



National Police Commission

Annual Report

2013

1. Preamble

National Police Commission was constituted under the 18th Amendment to the Constitution on 22nd February 2012 for a period of three years. Mr. S.C.B. Walgampaya PC was appointed as the Chairman of the Commission. We are pleased to present the Annual Report for the year 2013.

- Vision – “ Protector of justice and fair play”
- Mission – “ To entertain and investigate Public Complaints against the Police with a
view to upholding Human Rights, Public Accountability and respect
for
the Rule of Law”
- Objective – “ Investigate Public Complaints against a Police Officers or Police
Force giving Priority to Protection of Human Rights of the People
guaranteed by the Constitution”

2. National Police Commission.

2.1 The 18th Amendment to the Constitution provides as follows :

“The National Police Commission shall be empowered to entertain and investigate complaints from Members of the Public or any aggrieved person against a police officer or the Police Force and shall provide redress in accordance with the provisions of any law enacted by Parliament”.

With the re-constitution of the new Commission on 22nd February 2012 it was an essential requirement to determine the powers of the Commission and the formulation of a strategic plan to implement the powers of the Commission. All these prerequisites were completed during the year 2012 and full attention was paid to the public complaints investigation which is the main duty of the Commission.

2.2 Membership of the Commission.

- Mr. Senaka Walgampaya P.C. - Chairman
- Rev. Elle Gunawansa Thero - Member
- Mr. D. Dissanayaka - Member
- Mrs. Charmaine Madurasinghe (Attorney-at-Law) - Member
- Mr. R. Sivaraman - Member
- Mr. M.M.M. Mawjood - Member
- Mr. Newton Gunarathne - Member

Commission meets every Wednesday at 3.00 p.m. In the year under review 47 meetings have been held. 29 Commission Papers have been reviewed on matters of public complaints, rules of procedures, Draft Acts etc. which were tabled before the Commission and decisions taken on them. In addition to that, such matters as progress of public complaints, financial position of the Commission and media reports have been reviewed by the Commission on a weekly basis.

3. The Office of the National Police Commission

The responsibility of implementing the decisions taken by the National Police Commission is rested with the Secretariat of the Commission. The Office of the NPC Head Office was shifted to the new Block 09 located in BMICH premises in June 2013.

The Secretary of the Commission is Mr. T.M.K.B. Tennekoon (Attorney-At-Law) – Sri Lanka Administrative Service (Special Grade)

The Secretariat consists of the following Divisions and Units.

1. Administration Division
2. Public Complaints Investigation Division
3. Finance Division
4. Media Unit
5. Information and Communication Technology Unit.

Activities performed and their progresses in the year 2013 are reviewed in this report.

3.1 Administration Division.

Annexure I depicts the Cadre information of the Commission.

3.2 Public Complaints Investigation Division (PCID)

The primary responsibility of the Public Complaints Investigation Division is to entertain complaints made by Members of the Public against police officers or the Police Force and investigate same and provide redress in accordance with any Law enacted by Parliament. Powers are vested by Article 155 FF of the 18th Amendment to the Constitution to that effect.

Public Complaints Investigation commenced in June 2012 and Rules of Procedure to this effect were formulated and published in the Government Gazette in August 2012.

Director, Public Complaints has performed his duties under the supervision of the Commission. He co-ordinated all the Provincial Offices that have been set up covering all Provinces of the Island. The process ensures utilizing minimum resources for maximum efficiency and also provided reasonable solution to the public who have placed trust in the Commission.

Public Complaints Investigation Division has been established to entertain and investigate public complaints against the Police at a Provincial level under the Head of a Director. 9 Provincial Offices have been established and Provincial Directors have been appointed to each Office. In addition to that, considering the population density of the Districts of Gampaha and Kalutara two District Offices have been established under two District Directors.

In addition to that, the public have had the opportunity to meet with the Chairman or the Secretary of the Commission and present their complaints to them. In providing relief to the public an open door policy was followed.

3.2.2 Composition of the Public Complaints Division

Mr. N. Ariyadasa Cooray, a Senior Retired SLAS Officer, is the Director of Public Complaints. All Provincial and District Officers function under his supervision.

Sr. No.	Name of the Provincial/District Director and address of the Office	Tele. No.	Service	Previous position held
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Table 1

1.	Mr. N. Ariyadasa Cooray – Director Public Complaints Investigation National Police Commission, Block 09, BMICH, Colombo 07.	011 – 5107725	SLAS (Special Grade)	Additional Secretary, Public Service Commission
2.	Mr. Ananda Wijesooriya Director (Colombo), National Police Commission, Block 09, BMICH, Colombo 07.	011- 5107722	Sri Lanka Police Department	Deputy Inspector General of Police
3.	Mr. U.K. Gunawardana Director (Gampaha) Gampaha District Office, National Police Commission, District Secretariat, Gampaha..	033 – 5107722	SLAS I	Addl. District Secretary, Gampaha
4.	Mr. R.M.M.B. Rathnayaka Director (Kaluthara) Kaluthara District Office, National Police Commission, District Secretariat, Kaluthara.	034 - 5107722	SLAS Class I	District Secretary – Nuwara Eliya
5.	Mr. Danapala Thanthirige Provincial Director(Uva),Uva Provincial Office, National Police Commission, Deputy Chief Secretariat Office, Engineering Service, Pinarawa, Badulla.	055 - 5107722	SLAS Class I	District Secretary – Badulla
6.	Mr. E.L. Chandrasena Provincial Director (Sabaragamuwa) Sabaragamuwa Provincial Office, National Police Commission, District Secretariat,	045 - 5107722	SLAS Class I	Secretary- Min of Land & Agriculture (Sabaragamuwa Provincial Council)

	New Town, Ratnapura.			
7.	Mr. H.M.P. Kumarasiri Provincial Director (Central) Central Provincial Office, National Police Commission, District Secretariat, Kandy.	081 - 5107722	Accountant Service Class I	Accountant Min. of Health & Indigenous Medicine (Central Provincial Council)
8.	Mr. G. Hewavitharana Provincial Director (South) Southern Provincial Office, National Police Commission, 1 st Floor, District Secretariat, Galle.	091 - 5107722	SLAS Class I	District Secretary – Galle
9.	Mr. W.M. Jayawardana Provincial Director (North West) North West Provincial Office, National Police Commission, 3 rd floor, No. 08 Room, No. 04, Mihindu Mawatha, Kurunegala.	037 - 5107722	SLAS Class I	Divisional Secretary – Kurunegala
10.	Mr. R.I.B.R.B. Rathnamalala Provincial Director (North Central) North Central Provincial Office, National Police Commission, District Secretariat, Anuradhapura.	025 - 5107722	SLAS Class I	Divisional Secretary – Galgamuwa
11.	Dr. K. Thayagarajah Provincial Director (North) North Provincial Office, National Police Commission, District Secretariat, Jaffna.	021 - 5107722	Sri Lanka Police Service	Deputy Chief Secretary (Auditing) Eastern Province
12.	Mr. S. Samithambi Provincial Director (Eastern) Eastern Provincial Office, National Police Commission, Manmune North, Batticaloa.	065 - 5107722	SLAS Class I	Assistant Commissioner Department of Agrarian Development, Batticalloa.

3.2.3 New measures taken in 2013

The National Police Commission has introduced a 24 Hour Hotline on 13th December 2013 to enable the public to complain round the clock. Mobile Telephone No. 0710361010 was introduced in this effect and sixty complaints were received by 31.12.2013 to this number.

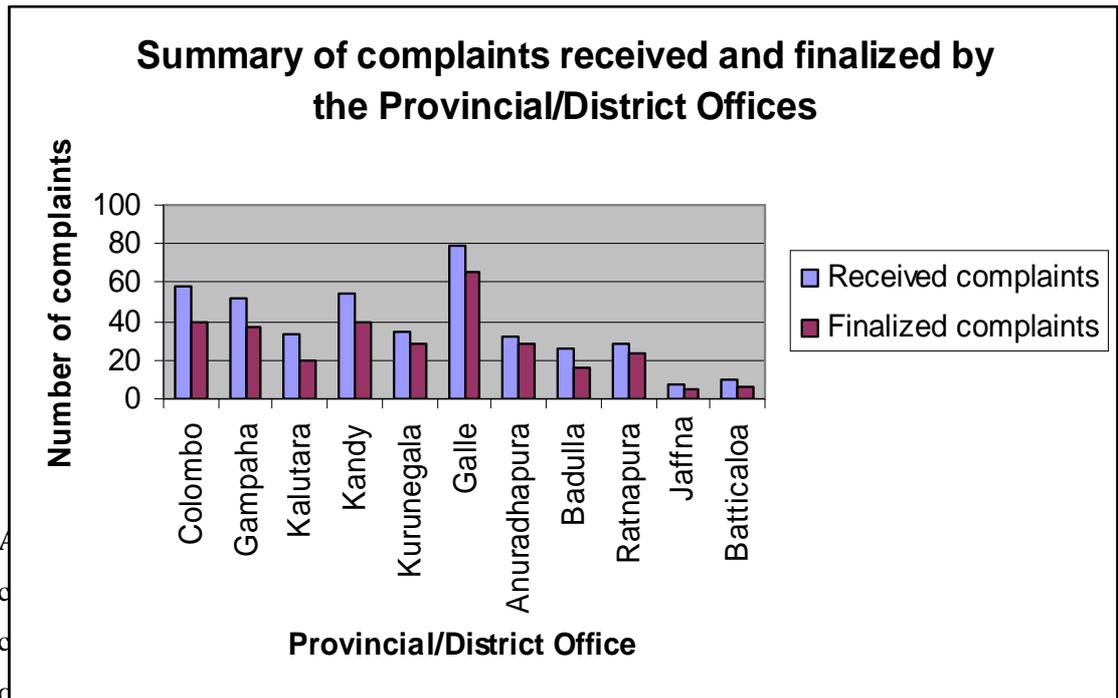
A total of 470 complaints (including 60 complaints on Hotline) were received to NPC Provincial and District Offices, out of which 307 complaints have been finalized after investigations.

Number of complaints received to each Provincial/District Office and number of complaints finalized after investigations as at 31.12.2013.

Table - 2

	Office	Summary of complaints 2013	
		Complaints received in 2013	Number of complaints finalized investigations
1.	Colombo	58	39
2.	Gampaha	52	37
3.	Kalutara	33	20
4.	Kandy	54	39
5.	Kurunegala	34	28
6.	Galle	79	65
7.	Anuradhapura	32	28
8.	Badulla	26	16
9.	Ratnapura	28	24
10.	Jaffna	08	05
11.	Batticaloa	10	06
	Total	414	307

Graph I



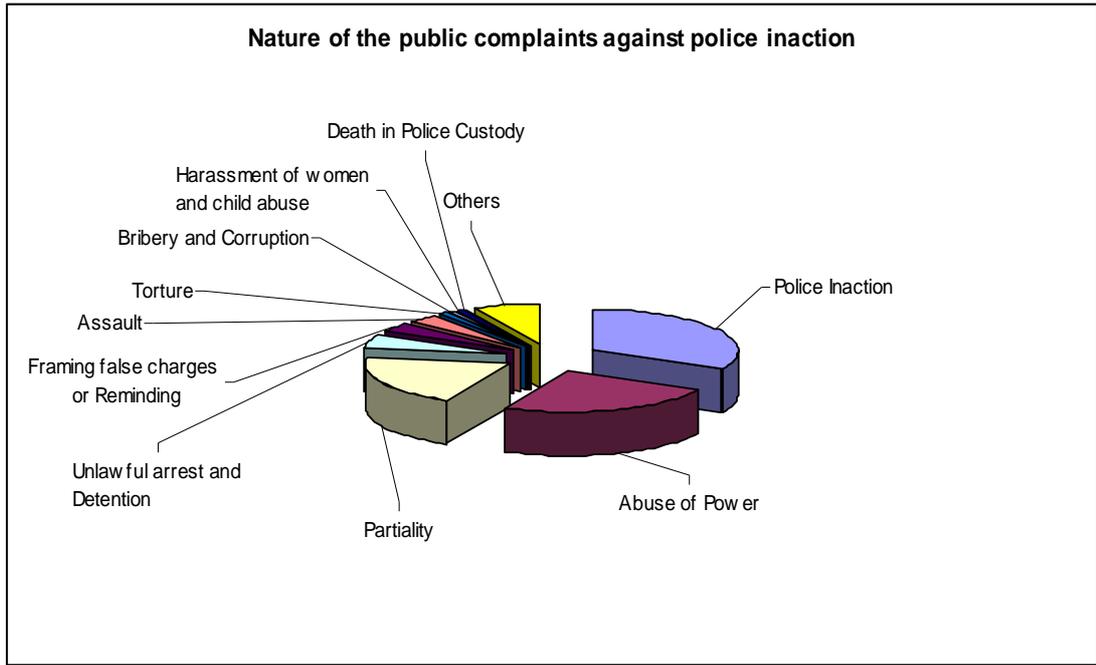
According to Table 2, 307 public complaints have been received, out of which 414 have been investigated and NPC has taken measures to provide relief to the public. There were some limitations when investigating some of the complaints in depth as legal action in Courts has already begun in relation to some complaints. The number of finalized cases includes some complaints in which sufficient evidence were not available and complaints were later withdrawn by complainants.

Table 3

Nature of the public complaints against Police in 2013.

4.	Unlawful arrest and Detention	21
5.	Framing false charges or Remanding	17
6.	Assault	13
7.	Torture	05
8.	Bribery and Corruption	03
9.	Harassment of women and child abuse	04
10.	Death in Police Custody	--
11.	Others	31
	Total	414

Graph II



Th

e Commission was able to provide considerable relief to the public during the year under review. There were 134 complaints on police inaction, 83 complaints on partiality, 103 complaints on misuse of power, 21 complaints on unlawful arrest and detention, 05 complaints on arrest and torture, 13 complaints on Police assault and 17 complaints on framing false complaints and remanding.

Maximum relief has been granted to the public who have placed trust on the Commission. Table and the related pie chart provide detailed picture on the nature of the complaints.

Complaints received at Provincial and District basis are depicted in Table 3 and related bar chart. When analyzing the public complaints received during the year, it was obvious that public has been met with various kinds of injustices and harassments by the Police. In investigating these complaints they are categorized according to the rules of procedure, public complaints (2012) which have been gazetted in 2012.

The Commission has made maximum effort to protect human rights of the people. Commission also expects an upward trend in number of complaints in the years to come mainly because of growing social unrest and increasing crime wave. Commission is further determined to provide more qualitative service in 2014 than that of year 2013. For that, initiatives have been taken to upgrade capacity development, technical assistance and increased facilities in line with the corporate plan of 2013 – 2015.

3.2.4 Measures taken in the year 2013 to make the Public aware about the complaints investigation by the National Police Commission.

- Public notices have been exhibited by the NPC in each and every Grama Niladhari Office.
- Awareness programs have been conducted at Divisional Meetings of Divisional Secretariats by the Provincial Director concerned.
- Public has been provided facilities to make complaints through NPC website.
- Introducing a 24 hour hotline to enable the public to make complaints at any time of the day or night (071361010).
- Wider publicity has been given to NPC on its functions through electronic and print media and maintained close relationships with them.

3.2.5 Number of complaints arising from which disciplinary action have been taken against police officers.

During the year under review, disciplinary actions have been taken on 16 complaints against 18 police officers through IGP. Situations where disciplinary actions have been taken are depicted in the following table on a Provincial/District basis.

Table 4

Province/District	Complaints received
Colombo	2
Gampaha	4
Central Province	2
North Western Province	5
North Central Province	1
Uva Province	2
Total	16

3.2.6 National Police Commission Consequential Provisions Act (Draft)

The NPC had drafted a Bill titled ‘The National Police Commission (Consequential Provisions) Act based on the recommendations made by a Committee appointed by HE the President in 2012.

The draft Bill was forwarded to the Office of HE the President in 2013 and the Attorney Generals recommendations were sought. In 2013, with the assistance of the Legal Draftsman it was forwarded to the Cabinet of Ministers for approval.

3.3 Finance Division

3.3.1 Annual Provisions and Expenditure – 2013

Total Rs: 38.958 m was approved by the Annual Budget for the National Police Commission including Rs: 38.748 m for Recurrent Expenditure and Rs: 0.210 m for Capital Expenditure for the year 2013.

In addition, total Rs;6.425 m were granted by the Treasury during the year 2013,under Recurrent Expenditure Rs: 1.275m to meet the shortfall for the payment of salary increase in the budget 2013 and Rs: 5.150m under Capital Expenditure to settle the payment for the official vehicle imported in 2012 for the Chairman.

Accordingly Rs: 45.383 m was approved for the year 2013 including Rs: 40.023 m for Recurrent Expenditure and Rs: 5.360 m for Capital Expenditure.

Out of the above provisions Rs; 44.893m was spent in the year 2013, of which Rs: 39.674m was for recurrent expenditure and Rs: 5.219 for capital Expenditure. As such the 98.92% of total provisions was used where as 99.13% was used for recurrent expenses and 97.37% was used for capital expenses. Detail report of total provision and expenditure is attached.

3.4 Media Unit

The primary duty of the Media Unit is the building of the good image of the National Police Commission and to communicate constantly with the public and the media about the work done by the NPC.

Functions performed by the Media Unit in 2013 are as follows in brief.

- Wide media publicity was given to the new office of the NPC in BMICH
- National Police Commission News Letter was designed and published in three languages and sent to public institutions such as District Secretariat offices, Grama

Niladari Offices, Ministries, Departments and other public institutions. In addition to that, it was published in the NPC Website.

- Print media reports/Articles related to Police and NPC were forwarded for the information of the Commission on a weekly basis.
- Hot line number 07110361010 was given massive publicity through electronic and print media.
- Media officer regularly participated, representing NPC, in the Inter Ministerial Committee on Human Rights Action Plan and Universal Periodic Review of the Human Rights Council of United Nations.

3.5 Information and Communication Technology Division.

- Trilingual Website was designed and updated.
- NPC News Letter was published in the NPC Website.
- Computer Network and Inter-com system of the BMICH new building was setup and making internal office plan of the new building.

CONCLUSION

The National Police Commission is happy to report that the Commissions has successfully carried out the duties and responsibilities as mandated to the Commission by the Constitution.

Annexure I

Cadre Information 2013

Ministry **National Police Commission**

Address **Block No. 09, BMICH, Bauddhaloka Mawatha, Colombo 07**

Post	Service	Grade/ Class	Salary Code	Serv. level	Approved Cadre			Existing Cadre		
					Perma nent	Casual	Con tract	Perm anent	Casual	Con tract
Secretary	SLAS	Special	SL 3	I	1	-	-	1	-	-
Director Public Complaints	SLAS	I	SL 1	I	1	-	-	-	-	1
Director	SLAS	I	SL 1	I	2	-	-	-	-	2
Asst. Secretary	SLAS	III	SL 1	I	1	-	-	1	-	-
Accountant	SLAS	II/III	SL 1	I	1	-	-	-	-	1
Provincial Director	SLAS	I	SL 1	I	9	-	-	-	-	9
Admn. Officer	MAS	Supra	MN 7	2	1	-	-	-	-	-
Translator	Translator Service	TS	MN 6	2	1	-	-	-	-	-
Information & Technical Officer	SLITS	SLICT	MT 1	2	1	-	-	-	-	-
Media Officer	Departme ntal	-	MN 4	3	1	-	-	1	-	-
Programme Assistant	Departme ntal	-	MN 4	3	12	-	-	11	-	-
Management Assistant	MAS	-	MN 2	3	16	-	-	9	-	2

Data Entry Operator	Departmental	-	MN 1	3	4	-	-	4	-	-
Driver	Drivers Service	-	PL 3	4	4	-	-	3	-	-
Three Wheeler Driver	Departmental	-	PL 2	4	1	-	-	1	-	-
Office Assistant	Office Asst. Service	-	PL 1	4	8	-	-	8	-	-

Annexure II

National Police Commission Total Provision and Expenditure for the Year 2013

Object Code	Description	Annual Budgetary Provision 2013 Rs:	Supplementary Provision 2013 Rs:	FR 66 Transfers Rs:	Approved net Provision For Year 2013 Rs;	Total Expenditure For Year 2013 Rs;
	Recurrent Expenditure	38,748,000	1,275,000	-	40,023,000	39,673,515
	Personal Emoluments					
1001	Salaries and Wages	9,000,000		(600,000)	8,400,000	8,208,192
1002	Over time and Holiday Payments	100,000			100,000	94,673
1003(11)	Other Allowances	7,500,000	1,275,000	900,000	9,675,000	9,658,348
1003(21)	Other Allowances	3,113,000			3,113,000	3,112,800
	Traveling Expenses				-	
1101	Domestic	30,000		20,000	50,000	45,119
1102	Foreign	30,000		(28,000)	2,000	-
	Supplies				-	-
1201	Stationery & office Requisites	200,000		100,000	300,000	298,603
1202	Fuel	400,000		450,000	850,000	823,269
1203	Diets and uniforms	25,000			25,000	23,853
	Maintenance Expenditure				-	-
1301	Vehicles			43,000		

		200,000			243,000	242,395
1302	Plant & Machinery	100,000		28,000	128,000	117,865
1303	Buildings & Structures	50,000			50,000	38,568
	Services				-	-
1401	Transport	400,000		385,000	785,000	754,729
1402	Postal & Communication	500,000		300,000	800,000	797,095
1403	Electricity & Water	2,500,000		100,000	2,600,000	2,581,288
1404	Rents & Local Taxes	10,450,000		(879,000)	9,571,000	9,548,582
1405	Others	4,000,000		(835,000)	3,165,000	3,162,695
	Transfers					
1506	Property Loan Interest to Public Servants	150,000		16,000	166,000	165,441
Object Code	Description	Annual Budgetary Provision 2013 Rs:	Supplementary Provision 2013 Rs:	FR 66 Transfers Rs:	Approved net Provision For Year 2013 Rs;	Total Expenditure For Year 2013 Rs;
	Capital Expenditure	210,000	5,150,000	-	5,360,000	5,219,339
	Rehabilitation & Improvement of Capital Assets					
2002	Plant, Machinery & Equipment	30,000			30,000	29,389
2003	Vehicles	50,000			50,000	32,000.00
	Acquisition of capital assets				-	-
2101	Vehicles		5,150,000		5,150,000	5,077,757
2102	Furniture and office Equipment	30,000			30,000	26,472
2103	Plant, machinery & Equipment	50,000			50,000	23,471
	Human Resource Development				-	
2401	Staff Training	50,000			50,000	30,250
	Grand Total	38,958,000	6,425,000	-	45,383,000	44,892,854

