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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

NORTHERN PROVINCE PROVINCIAL COUNCIL

Notice of Governor of the Northern Province

1. An inquiry to be conducted under Section 184 of the Urban Councils Ordinance (Chapter 255) read together with Section 2 of the Provincial Councils (Consequential Provisions) Act, No. 12 of 1989.
2. I, the Governor of the Northern Province, in terms of the powers vested in me by Section 184 of the Municipal Councils Ordinance (Chapter 255), read together with Section 2 of the Provincial Councils (Consequential Provisions) Act, No. 12 of 1989, have appointed Mr. K. Ariyanayagam, Retired District Judge, as the Commissioner to inquire into, examine, and report within three months on the administration and affairs of the Mannar Municipal Council, in terms of Section 184 (1A) of the said Ordinance.
3. Matters to be Inquired into/ Allegations
 - I. The Standard by Laws for conducting the meetings of the Mannar Urban Council, which were framed by the Minister in charge of the subject of Local Government of Northern Province, approved by the Northern Provincial Council, and duly published, have been adopted and are in force in the Mannar Urban Council.

However, the meetings held on the dates mentioned below have been conducted in violation of the said Standard by laws



Regarding the 2nd General Meeting of the Mannar Urban Council held on 09.07.2025

- i. The total number of members of the Mannar Urban Council is 16, In terms of Section 4(v)(a) of the Standard By Law relating to the conduct of Council meetings, a minimum of 06 members is required to constitute a quorum for holding a meeting. Although the minutes of the meeting states that the meeting commenced at 9.30 a.m., according to the attendance register only 05 members had signed at 9.30 a.m. Therefore, the Council meeting held on 09.07.2025 was conducted without the required quorum in terms of Section 4(v)(a) of the procedural rules.
- ii. Although the minutes states that the Council meeting held on 09.07.2025 commenced at 9.30 a.m. the Chairman had signed the attendance register only at 9.38 a.m. There is no indication in the minutes as to who presided over the meeting at 9.30 a.m. In terms of Section 24 of the Urban Councils Ordinance No. 61 of 1939, it is provided that when the Chairman is not present at a meeting, the Vice-Chairman shall preside, and in the absence of both the Chairman and the Vice-Chairman, the members present shall elect one among themselves to preside over the meeting. However, the said Council meeting had been conducted contrary to Section 24 of the Urban Councils Ordinance, and the minutes of the meeting have been signed by the Chairman as if he had presided over the meeting.

The meeting of the Mannar Urban Council which was held on 09.07.2025 was adjourned and reconvened on 17.07.2025.

- iii. In terms of Section 4(v)(a) of the Standard by Laws, a minimum of 06 members in required to constitute a quorum for holding a Council meeting. At 9.30 a.m. on 17.07.2025, although the meeting was scheduled to commence, only 04 members were present at that time according to the attendance register. Therefore, the Council meeting held on 17.07.2025 was conducted without the required quorum in accordance with Section 4(v)(a) of the standard by Laws
- iv. Although the minutes state that the Council meeting held on 17.07.2025 commenced at 9.30 a.m., the Chairman had signed the attendance register only at 9.43 a.m. There is no record in the minutes indicating who presided over the meeting at 9.30 a.m. In terms of Section 24 of the Urban Councils Ordinance No. 61 of 1939, it is provided that when the Chairman is not present at a meeting, the vice-chairman shall preside. and in the absence of both the Chairman and the Vice-Chairman, the members present shall elect one among themselves to preside over the meeting, However, the Council meeting held on 17.07.2025 was conducted contrary to Section 24 of the Urban Councils Ordinance, and the minutes have been signed by the Chairman as if he had presided over the meeting.
- v. Nine resolutions were adopted at the meeting of the Mannar Urban Council held on 17th July 2025. The minutes of the meeting record that eight members, forming the majority, supported all nine resolutions, and therefore, they were approved. According to Standard by laws, Section 19, it is clearly stated that these nine resolutions must be conducted in accordance with the proper Council procedures, specifying the steps to be followed. However, when adopting these nine resolutions, certain procedures were not properly considered before executing them.
 - a. It was not written in the meeting minutes which members presented opinions for and against the motions.
 - b. The motions were not accepted unanimously.
 - c. The motion was passed by vote. However, the number of members who voted against the motion and who they were was not written in the meeting minutes.
 - d. The number of members who abstained from voting and who they were was not written in the meeting minutes.
 - e. The total number of members of the Mannar Urban Council is 16, The members who attended the meeting the meeting are 16 people. It is recorded that the above 09 resolutions were passed with the support of 08 majority members. Since 08 people supported, equal votes were received. Nothing about the chairman's additional casting vote being cast would have been written in the minutes of the meeting, which states that the said resolutions were passed with the support of majority members.

- vi. At the council meeting of the Mannar Urban Council on 09.07.2025, since more than one member was debating at the same time without listening to or accepting the announcements of the chairman, the chairman was unable to carry on the council proceedings and the meeting was adjourned without specifying a date, When the adjourned meeting was held on 17.07.2025 the chairman was unable to maintain the discipline of the meeting due to arguments and improper word usage between the chairman and the members in the said council meeting, and the council meetings held on both those dates were conducted contrary to sections 8, 21, 24 of the standard by-laws regarding conducting council meeting business.
- vii. Member Mr. Gnanaprakasam Antony Davidson was ordered by the council chairman to immediately leave the council chamber as per by-law 9(1) as he disregarded the chairman's announcement and acted in a manner that caused disruption to the council proceedings and disrupted the discipline of the meeting, yet member Gnanaprakasam Antony Davidson did not leave the council and continued to remain in the chamber.
- viii. Although the Chairman instructed member Mr. Somanathan Prasad Sobanathan to remain silent and not disrupt the council proceeding as per Section 8 of the Standing Orders. the member continued to express conflicting views.

Mannar Urban Council special meeting held on 25.07.2025.

- ix. The notice for the special meeting of the Mannar Urban Council held on 25.07.2025 was not sent with sufficient notice period as per standard bylaw 4(iii) regarding conducting council meeting affairs.
- x. As per the provisions of standard bylaw 4(vii) regarding conducting council meeting affairs, all members must sign the attendance register in the order of their arrival, noting their name and time of arrival, This was not followed, as attendance was not recorded in the order of members. arrival.
- xi. Engaging in arguments and using inappropriate, uncultured language during council meetings.
- xii. Failure to record meeting reports as per standard bylaws and the council secretary leaving the meeting during proceedings.

passing resolutions during Mannar Urban Council Meetings that are outside the scope of the council's authority and administration, and are contrary to legal and financial regulations.

- xiii. Resolution No. MN/UC/2025/11/97 was passed to provide payments to the procurement committee contrary to financial regulations and establishment code provisions. Additionally, it was resolved to provide holiday pay and overtime pay to the council secretary and accountant.
- xiv. Resolution was passed to appeal to the Honorable Governor regarding the transfer of the Commissioner due to actions disrupting the council (MN/UC/2025/11/111 2 2).
- xv. Public tender was called for Moore's meat stall, which does not belong to the Mannar Urban Council.

II. Matters regarding conflicts between the Chairman of the Mannar Urban Council, the Secretary of the Mannar Urban Council, and the Assistant Commissioner of Local Government, Mannar

- i. The Chairman of Mannar Urban Council argued with the Assistant Commissioner of Mannar Local Government at 3.52 pm on 17.11.2025 during office hours via mobile phone. using uncultured words and inappropriate expressions.
- ii. The Chairman of Mannar Urban Council requested disciplinary action against the Assistant Commissioner of Mannar Local Government, who is also the Supervision Officer of the Local Government Institutions in the Mannar District and a Sri Lanka Administrative Service Officer, citing the following reasons.

- a. Acting partially
 - b. Failure to provide proper clarification regarding the actions of some members who mentioned that a new budget should be prepared and disrupted the council proceedings.
 - c. Acting in the background to conduct a biased investigation regarding the allocation of sites for festival shops during the period 2021 - 2022.
 - d. Failure to take action in due time regarding the illegal use of China Bazaar shops in 2021 without procurement procedures.
 - e. Instructing the transfer of ownership of the Municipal Council's shop number BS 56 contrary to circular number 46/1980
 - f. Acting to disrupt the administration of the Mannar Urban Council and supporting those who act in such a manner.
 - g. Failure to act to prevent fraud in the office of the direct supervising officer based on the Provincial Internal Audit observations 2023.
 - h. Failure to take action regarding the demolition of the old meteorological department buildings and theft of wooden furniture for the new bus stand expansion in 2022.
 - i. Forcing the council secretary to report that the council meeting proceedings took place contrary to legal provisions.
 - j. Requesting a transfer due to the actions carried out by the Mannar Urban Council Secretary using the position of Mannar Local Government Assistant Commissioner Supervising Officer.
- iii. Matters presented by the Mannar Assistant Commissioner of Local Government regarding the activities of the Mannar Urban Council Chairman and Secretary
- a. The failure of the Secretary to inform the Chairman about the legal provisions for the Mannar Local Government Assistant Commissioner's Office inspection officer to inspect documents and preventing the inspection officer from performing his duty.
 - b. Obstructing the Local Government Assistant Commissioner from performing his duty.
 - c. Engaging in abuse of power contrary to the provisions of the Urban Council Ordinance.
 - d. The Chairman of the Mannar Urban Council stated that the Assistant Commissioner of Local Government acted partially and in a manner that disrupted the council administration for reasons such as reporting on works carried out contrary to procurement procedures, actions taken contrary to the provisions of the council meeting standard by-laws, council decisions contrary to legal provisions, receiving a reply to complaints regarding the activities of the Chairman of the Mannar Urban Council and reporting on it, the document sent by the Mannar Audit Superintendent being torn by the Chairman of the Mannar Urban Council and sent back to him, and taking action to rectify situations where the Council Secretary failed to inform higher authorities about the illegal activities of the Urban Council and where the Secretary failed to perform his duties.
- iv. The inappropriate administrative activities, abuse of power, and improper use of office resources by the Mannar Urban Council Chairman, as pointed out by 8 members of the Mannar Urban Council.

- v. The audit inquiry reference NPLG/MN/A/UC/MN/AQ/2025/01 regarding the Mannar Urban Council Chairman's actions being contrary to the National Audit Act, No. 19 of 2018 and Section 181 of the Urban Councils Ordinance No. 61 of 1939.

Nagaligam Vethanayagan,
Northern Provincial Governor.

Governor's Secretariat, Old Park, Chundikuli,
Jaffna.

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