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The Gazette of the Democratic Socialist Republic of Sri Lanka

EXTRAORDINARY

අංක 1686/30 - 2010 දෙසැම්බර් 30 වැනි බ්‍රහස්පතින්දා - 2010.12.30

No. 1686/30 - THURSDAY, DECEMBER 30, 2010

(Published by Authority)

PART IV (A) - PROVINCIAL COUNCILS

Provincial Councils Notifications

WESTERN PROVINCE PROVINCIAL COUNCIL

Inquiry held under The Section 02 of the Powers of Supervision of the Administration of Local Authorities Statute, No. 04 of 1991 of the Western Province Provincial Council

I, Prasanna Ranatunga, the Chief Minister and the Minister of Finance and Planning, Law and Order, Education, Land, Local Government and Provincial Administration, Electricity and Power, Manpower and Employment and Economic Promotion of the Western Province Provincial Council hereby appoint the retired Judge of the Court of Appeal Hon. B.L.K. Wimalachandra as Single Person Tribunal of Inquiry as per the powers entrusted to me by the provisions of the section 2(2) of the Powers of Supervision of the Administration of Local Authorities Statute, No. 04 of 1991 of the Western Province Provincial Council, to inquire and submit a report within 03 months whether the Chairman of the Minuwangoda Urban Council, Mr. T. A. Wasantha Kumara Jayasinghe, while functioning in his office has made the offences stated under section 2(1) of the aforementioned statute based on the following matters/allegations.

MATTERS / ALLEGATIONS TO BE INQUIRED ABOUT

1. Mr. T. A. Wasantha Kumara Jayasinghe, functioning as the Chairman of the Minuwangoda Urban Council from 16th April, 2006 or a date adjacent to that till present has made the offence/offences stated in section/sections 2(1)(a) and 2(1)(c) of the Powers of Supervision of the Administration of Local Authorities Statute, No. 04 of 1991 of the Western Province Provincial Council, by functioning contrary to the section 40 of the Urban Councils Ordinance, having conferred the Old Urban Council building owned by the Minuwangoda Urban Council without calling for tenders for a time period from 31.03.2007 to 31.12.2007 or a time period closer to it, to Mr. K. S. Hettiarachchi of No. 242/1, Boragodawatte, Minuwangoda.

2. Mr. T. A. Wasantha Kumara Jayasinghe, functioning as the Chairman of the Minuwangoda Urban Council from 16th April, 2006 or a date adjacent to that till present has made the offence/offences stated in section/sections 2(1)(a) and 2(1)(d) of the Powers of the Supervision of the Administration of Local Authorities Statute, No. 04 of 1991 of the Western Province Provincial Council, by conferring the Old Urban Council building owned by the Minuwangoda Urban Council without calling for tenders and without properly been adopted by the Minuwangoda Urban Council to Mr. K. S. Hettiarachchi of No. 242/1, Boragodawatte, Minuwangoda for a time period from 31.03.2007 to 31.12.2007 or a time period closer to it.

3. Mr. T. A. Wasantha Kumara Jayasinghe, functioning as the Chairman of the Minuwangoda Urban Council from 16th April, 2006 or a date adjacent to that till present has made the offence/offences stated in section/sections 2(1)(a) and 2(1)(c) of the Powers of the Supervision of the Administration of Local Authorities Statute, No. 04 of 1991 of the Western Province Provincial Council, by functioning contrary to the section 158 of the Urban Councils Ordinance, by taking measures to spend a sum of Ten Thousand One Hundred and Fifty - one Rupees and Seventy - four Cents (Rs. 10,151.74) or a sum equal to that from the Urban Council Fund of Minuwangoda as the electricity bill relevant to the *Vesak Thorana* displayed at Alice Park stage in year 2006.

4. Mr. T. A. Wasantha Kumara Jayasinghe, functioning as the Chairman of the Minuwangoda Urban Council from 16th April, 2006 or a date adjacent to that till present has made the offence/offences stated in section/sections 2(1)(a) and 2(1)(c) of the Powers of Supervision of the Administration of Local Authorities Statute, No. 04 of 1991 of the Western Province Provincial Council, by functioning contrary to the section 158 of the Urban Councils Ordinance, by taking measures to make an expenditure from the Urban Council Fund of Minuwangoda in the stated amount or an amount equal to it for the development of one or all or several private roads stated in the following Schedule:-

AFORESAID PRIVATE ROADS

<i>Road</i>	<i>Amount Spent</i>
A narrow lane of the Nilpanagoda, Wedemulla Road (Road adjacent to Rate No. 181 of Divulapitiya Road)	Rs. 87,016.25 or an amount equal to that
Doonagaha - 01st Lane	Rs. 54,000.00 or an amount equal to that
Doonagaha - 02nd Lane	Rs. 46,362.50 or an amount equal to that
Veyangoda Road near Rate No. 162/3 (adjacent to District Hospital)	Rs. 86,867.20 or an amount equal to that
Kopiwatta Road - 02nd Lane	Rs. 56,584.50 or an amount equal to that

Further as per the provision stated further under section 2(2) of the Powers of Supervision of the Administration of Local Authorities Statute, No. 04 of 1991 of the Western Province Provincial Council, the power possessed by a Commissioner appointed under the Inquiries Commission Act will be conferred to the retired Judge of the Court of Appeal, B. L. K. Wimalachandra while I would further inform that having conducted the relevant inquiry within three months from the date of this appointment, a report containing the conclusions of the inquiries be submitted to me.

It is informed further that written and oral evidence which have been identified as should be adopted when above matters are inquired, have been included in the following Schedule.

PRASANNA RANATUNGA,

Chief Minister and the Minister of Finance and Planning, Law and Order, Education, Land, Local Government and Provincial Administration, Electricity and power, Manpower and employment and Economic promotion of the Western Province Provincial Council.

Chief Ministry of the Western Province Provincial Council,
Shrawasthi Mandiraya,
Colombo 07.

On the 22nd date of December, 2010.

SCHEDULE

Oral Evidences :

- | | | |
|----------------------------|---|--|
| 1. Mr. L. V. T. Perera | - | Chief Management Assistant, Minuwangoda Urban Council, |
| 2. Mrs. Leticia Kannangara | - | Former Secretary, Minuwangoda Urban Council, |
| 3. K. A. N. Karunanayaka | - | Former Work Supervisor, Minuwangoda Urban Council, |
| 4. Mr. Leel Pushpakumara | - | Technical Officer, Minuwangoda Urban Council, |
| 5. Mrs. Aruna Shanthi | - | Accountant, Minuwangoda Urban Council. |

Written Evidences :

1. Payment Voucher, No. 105 dated 06.02.2007 of the Minuwangoda Urban Council and the attachment relevant to it.
2. Payment Voucher, No. 100 dated 02.02.2007 of the Minuwangoda Urban Council and the attachment relevant to it.
3. Electricity bills of the Minuwangoda Urban Council for the months of March and April of year 2006.
4. The note dated 14.08.2006 for the payment of money for the electricity bills for the months of March and April of year 2006 which were to be referred by the Work Supervisor and the Chairman for recommendation and approval respectively.
5. All the files maintained in relation to the renting out of the Old Urban Council building.
6. All the files relevant to the renting out of Land No. 10 of Udyana Road, Minuwangoda.
7. The files relevant to the High Court case No. HCW 174/2002.
8. The payment voucher relevant to the payment of a sum of Rs. 10,151.74 as the electricity bill of March/April of year 2006.
9. The file related to the development of around 100 feet of the 2nd Lane of Doonagaha Road.
10. The file related to the development of around 150 feet near Rate, No. 162/3 (adjacent to the District Hospital) of Veyangoda Road.
11. The file related to the development of around 100 feet of the 2nd Lane of Kopiwatta Road.