

Justice T.B. Weerasuriya,  
Chairman,  
Commission to Investigate Allegation of Bribery or Corruption,  
No. 36 Malalasekara Mawatha,  
Colombo 7

9 October 2018

Dear Sir,

**Requesting investigation for alleged misuse of Public Funds and Abuse of Power**

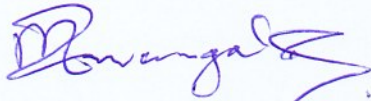
The Programme for the Protection of Public Resources (PPPR) and Advocacy and Legal Advice Centre (ALAC) - of Transparency International Sri Lanka (TISL) has received a number of complaints regarding the misuse of public funds and abuse of power by public officials. Under the same initiative, we submitted 4 complaints on 8<sup>th</sup> June 2018. With this letter, we are submitting 3 further complaints for your investigation with supportive documentation such as investigation reports, official letters, internal Audit reports and documents received from public authorities through RTI.

We are of the view that these matters could amount to offences under Section 70 of the Bribery Act. We are therefore officially filing this complaint with CIABOC, as the sole entity empowered to initiate action under the Bribery Act. TISL requests CIABOC to exercise its powers under Article 156A (1) (b) of the Constitution to ensure that these complaints are investigated and that prosecutions are undertaken where necessary.

If you require more information on this complaint please feel free to contact me on 011-2501503 or [mangala@tisrilanka.org](mailto:mangala@tisrilanka.org). We would appreciate your prompt action on this matter.

Thank You,

Yours sincerely,



Mangaleswary Shanker LL.B  
Attorney-at-Law  
Manager, Advocacy and Legal Advice Centre  
Transparency International Sri Lanka

**Hereby respectfully requesting investigation into the following matters:**

**Complaint 1:** North East Local Services and Infrastructure Project (NELSIP) – Misappropriation by Engineer- Planning and Contractors

According to the attached report of by the committee appointed by the Northern Provincial Council to investigate the corruption and misappropriation of funds under the NELSIP, it has been alleged that a sum of Rs. 4.34 million has been misappropriated by an Engineer- Planning, in collusion with the contractors during the period 2013 to 2015.

**Supporting Documents:**

- Report of the Investigation committee on NELSIP with annexes – 5/11/2015 (Marked as C-5/1)
- Letter dated 22/12/2015 sent to the Chief Secretary, Northern Provincial Council by C.V.K. Sivagnanam, The Chairman, Northern Provincial Council (Marked as C-5/2)
- Letter dated 10/11/2016 sent to the Assistant Auditor General, Northern Province by C.V.K. Sivagnanam, The Chairman, Northern Provincial Council (Marked as C-5/3)
- Official report of the Northern Provincial Council Hansard dated 08/11/2016 (Marked as C-5/4)

**Complaint 2:** Abuse of power by former Chief Minister, North Western Province

We have obtained a number of copies of letters bearing the signature of the former Chief Minister of the North Western Province signed on 10 December 2013, during his term of office, directing four school principals to carry out admissions in violation of the relevant circulars on school admissions and transfer of students. (Please refer Circular No. 2008/37(1) dated 30/10/2008 and 2008/37 dated in September 2008, Pages 1-3 Admission of Students from Grade 2 to Grade 11)

**Supporting Documents:**

- Copy of the letter with list of students names and addresses dated 10/12/2013 sent to The Principal of Maliyadeva Adarsha Vidyalaya, Kurunegala by the former Chief Minister, North Western Province (Marked as C-6/1)
- Copy of the letter with list of students names and addresses dated 10/12/2013 sent to The Principal of St. Anne's Vidyalaya, Kurunegala by the Former Chief Minister, North Western Province (Marked as C-6/2)
- Copy of the letter with list of students names and addresses dated 10/12/2013 sent to The Principal of Holy Family Balika Vidyalaya, Kurunegala by the Former Chief Minister, North Western Province (Marked as C-6/3)
- Copy of the letter with list of students names and addresses dated 10/12/2013 sent to The Principal of Subharadhi Vidyalaya, Kuliypittiya by the Former Chief Minister, North Western Province (Marked as C-6/4)
- Copy of the letter dated 01/01/2014 sent to The Provincial Education Director, Provincial Department of Education, Kurunegala by the Secretary, Chief Ministry, North Western Province (Marked as C-6/5)

- Circular of Ministry of Education: Admission of Students from Grade 2 to Grade 11, Circular No. 2008/37(1) dated 30/10/2008 and 2008/37 dated in September 2008 (Refer pages 1-3) (Marked as C-6/6)

**Complaint 3:** Allegations of misappropriation by officials at Provincial Road Development Authority, North Central Province

We have obtained a number of letters dated between 2012 and 2016 concerning a large sum of public funds allocated for road construction, which has been allegedly misappropriated by the officers of the authority. According to the General Manager of the Provincial Road Development Authority, the total sum misappropriated is in excess of 37.5 million rupees. No action has been taken to recover the amounts, despite two officers being suspended. The present General Manager has also complained that he has faced severe threats due to the disclosure of this misappropriation. There are also documents from the Auditor General's Department Audit query, which confirms that loss has been caused through irregularities which need to be recovered from the individuals concerned.

We have also received documentation which shows that one of the officials against whom disciplinary action was taken has been reinstated.

Supporting documents:

- A certified true copy of the Audit Query signed by the Audit Superintendent, Anuradhapura dated 15/11/2012 (Marked as C-7/1)
- A copy of the letter addressed to Inspector General of Police by the General Manager, Provincial Road Development Authority, dated 30/11/2012, detailing alleged fraud and action taken (Marked as C-7/2)
- A copy of the charge sheet issued on 20/2/2014 by the General Manager, Provincial Road Development Authority, North Central Provincial Council to an Accountant connected with the allegation (Marked as C-7/3)
- A copy of the letter of dismissal dated 6/5/2015 from the General Manager, Provincial Road Development Authority, North Central Provincial Council to the Accountant (Marked as C-7/4)
- A copy of the letter of reinstatement addressed to the Accountant by the Secretary, Chief Ministry in March 2016 (Marked as C-7/5)