confirmed on that post.

When a report was called by the Committee in this regard following its inquiry into this, the Director General of the Ministry of Finance (Administration and Human Resources Development) has informed that the petitioner has been recruited to the permanent service as a Staff Assistant of Bank of Ceylon.

(64) Mr. J.M. Jayasundara

No. 453/5, Makola-South, Makola

COM/PP/2010/110

The petitioner requests through his petition that; he be granted the promotions on the due date as promotions have not been given to him on the due date, he be retired on the day on which service extension period lapses end his salary arrears be given to him.

Following the first inquiry the matter was referred to the Commissioner General of Labour for obtaining a suitable decision and it was referred for an arbitration in accordance with the report sent by him. Both parties agreed in connection with the amount of Rs.250,000/- granted in the arbitration and action has been taken to offer that amount to the petitioner.

(65) Miss. M. Clera Perera

No. 14, Wilfred Mawatha, Sinharamulla, Kelaniya

COM/PP/2013/1736

The petitioner states in her petition that she only obtained from time to time the interest collected on the amount of money which she deposited in National Savings Bank. She rejects the statements made by the bank when she claimed for the withdrawal of the amount deposited by her to effect that she has withdrawn it from time to time. The petitioner has submitted this petition requesting that the amount deposited by her in the bank be given to her.

As the officials failed to produce any documentary evidence to prove their statement that the petitioner had obtained money from time to time, action was taken to get the approval of the Board of Directors of the Bank to pay a sum of Rs.100,000/- to the petitioner as per the recommendation of the Committee to provide relief to the petitioner on compassionate grounds.

(66) Mrs. K.M.I. Shiromani

**“Indunil”, Rathmale, Matara**

COM/PP/2013/1814

The petitioner, who has worked at Sri Lanka Insurance Corporation for 11 years, had submitted the petition stating that she had been interdicted on an offence that she had not committed and that she was later reinstated after her innocence had been proved, but her salary for the period during which she had been interdicted had not been paid to her and none of the promotions she had applied had been given to her. Therefore she had requested in her petition that she be paid the due salaries and other allowances.

The Committee, having investigated this petition, decided that justice should be served to the petitioner and therefore directed the Sri Lanka Insurance Corporation to pay to the petitioner all the salaries and benefits due for the period during which she had been interdicted and at present, action has been taken accordingly to pay her the salaries she had not been paid during the said period and also to credit to the relevant funds the contributions due for this period.

(67) Mr. M.L.S. Jinadasa

Koshena, Badalgama.

COM/PP/2013/1656

The petitioner who had been working as a Public Health Field Officer was later attached to the provincial council of the North Western Province and when he was absorbed to the Sri Lanka Technological Service, he should have been absorbed to the Special Grade of the Sri Lanka Technological Service and therefore, he had submitted this petition requesting that he be appointed to the Special Grade of the aforesaid service and be placed in the relevant salary step.

The petitioner has informed the Committee that, as a result of submitting the petition, the authorities of the North Western Provincial Council have taken steps to provide him with the expected relief.

(68) Mrs. G.W.A. Sujatha Wijesinghe

No. 16, Ruwanpaya, Kithulawa, Kalutara South.

COM/PP/2011/943

The petitioner in her petition had stated that she had been appointed as a Teacher in 1977, had been promoted to Sri Lanka Principals Service Grade 2-I on 01.01.2008 and the promotion she had been given to Grade I of the Teachers Service in 2002 is not accurate as per the Circular No. 2005/04, and that great injustice had been done to her as she had not been paid the salary relevant to her promotion. Thus she had requested in her petition that she be paid the due salary relevant to her promotion.

While the petition was being examined, the officials explained that the **petitioner's salary had been reduced based on the fact that the remaining period of the petitioner's service in the Teachers' Service cannot be considered in calculating her period of service in the Principals' Service.** The Committee observed that it was not a reasonable argument and therefore directed the **relevant parties to correct the petitioner's salary and to pay her the arrears and** action has been taken accordingly.

(69) Mrs. Sheela Rammuni

No. 266 D, Dibbedda, Panadura.

COM/PP/2012/1194

The petitioner who had worked as a clerk attached to the Ministry of Lands and Land Development had stated in her petition that she had been abroad after getting leave approved, but had been unable to report to duty due to the Gulf War that prevailed during that time. When she returned to Sri Lanka after the war had ended, action had been taken considering that she had vacated her post, and she had requested in her petition that she be paid a pension taking her service of 19 years into consideration.

The petitioner had been unable to return to Sri Lanka by the due date due to a reason that is beyond her control and according to the recommendation given by the Committee to reinstate her, the Public Services Commission has withdrawn the letter of vacating post that had been sent to the petitioner and action has been taken to reinstate her subject to four conditions.

(70) Mrs. Y.R. Jeewani Wasana

**“Saman Sevana”, W 4 Cultivation, Wanathawilluwa, Puttalam.**

COM/PP/2012/1190

The petitioner had stated in her petition that she had been working as a volunteer teacher since 23.09.1998 and she had attended with all required qualifications to the interview held in 2005 to give appointments to volunteer teachers, but her name had not been included in the list of those who had been selected for giving appointments and therefore an injustice had been done to her as she had fulfilled all the required qualifications. Thus, she had requested in her petition that she be appointed to the post of teacher.

The Committee having considered the documents the petitioner had submitted confirming her period of service and having verified the accuracy of those documents gave the recommendation that the petitioner should be appointed to the post of teacher if she possesses the required qualifications and accordingly action has been taken to appoint her to the post of teacher.

(71) Mr. W.K. Upali Kularatne

NO. 03, Kanchanapura, Kuliyaipitiya

COM/PP/2014/2080

The petitioner had submitted the petition stating that an injustice had been done to him as his contribution to EPF had been defrauded / defaulted / incorrectly calculated.

As explained by the officials from the Central Bank while the petition was being examined, as per the decision letter sent by the Commissioner of Labour stating that the benefits should be paid, action has been taken by the Employee Provident Fund of the Central Bank of Sri Lanka to provide the petitioner with the benefits that he is legally entitled to after the relevant details have been verified.

(72) Mr. R.R.S. Gamage

No. 48/1, Mandadoowa, Weeraketiya

COM/PP/2011/901

The petitioner had submitted the petition stating that, while he had been serving in the Police Department, the promotions he had been entitled to had been suspended due to a pending court case against him and he had worked on half pay without receiving any increment and that, after his retirement, he had been acquitted of all the charges against him, but he had not been paid the pension.

Following the recommendations of the Committee, action has been taken to pay the pension together with the arrears and the due increments as per the revised salary to the petitioner .

(73) Mr. S.D. Nandasena

Adappagodawatta, Mahahegoda, Boossa.

COM/PP/2010/246

The petitioner had submitted the petition stating that arrangements had been made to construct a private road across a land belonging to him after demolishing a building that belonged to him and he had requested in his petition that the construction of this road be stopped.

**Action has been taken to solve the petitioners' problem based on the recommendation made by the Committee that the land that had been acquired should be dispossessed as the villagers do not have any right to use the land as an access road and that an alternative access road be constructed speedily for the villagers within 03 months.**

(74) Mr. M. Parasmeshwaran

No. 10, Padukaddar Road, Nawatkudar, Baticaloa.

COM/PP/2012/1109

The petitioner had stated in his petition that the promotion to Class III of Sri Lanka Agriculture Service that he had been entitled to had not been given to him as his period of service in the North East Coastal Community Development Project of the Ministry of Economic Development had not been taken into consideration and he had requested that he be given the said promotion.

The Committee examined this petition and observed that an injustice had been done to the petitioner and gave the recommendation that the petitioner should be given the due promotion with effect from the same day from which the other applicants had been promoted and action has been taken accordingly to give him the said promotion.

(75) Mr. R.P. Chandrapala

State Paddy Farm, Ambalantota.

COM/PP/2011/727

The petitioner had stated in his petition that he had worked at the State Paddy Farm in Ambalantota on casual basis and on contract basis and although the service of those who had worked for 2571 days had been confirmed, his service had not been confirmed. Therefore, he had requested in his petition that he, too, be confirmed in service.

The recommendation of the Committee had been taken into consideration by the Ministry, and as the petitioner had worked for 2719 days altogether, he had been informed that his service would be confirmed as at the date he had fulfilled the requirements and accordingly, the petitioner has informed the Committee that his service has been confirmed.

(76) Mr. E.A.G. Sarath Perera

No. 681/30, K.J. Peiris Mawatha, Kandy Road, Kelaniya.

COM/PP/2010/44

The petitioner who works at the Department of Census and Statistics in the capacity of Senior Systems Analyst/Programme Editor had submitted the petition requesting that he be given a promotion to the post of Deputy Director.

As per the recommendation given by the Committee, on the approval given by the Director General, Management Services to create new cadre positions to enable the promotion of the petitioner to the post of Deputy Director, the Public Services Commission has given the said promotion to the petitioner on supernumerary basis.

(77) Mr. W.H.P.W. Weerasiri

No. 135/6, Araliya Mawatha, Melegama, Wadduwa.

COM/PP/2010/45

The petitioner who works at the Department of Census and Statistics in the capacity of Senior Systems Analyst/Programme Editor had submitted the petition requesting that he be given a promotion to the post of Deputy Director.

As per the recommendation given by the Committee, on the approval given by the Director General, Management Services to create new cadre positions to enable the promotion of the petitioner to the post of Deputy Director, the Public Services Commission has given the said promotion to the petitioner on supernumerary basis.

(78) Mrs. I.A.M. Fernando

No. 27, Pilishiya Mawatha, Hapugoda, Kandana.

COM/PP/2010/46

The petitioner who works at the Department of Census and Statistics in the capacity of Senior Systems Analyst/Programme Editor had submitted the petition requesting that she be given a promotion to the post of Deputy Director.

As per the recommendation given by the Committee, on the approval given by the Director General, Management Services to create new cadre positions to enable the promotion of the petitioner to the post of Deputy Director, the Public Services Commission has given the said promotion to the petitioner on supernumerary basis.

(79) Mr. P.M.R. Fernando,

No. 291/C, Samagi Mawatha, Koswaththa, Thalangama.

COM/PP/2010/47

The petitioner who works at the Department of Census and Statistics in the capacity of Senior Systems Analyst/Programme Editor had submitted the petition requesting that he be given a promotion to the post of Deputy Director.

As per the recommendation given by the Committee, on the approval given by the Director General, Management Services to create new cadre positions to enable the promotion of the petitioner to the post of Deputy Director, the Public Services Commission has given the said promotion to the petitioner on supernumerary basis.

(80) Mr. W.V.F. Wijeweera,

No. 45, Rural Centre, Moraketiya, Embilipitiya.

COM/PP/2011/639

The petitioner had submitted the petition requesting that he be paid the pension adding together his service of 22 years at the River Valleys Development Board and the period of service at Ceylon Electricity Board.

The Committee examined this petition and gave the recommendation that the petitioner should be paid the pension adding together his periods of service at the aforesaid two institutes and the pension has been paid to the petitioner accordingly.

(81) Mr. Lasath Pradeep Hettiwatta

No. 394/6, Dangedara, Galle.

COM/PP/2011/437

The petitioner had submitted a petition requesting that, he be given route permit by deploying a new bus in lieu of his burnt bus.

Following the recommendation of the Committee, the National Transport Commission had taken action to grant route permit to the petitioner and NTC had requested to pay a penalty by means of 10 equal installments for delay in applying for the route permit.

(82) Major S.S.U. Hettiarachchi

12th Wijayaba Regiment, No. 05, Wekunagoda, Galle

COM/PP/2012/1298

The petitioner who was a disabled soldier had submitted a petition stating that promotions he was entitled were deprived due to defective charges and due to the delay in referring him to a medical board he was not getting pension rights.

As per the request made by the Committee calling for a report regarding the petition the Ministry had reported the petitioner could not be granted promotions, due to his bad disciplinary reports but he was granted pension rights following the recommendation of Medical Board.

17. Petitions relieved on the Recommendations of the Parliamentary Commissioner for Administration (Ombudsman)

(1) Mr. D.M. Abeyratna

Karawilaketiya, Arawa, Badulla

COM/PP/2010/213

The petitioner requests a reasonable compensation for grave damage caused to his pepper cultivation by laying high tensioned wires (Adualpotha - Meegahakivula) by the Ceylon Electricity Board (CEB) instead of money paid for that damage by CEB was not sufficient. Following this, he has obtained valuation reports from the Minor Crops Department and Valuation Department which too had been rejected by the CEB.

After this petition was referred to the Ombudsman the Committee has been directed to carry out recommendation given and accordingly action had taken to pay Rs. 36,000/- to the petitioner concerned.



(2) Mr. E.M. Chandradasa Banda

D20 Canal, R.B. 01, Hingurakgoda

COM/PP/2010/352

The Petitioner has worked as a permanent driver in the Agricultural Development Authority and had been attached to the Department of Agriculture with the winding up the said Authority. He stated that he was given neither salary increments nor permanency in post and implores to absorb him into the permanent driver post in the Department of Agriculture.

As per the recommendation received after this petition was referred to the Ombudsman, two posts of driver in the Department have been approved on casual basis and the petitioner had been given one such post as confirmed even by him over the phone.

(3) Mr. A.K.D.N. Sumanasinghe

No. 16, Gemunu Mawatha, Kanuwana, Kuruduwatta, Ekala

COM/PP/2013/2000

The Petitioner was a permanent Technical Officer attached to the Colombo Municipal Council who had been interdicted in an unjustifiable manner without leveling charges and holding no inquiry thereto. The petitioner requests to reinstate him with paying all due allowances.

The petition has been referred to the Ombudsman and according to his recommendation, it was informed that the petitioner has been reinstated in his post w.e.f. 04.11.2013.

18. A Few instances where relief was not granted by the Committee

A number of petitions out of those which the committee received during this period have been rejected due to various reasons as mentioned below and they have been stated with under mentioned examples.

(1) Request to reinstatement of petitioner who had had unsatisfactory service records continuously

Mr. V. Rathnasiri Perera, Petition No. COM/PP/2011/649

According to unsatisfactory attendance reports of the Petitioner, his period of probation had been extended and vacated his post on number of occasions. This petition has been rejected by the committee as there were no provision to give reliefs by reinstating him with his intermittent requests with bogus reasonings.

- (2) Instances where it is not possible to provide relief within the legal framework of institutions

Mrs. Wimala Kumari - Petition No. COM/PP/2012/1123

The petitioner had served as a substitute at Postal Department and as a clerk on Local Government Service in advance to her absorbing to the Ceylon Electricity Board which had recruited her as a novel employee.

The Committee rejected this petition due to lack of provision to offer pension to the petitioner as 20 year of service is mandatory for pension entitlement in CEB whereas the petitioner had completed only 16 years and 03 months in service.

Mr. H.M. Raja Dharmaweera - Petition No. COM/PP/2011/560

The Petitioner stated that he had served as a permanent general laborer in the Health Services Department and requested for reinstatement or pension entitlement as he had been considered to have vacated his post due to absence following illness.

The Committee rejected this petition as it is not provisioned to grant relief due to non completion of 10 years service on the day of vacating post who had appointed on 15.02.1975.

- (3) Lack of legal provisions to provide the expected reliefs after being rejected by both Public Services Commission and the Administrative Appeals Tribunal

Dr. W.L.D.S.G. Perera - Petition No. COM/PP/2011/775

The petitioner who had served as a senior lecturer on Teacher Education had sought relief for his dismissal over vacating post whilst serving at the Open University with his formal request to release from this place of work.

The committee rejected this petition by deviating from what had been considered into in the following decisions given by institutes concerned with reasons i.e. infringing the Service Minute on Teacher Education, rejection of his appeal by the Public Services Commission and the Administrative Appeals Tribunal and also by the Supreme court.

- (4) Instances where relief cannot be provided as the petitioner had not been subjected to any injustice

Mr. M. Chandran - COM/PP/2011/845

The Petitioner had requested the due promotion to the Government Health Inspector grade one which was said to be claimed as per the seniority list of and PA circular 15/91

The committee rejected this petition on the conclusion of having more officers senior to petitioner in service and no injustice had caused to him failing to get Grade I with passing efficiency bar thus not fulfilling requirements for his promotion entitlement.

- (5) Failing on part of the petitioner to provide explanations and lack of interest by the petitioner

Mr. Naulage Ranjith - Petition No. COM/PP/2011/709

The Committee rejected this petition on the conclusion that the petitioner had no interest in replying to the report in respect of this petition called from the Transport Ministry which was referred to the Petitioner for comments.

19. A summary of petitions investigated by the Committee during the period from 01.09.2015 to 31.08.2016 in First Session of 8<sup>th</sup> Parliament.

- (a) Received by the Committee on Public Petitions

1	Number of petitions received by the Committee on Public Petitions	1406
2	Number of petitions rejected by the Committee for not being in compliance with the Standing Orders	377
3	Number of petitions presented to Parliament and taken up for necessary action	1029
4	Number of petitions referred to the Ombudsman	32
5	Number of meetings held by the Committee	14
6	Number of petitions taken up for discussion	123
7	No of petitioners received relief	08
8	Number of petitions dismissed having determined that no redress can be offered subsequent to investigations	31

(b) According to the Relief Given

	Ministry concerned and File No.	Petitions relieved
1. Reinstatement		1
	Ports and Shipping - (162)	
2. Granting promotions		1
	Agriculture - (216)	
3. Cancelling transfer		1
	Parliamentary Reforms and Mass Media - (520)	
4. Settlement of Land and Property		2
	Public Enterprise Development - (314)	
	Land - (34)	
5. Granting Bursary		1
	Higher Education and Highways - (185)	
6. Placing on due post and granting with salary increments		1
	Power and Renewable Energy – (2)	
7. Granting Senior Citizen allowance		1
	Social Empowerment and Welfare - (298)	
	Total	8

SIXTH REPORT OF THE COMMITTEE ON PUBLIC PETITIONS

(c) According to the Ministry Inquired

Serial No.	Ministry	Number of petitions referred to Ministries	Number of petitions investigated by the Committee	Number of petitions for which relief was recommended by the committee	Number of petitions for which relief was granted on such recommendations	Of petitions recommended, the percentage for which relief was granted (%)
1	Agriculture	15	1	1	1	100
2	City Planning and Water Supply	9	3	3	PI	
3	Defence	46	12	3	PI	
4	Development Strategies and International Trade	3	-	-	-	-
5	Education	70	7	3	PI	
6	Finance	8	1	1	PI	
7	Fisheries and Aquatic Resources Development	3	-	-	-	-
8	Foreign Employment	5	3	3	PI	
9	Health, Nutrition and Indigenous Medicine	33	5	3	PI	
10	Higher Education and Highways	23	4	4	1	25
11	Home Affairs	26	3	0	-	-
12	Housing and Construction	5	1	1	PI	
13	Industry and Commerce	16	3	3	PI	
14	Internal Affairs, Wayamba Development and Cultural Affairs	1	1	0	PI	
15	Irrigation and Water Resources Management	10	-	-	-	-
16	Justice	4	-	-	-	-
17	Labour and Trade Unions Relations	6	2	1	PI	
18	Lands	39	3	2	1	50
19	Law and Order and Southern	83	6	3	PI	
20	Mahaweli Development and Environment	15	1	0	-	

PI - Progress Inquired

SIXTH REPORT OF THE COMMITTEE ON PUBLIC PETITIONS

Serial No.	Ministry	Number of petitions referred to Ministries	Number of petitions investigated by the Committee	Number of petitions for which relief was recommended by the committee	Number of petitions for which relief was granted on such recommendations	Of petitions recommended, the percentage for which relief was granted
21	Megapolis and Western Development	8	4	4	PI	
22	National Policies and Economic Affairs	6	2	0	-	
23	Parliamentary Reforms and Mass Media	12	3	3	1	33
24	Petroleum Resources Development	1	-	-	-	-
25	Plantation Industries	6	5	2	PI	
26	Ports and Shipping	4	2	1	1	100
27	Post, Postal Services and Muslim Religious Affairs	19	5	2	PI	PI
28	Power and Renewable Energy	26	5	4	1	25
29	Prisons Reforms and Rehabilitation, Resettlement and Hindu Religious Affairs	12	4	1	PI	
30	Provincial Councils and Local Government	39	14	12	PI	
31	Public Administration and Management	36	6	4	PI	
32	Public Enterprise Development	28	11	3	1	33
33	Rural Economic Affairs	1	1	1	PI	
34	Skills Development and Vocational Training	2	1	1	PI	
35	Social Empowerment and Welfare	8	1	1	1	100
36	Sustainable Development and Wildlife	2	-	-	-	-
37	Telecommunication and Digital Infrastructure	6	-	-	-	
38	Transport and Civil Aviation	31	-	-	-	
39	Secretary to the President	3	1	0	-	
	Total	670	121	70	8	11

PI - Petition Inquired

(d) Referred to the Parliamentary Commissioner for Administration (Ombudsman)

During the period from 01.09.2015 to 31.08.2016 :-	
Number of petitions referred to the Ombudsman	32
Out of the petitions referred to the Ombudsman No. of petitions reported to the Committee after the investigation by Ombudsman	5
Out of the petitions referred to the Ombudsman No. of petitions examined by the Committee	2
No. of petitions dismissed by the Committee relevant to Parliamentary Commissioner for Administration	1

20. A review of the petitions for which relief has been given by the Committee

(1) Mr. K.G. Wickramasinghe

State Printing Department, Colombo 8

COM/PP/2016/520

The Petitioner aged 59 claims to serve further at the current place of work until his retirement instead of the transfer given to him infringing Establishment Code and having vacancies in hand.

This transfer had been cancelled by the Government Printer considering the request made by Combined Services Director General in view of enquiry made by the Committee.

(2) Miss. K.P.S. Prasanthika

No. 2, Kahatagaswatta, Godakanda, Galle

COM/PP/2015/185

The petitioner an undergraduate of Ruhunu University being a Samurdhi beneficiary and a member of low income family requests for the Mahapola scholarship to overcome severe economic hardships.

A report was called from the UGC by the Committee which informed of not entitling to the Mahapola scholarship and the Petitioner is contended with the increase bursary up to Rs. 4000/-.

- (3) Mr. K.W. Ananda Dissanayaka  
No. 287/2, Kapuwelikanda, Napawala, Avissawella  
COM/PP/2015/162  
Petitioner claims the reinstatement at the Sri Lanka Ports Authority over not giving opportunity to prove the accuracy of educational certificates submitted by him at making him permanent.  
At the inquiry conducted by the Committee it was found that the Petitioner was maltreated and recommended to reinstate him with back wages. Petitioner had been thus reinstated and Committee took action to inquire into paying back wages.
- (4) Mr. N.A. Weerasuriya  
**“Samanthi”, Nehinna, Dodangoda**  
COM/PP/2015/314  
Petitioner claims that loan and interest thereto amounting to Rs. 312000/- secured from the Regional Development Bank had been already settled but the Bank in return had informed verbally to pay another Rs. 450000/- and get it cleared. He pleads by petition to get the melee cleared.  
In enquiring from the Ministry on this regard it was understood that the property had been released by the Petitioner in use of interest concession given to him.
- (5) Mr. R.M. Padmasiri  
No. 67, School Mawatha, Eththalapitiya, Bandarawela  
COM/PP/2015/2  
The Petitioner states by his petition that he had been punished by leveling unfounded charges at him by the CEB but internal enquiry had revealed him not guilty. As such, he requests to mete out justice to him.  
The Petitioner is relieved by the Committee with recommendation to place him on due post in case he was not punished, to pay him back fine or salary increments denied of him and also to employ him at a place convenient to him.
- (6) Miss. K. Sujatha Ramani Perera  
No. 71, First lane, Welikada Central road, Rajagiriya  
COM/PP/2015/298  
The Petitioner states that the pension of her father was entitled to her mother and with her mother passing away, she requests for a monthly allowance considering her helplessness and inability to be employed.  
Having considered the Petition, the Committee recommended to pay him a monthly senior citizen allowance of Rs. 2000/- as the Petitioner had reached the age of 70.



(7) Mr. Gunapala Vitharana

No. 181, Bandaranayaka Place, Galle

COM/PP/2015/216

The Petitioner states that he went overseas on a scholarship whilst attached to the Department of Agriculture and on return found that the Division in which he had been working was transformed into a separate Department. He alleges that he was not given the promotion by Head of the Department and he pleads for the due promotion with back wages.

According to the observation given by looking into the matter by the Committee, action had been taken to offer him promotion to Class II - Segment A in Middle Level Technical Combined Service in Public Service.

(8) Mr. W.P. Dayarathna

No. 405/B, Ritigalahena, Mawathagama, Padukka

COM/PP/2015/34

**The Grant related to the occupying land, stood name of Petitioner's father, with the petitioner's name as the successor, had been revised later to life interest of her mother removing his name.** He pleads by his Petition to mete out justice.

At the inquiry made by the Committee, the Ministry had reported that the **heir ship named by Petitioner's father is valid and the Petitioner had agreed to make post heir ship in the permit be effective following the death of the Petitioner's mother.'**

## 21. Few instances where the Committee has not given relief

Some of Petitions submitted to the Committee on Public Petitions during this period had been rejected following an inquiry. For that, following matters have been causative. No injustice had been caused on part of public officers, impossibility to provide relief due to institutional laws and regulations, rejection from Public Service Commission and Administrative Appeal Tribunal on non availability of provisions for reliefs sought and the lack of interest shown by the Petitioner. The following petitions are some of them.

Mr. H.W. Priyantha Kumara - Petition No. COM/PP/2015/130

The Petitioner had requested to reinstate him, as his request to grant permission to get married, was not responded by the Superintendent of Police of Division when he was working as a Police Constable and he was not aware that there was a restriction to get married during the probation period.

The Committee rejected this petition as the petitioner cannot be reinstated due to violation of orders and the recruitment conditions of the Police Department related to getting married without proper permission.

Mr. S.D.S. Manohara - Petition No. COM/PP/2015/110

The Petitioner had requested to reinstate him since the notice of vacation of post had been issued, though he had had requested for leave by a way of letter informing his inability to report duty due to the accident taken place at home..

Having considered following reasons to effect that rejection of medical certificates submitted by the Petitioner due to drawbacks, rejection of appeal submitted to the Public Services Commission due to non submission in time and absence for 3 consecutive times at appeal submitted to Administrative Appeal Tribunal, the committee decided to dispose the petition.

Mr. T.M.D.S.W. Munasinghe - Petition No. COM/PP/2015/113

The Petitioner had served as a Grama Niladari and had retired under the section 2/7 of the Pension Service Minute. He had rejoined for the second time and also had retired again. He has requested to regularize his pension as his pension is miscalculated.

Having traced the core of the issue by the Committee subsequent to the comparison made as to getting pension at the second retirement with deductions and pension drawn from the first retirement with no deductions, observed that no injustice had been caused to him with pension being calculated correctly.

## Acknowledgement

The Parliamentary Committee on Public Petitions of 8<sup>th</sup> Parliament conveys its heartiest gratitude to,

1. The Members of the inaugural Committee and the Members of all Committees held up to date,
2. All the Members of Parliament who performed in capacity of the Chairman of the Committee,
3. All the Ombudsmen and their staff who worked with us,
4. The Secretary General of Parliament, Chief of Staff and Deputy Secretary General and Assistant Secretaries General who facilitated and endowed with knowledge in order to proceed with the Committee,
5. All the Secretaries of Ministries and their staff who assisted to provide relief to petitioners, implementing consensus entered into in the Committee,
6. The Ministers who submitted cabinet papers on the request of the Committee to bring relief for the servants, the Cabinet of Ministers who approved the aforesaid cabinet papers and all of the officers contributed,
7. All former Secretaries of Committee on Public Petitions and their staff who worked on behalf of the Secretary General of Parliament by running Committee on Public Petitions as a Sub-Committee within the Committee Office,
8. All the Staff of Parliament including the staff of the Public Petitions Committee Office who contributed with their labour and knowledge to compile this report.

Schedule 1

Specimen Petition

<p>Hon. Speaker,</p> <p>I present the following petition.</p> <p>(Hon. Member's name, Signature, Date and Official Stamp )</p>
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Petitioner's name and  
address

Date

Hon. Speaker  
Parliament  
Kotte

Hon. Speaker,

Injustice caused,

.....

Relief requested

.....

Petitioner's signature or thumb impression

Schedule 2

[Article 5]

Grounds on which a Petition may be Rejected

If a matter or few matters of part (A) below are included in a petition as shortcoming/s, it can be re-submitted, rectifying aforesaid shortcoming/s.

Part “A”

- (1) The fact that the petition has not been addressed to the Hon. Speaker.
- (2) The fact that an incumbent Member of Parliament has not endorsed the **petition with the statement “Hon. Speaker, I present this petition” at the top** of the petition. (It shall not be sufficient to present the petition through a covering letter without the endorsement of the Member of Parliament on the petition)
- (3) The fact that the content of the petition is not precise. (It shall be confined to two pages)
- (4) The fact that the petition has not been concluded with a plea mentioning the relief sought.
- (5) The fact that the petition has not been signed by the applicant or the thumb impression of the applicant has not been placed on it.
- (6) The fact that the original of the petition with the signature has not been sent. (The signature shall not be a photostat copy and it shall be unnecessary to send the copies of the petition and other attachments)
- (7) The fact that the petition is being investigated, presently, before the following Institutions.
  - I. Courts
  - II. Ombudsman
  - III. Human Rights Commission
  - IV. Public Service Commission

(It is further informed to present the petition once the inquiry is over)

If at least one matter of part (B) below are included in a petition as shortcoming the petition is rejected and can not be resubmitted.

Part “B”

- (1) Non disclosure of any breach of fundamental rights or any causing of injustice by an officer of a government or other similar institution.
- (2) Petition seeking a change of a Cabinet decision.
- (3) Petition seeking modification of a Court ruling.
- (4) Being in relation to a matter once rejected by the Committee on Public Petitions.
- (5) Being submitted seeking further redress in relation to a matter for which redress had been granted by the Committee on Public Petitions on an earlier occasion.
- (6) Being in relation to admission of a child to Grade One.
- (7) Petition seeking the implementation of relief measures recommended by the Cabinet decisions taken prior to 24.05.2007 regarding those subjected to political victimization.
- (8) The fact that the some reference has been made to a Parliamentary debate.

[Article 11 (iii)]

Schedule 3



My No. E&O/AC/1/8/6

10<sup>th</sup> October 2014

To all the Secretaries to the Ministries,

Informing the Cabinet of Ministers regarding the non-implementation of the recommendations given by the Human Rights Commission of Sri Lanka, Committee on Public Petitions and Parliamentary Commissioner for Administration (Ombudsman)

The Human Rights Commission of Sri Lanka, the Committee on Public Petitions and the Ombudsman investigate the complaints with regard to institutional problems faced by public servants and the general public.

I have been informed that most of the recommendations given by the above institutions remain unimplemented.

The President has given instructions that the Cabinet of Ministers should be informed by way of a Cabinet Paper submitted through the Minister in charge of the subject of any difficulty faced by authorities in implementing such recommendations.

Accordingly, you will be kept informed of the instances where the recommendations of the Human Rights Commission of Sri Lanka, the Committee on Public Petitions and the Ombudsman are not implemented and I kindly inform, you to act according to the third paragraph above.

I would be grateful if you could inform the institutions under you of the above courses of action.

Lalith Weeratunga  
Presidential Secretary

CC:

1. Parliamentary Commissioner for Administration (Ombudsman) - For information
2. Chairman, Human Rights Commission of Sri Lanka - For information
3. Chairman, Committee on Public Petitions

*(Translation of the Original Document)*

[Article 11(v) ]

Schedule 4



18<sup>th</sup> March 2014

Hon. Speaker  
Parliament of Sri Lanka

Hon. Sir,

Request to consider Members of the Committee on Public Petitions when nominating Members of Parliament for local/foreign training programs.

The committee on Public Petitions which consists of 29 members of Parliament appointed by you is vested with the task of investigating the petitions referred to the committee and making recommendations to provide relief to the petitioner if the committee is of the opinion that an injustice has been caused by the public institutions to the petitioner concerned. I am of the belief that the committee is striving to build public confidence in Parliament by Reinvestigating the petitions when the recommendations made, are not implemented by the Public institutions and providing relief to the petitioners on compassionate ground when provisions for providing relief are not available.

The former and present members of the committee have worked with a keen interest and without any political affiliations and I am pleased to mention that we have been able to provide relief to nearly 150 petitioners during the tenure of the 7<sup>th</sup> Parliament. I also wish to bring your kind attention that unless the members of the committee, i.e. Hon. (Mrs.) Thalatha Athukorale, Hon. (Dr.)(Mrs.) Sudarshanee Fernandopulle and Hon. Sujeewa Senasinghe functioning as protem chairpersons of the Committee whenever I had been too busy, and Hon. Sarath Weerasekara, Hon. Vinayagamoorthi Muralitharan and Hon. Pon. Selvarasa being active members, had not discharged the duties “providing relief to the petitioners who appear before the committee” would not have been possible.

I am personally of the opinion that it is essential for the members of the committee to have a broader understanding on a multitude of disciplines in investigating the petitions with the petitioners and such a broader understanding will certainly enable them to discharge the duties expected of them efficiently and diligently. Therefore, I wish to respectfully inform you that it is suitable to nominate all the members of the Committee on Public Petitions, giving priority to the above mentioned members to participate in local/foreign training programs.

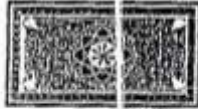
By granting scholarships to the members of this committee who spend their time and labor to discharge the duties expected of them on behalf of you and all people’s representatives, their services get appreciated and will result in them with an added sense of commitment.

Yours

Lalith Dissanayake  
Committee on Public Petitions  
(Deputy Minister of Health)

(Translation of the Original Document)

Schedule 5



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இலங்கை சனாதிபதி  
President of Sri Lanka

My No.: CPA/6/OMB/1/9

October 12, 1996.

My dear Minister,

RECOMMENDATIONS OF OMBUDSMAN

The Ombudsman in his annual report for 1995 submitted to me has made reference to a matter which causes me concern. He has said that quite often government agencies do not pay heed to his recommendations on matters coming before him.

As you are aware it was one of our commitments to the people that we will strengthen the grievance resolution mechanism of the state especially in relation to executive action. We did amend the legislation relating to the office of the Ombudsman, in fulfillment of this commitment, making it possible for representations to be made direct to him. However our intentions will be nullified if government agencies disregard recommendations which the Ombudsman makes after careful deliberation.

The Ombudsman makes his recommendations after giving a hearing to all the parties concerned. At that stage the government agencies concerned have the opportunity of bringing to his notice all matters relevant from its point of view, including policy considerations and financial implications. We do expect the Ombudsman to take a very considered decision having given his mind to all the aspects of a matter in issue.

Therefore the Ombudsman's recommendations must be treated with respect, even though they are not mandatory. If for very good reasons of state any recommendation is not implementable it must be placed before Cabinet by the relevant Minister for a collective decision to be made.

In this connection I have to draw your attention to the fact that under section 17 (2) of the Parliamentary Commissioner for Administration (Ombudsman) Act, the Ombudsman conveys his determinations to the relevant Minister as well. This procedure provides you with the opportunity to ensure that due regard is paid to these determinations and that any problem cases are brought to your attention.

I must re-emphasize the fact that it is our duty to ensure that the institution of the Ombudsman is made use of to prevent the occurrence of arbitrary, discriminatory or otherwise unfair executive action.

Yours Sincerely,

  
Chandrika Bandaranaike Kumaratunga  
PRESIDENT.

Parliamentary Commissioner  
for Administration.

For information.



Schedule 6

**Public Administration Circular: - 17/2005**

My No. wt/1/1/2/4/1  
Ministry of Public Administration and  
Home Affairs  
Independence Square  
Colombo 07  
05.10.2005

Secretaries to Ministries  
Chief Secretaries to Provincial Councils  
Head of Departments and  
Head of Corporations and Statutory Boards

**Making available the co-operation of Government Institutions  
in the performance of duties vested in the Human Rights Commission**

I have to draw your kind attention to the following functions among others that have been vested in the Human Rights Commission under section 10 of the Sri Lanka Human Rights Commission Act No. 21 of 1996.

- (a) To inquire into, and investigate, complaints regarding procedure, with a view to ensuring compliance with the provisions of the Constitution relating to fundamental rights and promoting respect for and observance of, fundamental rights.
- (b) To inquire into and investigate complaints regarding infringements or imminent infringement of fundamental rights and to provide for resolution thereof by conciliation and mediation in accordance with the provisions hereinafter provided.
- (c) To advise and assist the government in formulating legislation and administrative directives and procedure, in further of the promotion and protection of fundamental rights.

You are hereby informed that in the process of implementing the above functions by Human Rights Commission, your Institution should submit information to the said Commission with a sense of responsibility and that on receipt by you of the recommendations of the Commission on the breach of human rights you should after obtaining the formal approval from the relevant authorities for implementing the said recommendation take necessary action to implement them.

Sgd. D. Dissanayake  
Secretary  
Ministry of Public Administration and  
Home Affairs