



**තීන්පති දෙපාර්තමේන්තුව**  
**சட்டமா அதிபதி திணைக்களம்**  
**Attorney General's Department**



**කාර්ය සාධන වාර්තාව - 2015**  
**Performance Report - 2015**  
**செயலாற்றுகை அறிக்கை - 2015**

## **Vision**

- ❖ To be the bastion of the Public Service of Sri Lanka in responding effectively to the course of justice in the interest of Sri Lanka & her people.

## **Objective**

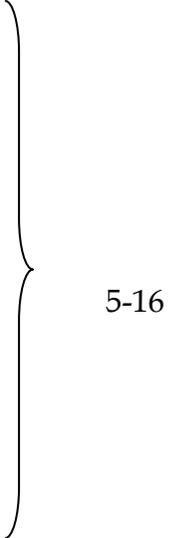
- ❖ To provide expert legal services and advice to the Sri Lankan Government and Government Institutions, Corporations and Statutory Boards and to play a pivotal role in the delivery of the Governments' broader objectives.

## **Mission**

- ❖ To serve the people of Sri Lanka to our utmost endeavor and work with honour, dignity and integrity to fulfill Sri Lanka's promise.
  
- ❖ The Attorney General's Department will strive to enforce laws of Sri Lanka on the premises of fairness and independence, to ensure justice, safety and liberty for the people of Sri Lanka, in a bid to encourage social and economic prosperity, equal opportunity and tolerance.

## Index

<u>Contents</u>	<u>Page No</u>
1. Background of the Attorney General's Department	1
2. Organizational Structure of the Attorney General's Department	2
3. Cadre Information	3
4. Duties of the Attorney General's Department	4
i. Criminal Division	
ii. Civil Division	
iii. State Attorney's Division	
iv. Supreme Court Unit	
v. Corporation Branch	
vi. Child Abuse Cases Unit	
vii. Public Petitions Unit	
• Summary of the Performance of Divisions	12
viii. Establishment Branch	13 - 15
ix. Finance Branch	16



**Attorney General's Department**  
**(P.O. Box. 502, Colombo 12)**

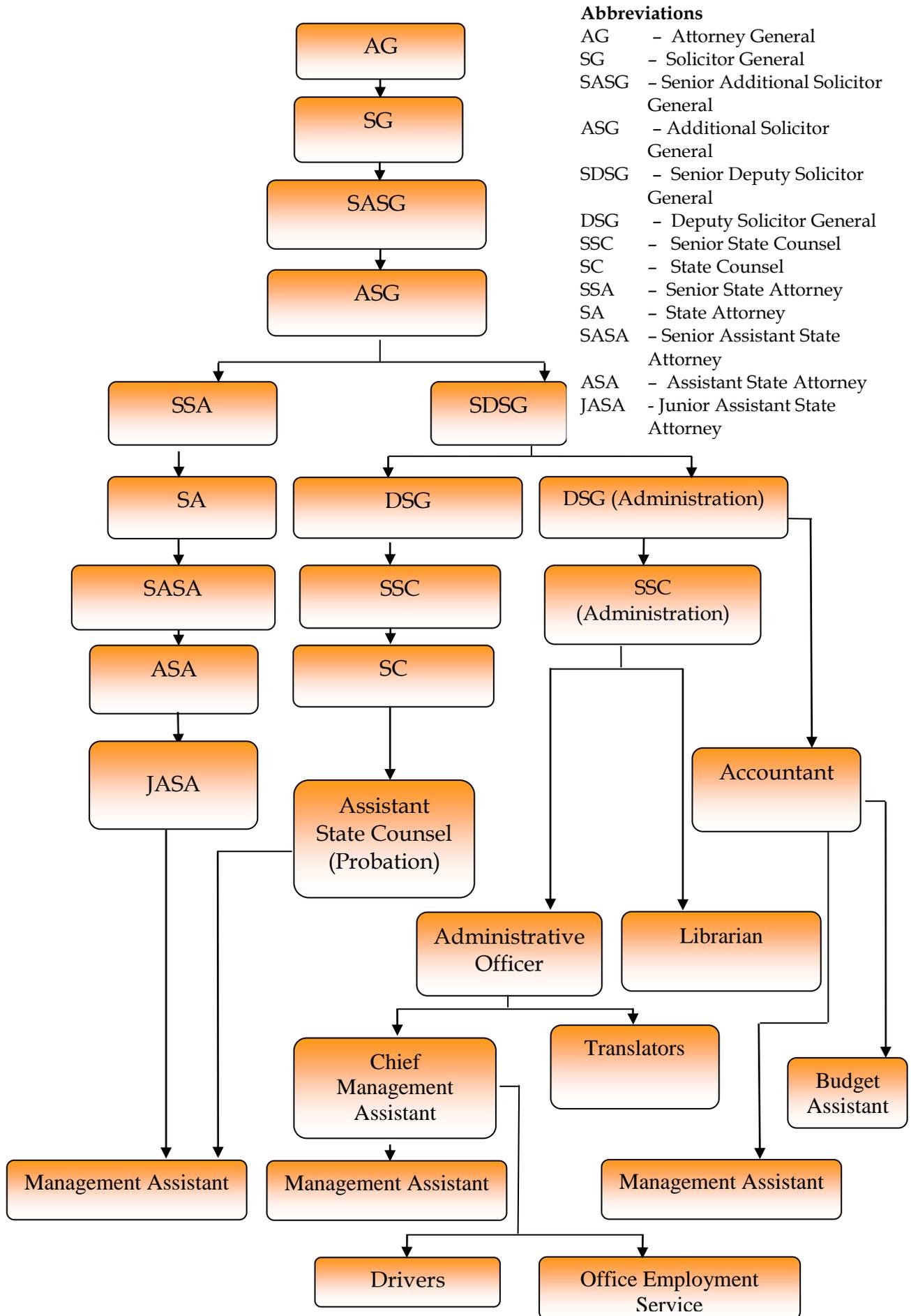
**1. Background**

Attorney General is the chief legal officer, who appears on behalf of the Democratic Socialist Republic of Sri Lanka and the Honourable Attorney General performs duties as the Head of the Department and Accounting Officer. Attorney General's Department is an "A" Grade Department and comes under the purview of Ministry of Justice.

Attorney General's Department provides legal assistance to the Central Government, Provincial Councils, Government Departments, statutory Boards and other Semi Government institutions. Legal officers of the Department provide instructions to the Government and Governmental Institutions on Civil, Criminal, Constitutional and Commercial matters and represent the Government and Governmental Institutions for the Cases, instituted in the Supreme Court, other Courts and labor tribunals in the Island.

Three main Divisions named Civil Division, Criminal Division and State Attorney Division have been established in the Department for Civil and Criminal Cases and the Establishment Division & Account Division have been established to conduct administrative work. In addition to those divisions, Corporation Division, EER Unit, which performs duties under Extra Emergency Regulations and Prevention of Terrorism Act, Child abuse cases unit, Immigration & emigration unit, Public Petitions unit and Supreme Court unit have been established for the smooth functioning of the Attorney General's Department.

## 2. Organizational Structure of Attorney General's Department



### 3. Cadre Information (as at 31.12.2015)

Level Group	Designation	Approved Cadre			Existing Cadre		
		Permanent	Casual	Contract	Permanent	Casual	Contract
Senior Level	Attorney General	1	–	–	1	–	–
	Solicitor General	1	–	–	1	–	–
	Senior Additional Solicitor General	2	–	–	2	–	–
	Additional Solicitor General	9	–	–	9	–	–
	Senior Deputy Solicitor General	9	–	–	9	–	–
	Deputy Solicitor General	19	–	–	19	–	–
	Senior State Counsel	56	–	–	35	–	–
	State Counsel/Temporary Acting State Counsel	118	–	–	100	–	–
	Assistant State Counsel (Probation)	–	130	–	–	0	–
	Senior State Attorney	1	–	–	1	–	–
	State Attorney	2	–	–	2	–	–
	Senior Asst. State Attorney	6	–	–	6	–	–
	Asst. State Attorney	18	–	–	6	–	–
	Junior Assistant State Attorney	28	–	–	0	–	–
	Director (Finance)	1	–	–	1	–	–
Tertiary Level	Administrative Officer	3	–	–	3	–	–
	Librarian (Supra Grade)	1	–	–	1	–	–
	Translator	8	–	–	6	–	–
Secondary Level	Statistical Officer	1	–	–	0	–	–
	Budget Asst.	1	–	–	1	–	–
	Librarian	4	–	–	1	–	–
	Management Asst.	130	–	–	90	–	–
	Coordinating Secretary	1	–	–	1	–	–
	Personal Secretary	1	–	–	0	–	–
	Stenographer	28	–	–	0	–	–
	Departmental Clerk	27	–	–	27	–	–
	Driver	87	–	–	81	–	–
	K.K.S.	139	–	–	129	–	–
	Departmental K.K.S.	22	–	–	22	–	–
	Watcher	7	–	–	0	–	–

#### 4. Duties of the Attorney General's Department

Duties of the Attorney General's Department may be summarized as follows.

- To provide instructions to the Government and Governmental Institutions on Civil, Criminal, Constitutional and Commercial matters, International legal activities and the matters of the United Nations' Human Rights Commission.
- To represent the Government and Governmental Institutions for the cases, instituted in the Supreme Court, Other Court & Labour Tribunals.
- To provide necessary legal advice with regard to enactment of new laws and amendments to the existing laws.

Following Divisions of the Department assist the Legal staff for the performance of duties.

- Criminal Cases Division
- Civil Division
- State Attorney Division
- Supreme Court Unit
- Corporation Division

Further, for the smooth functioning of the Department. There are Special units, vested with especially recognized responsibilities.

Namely,

- Public Petitions unit. (This Division handles cases regarding public Petitions.)
- Child Abuse Cases unit. (This Division has been established to handle cases, regarding child abuses.)

Aforesaid Divisions and units handle main functions of the Attorney General's Department and the Accounts Division and the Establishment Division have been established for the administrative work of the Attorney General's Department.

Performance of each Division of the Attorney General's Department Could be summarized as follows;

**i. Criminal Division**

This division receives a large number of criminal cases either directly from the Magistrates Court or from Police Department for advice and institute criminal proceedings either in the High Court or in the Magistrates Court.

On receipt of said briefs a file will be opened in the Attorney General's Department and action will be taken in accordance with provisions of the Code of Criminal Procedure Act Number 15 of 1979.

In this process instructions are being sent either to prosecute the suspects in Magistrates Court or discharge the suspect from proceedings for non availability of evidence or indictments are being sent directly to High Courts. There are 100 officers attached to the criminal division and an officer from the criminal division is attached to the every High Court in Sri Lanka.

**Subjects Categorized by Offences**

- CR1 - Cases investigated by Criminal Investigation Department
- CR2 - Offences relating to Elections & Cases investigated by Colombo Fraud Bureau
- CR3 - Narcotic Offences
- CR4 - Offences relating to Credit cards
- CR5 - Cases investigated by Financial Crimes Investigation Department
- OW - Offences under the Offensive Weapons Act
- EER/TR - Offences under the Emergency Regulations Act
- AG/T - Torture in Police Custody
- I & E - Offences under the Immigrants & Emigrants Act
- MTA - Cases relating to Fatal Accidents

**Subjects Categorized on Provincial Basis - Old Categorization  
(Files opened up to 31.12.2015)**

CM1, CM2, CM3, CW1, CW2, CW3, CW4, CB1, CB2, CS1, CS2, CN

A new classification of criminal files as below mentioned has been introduced with effect from 01.01.2011 for smooth performance of this Department and to ensure identifications of files at provincial levels.

EP 1, EP 2, EP 3, EP 4, NP 1, NP 2, NP 3, NP 4, NCP 1, NCP 2, SP 1, SP 2, SP 3, SP4, SP 5, CP 1, CP 2, CP 3, NWP 1, NWP 2, NWP 3, NWP 4, UP 1, UP 2, SGP 1, SGP 2, SGP 3, WP 1, WP 2, WP 3, WP 4, WP 5, WP 6, MLA

**Performance of the Criminal Division**

**Performance Report of the Criminal Division - (from 01.01.2015 to 31.12.2015)**

Serial No.	Subject	Opened Files	Indicted Files	Advised Files	Discharged Files	Concluded Files	Remaining Files
1	CR1	267	58	35	22	115	1467
2	CR2	95	9	15	0	24	504
3	CR3	1048	584	266	14	864	1372
4	CR4	14	8	0	0	8	85
5	CR5	47	4	10	0	14	35
6	CM1	0	20	13	7	40	152
7	CM2	0	11	12	4	35	95
8	CM3	0	27	12	3	42	169
9	CW1	0	11	1	2	14	104
10	CW2	0	10	5	7	22	116
11	CW3	0	17	3	2	22	115
12	CW4	0	22	9	7	38	100
13	CB1	0	3	4	5	12	49
14	CB2	0	5	4	1	10	62
15	CS1	0	14	7	11	32	186
16	CS2	0	4	8	0	12	158
17	OW	165	94	3	11	108	291
18	AG/T	0	1	2	0	3	58
19	I & E	317	0	55	44	99	504
20	CN	0	2	7	2	11	38
21	EER	117	10	56	51	117	82
22	TR	7	0	2	2	4	20
<b>Sub Total</b>		<b>2077</b>	<b>914</b>	<b>529</b>	<b>195</b>	<b>1646</b>	<b>5762</b>

**Performance Report of the Criminal Division –  
(from 01.01.2015 to 31.12.2015) under new classification**

Serial No.	Subject	Opened Files	Indicted Files	Advised Files	Discharged Files	Concluded Files	Remaining Files
1	EP1	38	7	10	0	17	177
2	EP2	34	7	3	0	10	129
3	EP3	20	6	1	1	8	59
4	EP4	20	3	14	1	18	91
5	NP1	52	7	4	2	13	145
6	NP2	48	12	12	1	25	145
7	NP3	16	0	2	1	3	11
8	NP4	16	1	5	0	6	44
9	NCP1	151	23	6	5	34	330
10	NCP2	80	43	9	5	57	145
11	SP1	48	53	5	12	70	290
12	SP2	94	32	11	8	51	292
13	SP3	96	71	12	15	98	294
14	SP4	48	34	17	5	56	151
15	SP5	38	34	0	6	40	132
16	CP1	168	60	42	27	129	272
17	CP2	48	19	11	1	31	61
18	CP3	92	20	24	4	48	132
19	NWP1	140	82	18	16	116	455
20	NWP2	95	32	5	7	44	191
21	NWP3	32	14	4	5	23	68
22	NWP4	53	21	12	5	38	131
23	UP1	74	38	10	7	55	287
24	UP2	36	28	16	8	52	195
25	SGP1	89	59	23	17	99	251
26	SGP2	71	42	14	10	66	134
27	SGP3	107	82	20	15	117	183
28	WP1	264	52	36	18	106	931
29	WP2	152	45	12	8	65	286
30	WP3	113	43	21	10	74	304
31	WP4	128	38	11	14	63	280
32	WP5	75	26	23	16	65	206
33	WP6	178	71	33	26	130	419
<b>Total</b>		<b>2714</b>	<b>1105</b>	<b>446</b>	<b>276</b>	<b>1827</b>	<b>7221</b>

## **ii. Civil Division**

Civil Division attends to all Civil and Commercial matters including Appeals, Writs, Revisionary Cases filed in the Supreme Court, Court of Appeal and Civil Appellate High Courts of Sri Lanka and Civil Cases filed in the various District Courts in the island. This Division provides instructions in occasions such as revision of laws and passing of new laws and attends to the relevant Parliamentary activities. Legal advice sought by Government Departments, advice for obtaining foreign loans, matters referred by the Human Rights Commission, Notices of Action Cases, Arbitration cases, Land Acquisition Cases and Recovery of Possession of State Land Cases are some of the areas handled by the officers in the civil division.

There are 93 officers attached to Civil Division handling civil matters in Court of Appeal, District Courts, Provincial Civil Appellate High Courts and Labour Tribunals. In addition to their work; the officers are involved in advising Government Departments on legal issues; taking part in various Technical Committees; appearance in Local and International Arbitrations and appearance in the Supreme Court in Rule Matters filed against errant legal professionals.

### **Subjects Categorized in the Civil Division**

E	-	Legal Advice
FC	-	Advice for Obtaining Foreign Loans
CA/CA	-	Court of Appeal Cases
CA/HC	-	High Court Cases
HRC	-	Human Rights Commission Matters
B	-	Bills
CA/NA	-	Notice of Action
CA/DC	-	District Court Cases
ARB	-	Arbitration Cases
C	-	Cases Filed Against State (Reimburse to State)
L	-	Land Acquisition Cases
CE	-	Recovery of Possession of State Lands
AA	-	Rule Matters
AV	-	Aviation cases
CA/LT	-	Labour Tribunal cases
CA/MC	-	Magistrate Court cases

### Performance of the Civil Division

<b>Subject</b>	<b>Opened Files</b>	<b>Concluded Files</b>	<b>Remaining Files</b>
E	431	152	279
FC	25	01	24
CA/CA	579	-	-
CA/HC	312	-	-
HRC	07	03	04
B	54	13	41
CA/NA	292	-	-
CA/DC	409	-	-
ARB	02	-	-
C	331	-	-
L	174	-	-
CE	62	-	-
AA	10	02	08
CA/LT	09	-	-
CA/MC	22	-	-
<b>Total</b>	<b>2719</b>	<b>171</b>	<b>356</b>

Note that majority of files, opened by the Civil Division are handled by the State Attorney's Division.

### **iii. State Attorney's Division**

The State Attorney's Division receives files opened by the Civil Division and thereafter continues to appear in Civil Courts Island wide.

There are 15 officers including a Senior State Attorney, two State Attorneys working in the State Attorney's Division and in addition to them they have an island wide network of State Attorneys (earlier Crown Proctors) to attend to the instructive work in civil cases.

This Branch annually handled a large volume of civil cases and 3315 civil cases were concluded during this year.

#### **iv. Supreme Court Unit**

This is a special unit which only handles cases filed in the Supreme Court of the Democratic Socialist Republic of Sri Lanka.

There are 11 officers and other grades working in this unit headed by an Additional Solicitor General.

This unit has handled a large number of cases including Fundamental Rights Cases during the year 2015.

There are 508 cases opened during the year 2015 and 532 cases including 82 files opened during the same year and 450 files opened earlier were concluded during this year.

#### **v. Corporation Branch**

This division was established in year 1990 with the intention of helping Government Corporations, Statutory Bodies and various semi governmental organizations in their legal matters at reasonable cost.

There are 1681 cases opened during the year 2015 and 1871 cases were concluded.

#### **Subjects Categorized in the Corporation Branch**

- CA - Cases when the Government Institution is a Defendant or Respondent
- C - Cases when the Government Institution is the Plaintiff or Appellant.
- E - Advice files
- BCL - Agreements
- ARB - Arbitration
- SPC - Statutes of Provincial Councils
- L - Land Acquisition Matters
- WB - Cases of recovery of Unsettled Water Bills

## Performance of the Corporation Branch

<b>Subject</b>	<b>Opened Files</b>	<b>Concluded Files</b>	<b>Remaining Files</b>
<b>CA</b>	1081	854	1950
<b>C</b>	251	724	2462
<b>E</b>	216	149	510
<b>BCL</b>	36	45	08
<b>ARB</b>	12	08	14
<b>FC</b>	01	01	02
<b>SPC</b>	01	-	05
<b>L</b>	03	-	05
<b>WB</b>	80	90	409
<b>Total</b>	<b>1681</b>	<b>1871</b>	<b>5365</b>

### **vi. Child Abuse Cases Unit**

This unit was established in the year 2004 with the intention of speedy disposal of cases in the areas of child abuse and sexual offence against women referred for the advice of the Attorney General.

The Attorney General's Department has recruited 14 young attorneys to work in this unit with an additional supporting staff.

This unit has handled a large number of such cases during the year 2015. 3338 cases were opened and 1801 files were concluded during this year.

### **vii. Public Petitions Unit**

Complaints received from the general public are referred to this unit with the idea of giving some redress to those petitions. A Deputy Solicitor General is presently detailed to work closely with these petitions.

Above performance of each Division for the year 2015 could be summarized as follows;

<b>Division</b>	<b>Number of files opened</b>	<b>Number of files indictments sent</b>	<b>Number of files provided instructions</b>	<b>Number of files Released</b>	<b>Number of files concluded</b>
* Civil Division	2719	-	158	-	171
Criminal Division	4791	2019	975	471	3473
* State Attorney Division	165	-	-	-	3315
Supreme Court Unit	508	-	-	-	532
Corporation Division	1681	-	-	-	1871
Women & Child Abuse cases Unit	3338	577	370	854	1801
Public Petitions Unit	591	-	35	-	217

\* Note that majority of files, opened by the Civil Division are handled by the State Attorney Division.

### **viii. Establishment Branch**

Establishment Branch plays a key role silently in assisting the Department for smooth functioning of entire duties of the Department. Relative to other Divisions of this Department, performance of this Division may not be submitted on quantitative data. Therefore, performance of the Establishment Branch for the period from 01.01.2015 to 31.12.2015 is set out as follows;

- **Recruitments, filling of vacancies and creation of new posts.**

**Law Officers :-**

- Actions were taken to fill 30 vacancies of the post of state counsels.

**Public Management Assistant Service :-**

Requests have been made to the Director General of Combined Services to fill the vacancies of the Public Management Assistant Service.

**Departmental Posts**

- Permanent appointments were granted to 49 employees, as 27 Departmental Clerks and 22 Departmental Office Employees who have completed continuous and satisfactory period of service of 180 days under Public Administration Circular No. 25/2014 as per budget proposals of 2015.

**Minor Employees :-**

- Approval of the Director General of Management Services has been sought to recruit employees for the vacancies of the Office Employees Service.
- Approval of the Ministry of Justice has been granted to fill the vacancies of 03 posts of Drivers Service, and the approval of the Department of Management Services has been sought to make requirements for remaining 04 vacancies
- Actions are being taken to conduct interviews for the recruitment of 07 posts of Watcher.

- **Computerization of leave**

Leaves of all the officers and employees of the Department are entered into relevant documents. In addition all the leaves are computerized under an especially designed Computer programme. Staff officers can refer their online Leave applications to relevant supervising officers for the approval. (Except for foreign leave and other leaves, for which the written approval is sought)

- **Granting of Distress Loan**

Actions have been taken to grant distress loan to the applicants without keeping them in a waiting list for a long time.

Data on applying & granting distress loans from 01.01.2015 to 31.12.2015 are as follows.

Designation	Number of Applicants	No. of Employees, who was granted loans
Staff Grade	30	30
Public Management Assistant Service and other Services	43	43
Office Assistant Service	45	45
Driver	21	21

Accordingly, an amount of Rs: 12,109,394.00 has been paid from the Public Servants Advance Account for distress loans from 01.01.2015 to 31.12.2015.

- **Paying of Pensions**

In the event of a retirement of an officer or employee, the entire documents for pension will be prepared and forwarded to the Department of pensions without delay and accordingly officers/ employees of this Department will be able to obtain their Pension and/or gratuity without unnecessary delay.

Accordingly actions have being taken to pay pension gratuities of 10 employees, retired in 2015 without delay.

- **Human Resources Development by providing training**

67 officers of Public Management Assistants' service , 19 of the Drivers service and 02 of the Office Employees service were provided to participate in courses at the Sri Lankan Development Administration Institute in this year. In addition actions have been taken for 05 officers of Public Management Assistants' service and 01 from Office Employees service to attend the Tamil language courses too.

Further, opportunities have been granted to the legal officers for foreign trainings through the Scholarships related to the field of law offered by foreign Universities and various institutions on the recommendation of the Department of foreign resources.

- **Infrastructure Development**

- Site of the new building for the department has been handed over to Sierra Construction Limited for the piling work of the basement of that building.
- Foundation stones were laid and construction work was commenced of the quarters of State Counsels of Mannar and Vavuniya.
- The allotment of land reserved by the Divisional Secretary for the construction of the quarters of State Counsel of Kurunegala has been assigned to the department.
- An allotment of land of Bahirawakanda area has been assigned by the Divisional Secretary of Kadawath Sathara for the construction of the quarters of State Counsel of Kandy.

Object Details - from 01.01.2015 to 31.12.2015

Head 229  
Programme 01  
Project 01

**Recurrent Expenditure from 01.01.2015 to 31.12.2015**

<b>Object Details</b>	<b>Budget Provisions</b>	<b>Net Provisions</b>	<b>Total Expenditure</b>
Personal Emoluments	272,500,000	383,646,000	382,981,768
Other Recurrent Expenses	235,000,000	273,970,000	272,084,987

**Capital Expenditure from 01.01.2015 to 31.12.2015**

<b>Subject &amp; Subject No</b>	<b>Budget Provisions</b>	<b>Net Provisions</b>	<b>Net Expenditure</b>
2001 - Building and Construction	8,000,000	8,000,000	7,633,422
2002 - Machine and Machinery	2,000,000	2,000,000	1,172,258
2003 - Repairing of Vehicles	4,500,000	4,500,000	4,428,883
2101 - Purchasing of Vehicles	-	660,000	651,400
2102 - Furniture and Office Equipment	7,500,000	7,500,000	7,491,985
2103 - Purchasing of Machine and Machinery	8,000,000	7,340,000	7,339,640
2401 - Training for the staff	19,000,000	34,500,000	19,219,999
2502 - Investments	556,000,000	546,000,000	43,254,483

**Advance Account from 01.01.2015 to 31.12.2015**

<b>Maximum Limit of Expenditure</b>	<b>Minimum Limit of Receipts</b>	<b>Maximum Limit of Debit Balance</b>
18,638,232	18,787,284	41,999,877