

ROBBING THE PEOPLE

By Dr. A.C. Venkateswaran

Discussing members of the public value greatly the work which was done by the Parliamentary Standing Committee on Public Enterprises (COPE), during the chairmanship of Mr. Wijedasa Rajapaksa, in inquiring into a number of alleged acts of corruption. To date, the government has not shown any interest in getting any relevant committee to investigate these malpractices either singly and have the culprits prosecuted. Instead, Mr. Rajapaksa appears to have become persona non grata among many of the rich and the powerful for helping expose to the public many major acts of corruption. In this situation, Sri Lankans are an



are the Secretary to the President, the IGP, DIG (CD), the Chairman of the

considering the explicit nature of Mr. Rajapaksa's observations, it is incumbent upon the Attorney General, the IGP and the Bribery Commission, in particular to get on with a purposeful programme of investigation and prosecution of at least these cases where sums in excess of, say, Rs. Millions are believed to have been squandered or robbed.

A curious aspect which needs to be investigated methodically is why the secretaries to the relevant ministries did not bring to the notice of their Ministers that Cabinet approval was being sought belatedly for鼠elessful legal commitments that

POINT OF VIEW

Sunday August 10, 2008 LAKBIMA NEWS

John Keells

Of trust and anti-trust

By Melville Somaratne

"Just as the people's judgment always true; the most many are as gaudily as the few." —Abraham and Archibald, John Dryden (1631 - 1700)

When assumed the presidency, Mahinda Rajapaksa encapsulated his vision as leader of the country with a single word. He used the word "trust".



Full guy? P. B. Jayasundara



Chief Justice Sarath Silva

Sunday Times MONDAY MAY 5, 2008

Legal cases force PERC to probe Rs. 1.2 b LMS privatisation

Monopoly status and valuation core contentions; new entrants face snags from SLPA despite AG's opinion in favour

Two legal cases involving the Government and its agencies and two other entities have forced the Public Enterprises Reform Commission (PERC) to probe the Rs. 1.2 billion privatisation of Lanka Maritime Services Ltd. (LMSL).

The development is despite the LMSL privatisation being carried out during the previous People's Alliance (PA) regime, prompting independent analysts to raise serious questions of whether the process was conducted in a transparent manner.

The manner in which the LMSL, then a subsidiary of the CPC em-

LMS privatisation not yielded competition - Central Bank

Central Bank in its 2004 Annual Report has maintained the position that the privatisation of Lanka Maritime Services Ltd. had not met the required competition and low prices.

It said it had been encouraging the fleet of vessels operating at Colombo for bunkering, fueling and marine services. The report added that LMSL deserved to agree with the Central Bank's findings and it failed to communicate its views to the bank.

The main reason is the higher prices of bunker fuel

application) was also

therefore had not permitted

the large employers

similar business.

On 11.7.2002 the 2nd respondent had allegedly issued a letter of approval to the 4th respondent granting BOK approval, notes state, allegedly, on the following conditions:

new enterprises, without involving any existing business or transfer of assets of any description from any entity within Sri Lanka. To incorporate a new com-

pany. However, on the very next day i.e. 12.7.2002, the 2nd

respondent had issued a letter of ap-

proval to the 4th respondent that

the 4th respondent should be granted a tax holiday for 7 years, after a 2-year period.

Therefore, on 24.10.2002 the 2nd re-

spondent, as then Executive De-

velopment Minister issued a Regula-

tion dated 25.10.2002, extending exis-

tence conditions, inter alia,

granted BOK approval for their setting up on behalf of the

privatised LMSL, a monopoly for the supply of bunkers and marine services to the port of Colombo, Lanka Maritime had informed PERC.

The PERC was also requested to re-address the issue particularly as at the time of the privatisation of LMSL, the 2nd respondent, PERC Chairman who is the current Secretary to the Treasury confirmed by letter dated April 20, 2002 that the objective of the Government was to deregulate power generation, telecommunications, infrastructure and promote private sector participation and as thus context there will be no restrictions in the imports

of bunkering in Sri Lanka

and that he intended to do so with the Government.

The amounts of LMSL for the Years Ended 31.3.2000 and 31.3.2004 reflect a Profit of Rs. 20.21 Mts. and Rs. 19.81 Mts. respectively, while total Re. 6.4 Mts. with an expenditure increase of Rs. 20.21 Mts for these 2 years, in comparison with the expenditure for the Year Ended 31.3.2002 prior to diversions. BAMS, the 2nd respondent, was granted BOK status with a 5-Year Tax Holiday.

The divisors were

the average of the

spending of the 2nd respon-

dent for the years 2000-01 and 2001-02, which is Rs. 1,09,362,500, and that the

agreements were signed on

26.10.2002, and therefore that

the 2nd respondent should be

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As the last hearing of a motion in the Supreme Court will open before the Supreme Court resumes, permanent action is under way to end the case over the LMSL deal, and explore what action can be taken in the SC.

The Sunday Times SUNDAY OCTOBER 12, 2008

Vasu takes LMS deal to Court

PRESIDENTIAL Advisor Venkateswara Nayanekar has filed a fundamental rights (FR) application in the Supreme Court challenging the sale of Lanka Maritime Services Ltd. (LMSL) to Jaya Keells PLC (JK).

He has named BOK Chairman, Dharmendra Peiris and former Bok Chairman Arunachala Mudaliar, Arunachala Mudaliar, former Commissioner Ge-

neral, National Police, the former Finance Minister, the former principal Treasury chief and others as respondents in the application for a writ of habeas corpus.

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The Sunday Times SUNDAY OCTOBER 12, 2008

Will police, bribery move against PBU, JK directors?

Key LMSL hearing in SC tomorrow

By Dr. A.C. Venkateswaran

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