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PART IV (A) : PROVINCIAL COUNCILS

Provincial Councils Notifications

WESTERN PROVINCE PROVINCIAL COUNCIL

Hon. B. L. K. WIMALACHANDRA ESQR.,
Retired Justice of Court of Appeal,

**Inquiry hold 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, Pestheruwe Liyanaralalage Reginold Rosmand Cooray Wijewarnasooriya, Chief Minister and the Minister in-charge of Law and Order, Finance and Planning, Education, Employment, Local Government and Local Administration, Transport and Culture and Art Affairs of the and Provincial Council, 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 Provincial Council, Western Province, do hereby appoint you as the one man Tribunal to inquire into and submit a report within a period of three months hereof, in respect of any reasons/ offences referred to in Section 2 (1) of the said Statute committed by the Mayor, Deputy Mayor and any Council Member of the Colombo Municipal Council and the individual and collective responsibility of the Mayor, Deputy Mayor and Council Members of the Colombo Municipal Council in respect thereof.

Reasons/ Offences to be probed are as follows:-

- (a) Commission of an offence/ offences stated in Sections 2 (1) (a) and/or 2 (1) (c) of the statute of the Authority of Supervision of Administration of Local Government Bodies No. 04 of 1991 of Provincial Council, of Western Province by acting to the contrary of Section 229 (1) (b) and/or 299 (1) (d) of the Municipal Council Ordinance by adopting a resolution by the Council and acting in pursuance of such resolution to the affect that the contract for management of solid waste in the Municipal Division of Fort and in Administrative areas of Divisional Officers of No. 5 be given to the Carekleen Private Limited of No. 96/A, Dutugemunu Mawatha, Kohuwala, Dehiwala for a period of 2 years onwards from 01.04.2007 or thereabout in the act of allowing the Council to operate without calling for tenders and or approval of the Council.
- (b) Commission of an offence/offences stated in section/sections 2(1)(a) and/or 2(1)(c) of the Statue of the Authority of Supervision of Administration of Local Government Bodies No. 04 of 1991 of Provincial Council, Western Province by acting to the contrary of section/sections 229(1)(b) and/or 229(1)(d) of the Municipal Council Ordinance by adopting a resolution by the Council and acting in pursuance of such resolution to the affect that the contract for management of solid waste in

Administrative area a Divisional office area bearing No. 01 of the Municipal Division Colombo be given to "Carekleen Private Company" of No. 96/A, Dutugemunu Mawatha, Kohuwala, Dehiwala for a period of 2 years onwards from 1st of July, 2007 or thereabout, without calling for tenders and/or approval by the Council.

- (c) Commission of an offence/offences stated in section/sections 2(1)(a) and/or 2(1)(c) of the Statute of the Authority of Supervision of Administration of Local Government Bodies No. 04 of 1991 of Provincial Council of Western Province by adopting a resolution by the council and acting in pursuance of such resolution to the effect that the contract for management of solid waste in the "remaining portion of the divisional office administrative area No. 2A division" except Fort and Pettah Municipal Council ward be given to "Abans Environmental Private Company" of No. 141, Kirula Road, Colombo 05, in violating section/sections of 229(1)(b) and/or 229(1)(d) of Municipal Council Ordinance for a period of 2 years onwards from 1st of July 2007, or thereabout, without calling for tender and/or approval by the Council.
- (d) Commission of an offence stated in 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 of Western Province by adopting a resolution to spend a sum of Rs. 20,590,500.00 or an approximate amount to the said amount for purchase of 1590 Usha Sewing Machines for the distribution to "Municipal Members" and entering into an agreement with the Telesonic International on or about 29th November, 2006 for distribution among the Municipal Members on 24.11.2006 or thereabout.
- (e) Commission of an offence/offences stated in section/sections 2(1)(a) and/or 2(1)(c) of the Statute of the Authority of Supervision of Administration of Local Government Bodies No. 04 of 1991 of Provincial Council, Western Province acting to the contrary to the Section 188(1) of the Municipal Council Ordinance, adopting a resolution to purchase 10211 asbestos sheets by spending a sum of Rs. 8,597,662.00 or an approximate amount from the Municipal funds for providing to "Municipal Council Members" and purchasing them on 22.12.2006 or thereabout.
- (f) Commission of an offence/offences stated in section/sections 2(1)(a) and/or 2(1)(c) of the Statute of the Authority of Supervision of Administration of Local Government Bodies No. 04 of 1991 of Provincial Council, Western Province acting to the contrary to the Section 188(1) of the Municipal Council Ordinance, adopting a resolution to purchase 5682 galvanized sheets by spending a sum of Rs. 5,227,440.00 or an approximate amount there to from the Municipal funds and purchasing them for providing to "Municipal Council Members" on 22.12.2006 or thereabout.
- (g) Commission of an offence/offences stated in section/sections 2(1)(a) and/or 2(1)(c) of the Statute of the Authority of Supervision of Administration of Local Government Bodies No. 04 of 1991 of Provincial Council, Western Province, by not taking action to credit the General Fund of the Municipal Council with a sum of Rs. 15,555,440.81 (Rs. One Hundred Fifty Five Lacks and Fifty Five Thousand Four Hundred Forty and Eighty One Cents) or an approximate amount thereto accrued from running the Sathutu Uyana within the premises of the Vihara Maha Devi Park belonging to the Colombo Municipal Council within the period from 01.05.2006 to 01.05.2007, thereby violating Section 185(2)(e) of the Municipal Council Ordinance.

PESTHERUWE LIYANARALALAGE REGINOLD ROSMAND COORAY WIJEWARNASOORIYA,
Chief Minister and the Minister in-charge of Law and Order,
Finance and Planning, Education, Employment, Local Government and
Local Administration, Transport and Culture and Art Affairs,
of the Provincial Council, Western Province.

Ministry of Chief Minister,
Western Province,
Srawasthi Mandiraya,
Colombo 07,
10th November, 2008.
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