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# The Gazette of the Democratic Socialist Republic of Sri Lanka EXTRAORDINARY

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## PART IV (A) - PROVINCIAL COUNCILS

### Provincial Councils Notifications

#### WESTERN PROVINCE PROVINCIAL COUNCIL

#### **Inquiry Holding under Section 2 of the Statute of the Powers of Supervision of the Administration of Local Authorities, No. 4 of 1991 of the Western Province**

I, Prasanna Ranathunga, Chief Minister and the Minister-in-Charge of Finance and Planning, Law and Order, Land, Education, Local Government and Provincial Administration, Power and Energy, Manpower and Employment, Economic Development of the Provincial Council of Western Province, by virtue of powers vested in me in terms of Section 2(2) of the Statute of the Authority of Supervision of Administration of Local Authorities, No. 04 of 1991 of Provincial Council, Western Province do hereby appoint Hon. B. L. K. Wimalachandra Esquire, Retired Justice of Court of Appeal, as the one man Tribunal to examine and submit a report within a period of Three (03) months hereof in respect of any reasons/offences referred to in Section 2(1) of the said statute have been committed by G. N. P. Perera, Chairman of the Kalutara Pradeshiya Sabha by reason of the following allegation :—

Reasons/Offences to be probed are as follows :—

- (a) G. N. P. Perera, Chairman of the Kalutara Pradeshiya Sabha has committed an Offence/Offences under section/sections 2(1)(a) and /or 2(1)(c) of the Statute of the Supervision of Administration of Local Government Bodies No. 04 of 1991 of Provincial Council of Western Province by obtaining a resolution passed from the Kalutara Pradeshiya Sabha contrary to the regulations 11 of the 1988 (Procedure for the conduct of meeting) regulations made under Section 11 to be read with Section 184 of Pradeshiya Sabha Act, No. 15 of 1987 in order to pay 5% of the court fines payable to the Pradeshiya Sabha as an allowance to the officers on 04.06.2009 or on a closer date while functioning as the Chairman of the Kalutara Pradeshiya Sabha ;
- (b) G. N. P. Perera, Chairman of the Kalutara Pradeshiya Sabha has committed an Offence under Section 2(1)(a) of the Statute of the Authority of Supervision of Administration of Local Government Bodies No. 04 of 1991 of Provincial Council Western Province by making arrangements fraudulently to make a payment of sum of Rupees Five Hundred Twenty-eight Thousand Twenty and cents Forty (Rs. 528,020.40) from the Council Fund of the Kalutara Pradeshiya Sabha under names of T. A. P. Upasena and U. P. D. Shanthi by using the paying in voucher No. 131 of the Kalutara Pradeshiya Sabha on 10.06.2009 or on a closer date while functioning as the Chairman of the Kalutara Pradeshiya Sabha ;
- (c) G. N. P. Perera, Chairman of the Kalutara Pradeshiya Sabha has committed an Offence under Section 2(1)(a) of the Statute of the Auhority of Supervision of Administration of Local

Government Bodies, No. 04 of 1991 of Provincial Council Western Province by making arrangements fraudulently to make a payment of sum of Rupees One Million Fifty-seven Thousand Five Hundred Seventy-seven and Cents Thirty (Rs. 1,057,577.30) from the Council Fund of the Kalutara Pradeshiya Sabha under names of T. A. P. Upasena, U. P. D. Shanthi, G. G. Gamanpitiya, Yasapala Wickramasinghe, A. L. K. Jayathilake by using the Payment Voucher No. 181 of the Kalutara Pradeshiya Sabha on 22.06.2009 or on a closer date while functioning as the Chairman of the Kalutara Pradeshiya Sabha.

Further, I would like to inform that terms of the further provisions of the Section 2(2) of the Statute of the Powers of Supervision of the Administration of Local Authorities, No. 04 of 1991 of the Western Province Hon. B. L. K. Wimalachandra Esquire, Retired Justice of Court of Appeal, is entitled to the powers of a Commissioner appointed under Commission of Inquiry Act in respect of this probe and that he is kindly requested to submit his report to me with your findings and investigations after completing the relevant investigation within a period of Three months from the date of this appointment.

I would like to further inform Hon. B. L. K. Wimalachandra Esquire, Retired Justice of Court of Appeal, that identified, written and verbal evidence that should be made use of in probing aforesaid matters are entered in the schedule below.

PRASANNA RANATHUNGA,  
Chief Minister and Minister-in-Charge of Finance and Planning,  
Law and Order, Land, Education, Local Government and Provincial  
Administration, Power and Energy, Manpower and Employment, Economic  
Development of the Provincial Council, Western Province.

At the Ministry of the Chief Minister,  
Western Province,  
Srawasthi Mandiraya,  
Colombo 07,  
On this day 19th May, 2010.

#### SCHEDULE

##### **Verbal Evidence :**

1. Mrs. Ashoka Gunawardena, Senior Investigation Officer, Department of Local Government (W.P.)
2. Miss M. A. Nirosha Priyadarshani, Casual Labourer, Kalutara Pradeshiya Sabha
3. Miss W. V. D. Anusha Imanthi Jayathilaka, Management Assistant, Kalutara Pradeshiya Sabha
4. Mrs. M. M. Kusumawathi Kumarihami, Management Assistant, Department of Local Government (W.P.)
5. Mrs. W. C. H. De Soyza Gunasekara, Secretary, Kalutara Pradeshiya Sabha
6. Registrar, Magistrate Court, Kalutara.

##### **Written Evidence :**

1. Voucher No. 131 and annexures pertaining to that of Kalutara Pradeshiya Sabha dated 10.06.2009
2. Voucher No. 181 and annexures pertaining to that of Kalutara Pradeshiya Sabha dated 22.06.2009
3. Report of the General Meeting held on 04.06.2009 of Kalutara Pradeshiya Sabha
4. Report of the General Meeting held on July 2009 of Kalutara Pradeshiya Sabha
5. Letter No. LGD/06/03/01/02(1) and dated 06.07.2004 of Commissioner of Local Government (W.P.)
6. June 2009 Bank Statement pertaining to the Bank Account of Kalutara Pradeshiya Sabha No. 039-1-001-2-2997957
7. Cash Book of Kalutara Pradeshiya Sabha, June 2009.