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செயலாற்றுகை அறிக்கை  
**Performance Report**

2018.07.01 – 2018.09.30  
(3 වන කාර්තුව, 3ம் காலாண்டு, 3<sup>rd</sup> Quarter)

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இலங்கை சனநாயக சோசலிசக் குடியரசின எல்லை நிர்ணய ஆணைக்குழு  
**Delimitation Commission of Democratic Socialist Republic of Sri Lanka**

**Performance Report -3<sup>rd</sup> Quarter 2018**  
**Delimitation Commission – Sri Lanka**  
**(1<sup>st</sup> July 2018 to 30<sup>th</sup> September 2018)**

## **1.0 Background**

The current Delimitation Commission was constituted under articles **41B and 95 (1)** of the Constitution of the Democratic Socialist Republic of Sri Lanka on 13.11.2015. The Delimitation Commission (DC) consisted of three members appointed by His Excellency the President. Dr.K.Thavalingam was the Chairman with Dr.Anila Dias Bandaranaike and Prof.S.H.Hasbullah as the members of the DC. The DC records with deep sadness the passing away of Prof. Hasbullah on 24.08.2018. Following notification of his death to the President by the Chairperson, the DC awaits appointment of a Commissioner in his place to the DC.

Articles 95 and 96 of the Constitution of the Democratic Socialist Republic of Sri Lanka state their main tasks of the Commissions. However, unlike for most other Commissions, the following in respect of the DC have not been mentioned either in the Constitution or in the 19<sup>th</sup> Amendment to the Constitution.

- Functions of the Commission
- Powers of the Commission

The thinking conveyed by the Constitutional Council at the outset indicated that all delimitations of geographical boundaries will be rationalised under the new mandate of a single Delimitation Commission, once it is spelt out in an amendment to the Constitution or under new legislature.

## **2.0 Framework**

**Vision:-**To achieve excellence in boundary delimitation based on ethical and equitable principles.

**Mission:-**To conduct boundary delimitation as mandated by the Constitution in an independent, ethical, equitable, efficient, transparent and credible manner and in accordance with the Law.

### **Goals/Objectives**

- To ensure that the boundaries of electoral or any other assigned geographical units are drawn in such a way as to achieve equitable representation for each vote or citizen to the greatest degree possible, to ensure effective safeguarding of the democratic rights of the people and of the environment.
- To complete assigned tasks on delimitation of electoral boundaries or any other assigned geographical boundaries for administration or socio-economic services to citizens, such as education, health or security, within the scheduled time frame.
- To provide knowledge and data on boundary delimitation to government and others

to facilitate their decisions.

- To develop a resource centre for boundary delimitation literature and related materials.

### **3.0 Policy Matters**

#### **3.1 Action Plan**

The DC continues its work according to the Action Plan for the year 2018 that was submitted to the Treasury in the previous Quarter.

#### **3.2 Delimitation of Electorates for Provincial Councils**

The Provincial Councils Elections (Amendment) Act (Amendment Act 2017) was passed by Parliament on 20.09.2017. The President appointed a Delimitation Committee for the same on 04.10.2017 constituted to include the Chairman and the two members of the DC. The completed report submitted to the Minister of Provincial Councils and Local Government on 19.02.2018 and tabled in Parliament on 06.03.2018. It was taken up for debate on 24.08.2018 and referred to a review committee. According to the Act, a Review Committee chaired by the Prime Minister was appointed thereafter with a mandate to complete its work within 2 months of its appointment.

### **4.0 Performance during last three months**

#### **4.1 Meetings**

**Delimitation Commission meetings**—Three meetings were held during this Quarter to discuss both administrative and policy matters.

29<sup>th</sup> meeting on 20-07-2018

30<sup>th</sup> meeting on 24-08-2018

31<sup>st</sup> meeting on 27-09-2018

#### **4.2 Response to Media Publicity on Provincial Councils Delimitation Report**

Following on official submission of the above Report, and particularly after referring to review committee, public interest in the subject rose, with considerable media publicity in all 3 languages. The DC noted several factual inaccuracies and misconceptions in this publicity and it became clear that there was very low public awareness on the subject and on related issues. In response, the Chairperson, DC, who had also been Chairperson of the Delimitation Committee, presented the factual position, through newspapers articles, interviews with journalists and electronic media personnel, on all matters that had been raised. These responses were very well received and helped to improve public knowledge on the subject and the principles and issues involved.

### 4.3 Raising Public Awareness on Delimitation and Related Issues

The DC sent a letter to the Secretary, M/Home Affairs on 16.08.2018 date, regarding the need to raise awareness among District and Divisional Secretaries on the importance and need for unambiguous and clear geographical administrative boundaries. The letter suggested that a series of workshops be arranged at District level to find out the practical problems faced by administrators with regard to the same. A reply is awaited. Furthermore, the members decided to prepare some articles on Delimitation and related issues for publication in the Sunday newspapers in all 3 languages, in order to raise awareness and knowledge on the subject among the general public. Work on these articles began at the end of the third quarter with a view to publish in the last quarter of the year.

## 5.0 Administrative and Financial Matters

### 5.1 Office Accommodation for DC

The Surveyor General has provided Office Space for the DC office free of rent in the Survey Department building since 2016.

#### Present Official Address

Delimitation Commission  
Surveyor General's Office Building  
P.O.Box 506  
Colombo-5

### 5.2 Transport

The Treasury assigned two cars to the DC in 2016. Vehicle No.CAP 7180, registered in the President's Secretary's name and insured by the Presidential Secretariat, was received from the Presidential Secretariat and assigned to the Chairman. The Presidential Secretariat assigned a second car, vehicle No. CAR 0347 to the DC in September 2016. These continue to be used by the DC for all its official transportation.

### 5.3 Staff

Considering the expected volume of work to be entrusted to the DC, the following posts were created with the approval of the Director General, Department of Management Services, by letter no. DMS/1029 dated 05-02-2016.

Designation	Level	No. of Posts	Salary Code
Secretary	Senior	1	SL-3-2006
Accountant	Senior	1	SL-1-2006
Co-ordinating Secretary	Tertiary	1	PA Circular 06/2006
Administrative Officer (AO)	Tertiary	1	MN-7-2006
Translator	Secondary	3	MN-6-2006
IT Assistant	Secondary	2	MT -1-2006
Public Management Assistant (PMA)	Secondary	2	MN -2-2006
Driver	Primary	2	PL-3-2006
Office Assistant (OA)	Primary	2	PL-1-2006
TOTAL		15	

Accordingly, the employment profile as at 30-09-2018 was:

<b>Designation</b>	<b>Approved</b>	<b>Filled</b>	<b>Vacancies</b>
Secretary	1	1 <sup>a</sup>	-
Accountant	1	1 <sup>a</sup>	-
Coordinating Secretary	1	1	-
Administrative Officer (AO)	1	1	-
Translator	3	0	3
IT Assistant	2	0	2
Public Management Assistant (PMA)	2	2	-
Driver	2	2	-
Office Assistant (OA)	2	2	-
<b>TOTAL</b>	<b>15</b>	<b>10</b>	<b>05</b>

<sup>a</sup> Part time basis

## **6.0 Unresolved Issues**

The DC continues to await feedback on all the unresolved issues that were highlighted in the 2<sup>nd</sup> Quarter Report. That is,

1. Following on the acceptance of their appointments, DC members were invited to their first meeting with the Constitutional Council (CC) on 19.11.2015.
2. As previously mentioned, the DC has noted that the present Constitution does not provide a mandate for the newly appointed Delimitation Commission. Meanwhile, several Legislative enactments and procedures in Sri Lanka cater to different forms of delimitation at electoral and administrative levels which need to be rationalised for optimum benefit to the country.
3. In this regard,
  - A Proposal on “Widening the Powers and Functions of the Delimitation Commission through Constitutional Amendments” was sent to the Chairman, CC in July 2016.
  - This same proposal was sent to the Secretary, Sub Committee on Public Services, of the Steering Committee of the Constitutional Assembly with an annex prepared by the Chairman entitled “Points to be considered while amending the Constitution or preparing a new constitution regarding Delimitation Commission” in July 2016. This proposal was considered by the Sub Committee.
  - In October 2016, a letter prepared by the Delimitation Commission on “Principles and Framework for Delimitation in Sri Lanka” for Consideration by the Steering Committee of the Constitutional Assembly when Drafting a New Constitution was sent to its Chairman, the Hon. Prime Minister.
  - The DC is awaiting feedback on all these proposals.