



வார்டிக கார்டு சாடன வார்டால
வருடாந்த செயலாற்றுகை அறிக்கை
Annual Performance Report
2020



"பண்பு பூரிசிக்லி"

பரிபாலன கடுபுது பில்ட்டு பார்டிலென்ரு கலாசாபிசீ (ஓம்புடிசீலன்) கார்டாலு
நிருவாகத்துக்கான பாராளுமன்ற ஆணையாளர் அலுவலகம் (ஓம்புடீஸ்மன்)
OFFICE OF THE PARLIAMENTARY COMMISSIONER FOR ADMINISTRATION
(OMBUDSMAN)

Contents

Page No.

Chapter 01 - Institutional Profile/Executive Summary	116-132
1. Introduction	116
1.2.1 Vision	116
1.2.2 Mission	117
1.2.3. Objective	117
1.3 Main Functions	117-119
1.4 Office Staff	120
1.5 Procedure Adopted Upon Receiving Complaints	121-132
Chapter 02 – Progress and the Future Outlook	133-150
2.1 Observations and Suggestions	134-140
2.1.1 Observations	134-136
2.1.2 Suggestions	136-140
2.2 Statistical Analysis	141-150
2.2.1 Statistical Analysis	142
2.2.2 The manner in which the complaints were dealt with	143
2.2.3 Monthly Analysis	144
2.2.4 Analysis under the category of Male/Female	145
2.2.5 Analysis on the basis of Districts	146
2.2.6 Analysis based on the Respective Subjects	147
2.2.7 Analysis as to the Categories such as Ministries, Corporations, Public institutions etc.	148-149
2.2.8 Analysis of the complaints received by the Ombudsman's Office during the last 10 years	150
Chapter 03 - Overall Financial Performance for the Year	152-158
Chapter 04 - Performance indicators	158
Chapter 05 - Performance of the achieving Sustainable Development Goals (SDG)	159
Chapter 06 - Human Resource Profile	159-160
Chapter 07 - Compliance Report	160-167
8. Conclusion	169-171
9. Letters of Gratitude	(Annexure)

Chapter 01 - Institutional Profile/Executive Summary

Office of the Parliamentary Commissioner for Administration

Annual Report for the year – 2020

1.1 Introduction

The legal basis for the establishment of the Office of the Parliamentary Commissioner for Administration is found in Article 156 of the Constitution of the Democratic Socialist Republic of Sri Lanka enacted in the year 1978. Consequently, Parliamentary Commissioner for Administration Act No.17 of 1981 was passed by the Parliament on 02.03.1981 defining powers, responsibilities and functions of the Office of Ombudsman in a detailed manner. Subsequently, the Parliamentary Commissioner for Administration Act No.17 of 1981 was amended by the Act Nos.16 of 1991 and 26 of 1994.

The Office of Ombudsman commenced its functions initially in 1981 at No.222, Galle Road, Colombo 04. Thereafter, the Office was shifted to No.594/3, Galle Road, Colombo 03 and was functioning there during the period 1989 – 2006. Again, it was moved to No.06, Elibank Road, Colombo 05 and was functioning there from 2006 to 2017. Currently, the Ombudsman's Office is situated at No.14, R.A. De Mel Mawatha, Colombo 04.

1.2.1 Vision

With the view of eradicating administrative injustices caused by the officials of the State and other similar institutions, it is our vision to make every effort to ensure sound public service through vigilance and particularly by delivering just & fair decisions that are combined with impartiality and transparency.

1.2.2 Mission

Carrying out unbiased investigations into the complaints made in relation to violation of individual rights caused by erroneous administrative decisions taken by the officials of the State, Local Government Institutions, Statutory Boards, Corporations and Semi-Government Institutions; and thereafter to make appropriate orders, decisions, suggestions and recommendations remedying those violations. Aforesaid violations include administrative miscarriages and various other injustices including violation of Fundamental Rights enshrined in the Constitution of the Republic of Sri Lanka.

1.2.3. Objective

Our main object is to assist the state machinery in correcting the injustices caused to persons by erroneous administrative decisions taken by the officials of the State, Local Government, Statutory Boards, Corporations and Semi-Government Institutions, and accordingly to assist the State machinery to carry out the administration of the State efficiently and effectively and to ensure implementing executive decisions efficiently and in the correct manner.

1.3 Main Functions

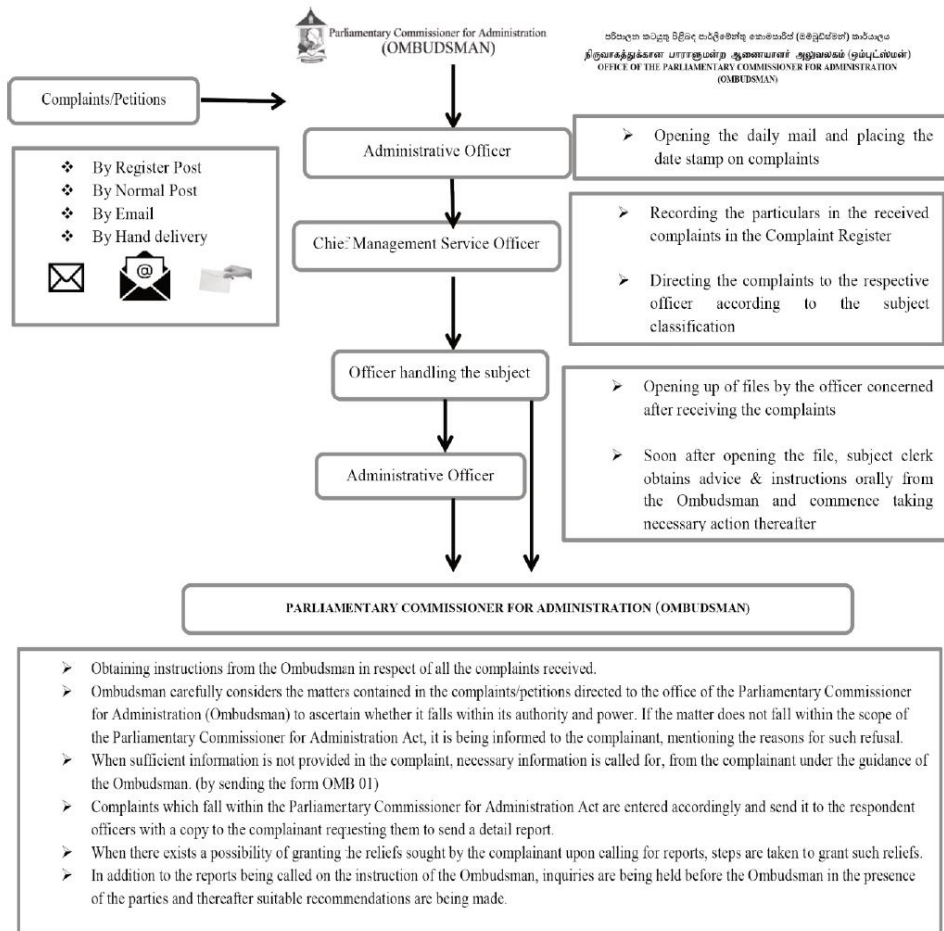
Article 156 of the Constitution of the Republic of Sri Lanka stipulates that the Parliament shall provide for the establishment of the Office of the Parliamentary Commissioner for Administration (Ombudsman). This position is tasked with the duty of investigating complaints or allegations of infringement of fundamental rights or other injustices caused or likely to be caused, while performing duties by public officers and by officers in public corporations or by officers in Local Government Institutions or any other similar institutions; and, remedying them and/or making appropriate recommendations to overcome those violations.

Accordingly, the Parliamentary Commissioner for Administration Act No.17 of 1981 was enacted establishing the Office of Ombudsman where powers, duties and functions of the Ombudsman are described and defined. The aforesaid Act was amended subsequently by the Act No.26 of 1994 enabling the Ombudsman to receive and entertain complaints of infringements of fundamental rights or other injustices directly from the members of the public.

The Ombudsman is required to investigate and inquire into the alleged infringement of fundamental rights or injustices caused or unfairness meted-out and then to determine whether the decision, act or omission of the public officer concerned is contrary to law, unjust, oppressive, discriminatory or had been made in the improper exercise of the discretion of the officer concerned. Where the Ombudsman is satisfied, after due investigation that a person's fundamental rights have been violated by a public officer or has suffered an injustice at the hands of such officer, he should make a determination and necessary recommendations accordingly. The Ombudsman, by way of relief to the person affected, may recommend that the act of the public officer concerned be reconsidered, rectified, cancelled or varied and direct the Head of the Institution to which the said public officer belongs, to notify within a specified time, the steps which he proposes to take, to give effect to the recommendation.

Finally, it should be mentioned that it is clear that a noble duty is cast upon the Ombudsman to ensure protection of fundamental rights of the people referred to in the Constitution and also to protect them from any other injustices caused by the acts performed by the officers of the government and other similar institutions. At the same time, it must be noted that whilst protecting these rights of the people, it is also the duty of the Ombudsman to ensure that the administration policy of the Government is properly implemented, having due regard to the matters contained in Articles of the Constitution and to the provisions of the other legislative enactments and regulations made thereunder and of course to the rules contained in various circulars and directions issued by the government authorities.

Various Stages of the Procedure Followed After Receiving Complaints



1.4 Office Staff

Approved cadre for this office is 32 in number. However, as shown in the structure below, only 24 officers were attached to this office as at the end of 2020. It is to be noted that delay might be occurred in the progress of work due to the said prevailing shortage of the staff of this office.

OFFICE SRTUCTURE

