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## The Gazette of the Democratic Socialist Republic of Sri Lanka

අංක 1,744 – 2012 පෙබරවාරි 03 වැනි සිකුරාදා – 2012.02.03  
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(Published by Authority)

### PART I : SECTION (I) – GENERAL

(Separate paging is given to each language of every Part in order that it may be filed separately)

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#### IMPORTANT NOTICE REGARDING ACCEPTANCE OF NOTICES FOR PUBLICATION IN THE WEEKLY “GAZETTE”

ATTENTION is drawn to the Notification appearing in the 1st week of every month, regarding the latest dates and times of acceptance of Notices for publication in the weekly *Gazettes*, at the end of every weekly *Gazette* of Democratic Socialist Republic of Sri Lanka.

All notices to be published in the weekly *Gazettes* shall close at 12.00 noon of each Friday, two weeks before the date of publication. All Government Departments, corporations, Boards, etc. are hereby advised that Notifications fixing closing dates and times of applications in respect of Post-Vacancies, Examinations, Tender Notices and dates and times of Auction Sales, etc. should be prepared by giving adequate time both from the date of despatch of notices to Govt. Press and from the date of publication, thereby enabling those interested in the contents of such notices to actively and positively participate please note that inquiries and complaints made in respect of corrections pertaining to notification will not be entertained after **three months** from the date of publication.

All notices to be published in the weekly *Gazettes* should reach Government Press two weeks before the date of publication *i.e.* notices for publication in the weekly *Gazette* of 10th February, 2012 should reach Government Press on or before 12.00 noon on 27th January, 2012.

LAKSHMAN GOONEWARDENA,  
Government Printer.

Department of Govt. Printing,  
Colombo 08,  
January 01, 2012.

## Appointments, &c., by the President

No. 108 of 2012

DRF/21/RECT/2749.

Lieutenant Colonel DW HAPUARACHCHI, (O/50234);

By His Excellency's Command,

### SRI LANKA ARMY—REGULAR FORCE

#### Confirmation of Rank and Retirement approved by His Excellency the President

##### CONFIRMATION OF RANK

HIS EXCELLENCY THE PRESIDENT has approved the confirmation of the under mentioned senior Officer in the rank of Colonel with effect from 29th June, 2008.

Lieutenant Colonel (Temporary Colonel) KAKURARTA DEWA DITTIYA GARDIYA WASAM LIDAMALAGE HESAN MANOJ RONIL DE SILVA psc (O/60419);

##### RETIREMENT

HIS EXCELLENCY THE PRESIDENT has approved the Retirement of the undermentioned senior Officer from the Regular Force of the Sri Lanka Army with effect from 30th June, 2008.

Colonel KAKURARTA DEWA DITTIYA GARDIYA WASAM LIDAMALAGE HESAN MANOJ RONIL DE SILVA psc (O/60419);

By His Excellency's Command,

GOTABAYA RAJAPAKSA, RWP RSP psc,  
Secretary,  
Ministry of Defence and  
Urban Development.

Colombo,  
24th December, 2008.

02-203

No. 109 of 2012

DRF/614/AY.

### SRI LANKA ARMY—REGULAR FORCE

#### Promotion approved by His Excellency the President

##### PROMOTION

HIS EXCELLENCY THE PRESIDENT has approval the Promotion of the undermentioned senior officer to the rank of Major General with effect from 01.01.2011.

By His Excellency's Command,

GOTABAYA RAJAPAKSA, RWP RSP psc  
Secretary,  
Ministry of Defence and  
Urban Development.

Colombo,  
22nd December, 2011.

02-65

No. 110 of 2012

DRF/21/RECT/2699.

### SRI LANKA ARMY—REGULAR FORCE

#### Confirmation of Rank, Retirement and Transfer to the Sri Lanka Army Regular (General) Reserve approved by His Excellency the President

##### CONFIRMATION OF RANK

HIS EXCELLENCY THE PRESIDENT has approved the confirmation of the under mentioned senior Officer in the rank of Lieutenant Colonel with effect from 18th April, 2008:-

Major (Temporary Lieutenant Colonel) SUBASINGHE APPUHAMILAGE DON UDENI PREMALAR SUBASINGHE SLA (O/61221);

##### RETIREMENT

HIS EXCELLENCY THE PRESIDENT has approved the Retirement of the undermentioned senior Officer from the Regular Force of the Sri Lanka Army with effect from 19th April, 2008:-

Lieutenant Colonel SUBASINGHE APPUHAMILAGE DON UDENI PREMALAR SUBASINGHE SLA (O/61221);

#### TRANSFER TO THE SRI LANKA ARMY REGULAR (GENERAL) RESERVE

HIS EXCELLENCY THE PRESIDENT has approved the Transfer of the under mentioned senior Officer to the Sri Lanka Army Regular (General) Reserve with effect from 19th April, 2008:-

Lieutenant Colonel SUBASINGHE APPUHAMILAGE DON UDENI PREMALAR  
SUBASINGHE SLA (O/61221);

No. 112 of 2012

DRF/21/RECT/2816.

By His Excellency's Command,

GOTABAYA RAJAPAKSA, RWP RSP psc,  
Secretary,  
Ministry of Defence and  
Urban Development.

Colombo,  
23rd May, 2008.

02-202

No. 111 of 2012

DRF/21/RECT/2802.

**SRI LANKA ARMY—REGULAR FORCE**

**Confirmation of Rank and Retirement approved by His  
Excellency the President**

**CONFIRMATION OF RANK**

HIS EXCELLENCY THE PRESIDENT has approved the confirmation of the  
under mentioned senior Officer in the rank of Licutenant Colonel with  
effect from 30th March, 2009.

Major (Temporary Lieutenant Colonel) RAYAN JAMES PERERA  
SENEVIRATNE, SLSC (O/61078);

**RETIREMENT**

HIS EXCELLENCY THE PRESIDENT has approved the Retirement of the  
undermentioned senior Officer from the Regular Force of the Sri Lanka  
Army with effect from 31st March, 2009.

Lieutenant Colonel RAYAN JAMES PERERA SENEVIRATNE, SLSC  
(O/61078);

By His Excellency's Command,

GOTABAYA RAJAPAKSA, RWP RSP psc,  
Secretary,  
Ministry of Defence and  
Urban Development.

Colombo,  
17th March, 2009.

02-195

**SRI LANKA ARMY—REGULAR FORCE**

**Confirmation of Rank and Retirement and Transfer to the  
Sri Lanka Army Regular (General) Reserve approved by  
His Excellency the President**

**CONFIRMATION OF RANK**

HIS EXCELLENCY THE PRESIDENT has approved the confirmation of the  
under mentioned senior Officer in the rank of Lieutenant Colonel with  
effect from 01st May, 2009:-

Major (Temporary Lieutenant Colonel) MANIK PEDIGE STEPHEN  
RWP RSP SLE (O/61599);

**RETIREMENT**

HIS EXCELLENCY THE PRESIDENT has approved the Retirement of the  
undermentioned senior Officer from the Regular Force of the Sri Lanka  
Army with effect from 02nd May, 2009:-

Lieutenant Colonel MANIK PEDIGE STEPHEN, RWP RSP SLE  
(O/61599);

**TRANSFER TO THE SRI LANKA ARMY REGULAR  
(GENERAL) RESERVE**

HIS EXCELLENCY THE PRESIDENT has approved the transfer of the  
undermentioned senior Officer to the Sri Lanka Army Regular  
(General) Reserve with effect from 02nd May, 2009:-

Lieutenant Colonel MANIK PEDIGE STEPHEN, RWP RSP SLE  
(O/61599);

By His Excellency's Command,

GOTABAYA RAJAPAKSA, RWP RSP psc,  
Secretary,  
Ministry of Defence and  
Urban Development.

Colombo,  
23rd March, 2009.

02-198

No. 113 of 2012

DRF/21/RECT/2933.

**SRI LANKA ARMY—REGULAR FORCE****Retirement approved by His Excellency the President**

## RETIREMENT

HIS EXCELLENCY THE PRESIDENT has approved the Retirement of the under mentioned Officer from the Regular Force of the Sri Lanka Army with effect from 20th August, 2008:-

Major DOLAMULLA GAMAGE THAKSHILA ARUNA PRIYA GAMAGE, VIR (O/61366);

By His Excellency's Command,

GOTABAYA RAJAPAKSA, RWP RSP psc,  
Secretary,  
Ministry of Defence and  
Urban Development.

Colombo,  
16th September, 2009.

02-204

No. 114 of 2012

DRF/21/RECT/2811.

**SRI LANKA ARMY—REGULAR FORCE****Retirement and Transfer to Sri Lanka Army Regular (General) Reserve approved by His Excellency the President**

## RETIREMENT

HIS EXCELLENCY THE PRESIDENT has approved the Retirement of the under mentioned Officer from the Regular Force of the Sri Lanka Army with effect from 31st December, 2008:-

Major ANURA MALLUWAWADU, SLASC (O/62263)

TRANSFER TO SRI LANKA ARMY REGULAR (GENERAL)  
RESERVE

HIS EXCELLENCY THE PRESIDENT has approved the transfer of the under mentioned officer to Sri Lanka Army Regular (General) Reserve with effect from 31st December, 2008:-

Major ANURA MALLUWAWADU, SLASC (O/62263);

By His Excellency's Command,

GOTABAYA RAJAPAKSA, RWP RSP psc,  
Secretary,  
Ministry of Defence and  
Urban Development.

Colombo,  
17th March, 2009.

02-187

No. 115 of 2012

DRF/21/RECT/2948.

**SRI LANKA ARMY—REGULAR FORCE****Retirement approved by His Excellency the President**

## RETIREMENT

HIS EXCELLENCY THE PRESIDENT has approved the Retirement of the under mentioned Officer from the Regular Force of the Sri Lanka Army with effect from 02nd April, 2009 on medical grounds:-

Major KAPILA WITHANA ARACHCHI, psc SLAC (O/61439);

By His Excellency's Command,

GOTABAYA RAJAPAKSA, RWP RSP psc,  
Secretary,  
Ministry of Defence and  
Urban Development.

Colombo,  
16th September, 2009.

02-201

No. 116 of 2012

DRF/21/RECT/2804.

**SRI LANKA ARMY—REGULAR FORCE****Retirement approved by His Excellency the President**

## RETIREMENT

HIS EXCELLENCY THE PRESIDENT has approved the Retirement of the under mentioned Officer from the Regular Force of the Sri Lanka Army with effect from 03rd October, 2008 on medical grounds:-

Captain WIJESKARA PATHIRANALAGE JAGATH PUSHPA KUMARA WIJESKARA, SLAC (O/63869);

By His Excellency's Command,

GOTABAYA RAJAPAKSA, RWP RSP psc,  
Secretary,  
Ministry of Defence and  
Urban Development.

Colombo,  
17th March, 2009.

02-185

DRF/21/RECT/2891.

DRF/21/RECT/2805.

**SRI LANKA ARMY—REGULAR FORCE**

**SRI LANKA ARMY—REGULAR FORCE**

**Cashiering from the Army approved by His Excellency the President**

**Cashiering from the Army approved by His Excellency the President**

HIS EXCELLENCY THE PRESIDENT has approved the Cashiering of the undermentioned Officer from the Regular Force of the Sri Lanka Army with effect from 22nd June, 2009:-

HIS EXCELLENCY THE PRESIDENT has approved the Cashiering of the under mentioned Officer from the Regular Force of the Sri Lanka Army with effect from 15th November, 2008:-

Captain RAJAPAKSE MUDIYANSELAGE KABILLAWELA UDAYA BANDARA INDUNIL RATHNAYAKA, SLA (O/64663);

Captain THILINA DARSHANA MENDIS HANDUNNETHTHI, CR (O/63169);

By His Excellency's Command,

By His Excellency's Command,

GOTABAYA RAJAPAKSA, RWP RSP psc,  
Secretary,  
Ministry of Defence and  
Urban Development.

GOTABAYA RAJAPAKSA, RWP RSP psc,  
Secretary,  
Ministry of Defence and  
Urban Development.

Colombo,  
20th August, 2009.

Colombo,  
17th March, 2009.

02-183

02-194

No. 117 of 2012

No. 118 of 2012

DRF/21/RECT/2728.

DRF/21/RECT/2941.

**SRI LANKA ARMY—REGULAR FORCE**

**SRI LANKA ARMY—REGULAR FORCE**

**Retirement approved by His Excellency the President**

**Retirement approved by His Excellency the President**

**RETIREMENT**

**RETIREMENT**

HIS EXCELLENCY THE PRESIDENT has approved the Retirement of the under mentioned Officer from the Regular Force of the Sri Lanka Army with effect from 01st July, 2008:-

HIS EXCELLENCY THE PRESIDENT has approved the Retirement of the under mentioned Officer from the Regular Force of the Sri Lanka Army with effect from 31st October, 2009:-

Captain KANDANA ARACHCHIGE DON SANJEEWA KANDANAARACHCHI, RSP GW (O/62293)

Captain GUTHTHILA KAVIRAJA MUDIYANSELAGE PRIYANTHA, SLAC (O/63824);

By His Excellency's Command,

By His Excellency's Command,

GOTABAYA RAJAPAKSA, RWP RSP psc,  
Secretary,  
Ministry of Defence and  
Urban Development.

GOTABAYA RAJAPAKSA, RWP RSP psc,  
Secretary,  
Ministry of Defence and  
Urban Development.

Colombo,  
10th September, 2008.

Colombo,  
16th September, 2009.

02-196

02-199

DRF/21/RECT/2943.

No. 120 of 2012

**SRI LANKA ARMY—REGULAR FORCE**

DRF/21/RECT/2854.

**Cashiering from the Army approved by His Excellency the President****SRI LANKA ARMY—REGULAR FORCE  
Retirement and Transfer to Sri Lanka Army Regular  
(General) Reserve approved by His Excellency the President**

HIS EXCELLENCY THE PRESIDENT has approved the cashiering of the undermentioned Officer from the Regular Force of the Sri Lanka Army with effect from 16th July, 2009.

Temporary Captain KUMARAGE WATTAGE SHIRON FERNANDO, GR (O/64560);

By His Excellency's Command,

GOTABAYA RAJAPAKSA, RWP RSP psc  
Secretary,  
Ministry of Defence and  
Urban Development.

Colombo,  
16th September, 2009.

02-48

No. 119 of 2012

DRF/21/RECT/2833.

**SRI LANKA ARMY—REGULAR FORCE****Retirement and Transfer to Sri Lanka Army Regular  
(General) Reserve approved by His Excellency the President**

RETIREMENT

HIS EXCELLENCY THE PRESIDENT has approved the Retirement of the under mentioned Officer from the Regular Force of the Sri Lanka Army with effect from 25th May, 2009:-

Captain (Quartermaster) RAMYA LIYANAGE, SLLI (O/61593);  
TRANSFER TO SRI LANKA ARMY REGULAR (GENERAL)  
RESERVE

HIS EXCELLENCY THE PRESIDENT has approved the transfer of the under mentioned Officer to Sri Lanka Army Regular (General) Reserve with effect from 25th May, 2009:-

Captain (Quartermaster) RAMYA LIYANAGE, SLLI (O/61593);

By His Excellency's Command,

GOTABAYA RAJAPAKSA, RWP RSP psc,  
Secretary,  
Ministry of Defence and  
Urban Development.

Colombo,  
25th May, 2009.

02-197

HIS EXCELLENCY THE PRESIDENT has approved the Retirement of the under mentioned Officer from the Regular Force of the Sri Lanka Army with effect from 23rd June, 2009:-

Captain (Quartermaster) MALNETTIYALAGE DASANAYAKE, USP GR (O/63967);

TRANSFER TO SRI LANKA ARMY REGULAR (GENERAL)  
RESERVE

HIS EXCELLENCY THE PRESIDENT has approved the transfer of the under mentioned Officer to the Sri Lanka Army Regular (General) Reserve with effect from 23rd June, 2009:-

Captain (Quartermaster) MALNETTIYALAGE DASANAYAKE, USP GR (O/63967);

By His Excellency's Command,

GOTABAYA RAJAPAKSA, RWP RSP psc,  
Secretary,  
Ministry of Defence and  
Urban Development.

Colombo,  
25th May, 2009.

02-200

DRF/21/RECT/2928.

**SRI LANKA ARMY—REGULAR FORCE****Cashiering from the Army approved by His Excellency the President**

HIS EXCELLENCY THE PRESIDENT has approved the cashiering of the undermentioned Officer from the Regular Force of the Sri Lanka Army with effect from 26th January, 2009.

Lieutenant (Temporary Captain) RANASINGHA ARACHCHIGE LALITH NISHANTHA PERERA, RSP VIR (O/62021);

By His Excellency's Command,

GOTABAYA RAJAPAKSA, RWP RSP psc  
Secretary,  
Ministry of Defence and  
Urban Development.

Colombo,  
10th September, 2009.

02-51

DRF/21/RECT/2927.

DRF/21/RECT/2938.

**SRI LANKA ARMY—REGULAR FORCE**

**SRI LANKA ARMY—REGULAR FORCE**

**Cashiering from the Army approved by His Excellency the President**

**Cashiering from the Army approved by His Excellency the President**

HIS EXCELLENCY THE PRESIDENT has approved the cashiering of the undermentioned Officer from the Regular Force of the Sri Lanka Army with effect from 25th March, 2009.

HIS EXCELLENCY THE PRESIDENT has approved the cashiering of the undermentioned Lady Officer from the Regular Force of the Sri Lanka Army with effect from 06th July, 2009.

Lieutenant GAMAGE ROSHAN DISSANAYAKA, SLLI (O/63995);

Lieutenant CHATHURANGA LAKSHANI KAPUGAMAGE, CES (O/66179);

By His Excellency's Command,

By His Excellency's Command,

GOTABAYA RAJAPAKSA, RWP RSP psc  
Secretary,  
Ministry of Defence and  
Urban Development.

GOTABAYA RAJAPAKSA, RWP RSP psc  
Secretary,  
Ministry of Defence and  
Urban Development.

Colombo,  
16th September, 2009.

Colombo,  
16th September, 2009.

02-50

02-49

DRF/21/RECT/2890.

DRF/21/RECT/2871.

**SRI LANKA ARMY—REGULAR FORCE**

**SRI LANKA ARMY—REGULAR FORCE**

**Cashiering from the Army approved by His Excellency the President**

**Cashiering from the Army approved by His Excellency the President**

HIS EXCELLENCY THE PRESIDENT has approved the cashiering of the undermentioned Officer from the Regular Force of the Sri Lanka Army with effect from 22nd April, 2009:-

HIS EXCELLENCY THE PRESIDENT has approved the cashiering of the undermentioned Officer from the Regular Force of the Sri Lanka Army with effect from 03rd March, 2009:-

Lieutenant JAYASUNDARA MUDIYANSELAGE MAHINDA CHANDANA KUMARA JAYASUNDARA, SLSR (O/62506);

Second Lieutenant KEEBIYA PATHIRANAGE DHAMMA JAGATHPRIYA PATHIRANA, SLSR (O/64515);

By His Excellency's Command,

By His Excellency's Command,

GOTABAYA RAJAPAKSA, RWP RSP psc  
Secretary,  
Ministry of Defence and  
Urban Development.

GOTABAYA RAJAPAKSA, RWP RSP psc  
Secretary,  
Ministry of Defence and  
Urban Development.

Colombo,  
20th August, 2009.

Colombo,  
20th August, 2009.

02-186

02-189

DRF/21/RECT/2925.

No. 121 of 2012

**SRI LANKA ARMY—REGULAR FORCE**

DVF/RECT/260/AY.

**Cashiering from the Army approved by His Excellency the President**

HIS EXCELLENCY THE PRESIDENT has approved the cashiering of the undermentioned Officer from the Regular Force of the Sri Lanka Army with effect from 27th March, 2009.

Second Lieutenant SUBASINGHE ARACHCHIGE SANJEEWA PRIYANTHA, VIR (O/61681);

By His Excellency's Command,

GOTABAYA RAJAPAKSA, RWP RSP psc,  
Secretary,  
Ministry of Defence and  
Urban Development.

Colombo,  
16th September, 2009.

02-46

DIRF/RECT/267/AY.

**AMENDMENT****SRI LANKA ARMY—REGULAR FORCE****Commissions approved by His Excellency the President**

NOTIFICATION related to commissioning of following Temporary Warrant Officer in the Regular Force of the Army approved by His Excellency the President (published in the Government *Gazette* No. 1691 of 28, 2011) is hereby amended as follows:

Notification No. 16 of 2011

Delete -

S/701878 - Temporary Warrant Officer 1 ALAGIYA DURAGE WUJAYA CHINTHAKA, Sri Lanka Army General Service Corps;

Insert -

S/701878 - Temporary Warrant Officer 1 ALAGIYAGE DAMITH WUJAYA CHINTHAKA, Sri Lanka Army General Service Corps;

By His Excellency's Command,

GOTABAYA RAJAPAKSA, RWP RSP psc,  
Secretary,  
Ministry of Defence and  
Urban Development.

Colombo,  
05th January, 2012.

02-188

**SRI LANKA ARMY—VOUNTEER FORCE****Retirement approved by His Excellency the President**

HIS EXCELLENCY THE PRESIDENT has approved the retirement of the undermentioned Officer from the Sri Lanka Army Volunteer Force with effect from 01st February, 2009.

Major MAHANTHE MUDIYANSELAGE ASELA KUMARA MAHANTHE, GR (O/2946);

By His Excellency's Command,

GOTABAYA RAJAPAKSA, RWP RSP psc,  
Secretary,  
Ministry of Defence and  
Urban Development.

Colombo,  
20th January, 2009.

02-52

No. 122 of 2012

DVF/RECT/280/02/AY.

**SRI LANKA ARMY—VOLUNTEER FORCE****Retirement approved by His Excellency the President**

HIS EXCELLENCY THE PRESIDENT has approved the retirement of the undermentioned Officer from the Sri Lanka Army Volunteer Force with effect from 31st March, 2009.

Major JAYASURIYA ARACHCHIGE SARATH KUMARA, GR (O/2620);

By His Excellency's Command,

GOTABAYA RAJAPAKSA, RWP RSP psc,  
Secretary,  
Ministry of Defence and  
Urban Development.

Colombo,  
17th March, 2009.

02-216



No. 123 of 2012

No. 125 of 2012

DVF/RECT/280/10/AY.

DVF/RECT/280/07/AY.

**SRI LANKA ARMY—VOLUNTEER FORCE**

**SRI LANKA ARMY—VOLUNTEER FORCE**

**Retirement approved by His Excellency the President**

**Retirement approved by His Excellency the President**

HIS EXCELLENCY THE PRESIDENT has approved the retirement of the undermentioned Officer from the Sri Lanka Army Volunteer Force with effect from 31st September, 2009.

HIS EXCELLENCY THE PRESIDENT has approved the retirement of the undermentioned Officer from the Sri Lanka Army Volunteer Force with effect from 01st June, 2009.

Major MALLIKA ARACHCHILAGE SARATH MEEGAHAKUMBURA, SLLI (O/2846);

Lieutenant (Quartermaster) (General Duties) SANDIA AJITH GURUSINGHE, SLNG (O/5580);

By His Excellency's Command,

By His Excellency's Command,

GOTABAYA RAJAPAKSA, RWP RSP psc,  
Secretary,  
Ministry of Defence and  
Urban Development.

GOTABAYA RAJAPAKSA, RWP RSP psc,  
Secretary,  
Ministry of Defence and  
Urban Development.

Colombo,  
19th August, 2009.

Colombo,  
10th August, 2009.

02-205

02-210

DVF/RECT/279/02/AY.

No. 124 of 2012

**SRI LANKA ARMY—VOLUNTEER FORCE**

DVF/RECT/280/08/AY.

**Withdrawal of Commission approved by His Excellency the President**

**SRI LANKA ARMY—VOLUNTEER FORCE**

**Retirement approved by His Excellency the President**

HIS EXCELLENCY THE PRESIDENT has approved the withdrawal of Commission of the under mentioned lady officer from the Sri Lanka Army Volunteer Force with effect from 19th February, 2009.

HIS EXCELLENCY THE PRESIDENT has approved the retirement of the undermentioned Officer from the Sri Lanka Army Volunteer Force with effect from 29th May, 2009.

Lieutenant MUNAGAMAGE NIROSHA MUNAGAMA, SLAWC (O/5503);

Captain (Quartermaster) (General Duties) BAMUNUSINGHE ARACHCHIGE KAMALSIRI RANJITH PEIRIS, SLAMC (O/5757);

By His Excellency's Command,

By His Excellency's Command,

GOTABAYA RAJAPAKSA, RWP RSP psc,  
Secretary,  
Ministry of Defence and  
Urban Development.

GOTABAYA RAJAPAKSA, RWP RSP psc,  
Secretary,  
Ministry of Defence and  
Urban Development.

Colombo,  
10th August, 2009.

Colombo,  
17th March, 2009.

02-208

02-211

DVF/RECT/278/09/AY.

DVF/RECT/278/13/AY.

**SRI LANKA ARMY—VOLUNTEER FORCE****Cashiering from the Sri Lanka Army Volunteer Force approved by His Excellency the President**

## CASHIERING

HIS EXCELLENCY THE PRESIDENT has approved the Cashiering of the under mentioned officer from the Sri Lanka Army Volunteer Force with effect from 09th March, 2009:-

Lieutenant ILLANKOON MUDIYANSELAGE INDRA KEERTHI BANDARA ILLANKON, VIR (O/4420);

By His Excellency's Command,

GOTABAYA RAJAPAKSA, RWP RSP psc,  
Secretary,  
Ministry of Defence and  
Urban Development.

Colombo,  
20th August, 2009.

02-215

**SRI LANKA ARMY—VOLUNTEER FORCE****Cashiering from the Sri Lanka Army Volunteer Force approved by His Excellency the President**

## CASHIERING

HIS EXCELLENCY THE PRESIDENT has approved the Cashiering of the under mentioned officer from the Sri Lanka Army Volunteer Force with effect from 21st March, 2009:-

Second Lieutenant DANUSHKA THILINA WEERASINGHE, SLSR (O/8253);

By His Excellency's Command,

GOTABAYA RAJAPAKSA, RWP RSP psc,  
Secretary,  
Ministry of Defence and  
Urban Development.

Colombo,  
27th August, 2009.

02-207

DVF/RECT/278/14/AY.

**SRI LANKA ARMY—VOLUNTEER FORCE****Cashiering from the Sri Lanka Army Volunteer Force approved by His Excellency the President**

## CASHIERING

HIS EXCELLENCY THE PRESIDENT has approved the Cashiering of the under mentioned officer from the Sri Lanka Army Volunteer Force with effect from 12th March, 2009:-

Second Lieutenant HAKAMUWA PATHIRANAGE CHAMINDA SAMPATH JAYARATNE, SLA (O/6195);

By His Excellency's Command,

GOTABAYA RAJAPAKSA, RWP RSP psc,  
Secretary,  
Ministry of Defence and  
Urban Development.

Colombo,  
27th August, 2009.

02-206

DVF/RECT/279/04/AY.

**SRI LANKA ARMY—VOLUNTEER FORCE****Withdrawal of Commission approved by His Excellency the President**

HIS EXCELLENCY THE PRESIDENT has approved the Withdrawal of Commission of the under mentioned Lady Officer from the Sri Lanka Army Volunteer Force with effect from 16th May, 2009:-

Second Lieutenant KOTAKADENIYA KUMARAGE NETHALI YASOMA ALUTHGE, SLAWC (O/5528);

By His Excellency's Command,

GOTABAYA RAJAPAKSA, RWP RSP psc,  
Secretary,  
Ministry of Defence and  
Urban Development.

Colombo,  
19th August, 2009.

02-214

DVF/RECT/279/03/AY.

No. 127 of 2012

**SRI LANKA ARMY—VOLUNTEER FORCE**

D/22/NY/513.

**Withdrawal of Commission approved by His Excellency the President**

**SRI LANKA NAVY—REGULAR NAVAL FORCE**

**Retirement approved by His Excellency the President**

HIS EXCELLENCY THE PRESIDENT has approved the Withdrawal of Commission of the undermentioned Lady Officer from the Sri Lanka Army Volunteer Force with effect from 19th May, 2009:-

THE undermentioned Officer retired from the Regular Naval Force of the Sri Lanka Navy with effect from 01st October, 2011:-

Second Lieutenant LEWLE YAMANE GEDARA CHANDANI PUSHPALATHA, SLAWC (O/5557);

Captain (E) HEMANTHA ANIL KULATUNGA, USP, SLN - NRE 0554;

By His Excellency's Command,

By His Excellency's Command,

GOTABAYA RAJAPAKSA, RWP RSP psc  
Secretary,  
Ministry of Defence and  
Urban Development.

GOTABAYA RAJAPAKSA, RWP RSP psc  
Secretary,  
Ministry of Defence and  
Urban Development.

Colombo,  
10th August, 2009.

Colombo,  
30th August, 2011.

02-209

02-191/1

No. 126 of 2012

No. 128 of 2012

D/22/NY/511.

D/22/NY/513.

**SRI LANKA NAVY**

**SRI LANKA NAVY**

**Transfer from the Regular Naval Force to the Regular Naval Reserve**

**Transfer from the Regular Naval Force to the Regular Naval Reserve**

HIS EXCELLENCY THE PRESIDENT has approved the Transfer of under mentioned Officer from the Regular Naval Force to the Regular Naval Reserve with effect from 21st July, 2011:-

HIS Excellency the President has approved the transfer of under mentioned officer from the Regular Naval Force to the Regular Naval Reserve with effect from 01st October, 2011:-

Rear Admiral (S) DHUSHYANTHA SAMAN MOLLIGODA, VSV, USP, psc, SLN - NRS 0127;

Captain (E) HEMANTHA ANIL KULATUNGA, USP, SLN - NRE 0554;

By His Excellency's Command,

By His Excellency's Command,

GOTABAYA RAJAPAKSA, RWP RSP psc  
Secretary,  
Ministry of Defence and  
Urban Development.

GOTABAYA RAJAPAKSA, RWP RSP psc  
Secretary,  
Ministry of Defence and  
Urban Development.

Colombo,  
29th July, 2011.

Colombo,  
30th August, 2011.

02-190

02-191/2

No. 129 of 2012

No. 131 of 2012

D/22/NY/512.

D/22/NY/514.

**SRI LANKA NAVY****SRI LANKA NAVY****Transfer from the Regular Naval Force to the Regular Naval Reserve****Transfer from the Regular Naval Force to the Regular Naval Reserve**

HIS Excellency the President has approved the transfer of under mentioned officer from the Regular Naval Force to the Regular Naval Reserve with effect from 01st November, 2011:-

HIS Excellency the President has approved the transfer of under mentioned officer from the Regular Naval Force to the Regular Naval Reserve with effect from 16th September, 2011:-

Captain (NP) PATABANDIGE HASANTHA EDIRIWEERA, psc, SLN - NRP 0372;

Captain (TAS) AJANTHA SURESH EDIRIWIRA, RWP, RSP, USP, psc, SLN - NRX 0387;

By His Excellency's Command,

By His Excellency's Command,

GOTABAYA RAJAPAKSA, RWP RSP psc  
Secretary,  
Ministry of Defence and  
Urban Development.

GOTABAYA RAJAPAKSA, RWP RSP psc  
Secretary,  
Ministry of Defence and  
Urban Development.

Colombo,  
27th July, 2011.

Colombo,  
27th July, 2011.

02-192/2

02-193/2

No. 130 of 2012

No. 132 of 2012

D/22/NY/512.

D/22/NY/514.

**SRI LANKA NAVY—REGULAR NAVAL FORCE****SRI LANKA NAVY—REGULAR NAVAL FORCE****Retirement approved by His Excellency the President****Retirement approved by His Excellency the President**

THE undermentioned Officer retired from the Regular Naval Force of the Sri Lanka Navy with effect from 01st November, 2011:-

THE undermentioned Officer retired from the Regular Naval Force of the Sri Lanka Navy with effect from 16th September, 2011:-

Captain (NP) PATABANDIGE HASANTHA EDIRIWEERA, psc, SLN - NRP 0372;

Captain (TAS) AJANTHA SURESH EDIRIWIRA, RWP, RSP, USP, psc, SLN - NRX 0387;

By His Excellency's Command,

By His Excellency's Command,

GOTABAYA RAJAPAKSA, RWP RSP psc  
Secretary,  
Ministry of Defence and  
Urban Development.

GOTABAYA RAJAPAKSA, RWP RSP psc  
Secretary,  
Ministry of Defence and  
Urban Development.

Colombo,  
27th July, 2011.

Colombo,  
27th July, 2011.

02-192/1

02-193/1

No. 133 of 2012

No. 135 of 2012

D/22/NY/523.

D/22/NY/525.

**SRI LANKA NAVY—REGULAR NAVAL FORCE**

**SRI LANKA NAVY—REGULAR NAVAL FORCE**

**Retirement approved by His Excellency the President**

**Retirement approved by His Excellency the President**

THE undermentioned officer retired from the Regular Naval Force of the Sri Lanka Navy with effect from 01st October, 2011.

THE undermentioned officer retired from the Regular Naval Force of the Sri Lanka Navy with effect from 01st January, 2012.

Captain (L) HIRANTHA CHANDRA KUMAR RANASINGHE, USP, SLN - NRL 0555;

Commander (H) DESHABANDUGE JANAKA NISHANTHA, psc, SLN - NRX 0571;

By His Excellency's Command,

By His Excellency's Command,

GOTABAYA RAJAPAKSA, RWP RSP psc  
Secretary,  
Ministry of Defence and  
Urban Development.

GOTABAYA RAJAPAKSA, RWP RSP psc  
Secretary,  
Ministry of Defence and  
Urban Development.

Colombo,  
30th September, 2011.

Colombo,  
30th September, 2011.

02-53/1

02-63

No.134 of 2012

No. 136 of 2012

D/22/NY/523.

D/22/NY/522.

**SRI LANKA NAVY**

**SRI LANKA NAVY—REGULAR NAVAL FORCE**

**Transfer from the Regular Naval Force to the Regular Naval Reserve**

**Resignation of Commission approved by His Excellency the President**

HIS EXCELLENCY THE PRESIDENT has approved the transfer of undermentioned officer from the Regular Naval Force to the Regular Naval Reserve with effect from 01st October, 2011.

HIS EXCELLENCY THE PRESIDENT has approved the Resignation of Commission of undermentioned officer in the Regular Naval Force of the Sri Lanka Navy with effect from 05th September, 2011.

Captain (L) HIRANTHA CHANDRA KUMAR RANASINGHE, USP, SLN - NRL 0555;

Lieutenant (LS) KURUKULASURIYA LAKSHIKA LILANTHI FERNANDO, NRA 2547, SLN;

By His Excellency's Command,

By His Excellency's Command,

GOTABAYA RAJAPAKSA, RWP RSP psc  
Secretary,  
Ministry of Defence and  
Urban Development.

GOTABAYA RAJAPAKSA, RWP RSP psc  
Secretary,  
Ministry of Defence and  
Urban Development.

Colombo,  
30th September, 2011.

Colombo,  
12th September, 2011.

02-53/2

02-54

No. 137 of 2012

No. 139 of 2012

D/22/NY/508.

D/22/NY/526.

**SRI LANKA NAVY—REGULAR NAVAL FORCE****SRI LANKA NAVY—REGULAR NAVAL FORCE****Release approved by His Excellency the President****Resignation of Commission approved by His Excellency the President**

HIS EXCELLENCY THE PRESIDENT has approved the release of undermentioned officer from the Regular Naval Force of the Sri Lanka Navy with effect from 20th November, 2011 :-

HIS EXCELLENCY THE PRESIDENT has approved the Resignation of Commission of undermentioned officer in the Regular Naval Force of the Sri Lanka Navy with effect from 15th September, 2011 :-

Lieutenant (L) LILANTHA NEELAWALA, NRL 2425, SLN.

Sub Lieutenant THILINI CHATHURIKA ABEY Wickrama GUNARATHNA, NRX 2694, SLN.

By His Excellency's Command,

By His Excellency's Command,

GOTABAYA RAJAPAKSA, RWP RSP psc,  
Secretary,  
Ministry of Defence and  
Urban Development.

GOTABAYA RAJAPAKSA, RWP RSP psc,  
Secretary,  
Ministry of Defence and  
Urban Development.

Colombo,  
30th September, 2011.

Colombo,  
30th September, 2011.

02-64

02-56

No. 138 of 2012

No. 140 of 2012

D/22/NY/518.

D/AF/8/1.

**SRI LANKA NAVY—REGULAR NAVAL FORCE****SRI LANKA AIR FORCE****Resignation of Commission approved by His Excellency the President****Promotion approved by His Excellency the President**

HIS EXCELLENCY THE PRESIDENT has approved the Resignation of Commission of undermentioned Officer in the Regular Naval Force of the Sri Lanka Navy with effect from 25th July, 2011:-

THE undermentioned officer is promoted to the rank of Substantive Air Commodore on the date stated against his name:-

Acting Sub Lieutenant WALIMUNI DEWAGE PADMASIRI SOMAWARDENA, NRX 0198, SLN.

Temporary Air Commodore GAGAN PULASTHI BULATHSINHALA (01367) - GD/P - 01.11.2008.

By His Excellency's Command,

By His Excellency's Command,

GOTABAYA RAJAPAKSA, RWP RSP psc,  
Secretary,  
Ministry of Defence and  
Urban Development.

GOTABAYA RAJAPAKSA, RWP RSP psc,  
Secretary,  
Ministry of Defence, Public  
Security, Law and Order.

Colombo,  
15th August, 2011.

Colombo,  
11th November, 2008.

02-55

02-70

No. 141 of 2012

D/AF/670.

**SRI LANKA AIR FORCE**

**Promotions approved by His Excellency the President**

THE undermentioned officers are promoted to the rank of Temporary Air Commodore with effect from 11th September, 2008:-

Group Captain PATHIRANAHELAGE DON JAYANATH KUMARASIRI (01322) - Tech/Eng ;

Group Captain KISHAN YAHAMPATH (01354) - Ad/Regt.

By His Excellency's Command,

GOTABAYA RAJAPAKSA, RWP RSP psc,  
Secretary,  
Ministry of Defence, Public  
Security, Law and Order.

Colombo,  
05th November, 2008.

02-67

Flying Officer KODAGODA WITHARANA MUDIYANSELAGE CHANDANA KUMARA WIJERATHNE (02980) AFC 23.06.2011

Flying Officer THAMBUGALA ATHUKORALALAGE NISHA ANUPAMA THAMBUGALA (02981) AFC 23.06.2011

Flying Officer WIJEKON MUDIYANSELAGE ERANDA KAUSHALYA WIJEKON (02982) AFC 23.06.2011

Pilot Officer MADAWALA MADDUMAGE DON LAKMAL MADUSHANKA (02983) Admin 23.06.2011

Pilot Officer HIYARAGAMAGE DUMINDA MAHESH GAMAGE (02984) Admin 23.06.2011

Pilot Officer DON NILANKA SALITHA JAYAKODY (02985) Admin 23.06.2011

Pilot Officer MEEPEGAME KANKANANGE LAKSHIKA MADUSHANI (02986) Admin 23.06.2011

Pilot Officer HANDUWALAGE KANCHANA INDIKA JAYARATNA (02987) Ad/Regt 23.06.2011

Pilot Officer GAYAN VILLER JOSEPH (02988) Ad/Regt 23.06.2011.

By His Excellency's Command,

GOTABAYA RAJAPAKSA, RWP RSP psc,  
Secretary,  
Ministry of Defence.

Colombo,  
08th November, 2011.

No. 142 of 2012

**SRI LANKA AIR FORCE**

**Commissioning approved by His Excellency the President**

HIS EXCELLENCY THE PRESIDENT has been pleased to approve the Commissioning of undermentioned Officers in the rank mentioned before their names in the Sri Lanka Air Force with effect from the dates stated against their names and their posting to the Branch of the Service with effect from the same date :-

RANK	NAME AND SERVICE NUMBER	BRANCH	DATE
Group Captain	PONNAYAMAGE SUMUDU SANJEEVA DE SILVA (02977)	Ad/Legal	23.06.2011

Flight Lieutenant	HERATH MUDIYANSELAGE JAYAMPATHI SAMPATH SENEVIRATHNA (02978)	AFC	23.06.2011
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Flying Officer	KUDA WEDAGEDARA NAYANA RANGA WIJERATHNE (02979)	AFC	23.06.2011
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No. 143 of 2012

**SRI LANKA AIR FORCE**

**Promotions approved by His Excellency the President**

THE undermentioned Officers are promoted to the rank of Temporary Group Captain with effect from the dates stated against their names:-

Wing Commander	METHISSAGE DON ANTHONY PRASANTHA PAYOE (01557)	GD/P	02.06.2008	before their names in the Sri Lanka Air Force with effect from 09th May, 2008 and their posting to the Branches of the Service with effect from the same date:-
Wing Commander	MELVIN RAPHEL KURUKULASURIYA (01551)	GD/P	11.09.2008	Flight Lieutenant - KONARA MUDIYANSELAGE HENRY JINARATHNA, (02687) - Ad/Vet; Flight Lieutenant - UPUL PRIYANTHA SETHUNGA, (02688) - Ad/Vet;
Wing Commander	WIJESINGHE PANDITHAGE AMARA KEERTHI WIJESINGHE (01521)	Tech/Eng	11.09.2008	Flight Lieutenant - WIJESINGHE JAYATHILAKAGE NANDANA SUMANASINGHE, (02689) - Ad/Vet; Flying Officer - WIJERATHNA MUDIYANSELAGE DON NUWAN CHAMARA ANDRADI, (02690) - AFC.
Wing Commander	KASTHURI ARACHCHILALAGE LAKSHMAN RANATHUNGA (01513)	E/Eng	11.09.2008	By His Excellency's Command,
Wing Commander	KARUNARATNA MUDIYANSELAGE CHANAKYA BANDA SENARATNE (01490)	Eq	11.09.2008	GOTABAYA RAJAPAKSA, RWP RSP psc Secretary, Ministry of Defence, Public Security, Law and Order. Colombo, , 2008.
Wing Commander	KAPURALALAGE SAMAN ROHITHA LEVANGAMA (01543)	Admin	11.09.2008	02-66/2  No. 145 of 2012
Wing Commander	PATABANDIGE LANKADHEER JAYAROHAN KODIPPILY (01439)	Ad/Regt	11.09.2008	D/AF/650.
Wing Commander	HARIPRIYA NISHENDRA ABEYSINGHE (01527)	Ad/Regt	12.09.2008.	<b>SRI LANKA AIR FORCE</b> <b>Commissioning approved by His Excellency the President</b>

By His Excellency's Command,

GOTABAYA RAJAPAKSA, RWP RSP psc,  
Secretary,  
Ministry of Defence, Public Security, Law and Order.

Colombo,  
27th June, 2008.

02-68

No. 144 of 2012

### SRI LANKA AIR FORCE

#### Commissioning approved by His Excellency the President

HIS EXCELLENCY THE PRESIDENT has been pleased to approve the Commissioning of undermentioned Officers in the ranks mentioned

HIS EXCELLENCY THE PRESIDENT has been pleased to approve the Commissioning of undernamed as Pilot Officers in the Sri Lanka Air Force with effect from 17th June, 2008 and their postings to the Branches of the Service with effect from the same date :-

NAKKAWITA KANKANAMALAGE SALIYA DHARMAWARDENA (02699) - Ad/Regt;

REKAWAL DURAYALAGE GUNAWARDANA (02700) - Ad/Regt;

GAME KANKANAMLAGE TERENCE GEROGEPRIYAKAMAL CHANDRASEKARA (02701) - Admin;

HERATH MUDIYANSELAGE PALLE GEDARA SAGARA KUSUMSIRI HERATH (02702) - Ops/Air;

LADDASINGHE SEMBUKUTTI ARACHCHILAGE UPUL ANURADHA (02703) - Ad/Regt;

WAIDYARATHNE ARTHANAYAKE HERATH MUDIYANSELAGE CHAMINDA DESHAPRIYA BANDARA (02704) - Admin.

By His Excellency's Command,

GOTABAYA RAJAPAKSA, RWP RSP psc,  
Secretary,  
Ministry of Defence, Public Security, Law and Order.

Colombo,  
16th July, 2008.

02-71



No. 146 of 2012

D/AF/31/T/2.

**SRI LANKA VOLUNTEER AIR FORCE**

**Commissioning and Posting approved by His Excellency the President**

HIS EXCELLENCY THE PRESIDENT has been pleased to approve the Commissioning of the undermentioned Officers as Temporary Squadron Leader, Flight Lieutenant and Pilot Officer in the Sri Lanka Volunteer Air Force with effect from the date stated against their names and their posting to the branch of the Service indicated against their names with effect from the same dates.

RANK	NAME AND SERVICE NUMBER	BRANCH	DATE
Temporary Squadron Leader	WALIMUNI KUMUDU MENDIS WEERASEKARA (V/0509)	Dental	19.07.2007

RANK	NAME AND SERVICE NUMBER	BRANCH	DATE
Flight Lieutenant	NUWAN NIRANJAYA ABEYSINGHE (V/0506)	Technical Engineering	19.01.2007
Flight Lieutenant	CHAMINDA SAMPATH DEGAMBADA (V/0507)	Technical Engineering	19.01.2007
Flight Lieutenant	MANANAGE DARSANA ATAPATHTHU (V/0508)	Air Field Construction	19.01.2007
Pilot Officer	TUAN SAMEER SAINO (V/0510)	Administrative Education	19.07.2007

By His Excellency's Command,

GOTABAYA RAJAPAKSA, RWP RSP psc  
Secretary,  
Ministry of Defence, Public Security, Law and Order.

Colombo,  
27th June, 2008.  
02-66/1

**Other Appointments, & c.,**

**SRI LANKA ARMY—VOLUNTEER FORCE**

**Reversion of the Rank approved by Commander of the Army**

THE reversion of the undermentioned Officer to the Rank of Lieutenant with effect from 30th April, 2011 is approved.

Temporary Captain KUTTIKANDA GAMAETHIRALALAGE TITUS, SLNG (O/5341).

J. JAYASURIYA, VSV USP ndu psc,  
Lieutenant General,  
Commander of the Army.

Army Headquarters,  
Colombo.  
14th June, 2011.

02-37/11

**SRI LANKA ARMY—VOLUNTEER FORCE**

**Reversion of the Rank approved by Commander of the Army**

THE reversion of the undermentioned Officer to the Rank of Lieutenant with effect from 31st May, 2011 is approved.

Temporary Captain MAGGONA GURUGE THUSHAN INDIKA DHARMARATHNA, SLAGSC (O/5068).

J. JAYASURIYA, VSV USP ndu psc,  
Lieutenant General,  
Commander of the Army.

Army Headquarters,  
Colombo.  
12th August, 2011.

02-37/9

**SRI LANKA ARMY—VOLUNTEER FORCE**

**Reversion of the Rank approved by Commander of the Army**

THE reversion of the undermentioned Officer to the Rank of Lieutenant with effect from 05th June, 2011 is approved :-

Temporary Captain SURESH INDIKA EKANAYAKE, SLNG (O/5465).

J. JAYASURIYA, VSV, USP, ndu, psc,  
Lieutenant General,  
Commander of the Army.

Army Headquarters,  
Colombo.  
12th August, 2011.

02-37/7

**SRI LANKA ARMY—VOLUNTEER FORCE**

**Reversion of the Rank approved by Commander of the Army**

THE reversion of the undermentioned Officer to the Rank of Lieutenant with effect from 26th June, 2011 is approved :-

Temporary Captain SUPUN BANUKA WICKRAMANAYAKE, SLNG (O/5881).

J. JAYASURIYA, VSV USP ndu psc  
Lieutenant General,  
Commander of the Army.

Army Headquarters,  
Colombo.  
01st August, 2011.

02-37/10

**SRI LANKA ARMY—VOLUNTEER FORCE**

**Reversion of the Rank approved by Commander of the Army**

THE reversion of the undermentioned Officer to the Rank of Lieutenant with effect from 23rd June, 2011 is approved :-

Temporary Captain MALWATTEDENIYA GAMAATHIRALALAGE NALIN DEEPHTHA MALWATTA, SLNG (O/5343).

J. JAYASURIYA, VSV, USP, ndu, psc,  
Lieutenant General,  
Commander of the Army.

Army Headquarters,  
Colombo,  
03rd August, 2011.

02-37/3

**SRI LANKA ARMY—VOLUNTEER FORCE**

**Reversion of the Rank approved by Commander of the Army**

THE reversion of the undermentioned Officer to the Rank of Lieutenant with effect from 22nd August, 2011 is approved :-

Temporary Captain DISSANAYAKE MUDIYANSELAGE DHAMINDA DHANANJAYA BANDARA DISSANAYAKE, GR (O/5290).

J. JAYASURIYA, VSV, USP, ndu, psc,  
Lieutenant General,  
Commander of the Army.

Army Headquarters,  
Colombo,  
24th August, 2011.

02-37/4

**SRI LANKA ARMY—VOLUNTEER FORCE**

**Reversion of the Rank approved by Commander of the Army**

THE reversion of the undermentioned Officer to the Rank of Lieutenant with effect from 12th September, 2011 is approved.

Temporary Captain GALA BALANNALAGE RANIL CHANDRA KUMARA WIJESIRI, RSP SLSR (O/5434).

By His Excellency's Command,

J. JAYASURIYA, VSV USP ndu psc,  
Lieutenant General,  
Commander of the Army.

Army Headquarters,  
Colombo.  
10th August, 2011.

02-37/6

**SRI LANKA ARMY—VOLUNTEER FORCE**

**Reversion of the Rank approved by Commander of the Army**

THE reversion of the undermentioned Officer to the Rank of Lieutenant with effect from 21st September, 2011 is approved.

Temporary Captain ELAGAWA GAMAGE DINESH DUMINDA WIJESENA, GW (O/5086).

By His Excellency's Command,

J. JAYASURIYA, VSV USP ndu psc,  
Lieutenant General,  
Commander of the Army.

Army Headquarters,  
Colombo.  
29th September, 2011.

02-37/5

**SRI LANKA ARMY—VOLUNTEER FORCE**

**Reversion of the Rank approved by Commander of the Army**

THE reversion of the undermentioned Officer to the Rank of Lieutenant with effect from 19th September, 2011 is approved.

Temporary Captain BASNAYAKE MUDIYANSELAGE SUGATH NANDANA GUNATHILAKE, GR (O/4508).

By His Excellency's Command,

J. JAYASURIYA, VSV USP ndu psc,  
Lieutenant General,  
Commander of the Army.

Army Headquarters,  
Colombo.  
12th August, 2011.

02-37/8

**SRI LANKA ARMY—VOLUNTEER FORCE**

**Reversion of the Rank approved by Commander of the Army**

THE reversion of the undermentioned Officer to the Rank of Lieutenant with effect from 27th September, 2011 is approved.

Temporary Captain RUKUNAYAKAGE PRIYANTHA PUSHAKUMARA, SLLI(O/4644).

By His Excellency's Command,

J. JAYASURIYA, VSV USP ndu psc,  
Lieutenant General,  
Commander of the Army.

Army Headquarters,  
Colombo.  
02nd November, 2011.

02-37/1

**SRI LANKA ARMY—VOLUNTEER FORCE**

**Reversion of the Rank approved by Commander of the Army**

THE reversion of the undermentioned Officer to the Rank of Lieutenant with effect from 10th November, 2011 is approved.

Temporary Captain KORALAGE DON NALIN NAWARANJANA THUSITHAKUMARA PERERA, SLAGSC (O/5630).

J. JAYASURIYA, VSV USP ndu psc,  
Lieutenant General,  
Commander of the Army.

Army Headquarters,  
Colombo.  
14th September, 2011.

02-37/2

No. 147 of 2012

**Other Appointments**

I, Rauff Hakeem Minister of Justice by virtue of the powers vested in me by Section 45 (3) of the Judicature Act, No. 02 of 1978, do hereby appoint the following Attorney-at-Law as Justice of the Peace and Unofficial Magistrates for the relevant Judicial Divisions.

RAUFF HAKEEM,  
Ministr of Justice.

Ministry of Justice,  
Colombo 12,  
December, 2011.

Serial No.	Name	Address	Judicle Zone
01.	Mr. Inguruwattage Priyan Conston Asiri - Attorney at Law	No. 506/4a, Christ King Mawatha, Hettirippuwa, Lihiriyagama.	Kuliyapitiya
02.	Mr. Habakkala Kankanamage Aravinda - Attorney at Law	No. 601/45B, Jaya Mawatha, Anuradhapura.	Anuradhapura
03.	Mr. Aboobuker Mohomed Rakeeb - Attorney at Law	No. 116, Feerose, Garden, Periyaniawanai 02	Kalmunai
04.	Mr. Hettiarachchi Karunasena - Attorney at Law	No. 79, Sri Maha Vihara Road, Panadura.	Panadura
05.	Mr. Naleen Dharmabandu Imbulgodage - Attorney at Law	No. 68, Ilimba Junction, Horana	Horana
06.	Mr. Palatuwa Deerasinghe Mahima Gamage Sanjaya - Attorney at Law	No. 48/A, Janatha Mawatha, Rajamaha Vihara Road, Pitakotte	Colombo
07.	Mrs. Ekanayaka Mudiyansele Padma Kumara Ekanayaka Aberathna - Attorney at Law	V. C. No. 11, Uduwela Road, Ampitiya.	Kandy

02-168

**Government Notifications**

L. D. B. 277/40.

**THE ANTIQUITIES ORDINANCE (CHAPTER 188)**

**Order under Section 18**

IT is hereby declared that item 111 in the list of "Protected Monuments" referred to in the order made by the Minister of Cultural and National Heritage in terms of the Powers Vested in him by Section 18 of the Antiquities ordinance (Chapter 188) Published in *Gazette* No. 1,486 of February, 23rd 2007 should be removed from the said list.

Dr. JAGATH BALASURIYA,  
Minister of National Heritage.

Colombo,  
11th January, 2012.  
02-38

**NOTIFICATION UNDER SECTION 16(2D) OF THE COAST CONSERVATION AND COASTAL RESOURCE MANAGEMENT ACT, No. 57 OF 1981**

**Proposed 56 Roomed 04 Star Hotel Project Beach Road, Kammala North, Waikkala, Wennappuwa**

**Environmental Impact Assessment Report**

IT is hereby notified that the Report of Environmental Impacts Assessment study on proposed 56 Roomed 04 Star Hotel Project, submitted by the Suriya Luxury Resort Ltd., Waikkala, Negombo as required by the Section 16 (1) of the Coast Conservation and Coastal Resource Management Act, No. 57 of 1981 as amended by the Act,

No. 64 of 1988 and No. 49 of 2011 will be available for inspection by the public at the following institutions between 8.30 a. m. to 4.15 p. m. for a period of 30 days from 03.02.2012. (Please note that these offices are closed on weekends and public holidays).

- (1) Ministry of Defence and Urban Development, No. 15/5, Baladaksha Mawatha, Colombo 03.
- (2) Coast Conservation and Coastal Resource Management Department, New Secretariat Building, 4th Floor, Maligawatte, Colombo 10.
- (3) Central Environmental Authority, No. 104, "Parisara Piyasa" Denzil Kobbekaduwa Mawatha, Battaramulla.
- (4) Provincial Environmental Authority (North Western Province), Maligawa, Kurunegala.
- (5) Urban Development Authority, 6th and 7th Floors, Sethsiripaya, Battaramulla.
- (6) Irrigation Department, No. 230, Bauddhaloka Mawatha, Colombo 07.
- (7) District Secretariat, Puttalam.
- (8) Divisional Secretary, Divisional Secretariat, Wennappuwa.

(9) Pradeshiya Sabawa, Wennappuwa.

(10) District Fisheries Office, Department of Fisheries and Aquatic Resources, Mahawewa.

(11) Regional Office, Coast Conservation and Coastal Resource Management Department, Custom Road, Negombo.

Any member of the public may within 30 days from 03.02.2012 submit their comments in writing on the above Environmental Impact Assessment to the Director General, Coast Conservation and Coastal Resource Management Department.

Dr. ANIL PREMARATNE,  
Director General/Coast  
Conservation and Coastal  
Resource Management.

Coast Conservation and Coastal Resource  
Management Department,  
New Secretariat,  
4th Floor, Maligawatta,  
Colombo 10,  
Telephone - 011-2449754, 011-2449197, 011-2387922.  
Fax - 011-2438005, 011-2472623.

02-217

## PUBLIC UTILITIES COMMISSION OF SRI LANKA

### Exemption Order

*Under Section 10 of the Sri Lanka Electricity Act, No. 20 of 2009*

#### 1. Grant of the Exemption

The Public Utilities Commission of Sri Lanka (hereinafter referred to as the "**Commission**") in exercise of the powers conferred by Section 10(1) of the Sri Lanka Electricity Act No. 20 of 2009 (hereinafter referred to as the "**Act**") hereby grants to **Asian Hotels and Properties PLC, 77, Galle Road, Colombo 03** (hereinafter referred to as the "**Exempted Person**") an exemption from the requirement to obtain a licence to:

For the limited purpose of distribute and supply or distribute or supply electricity within the premises **No 89, Galle Road, Colombo 03** more fully described in the schedule 1 attached hereto subject to the Conditions contained in this Order.

#### 2. Approvals

The Exempted Person shall obtain all the approvals required under applicable Laws, Regulations and Rules necessary to carry out the distribution and supply of electricity, including and not limited to the provisions of the Sri Lanka Electricity Act No 20 of 2009.

#### 3. Term of the Exemption

The Exemption hereby granted shall come into force on **20/10/2011** and, unless revoked or withdrawn subject to the provisions of Revocation and Withdrawal of the Exemption in the Exemption Order below, shall continue in full force and effect for a period of [05] years from **20/10/2011**.

#### 4. Revocation and Withdrawal of the Exemption

This Exemption may be revoked or withdrawn in accordance with Section 22 of the Act.

Dr. JAYATISSA DE COSTA PC,  
Chairman,  
Public Utilities Commission of Sri Lanka.

#### CONDITIONS OF THE EXEMPTION

##### Condition 1: Interpretation and construction

1. Unless the contrary intention appears:
  - (a) words and expressions used in the Conditions or the Schedules shall be construed as if they were in an enactment and the Interpretation Acts applied to them ; and
  - (b) references to an enactment shall include primary and subordinate legislation and, in both cases, any modification or re-enactment thereof after the date when this Exemption comes into force.
2. Any word or expression defined in the Act for the purposes of any provision of the Act shall, unless the contrary intention appears, have the same meaning when used in the Conditions or in the Schedules.
3. In the Conditions and in the Schedules, unless otherwise specified or the context otherwise requires:

**"Affiliate"** in relation to the Exempted Person, means any Holding Company of the Exempted Person or any Subsidiary of the Exempted Person or any Subsidiary of a Holding Company of the Exempted Person , in each case within the meaning of the Companies Act, No .7 of 2007;

**"Approved"** for the purposes of Conditions 4, 9, 13, 16, 19, and 20 means approved by the Commission and **"Approval"** shall have a corresponding meaning;

**"Licensee"** a person holding a valid Licence under the section 13 of the Sri Lanka Electricity Act, No: 20 of 2009.

**"Distribution Business"** means the licensed business of the Licensee to transport electrical energy purchased from a Transmission System or Generation Plants or other purchase points, using a system owned and operated by the Licensee consisting mainly of overhead lines, underground cables, service lines, transformers, meters and other ancillary plant and equipment having a designed voltage of 33 kV(between phase conductors) or lower, to the point of delivery of end user or authorized operators who are desirous of obtaining an electricity supply at a voltage of 33 kV or lower;

**"Exempted Person"** means a person exempted from obtaining licence to distribute and supply, or distribute or supply, electricity under Section 10 of the Act;

**"Electricity Undertaking"** means any person engaged in the distribution or supply of electricity;

**"Holding Company"** means a holding company within the meaning of the Companies Act, No 7 of 2007;

**"Exempted Person's Distribution System"** means all electricity power lines of the Exempted Person within the premises specified in Schedule 01, hereto except lines forming part of the Transmission System and any other electricity power lines which the Exempted Person may, with the approval of the Commission, specify as being part of the Exempted Person's Distribution System, and includes any electric plant, meters, transformers and switchgear of the Exempted Person and which is used for conveying electricity to premises;

<b>"Modification"</b>	includes addition, omission, amendment and substitution, and cognate expressions shall be construed accordingly;
<b>"PUCSL Act"</b>	means the Public Utilities Commission of Sri Lanka Act, No.35 of 2002;
<b>"Related Undertaking"</b>	means any related undertaking within the meaning of the Companies Act, No. 7 of 2007;
<b>"Representation"</b>	includes any objection or any other proposal made in writing;
<b>"Subsidiary"</b>	has the meaning given in the Companies Act, No 7 of 2007, and "Subsidiaries" shall be defined accordingly;
<b>"Transmission Licensee"</b>	means the holder of a licence to transmit electricity under section 13(1)(c)(i)(b) of the Act; and
<b>"Transmission System"</b>	means the system which is owned and operated by the Transmission Licensee and which consists (wholly or mainly) of Extra High Voltage electric lines and electric plant and which is used for conveying electricity from a Generation Plant to a substation, from one Generation Plant to another or from one substation to another, including all Extra High Voltage electric lines which are used to convey electricity to the premises of bulk supply consumers (but shall not include any such lines which form part of any distribution system).

4. Unless otherwise specified:

- (a) any reference to a numbered Condition or to a numbered Schedule is respectively a reference to the Condition or the Schedule bearing that number in this Exemption Order;
- (b) any reference to a numbered clause is a reference to the clause bearing that number in the Schedule in which the reference occurs;
- (c) any reference to a numbered paragraph is a reference to the paragraph bearing that number in the Condition or clause in which the reference occurs; and

without prejudice to any provision which restricts such variation, supplement or replacement any reference to any agreement, Exemption Order (other than this Exemption Order), code or other instrument shall include a reference to such agreement, Exemption Order, code or other instrument as varied, supplemented or replaced from time to time.

5. The heading or title of any Part, Condition, Schedule or paragraph shall not affect the construction thereof.

6. Where any obligation of the Exemption Order is expressed to require performance within a specified time limit, that obligation shall continue to be binding and enforceable after that time limit if the Exempted Person fails to perform that obligation within that time limit (but without prejudice to all rights and remedies available against the Exempted Person by reason of the Exempted Person's failure to perform within the time limit).

7. If there is any inconsistency between this Exemption Order and the Act, the Act shall prevail to the extent of any such inconsistency. Conditions set out in the Act shall form an integral part of the Exemption Order in addition to Conditions set out herein.

**Condition 2: Provision of Information to the Commission**

1. The Exempted Person shall furnish to the Commission, in such manner and at such times as the Commission may require, such Information and shall procure and furnish to it such reports as the Commission may consider necessary in the light of the Conditions or as it may require for the purpose of performing the functions assigned or transferred to it by or under the Act or the PUCSL Act.

2. Without prejudice to the generality of paragraph 1, the Commission may call for the furnishing of accounting Information which is more extensive than, or differs from, that required to be prepared and supplied to the Commission.
3. The power of the Commission to call for Information under paragraph 1 is without prejudice to the power of the Commission to call for Information under or pursuant to any other Condition of this Exemption Order or under or pursuant to the Act, the PUCSL Act or any other enactment.
4. The Exempted Person within one month of obtaining the exemption shall appoint a person in its organisation, who is responsible for its Distribution Business.
5. In this Condition:

"**Information**" shall include any books, documents, records, accounts, estimates, returns or reports (whether or not prepared specifically at the request of the Commission) of any description and in any format specified by the Commission.

**Condition 3: Decisions, Orders, Directions and Determinations of the Commission**

1. The Exempted Person shall comply with any decisions, orders, directions and determinations made by the Commission pursuant to the Exemption Order.
2. The costs associated with compliance with such decisions, orders, directions and determinations shall be the responsibility of the Exempted Person.
3. In order to comply with any order or direction made by the Commission the Exempted Person shall allow the Commission, any other authority or person specified in the order of the Commission such access to or control of its property as the Commission requires.

**Condition 4: Compliance with technical and operational codes**

1. At the request of the Commission the Exempted Person shall, in consultation with any Electricity Undertakings the Commission consider appropriate, develop and implement, such technical and operational codes as the Commission may, direct from time to time.
2. Any technical and operational codes developed pursuant to paragraph 1 shall be submitted to the Commission for Approval before they may be implemented.
3. The Exempted Person may propose modifications to a code that is in force at the relevant time by notifying the Commission of its proposal in accordance with the code modification process set out in the relevant code.
4. The Exempted Person shall give or send a copy of all approved technical and operational codes (and any revisions thereto) developed and implemented by the Exempted Person pursuant to this Condition to:
  - (a) the Commission; and
  - (b) any person requesting the same.
5. The Exempted Person may make a charge for any copy of any code given or sent pursuant to paragraph 4(b) of an amount which shall not exceed any amount specified for the time being for the purposes of this Condition in directions issued from time to time by the Commission. The Exempted Person shall comply with the provisions of any Approved technical and operational codes which are specified therein as applicable to it.
6. The Commission may, following consultation in relevant circumstances with any Electricity Undertakings the Commission shall consider appropriate, issue directions relieving the Exempted Person of its obligation under paragraph 6 in respect of such part or parts of any Approved technical and operational codes to such extent as may be specified in those directions and subject to such terms and conditions as the Commission may determine.
7. The Exempted Person shall comply with the existing technical and operational codes in respect of all activities, until such time Commission Approved technical and operational codes are available.



**Condition 5: Other agreements**

1. The Exempted Person shall enter into any agreements with other persons it is directed to by the Commission, including tariff and connection agreements with the relevant Licensees.
2. The Exempted Person shall be required to participate in the preparation of any agreement which it has been directed to enter into by the Commission.
3. If, after a period which appears to the Commission to be reasonable for the purpose, the Exempted Person has failed to enter into an agreement it has been directed to by the Commission, the Commission shall, on the application of such person or the Exempted Person, settle any terms of the agreement in dispute between the Exempted Person and the person in question in such manner as appears to the Commission to be reasonable.

**Condition 6: Assignment of the Exemption Order and transfer of the Distribution Business**

1. The Exempted Person shall not, without the prior written consent of the Commission, assign this Exemption Order either in whole or in part.
2. The Exempted Person shall not, without the prior written consent of the Commission, transfer to another person (the "Transferee") all or any part of the Distribution Business carried out under this Exemption Order.
3. Any consent of the Commission to any assignment of this Exemption Order or transfer of the Distribution Business shall be subject to the Commission being satisfied that the assignee or Transferee, as the case may be, will have the technical and financial capability to comply with the Conditions of this Exemption Order and, in the case of a transfer only, the Transferee being granted an Exemption Order, and may be subject to compliance by the assignee or Transferee, as the case may be, with any other matters determined by the Commission to be necessary, including the modification of this Exemption Order in accordance with the Act where deemed necessary by the Commission.
4. Nothing in this Condition shall prevent the Exempted Person transferring the Distribution Business to an assignee where the Commission consented to such assignment, provided that such transfer is effected as soon as practicable after such consent has been given.

**Condition 7: Revocation or Withdrawal of the Exemption Order**

1. The Commission may revoke this Exemption Order in accordance with the Section 22 of the Sri Lanka Electricity Act No. 20 of 2009 in the following circumstances:
  - (a) if the Exempted Person agrees in writing with the Commission that this Exemption Order should be revoked;
  - (b) if the Exempted Person fails to comply with an order or direction issued by the Commission under Condition 2 of this order or direction within 60 days from the date of its issue or such longer period as the Commission may specify in the order or direction;
  - (c) if:
    - (i) there is a Change In Control of the Exempted Person; and
    - (ii) the Commission is satisfied that neither the new shareholder nor the entity appointed by the new shareholder (if any) to operate the Distribution Business has adequate technical, financial or managerial strength, taking into account the size of its shareholding in the Exempted Person, to carry out the Distribution Business; and
    - (iii) the Commission serves notice on the Exempted Person stating that the Commission proposes to revoke this Exemption Order in pursuance of this paragraph unless such further Change In Control of the Exempted Person as is specified in the notice takes place within the period of three months beginning with the date of service of the notice; and
    - (iv) further change does not take place within that period;

- (d) if the Exempted Person fails to notify the Commission as soon as practicable thereafter that a Change In Control of the Exempted Person shall have occurred;
- (e) if the Exempted Person ceases to carry on the Distribution Business for a continuous period of 3 months except where the Commission is satisfied that this has occurred as a result of events beyond the reasonable control of the Exempted Person, , in which case the Commission shall substitute such longer period as it, in its sole discretion, considers reasonable in all the circumstances;
- (f) if it is found that the issue of this Exempted Person had been based on information provided by the Exempted Person which is materially inaccurate or incorrect.
- (g) If the Exempted Person violates and/or breaches any condition of this Exemption Order.

**Condition 8: Environment**

1. The Exempted Person shall comply with all applicable Environmental Laws in Sri Lanka, subject to any exemptions or grace periods which may be granted to the Exempted Person under such Environmental Laws for compliance.
2. The Exempted Person shall, not later than such date as the Commission may specify and in consultation with the Commission, prepare and, from time to time, modify a written policy setting out the manner in which the Exempted Person proposes to comply with its duties and obligations under all applicable Environmental Laws.
3. The Exempted Person shall report annually to the Commission on its environmental performance in such form and at such times as the Commission may specify.
4. For the purposes of this Exempted Person, "**Environmental Laws**" means those laws which are, from time to time, in force whose purpose is the protection of the environment, including the protection of human health, flora, fauna and the eco-systems on which they depend and, for the avoidance of doubt, shall include, but shall not be limited to, the National Environment Act, No. 47 of 1980 and all relevant legislation relating to the assessment of environmental impacts and the protection of air, land and water.

**Condition 9: Health and safety**

1. The Exempted Person shall take all reasonable steps to protect persons, plant, property and equipment from injury and damage that may be caused by the Exempted Person when carrying out the Distribution Business, including preparing a safety and technical management plan as set out in paragraph 2 below :
2. The Exempted Person shall:
  - (a) not later than such date as the Commission may specify and in consultation with the Commission, prepare a safety and technical management plan and submit the plan to the Commission for approval;
  - (b) annually review, and if necessary update, the plan to ensure its efficient operation, and submit the updated plan to the Commission for approval;
  - (c) comply with the plan (as updated from time to time) as approved by the Commission;
  - (d) not amend the plan without the approval of the Commission; and
  - (e) ensure that an annual audit of its compliance with its obligations under the plan is conducted by an independent expert approved by the Commission and in accordance with the plan;
  - (f) compile health and safety statistics and indices specified by the Commission; and
  - (g) promptly report the results of those audits, statistics and indices to the Commission.

**Condition 10: Insurance**

1. The Exempted Person shall adopt and implement reasonable and prudent policies in relation to the management and insurance of risks associated with the Distribution Business.

**Condition 11: Confidential information**

1. The Exempted Person shall take reasonable measures to ensure that all information received by it relating to the Distribution Business:
  - (a) is kept confidential by the Exempted Person except as otherwise permitted by the Commission, this Exemption Order or any code of practice, and that access to such confidential information is provided only, and as is necessary for the due performance of their lawful functions, to directors, officers and employees of the Exempted Person, or to an agent of the Exempted Person that has agreed in writing to observe this requirement of confidentiality;
  - (b) is not used by the Exempted Person for any purpose other than that for which it was provided or for a purpose permitted by this Exemption Order or a code of practice; and
  - (c) is not used by the Exempted Person for any commercial advantage in the provision of any service other than a service comprised in the Distribution Business.

**Condition 12: Dispute resolution**

1. The Exempted Person may:
  - (a) in respect of a dispute between itself and a tariff customer which it is unable to resolve - refer the dispute to the Commission for mediation and resolution in accordance with the rules made by the Commission under the PUCSL Act;
  - (b) in respect of a dispute (other than a dispute referred to in paragraph 1(a) in accordance with the rules made by the Commission under the PUCSL Act refer the dispute to the Commission for resolution in accordance with such rules or, where directed to do so by the Commission refer the dispute to court or arbitration body in accordance with the Arbitration Act, No.11 of 1995.

**PART III SPECIFIC CONDITIONS FOR DISTRIBUTION**

**Condition 13: Connection to the Exempted Person's Distribution System - requirement to offer terms**

1. The Exempted Person shall, subject to paragraphs 3, 4 and 5,
  - (a) offer to enter into an agreement to provide a connection to the Exempted Person's Distribution System with any owner or occupier of premises within a specified location in the Exemption Order, who has made an application for connection to the Exempted Person's Distribution System; and
  - (b) offer to enter into an agreement for the modification of a connection from the Exempted Person's Distribution System with any person who has made an application for modification of a connection to the Exempted Person's Distribution System.
2. The Exempted Person, subject to paragraphs 3, 4 and 5, offer terms for an agreement in accordance with paragraph 1 as soon as practicable and, in any event, not more than 2 weeks after receipt by the Exempted Person of an application containing all such information as the Exempted Person may reasonably require for the purposes of formulating the terms of its offer.
3. The Exempted Person shall not be obliged pursuant to this Condition to offer to enter into any agreement with any owner or occupier of premises within specified location a by reason of the capacity of the Exempted person's Distribution System and the use made or reasonably expected to be made of it, the Exempted Person would be required to expand or reinforce the capacity of the Exempted person's Distribution System and where it would not, having regard to all the circumstances, be in the public interest for the Exempted Person to undertake such expansion or reinforcement.

4. The Exempted Person shall not be obliged pursuant to this Condition to offer to enter into any agreement with any person where the connection of the person represents a risk to the security and stability of the Exempted Person's Distribution System
5. The Exempted Person shall not enter into any agreement with any person if to do so would be likely to involve the Exempted Person:
  - (a) in breach of any technical or operational codes Approved by the Commission or
  - (b) in breach of the Act or any regulations made under the Act; or
  - (c) in breach of any enactment relating to safety or standards applicable to the Exempted Person's Distribution System; or
  - (d) in breach of any other conditions imposed by the Commission.
6. Where the Exempted Person refuses to enter into an agreement with any person in accordance with paragraphs 3, 4 and 5, the Exempted Person shall as soon as practicable and, in any event, not more than 2 weeks after receipt by the Exempted Person of an application from that person, notify that person of the refusal, specifying the reasons for refusal.

**Condition 14: Connection to the Exempted Person's Distribution System - functions of the Commission**

1. If, after a period which appears to the Commission to be reasonable for the purpose, the Exempted Person has failed to enter into an agreement with any person entitled or claiming to be entitled thereto pursuant to an application in accordance with Condition 13, the Commission shall, on the application of such person or the Exempted Person, settle any terms of the agreement in dispute between the Exempted Person and the person in question in such manner as appears to the Commission to be reasonable.
2. If the person wishes to proceed on the basis of the agreement as settled by the Commission, the Exempted Person shall forthwith enter into and implement such agreement in accordance with its terms.
3. If either party to an agreement for connection to, or modification of a connection to, the Exempted Person's Distribution System entered into pursuant to Condition 13 or this Condition proposes to vary the contractual terms of such agreement in any manner provided for under such agreement, the Commission shall, at the request of the Exempted Person or the other party to such agreement, settle any dispute relating to such variation in such manner as appears to the Commission to be reasonable.

**Condition 15: Non-discrimination in the provision of connection to the Exempted Person's Distribution System**

1. In the carrying out of works for the purpose of connection to the Exempted Person's Distribution System or in providing for the retention of a connection to the Exempted Person's Distribution System, the Exempted Person shall not unduly discriminate:
  - (a) between any persons or class or classes of persons;
  - (b) between the Exempted Person or any Affiliate or Related Undertaking of the Exempted Person and any person or class or classes of persons.

**Condition 16: Basis of charges for connection to the Exempted Person's Distribution System**

1. The Exempted Person shall, as soon as practicable and, in any event, within 28 days after this Exemption Order has come into force, prepare and submit to the Commission, for the Commission's approval, a statement setting out the basis upon which charges for connection to the Exempted Person's Distribution System, and requests for security deposits in respect of that connection, will be made.
2. The Exempted Person may periodically revise the information set out in and, with the approval of the Commission, alter the form of the statement prepared in accordance with paragraph 1 and shall, at least once in every year this Exemption

Order is in force, revise such statement in order that the information set out in the statement shall continue to be accurate in all material respects.

3. Where any electricity supply provided by the Exempted Person to a person requiring a supply of electricity within the premises described in the schedule 1 the Exempted Person may require any expenses reasonably incurred in providing the electricity supply to be defrayed by that person, to such extent as it is reasonably incurred in providing electricity supply.
4. An Exempted Person may require by notice in writing any person who requires electricity supply, to provide reasonable security for the payment of maximum of two month's electricity consumption bill which may become due to the Exempted Person in respect of the supply.

Where any person has not provided such security as is required under this condition or the security provided by such person has become insufficient—

- (a) the Exempted Person may by notice require the person to provide within seven days after the service of the notice, reasonable security for the payment of maximum of two month's electricity consumption bill which may become due to the Exempted Person in respect of the supply; and
  - (b) if that person fails to provide such security, the Exempted Person may refuse to make the connection or discontinue the supply, as the case may be, for so long as the failure continues.
  - (c) Where any sum of money is provided to a Exempted Person by way of security in pursuance of this Condition, the Exempted Person shall pay interest on such sum of money at such rate as may from time to time be fixed by the Exempted Person with the approval of the Commission, for the period in which it remains in the hands of the Exempted Person.
5. The Exempted Person shall send a copy of the statement prepared in accordance with paragraph 1 and of each revision of such statement in accordance with paragraph 2 to the Commission. Each such revision shall require the approval of the Commission and shall not become effective until approved by the Commission.
  6. The Exempted Person shall give or send a copy of the statement prepared in accordance with paragraph 1 or (as the case may be) of the latest revision of such statement in accordance with paragraph 2 approved by the Commission pursuant to such paragraph to any person who requests a copy of such statement.
  7. The Exempted Person may make a charge for any statement given or sent pursuant to paragraph 4 of an amount reflecting the Exempted Person's reasonable costs of providing such a statement which shall not exceed the maximum amount specified in directions issued by the Commission from time to time for the purposes of this Condition.

**Condition 17: Provision of information to the Transmission Licensee and to other Distribution Licensees**

1. The Exempted Person shall maintain sufficient records to predict its future requirement for energy from the Transmission Licensee and the demand profile of such requirement, including details regarding:
  - (a) the technical non-technical losses inherent in the Exempted Person's Distribution System;
  - (b) energy provided by generators(if any) that are connected to the Exempted Person's Distribution System;
  - (c) the impact of new connections; and
  - (d) the impact of demand management;
  - (e) load characteristics of different consumer categories.
2. The Exempted Person shall furnish to the Transmission Licensee and to other Distribution Licensees, in such manner and at such times as may be reasonably required, such information or forecasts as may be reasonably required by the Transmission Licensee and the other Distribution Licensees in order to ensure the secure and efficient operation, co-ordinated development and inter-operability of the Total System.

3. In this Condition:

“ **Total System**” means the Transmission System, the Licensee’s Distribution System and the Distribution Systems of all other Distribution Licensees, taken together.

**PART IV : SPECIFIC CONDITIONS FOR SUPPLY**

**Condition 18: Prohibition of discrimination in supply**

1. The Exempted Person shall not, in supplying or offering Terms for the supply of electricity to consumers:
  - (a) show undue preference to any person or class of persons;
  - (b) exercise undue discrimination between any persons or classes of persons; or
  - (c) set terms which are unduly onerous.
2. For the purposes of this Condition, Terms are unduly onerous if the revenue from the supply of electricity to consumers on those Terms significantly exceeds the costs of that supply.
3. For the purposes of this Condition, the Commission shall determine any question as to whether any Terms are unduly onerous, having due regard to whether such Terms incorporate charges which do not reasonably cover the costs incurred in consequence of supplying the consumers in question.
4. In this Condition:
 

“**Terms**” means all the terms on which a supply of electricity is offered or provided, including terms as to price, which significantly affect the evaluation of that supply.

**Condition 19: Supply tariff schedule**

1. The Exempted Person shall, as soon as practicable after this Exemption Order shall have come into force and, in any event, not later than such date as the Commission shall specify in directions issued to the Exempted Person for the purposes of this clause, and from time to time thereafter prepare a tariff schedule for sales of electricity to consumers.
2. The tariff schedule shall -
  - (a) be in a form which shall be Approved by the Commission;
  - (b) contain such detail as shall be necessary to enable any consumer to make a reasonable estimate of the charges to which it would become liable for purchases of electricity;
  - (c) be set in accordance with a methodology Approved by the Commission so as to reflect the costs of the Exempted Person in providing electricity at specified times of the year, days of the week and times of the day and night and permit the Exempted Person to recover all reasonable costs incurred in carrying out the activities authorised by this Exemption Order on an efficient basis; and
  - (d) Separately identify:
    - (i) Electricity purchase cost of the Exempted Person;
    - (ii) Standby or emergency generator Operation and Maintenance cost ;
    - (iii) Distribution system Operation and Management Maintenance Cost.
3. Where the Commission considers that, by reason of the complexity of any such tariffs fixed by the Exempted Person, simplified explanatory statements are required or expedient for the understanding of consumers, the Commission may direct the Exempted Person to draw up such explanatory statements and thereafter to publish them with the tariff schedule.
4. Exempted Person shall obtain Approval for the supply tariff schedule from the Commission.
5. The Exempted Person shall give or send a copy of the tariff schedule (as from time to time revised) to the Commission not later than 14 days before it is to be made available to any other person.
6. The Exempted Person shall publish the tariff schedule as directed by the Commission.
7. The Exempted Person shall (subject to paragraph 8) give or send a copy of the tariff schedule and any explanatory statement (as from time to time revised) to any person requesting the same.

8. The Exempted Person may make a charge for any copy of the tariff schedule and any explanatory statement (as from time to time revised) given or sent pursuant to paragraph 7 of an amount which will not exceed any amount specified for the time being for the purposes of this clause in directions issued from time to time by the Commission.
9. The Commission may give to the Exempted Person directions requiring the Exempted Person to alter the form of the tariff schedule in such manner as shall be specified in the directions, or so as to attain such objectives as may be specified in the directions and the Exempted Person shall forthwith comply with any such directions.
10. The Commission may prescribe a procedure for review of the tariff schedule.

**Condition 20: Distribution & supply tariff agreement**

1. The Exempted Person shall (subject to paragraph 3 below and Condition 14) offer to enter into an agreement with any consumer of electricity or person seeking to become a consumer of electricity, such offer to make provision for the charges to be made in respect of such sales of electricity and such charges to be presented in such a way as to be referable to the tariff schedule determined in Condition 19 above.
2. The Exempted Person shall offer terms for agreements in accordance with paragraph 1 as soon as practicable and (save where the Commission consents to a longer period) in any event not more than 02 weeks after receipt by the Exempted Person of an application containing all such information as the Exempted Person may reasonably require for the purpose of formulating the terms of the offer.
3. The Exempted Person shall not be obliged pursuant to this Condition to offer to enter or to enter into any agreement if to do so would involve the Exempted Person:
  - (a) in breach of its duties under the Act;
  - (b) in breach of any regulations made under the Act or of any other enactment relating to safety or standards applicable in respect of the Distribution Business;
  - (c) in breach of this Exemption Order ; or
  - (d) in breach of any Approved technical and operational codes.
4. The Exempted Person's obligation to enter into an agreement pursuant to this Condition may be satisfied by the insertion of appropriate clauses into a connection agreement entered into pursuant to Condition 25.

**Condition 21 – Enter into premises**

1. The Exempted Person and or person authorized by the Exempted Person should give notices to enter upon any premises under this Exemption Order shall not demand to do so as of right unless-
  - I. three days notice of the intended entry has been given by the Authorized Officer of the Exempted Person or Exempted Person stating as fully and accurately as possible the nature and extent of the acts intended to be done;
  - II. if required to do so, he or she has produced evidence of his or her authority;
  - III. reasonable compensation is paid to the owner of the land or premises for any disturbance, disability or damage that may be caused pursuant to the entry.
2. The Exempted Person or person authorized by the Exempted Person in writing in that behalf shall be entitled to enter the land, for the purpose of giving a notice referred to in subparagraph 1(a).
3. Where any person exercises any powers conferred by this item, the Exempted Person by whom he or she was authorized in writing shall make good any damage done to the premises as a result of such entry.
4. Where in the exercise of any power conferred by or under this Exemption Order any damage is caused to premises or to any moveable property, any person interested in the premises or moveable property may recover compensation in respect of that damage from the Exempted Person on whose behalf the power is exercised; and where in consequence of the exercise of such a power a person is disturbed in his or her enjoyment of any premises or moveable property he or she may recover from that Exempted Person reasonable compensation in respect of that disturbance as determined by the Commission.

**Schedule 1**

Premises bearing assessment No.89, Kollupitiya Road (Galle Road), Colombo 03 in Ward No.37 Kollupitiya within the Municipal Council limits of Colombo District, Western Province.

Bounded as follows:

North by : Lot X and Lot Z in aforesaid Plan No.4519;  
East by : Lot Z in aforesaid Plan No. 4519 and Lot 7 in Plan No. 2289 dated 16th November 1995 made by Hugh R. Samarasinghe, licensed Surveyor (also Lot C in aforesaid Plan No.2010 dated 08th May 1995);  
South by : Lot 7 in aforesaid Plan No. 2289 (also lot C in aforesaid Plan No.2010);  
West by : Kollupitiya Road and Lot X in aforesaid Plan No. 4519.

Containing in extent: 0.7153 Hectares (1 Acre, 3 Roods, 02.81 Perches).

02-40/1

**PUBLIC UTILITIES COMMISSION OF SRI LANKA**

**EXEMPTION ORDER**

**UNDER SECTION 10 OF THE SRI LANKA ELECTRICITY ACT, NO. 20 OF 2009**

**1. Grant of the Exemption**

The Public Utilities Commission of Sri Lanka (hereinafter referred to as the “**Commission**”) in exercise of the powers conferred by Section 10(1) of the Sri Lanka Electricity Act, No. 20 of 2009 (hereinafter referred to as the “**Act**”) hereby grants to **BOC Property Development & Management (Pvt) Ltd Floor 19, BOC Headquarters No. 04 Bank of Ceylon Mawatha, Colombo 01** (hereinafter referred to as the “**Exempted Person**”) an exemption from the requirement to obtain a licence to:

For the limited purpose of distribute and supply or distribute or supply electricity within the premises **BOC Merchant Tower, 28, St Michael’s Road, Colombo 03** more fully described in the schedule 1 attached hereto subject to the Conditions contained in this Order.

**2. Approvals**

The Exempted Person shall obtain all the approvals required under applicable Laws, Regulations and Rules necessary to carry out the distribution and supply of electricity, including and not limited to the provisions of the Sri Lanka Electricity Act. No 20 of 2009.

**3. Term of the Exemption**

The Exemption hereby granted shall come into force on **20.10.2011** and, unless revoked or withdrawn subject to the provisions of Revocation and Withdrawal of the Exemption in the Exemption Order below, shall continue in full force and effect for a period of [05] years from **20.10.2011**.

**4. Revocation and Withdrawal of the Exemption**

This Exemption may be revoked or withdrawn in accordance with Section 22 of the Act.

Dr. JAYATISSA DE COSTA PC  
Chairman  
Public Utilities Commission of Sri Lanka



**CONDITIONS OF THE EXEMPTION**

**Condition 1: Interpretation and construction**

1. Unless the contrary intention appears:
  - (a) words and expressions used in the Conditions or the Schedules shall be construed as if they were in an enactment and the Interpretation Acts applied to them ; and
  - (b) references to an enactment shall include primary and subordinate legislation and, in both cases, any modification or re-enactment thereof after the date when this Exemption comes into force.
2. Any word or expression defined in the Act for the purposes of any provision of the Act shall, unless the contrary intention appears, have the same meaning when used in the Conditions or in the Schedules.
3. In the Conditions and in the Schedules, unless otherwise specified or the context otherwise requires:

<b>“Affiliate”</b>	in relation to the Exempted Person, means any Holding Company of the Exempted Person or any Subsidiary of the Exempted Person or any Subsidiary of a Holding Company of the Exempted Person , in each case within the meaning of the Companies Act, No .7 of 2007;
<b>“Approved”</b>	for the purposes of Conditions 4, 9, 13, 16, 19, and 20 means approved by the Commission and <b>“Approval”</b> shall have a corresponding meaning;
<b>“Licensee”</b>	a person holding a valid Licence under the section 13 of the Sri Lanka Electricity Act, No. 20 of 2009.
<b>“Distribution Business”</b>	means the licensed business of the Licensee to transport electrical energy purchased from a Transmission System or Generation Plants or other purchase points, using a system owned and operated by the Licensee consisting mainly of overhead lines, underground cables, service lines, transformers, meters and other ancillary plant and equipment having a designed voltage of 33 KW (between phase conductors) or lower, to the point of delivery of end user or authorized operators who are desirous of obtaining an electricity supply at a voltage of 33 KW or lower;
<b>“Exempted Person”</b>	means a person exempted from obtaining licence to distribute and supply, or distribute or supply, electricity under Section 10 of the Act;
<b>“Electricity Undertaking”</b>	means any person engaged in the distribution or supply of electricity;
<b>“Holding Company”</b>	means a holding company within the meaning of the Companies Act, No. 7 of 2007;
<b>“Exempted Person’s Distribution System”</b>	means all electricity power lines of the Exempted Person within the premises specified in schedule 01, hereto except lines forming part of the Transmission System and any other electricity power lines which the Exempted Person may, with the approval of the Commission, specify as being part of the Exempted Person’s Distribution System, and includes any electric plant, meters, transformers and switchgear of the Exempted Person and which is used for conveying electricity to premises;
<b>“Modification”</b>	includes addition, omission, amendment and substitution, and cognate expressions shall be construed accordingly;
<b>“PUCSL Act”</b>	means the Public Utilities Commission of Sri Lanka Act, No.35 of 2002;
<b>“Related Undertaking”</b>	means any related undertaking within the meaning of the Companies Act, No. 7 of 2007;

<b>“Representation”</b>	includes any objection or any other proposal made in writing;
<b>“Subsidiary”</b>	has the meaning given in the Companies Act, No. 7 of 2007, and “Subsidiaries” shall be defined accordingly;
<b>“Transmission Licensee”</b>	means the holder of a licence to transmit electricity under section 13(1)(c)(i)(b) of the Act; and
<b>“Transmission System”</b>	means the system which is owned and operated by the Transmission Licensee and which consists (wholly or mainly) of Extra High Voltage electric lines and electric plant and which is used for conveying electricity from a Generation Plant to a substation, from one Generation Plant to another or from one substation to another, including all Extra High Voltage electric lines which are used to convey electricity to the premises of bulk supply consumers (but shall not include any such lines which form part of any distribution system).

4. Unless otherwise specified:
- (a) any reference to a numbered Condition or to a numbered Schedule is respectively a reference to the Condition or the Schedule bearing that number in this Exemption Order;
  - (b) any reference to a numbered clause is a reference to the clause bearing that number in the Schedule in which the reference occurs;
  - (c) any reference to a numbered paragraph is a reference to the paragraph bearing that number in the Condition or clause in which the reference occurs; and
- without prejudice to any provision which restricts such variation, supplement or replacement any reference to any agreement, Exemption Order (other than this Exemption Order), code or other instrument shall include a reference to such agreement, Exemption Order, code or other instrument as varied, supplemented or replaced from time to time.
5. The heading or title of any Part, Condition, Schedule or paragraph shall not affect the construction thereof.
6. Where any obligation of the Exemption Order is expressed to require performance within a specified time limit, that obligation shall continue to be binding and enforceable after that time limit if the Exempted Person fails to perform that obligation within that time limit (but without prejudice to all rights and remedies available against the Exempted Person by reason of the Exempted Person’s failure to perform within the time limit).
7. If there is any inconsistency between this Exemption Order and the Act, the Act shall prevail to the extent of any such inconsistency. Conditions set out in the Act shall form an integral part of the Exemption Order in addition to Conditions set out herein.

**Condition 2: Provision of Information to the Commission**

1. The Exempted Person shall furnish to the Commission, in such manner and at such times as the Commission may require, such Information and shall procure and furnish to it such reports as the Commission may consider necessary in the light of the Conditions or as it may require for the purpose of performing the functions assigned or transferred to it by or under the Act or the PUCSL Act.
2. Without prejudice to the generality of paragraph 1, the Commission may call for the furnishing of accounting Information which is more extensive than, or differs from, that required to be prepared and supplied to the Commission.
3. The power of the Commission to call for Information under paragraph 1 is without prejudice to the power of the Commission to call for Information under or pursuant to any other Condition of this Exemption Order or under or pursuant to the Act, the PUCSL Act or any other enactment.

4. The Exempted Person within one month of obtaining the exemption shall appoint a person in its organisation, who is responsible for its Distribution Business.

5. In this Condition:

“**Information**” shall include any books, documents, records, accounts, estimates, returns or reports (whether or not prepared specifically at the request of the Commission) of any description and in any format specified by the Commission.

**Condition 3: Decisions, Orders, Directions and Determinations of the Commission**

1. The Exempted Person shall comply with any decisions, orders, directions and determinations made by the Commission pursuant to the Exemption Order.

2. The costs associated with compliance with such decisions, orders, directions and determinations shall be the responsibility of the Exempted Person.

3. In order to comply with any order or direction made by the Commission the Exempted Person shall allow the Commission, any other authority or person specified in the order of the Commission such access to or control of its property as the Commission requires.

**Condition 4: Compliance with technical and operational codes**

1. At the request of the Commission the Exempted Person shall, in consultation with any Electricity Undertakings the Commission consider appropriate, develop and implement, such technical and operational codes as the Commission may, direct from time to time.

2. Any technical and operational codes developed pursuant to paragraph 1 shall be submitted to the Commission for Approval before they may be implemented.

3. The Exempted Person may propose modifications to a code that is in force at the relevant time by notifying the Commission of its proposal in accordance with the code modification process set out in the relevant code.

4. The Exempted Person shall give or send a copy of all approved technical and operational codes (and any revisions thereto) developed and implemented by the Exempted Person pursuant to this Condition to:

(a) the Commission; and

(b) any person requesting the same.

5. The Exempted Person may make a charge for any copy of any code given or sent pursuant to paragraph 4(b) of an amount which shall not exceed any amount specified for the time being for the purposes of this Condition in directions issued from time to time by the Commission. The Exempted Person shall comply with the provisions of any Approved technical and operational codes which are specified therein as applicable to it.

6. The Commission may, following consultation in relevant circumstances with any Electricity Undertakings the Commission shall consider appropriate, issue directions relieving the Exempted Person of its obligation under paragraph 4 in respect of such part or parts of any Approved technical and operational codes to such extent as may be specified in those directions and subject to such terms and conditions as the Commission may determine.

7. The Exempted Person shall comply with the existing technical and operational codes in respect of all activities, until such time Commission Approved technical and operational codes are available.

**Condition 5: Other agreements**

1. The Exempted Person shall enter into any agreements with other persons it is directed to by the Commission, including tariff and connection agreements with the relevant Licensees.

2. The Exempted Person shall be required to participate in the preparation of any agreement which it has been directed to enter into by the Commission.
3. If, after a period which appears to the Commission to be reasonable for the purpose, the Exempted Person has failed to enter into an agreement it has been directed to by the Commission, the Commission shall, on the application of such person or the Exempted Person, settle any terms of the agreement in dispute between the Exempted Person and the person in question in such manner as appears to the Commission to be reasonable.

**Condition 6: Assignment of the Exemption Order and transfer of the Distribution Business**

1. The Exempted Person shall not, without the prior written consent of the Commission, assign this Exemption Order either in whole or in part.
2. The Exempted Person shall not, without the prior written consent of the Commission, transfer to another person (the “Transferee”) all or any part of the Distribution Business carried out under this Exemption Order.
3. Any consent of the Commission to any assignment of this Exemption Order or transfer of the Distribution Business shall be subject to the Commission being satisfied that the assignee or Transferee, as the case may be, will have the technical and financial capability to comply with the Conditions of this Exemption Order and, in the case of a transfer only, the Transferee being granted an Exemption Order, and may be subject to compliance by the assignee or Transferee, as the case may be, with any other matters determined by the Commission to be necessary, including the modification of this Exemption Order in accordance with the Act where deemed necessary by the Commission.
4. Nothing in this Condition shall prevent the Exempted Person transferring the Distribution Business to an assignee where the Commission consented to such assignment, provided that such transfer is effected as soon as practicable after such consent has been given.

**Condition 7: Revocation or Withdrawal of the Exemption Order**

1. The Commission may revoke this Exemption Order in accordance with the Section 22 of the Sri Lanka Electricity Act No. 20 of 2009 in the following circumstances:
  - (a) if the Exempted Person agrees in writing with the Commission that this Exemption Order should be revoked;
  - (b) if the Exempted Person fails to comply with an order or direction issued by the Commission under Condition 2 of this order or direction within 60 days from the date of its issue or such longer period as the Commission may specify in the order or direction;
  - (c) if:
    - (i) there is a Change In Control of the Exempted Person; and
    - (ii) the Commission is satisfied that neither the new shareholder nor the entity appointed by the new shareholder (if any) to operate the Distribution Business has adequate technical, financial or managerial strength, taking into account the size of its shareholding in the Exempted Person, to carry out the Distribution Business; and
    - (iii) the Commission serves notice on the Exempted Person stating that the Commission proposes to revoke this Exemption Order in pursuance of this paragraph unless such further Change In Control of the Exempted Person as is specified in the notice takes place within the period of three months beginning with the date of service of the notice; and
    - (iv) further change does not take place within that period;
  - (d) if the Exempted Person fails to notify the Commission as soon as practicable thereafter that a Change In Control of the Exempted Person shall have occurred;

- (e) if the Exempted Person ceases to carry on the Distribution Business for a continuous period of 3 months except where the Commission is satisfied that this has occurred as a result of events beyond the reasonable control of the Exempted Person, , in which case the Commission shall substitute such longer period as it, in its sole discretion, considers reasonable in all the circumstances;
- (f) if it is found that the issue of this Exempted Person had been based on information provided by the Exempted Person which is materially inaccurate or incorrect.
- (g) If the Exempted Person violates and/or breaches any condition of this Exemption Order.

**Condition 8: Environment**

1. The Exempted Person shall comply with all applicable Environmental Laws in Sri Lanka, subject to any exemptions or grace periods which may be granted to the Exempted Person under such Environmental Laws for compliance.
2. The Exempted Person shall, not later than such date as the Commission may specify and in consultation with the Commission, prepare and, from time to time, modify a written policy setting out the manner in which the Exempted Person proposes to comply with its duties and obligations under all applicable Environmental Laws.
3. The Exempted Person shall report annually to the Commission on its environmental performance in such form and at such times as the Commission may specify.
4. For the purposes of this Exempted Person, “**Environmental Laws**” means those laws which are, from time to time, in force whose purpose is the protection of the environment, including the protection of human health, flora, fauna and the eco-systems on which they depend and, for the avoidance of doubt, shall include, but shall not be limited to, the National Environment Act, No. 47 of 1980 and all relevant legislation relating to the assessment of environmental impacts and the protection of air, land and water.

**Condition 9: Health and safety**

1. The Exempted Person shall take all reasonable steps to protect persons, plant, property and equipment from injury and damage that may be caused by the Exempted Person when carrying out the Distribution Business, including preparing a safety and technical management plan as set out in paragraph 2 below.
2. The Exempted Person shall:
  - (a) not later than such date as the Commission may specify and in consultation with the Commission, prepare a safety and technical management plan and submit the plan to the Commission for approval;
  - (b) annually review, and if necessary update, the plan to ensure its efficient operation, and submit the updated plan to the Commission for approval;
  - (c) comply with the plan (as updated from time to time) as approved by the Commission;
  - (d) not amend the plan without the approval of the Commission; and
  - (e) ensure that an annual audit of its compliance with its obligations under the plan is conducted by an independent expert approved by the Commission and in accordance with the plan;
  - (f) compile health and safety statistics and indices specified by the Commission; and
  - (g) promptly report the results of those audits, statistics and indices to the Commission.

**Condition 10: Insurance**

1. The Exempted Person shall adopt and implement reasonable and prudent policies in relation to the management and insurance of risks associated with the Distribution Business.

**Condition 11: Confidential information**

1. The Exempted Person shall take reasonable measures to ensure that all information received by it relating to the Distribution Business:
  - (a) is kept confidential by the Exempted Person except as otherwise permitted by the Commission, this Exemption Order or any code of practice, and that access to such confidential information is provided only, and as is necessary for the due performance of their lawful functions, to directors, officers and employees of the Exempted Person, or to an agent of the Exempted Person that has agreed in writing to observe this requirement of confidentiality;
  - (b) is not used by the Exempted Person for any purpose other than that for which it was provided or for a purpose permitted by this Exemption Order or a code of practice; and
  - (c) is not used by the Exempted Person for any commercial advantage in the provision of any service other than a service comprised in the Distribution Business.

**Condition 12: Dispute resolution**

1. The Exempted Person may:
  - (a) in respect of a dispute between itself and a tariff customer which it is unable to resolve - refer the dispute to the Commission for mediation and resolution in accordance with the rules made by the Commission under the PUCSL Act;
  - (b) in respect of a dispute (other than a dispute referred to in paragraph 1(a) in accordance with the rules made by the Commission under the PUCSL Act refer the dispute to the Commission for resolution in accordance with such rules or, where directed to do so by the Commission refer the dispute to court or arbitration body in accordance with the Arbitration Act, No.11 of 1995.

**PART III SPECIFIC CONDITIONS FOR DISTRIBUTION**

**Condition 13: Connection to the Exempted Person's Distribution System - requirement to offer terms**

1. The Exempted Person shall, subject to paragraphs 3, 4 and 5,
  - (a) offer to enter into an agreement to provide a connection to the Exempted Person's Distribution System with any owner or occupier of premises within a specified location in the Exemption Order, who has made an application for connection to the Exempted Person's Distribution System; and
  - (b) offer to enter into an agreement for the modification of a connection from the Exempted Person's Distribution System with any person who has made an application for modification of a connection to the Exempted Person's Distribution System.
2. The Exempted Person, subject to paragraphs 3, 4 and 5, offer terms for an agreement in accordance with paragraph 1 as soon as practicable and, in any event, not more than 2 weeks after receipt by the Exempted Person of an application containing all such information as the Exempted Person may reasonably require for the purposes of formulating the terms of its offer.
3. The Exempted Person shall not be obliged pursuant to this Condition to offer to enter into any agreement with any owner or occupier of premises within specified location a by reason of the capacity of the Exempted person's Distribution System and the use made or reasonably expected to be made of it, the Exempted Person would be required to expand or reinforce the capacity of the Exempted person's Distribution System and where it would not, having regard to all the circumstances, be in the public interest for the Exempted Person to undertake such expansion or reinforcement.
4. The Exempted Person shall not be obliged pursuant to this Condition to offer to enter into any agreement with any person where the connection of the person represents a risk to the security and stability of the Exempted Person's Distribution System.

5. The Exempted Person shall not enter into any agreement with any person if to do so would be likely to involve the Exempted Person:
  - (a) in breach of any technical or operational codes Approved by the Commission or
  - (b) in breach of the Act or any regulations made under the Act; or
  - (c) in breach of any enactment relating to safety or standards applicable to the Exempted Person's Distribution System; or
  - (d) in breach of any other conditions imposed by the Commission.
6. Where the Exempted Person refuses to enter into an agreement with any person in accordance with paragraphs 3, 4 and 5, the Exempted Person shall as soon as practicable and, in any event, not more than 2 weeks after receipt by the Exempted Person of an application from that person, notify that person of the refusal, specifying the reasons for refusal.

**Condition 14: Connection to the Exempted Person's Distribution System - functions of the Commission**

1. If, after a period which appears to the Commission to be reasonable for the purpose, the Exempted Person has failed to enter into an agreement with any person entitled or claiming to be entitled thereto pursuant to an application in accordance with Condition 13, the Commission shall, on the application of such person or the Exempted Person, settle any terms of the agreement in dispute between the Exempted Person and the person in question in such manner as appears to the Commission to be reasonable.
2. If the person wishes to proceed on the basis of the agreement as settled by the Commission, the Exempted Person shall forthwith enter into and implement such agreement in accordance with its terms.
3. If either party to an agreement for connection to, or modification of a connection to, the Exempted Person's Distribution System entered into pursuant to Condition 13 or this Condition proposes to vary the contractual terms of such agreement in any manner provided for under such agreement, the Commission shall, at the request of the Exempted Person or the other party to such agreement, settle any dispute relating to such variation in such manner as appears to the Commission to be reasonable.

**Condition 15: Non-discrimination in the provision of connection to the Exempted Person's Distribution System**

1. In the carrying out of works for the purpose of connection to the Exempted Person's Distribution System or in providing for the retention of a connection to the Exempted Person's Distribution System, the Exempted Person shall not unduly discriminate:
  - (a) between any persons or class or classes of persons;
  - (b) between the Exempted Person or any Affiliate or Related Undertaking of the Exempted Person and any person or class or classes of persons.

**Condition 16: Basis of charges for connection to the Exempted Person's Distribution System**

1. The Exempted Person shall, as soon as practicable and, in any event, within 28 days after this Exemption Order has come into force, prepare and submit to the Commission, for the Commission's approval, a statement setting out the basis upon which charges for connection to the Exempted Person's Distribution System, and requests for security deposits in respect of that connection, will be made.
2. The Exempted Person may periodically revise the information set out in and, with the approval of the Commission, alter the form of the statement prepared in accordance with paragraph 1 and shall, at least once in every year this Exemption Order is in force, revise such statement in order that the information set out in the statement shall continue to be accurate in all material respects.

3. Where any electricity supply provided by the Exempted Person to a person requiring a supply of electricity within the premises described in the schedule 1 the Exempted Person may require any expenses reasonably incurred in providing the electricity supply to be defrayed by that person, to such extent as it is reasonably incurred in providing electricity supply.
4. An Exempted Person may require by notice in writing any person who requires electricity supply, to provide reasonable security for the payment of maximum of two month's electricity consumption bill which may become due to the Exempted Person in respect of the supply.

Where any person has not provided such security as is required under this condition or the security provided by such person has become insufficient—

- (a) the Exempted Person may by notice require the person to provide within seven days after the service of the notice, reasonable security for the payment of maximum of two month's electricity consumption bill which may become due to the Exempted Person in respect of the supply; and
  - (b) if that person fails to provide such security, the Exempted Person may refuse to make the connection or discontinue the supply, as the case may be, for so long as the failure continues.
  - (c) Where any sum of money is provided to a Exempted Person by way of security in pursuance of this Condition, the Exempted Person shall pay interest on such sum of money at such rate as may from time to time be fixed by the Exempted Person with the approval of the Commission, for the period in which it remains in the hands of the Exempted Person.
5. The Exempted Person shall send a copy of the statement prepared in accordance with paragraph 1 and of each revision of such statement in accordance with paragraph 2 to the Commission. Each such revision shall require the approval of the Commission and shall not become effective until approved by the Commission.
  6. The Exempted Person shall give or send a copy of the statement prepared in accordance with paragraph 1 or (as the case may be) of the latest revision of such statement in accordance with paragraph 2 approved by the Commission pursuant to such paragraph to any person who requests a copy of such statement.
  7. The Exempted Person may make a charge for any statement given or sent pursuant to paragraph 4 of an amount reflecting the Exempted Person's reasonable costs of providing such a statement which shall not exceed the maximum amount specified in directions issued by the Commission from time to time for the purposes of this Condition.

**Condition 17: Provision of information to the Transmission Licensee and to other Distribution Licensees**

1. The Exempted Person shall maintain sufficient records to predict its future requirement for energy from the Transmission Licensee and the demand profile of such requirement, including details regarding:
  - (a) the technical non-technical losses inherent in the Exempted Person's Distribution System;
  - (b) energy provided by generators(if any) that are connected to the Exempted Person's Distribution System;
  - (c) the impact of new connections; and
  - (d) the impact of demand management.
  - (e) load characteristics of different consumer categories
2. The Exempted Person shall furnish to the Transmission Licensee and to other Distribution Licensees, in such manner and at such times as may be reasonably required, such information or forecasts as may be reasonably required by the Transmission Licensee and the other Distribution Licensees in order to ensure the secure and efficient operation, co-ordinated development and inter-operability of the Total System.



3. In this Condition:

“**Total System**” means the Transmission System, the Licensee’s Distribution System and the Distribution Systems of all other Distribution Licensees, taken together.

**PART IV SPECIFIC CONDITIONS FOR SUPPLY**

**Condition 18: Prohibition of discrimination in supply**

1. The Exempted Person shall not, in supplying or offering Terms for the supply of electricity to consumers:
  - (a) show undue preference to any person or class of persons;
  - (b) exercise undue discrimination between any persons or classes of persons; or
  - (c) set terms which are unduly onerous.
2. For the purposes of this Condition, Terms are unduly onerous if the revenue from the supply of electricity to consumers on those Terms significantly exceeds the costs of that supply.
3. For the purposes of this Condition, the Commission shall determine any question as to whether any Terms are unduly onerous, having due regard to whether such Terms incorporate charges which do not reasonably cover the costs incurred in consequence of supplying the consumers in question.
4. In this Condition:

“**Terms**” means all the terms on which a supply of electricity is offered or provided, including terms as to price, which significantly affect the evaluation of that supply.

**Condition 19: Supply tariff schedule**

1. The Exempted Person shall, as soon as practicable after this Exemption Order shall have come into force and, in any event, not later than such date as the Commission shall specify in directions issued to the Exempted Person for the purposes of this clause, and from time to time thereafter prepare a tariff schedule for sales of electricity to consumers.
2. The tariff schedule shall:
  - (a) be in a form which shall be Approved by the Commission;
  - (b) contain such detail as shall be necessary to enable any consumer to make a reasonable estimate of the charges to which it would become liable for purchases of electricity;
  - (c) be set in accordance with a methodology Approved by the Commission so as to reflect the costs of the Exempted Person in providing electricity at specified times of the year, days of the week and times of the day and night and permit the Exempted Person to recover all reasonable costs incurred in carrying out the activities authorised by this Exemption Order on an efficient basis; and
  - (d) Separately identify:
    - (i) Electricity purchase cost of the Exempted Person
    - (ii) Standby or emergency generator Operation and Maintenance cost
    - (iii) Distribution system Operation and Management Maintenance Cost
3. Where the Commission considers that, by reason of the complexity of any such tariffs fixed by the Exempted Person, simplified explanatory statements are required or expedient for the understanding of consumers, the Commission may direct the Exempted Person to draw up such explanatory statements and thereafter to publish them with the tariff schedule.

4. Exempted Person shall obtain Approval for the supply tariff schedule from the Commission.
5. The Exempted Person shall give or send a copy of the tariff schedule (as from time to time revised) to the Commission not later than 14 days before it is to be made available to any other person.
6. The Exempted Person shall publish the tariff schedule as directed by the Commission.
7. The Exempted Person shall (subject to paragraph 8) give or send a copy of the tariff schedule and any explanatory statement (as from time to time revised) to any person requesting the same.
8. The Exempted Person may make a charge for any copy of the tariff schedule and any explanatory statement (as from time to time revised) given or sent pursuant to paragraph 7 of an amount which will not exceed any amount specified for the time being for the purposes of this clause in directions issued from time to time by the Commission.
9. The Commission may give to the Exempted Person directions requiring the Exempted Person to alter the form of the tariff schedule in such manner as shall be specified in the directions, or so as to attain such objectives as may be specified in the directions and the Exempted Person shall forthwith comply with any such directions.
10. The Commission may prescribe a procedure for review of the tariff schedule.

**Condition 20: Distribution & supply tariff agreement**

1. The Exempted Person shall (subject to paragraph 3 below and Condition 14) offer to enter into an agreement with any consumer of electricity or person seeking to become a consumer of electricity, such offer to make provision for the charges to be made in respect of such sales of electricity and such charges to be presented in such a way as to be referable to the tariff schedule determined in Condition 19 above.
2. The Exempted Person shall offer terms for agreements in accordance with paragraph 1 as soon as practicable and (save where the Commission consents to a longer period) in any event not more than 02 weeks after receipt by the Exempted Person of an application containing all such information as the Exempted Person may reasonably require for the purpose of formulating the terms of the offer.
3. The Exempted Person shall not be obliged pursuant to this Condition to offer to enter or to enter into any agreement if to do so would involve the Exempted Person:
  - (a) in breach of its duties under the Act;
  - (b) in breach of any regulations made under the Act or of any other enactment relating to safety or standards applicable in respect of the Distribution Business;
  - (c) in breach of this Exemption Order ; or
  - (d) in breach of any Approved technical and operational codes.
4. The Exempted Person's obligation to enter into an agreement pursuant to this Condition may be satisfied by the insertion of appropriate clauses into a connection agreement entered into pursuant to Condition 25.

**Condition 21 : Enter into premises**

1. The Exempted Person and or person authorized by the Exempted Person should give notices to enter upon any premises under this Exemption Order shall not demand to do so as of right unless-
  - I. three days notice of the intended entry has been given by the Authorized Officer of the Exempted Person or Exempted Person stating as fully and accurately as possible the nature and extent of the acts intended to be done;

- II. if required to do so, he or she has produced evidence of his or her authority;
  - III. reasonable compensation is paid to the owner of the land or premises for any disturbance, disability or damage that may be caused pursuant to the entry.
2. The Exempted Person or person authorized by the Exempted Person in writing in that behalf shall be entitled to enter the land, for the purpose of giving a notice referred to in subparagraph 1(a).
  3. Where any person exercises any powers conferred by this item, the Exempted Person by whom he or she was authorized in writing shall make good any damage done to the premises as a result of such entry.
  4. Where in the exercise of any power conferred by or under this Exemption Order any damage is caused to premises or to any moveable property, any person interested in the premises or moveable property may recover compensation in respect of that damage from the Exempted Person on whose behalf the power is exercised; and where in consequence of the exercise of such a power a person is disturbed in his or her enjoyment of any premises or moveable property he or she may recover from that Exempted Person reasonable compensation in respect of that disturbance as determined by the Commission.

### Schedule 1

All that divided and defined allotment of land marked Lot D in Plan No.1180A bearing assessment No.28, St. Michael's Road, Kollupitiya situated in Ward No.37 (Kollupitiya) within the Municipality and District of Colombo Western Province and which said Lot D is bounded on the North by St. Michael's Road, on the East by Serendib Road, on the South by premises of Kollupitiya Public Market and on the East by Lots B and C in the said Plan No.1180 A and containing in extent One Rood and Seventeen Perches (0A-1R-17P) or 0.14416 Hectares according to the said Plan No.1180A, and registered in A 788/67 at the Colombo Land Registry.

02-40/2

## **PUBLIC UTILITIES COMMISSION OF SRI LANKA**

### **EXEMPTION ORDER**

#### **Under Section 10 of the Sri Lanka Electricity Act, No. 20 of 2009**

#### **1. Grant of the Exemption**

The Public Utilities Commission of Sri Lanka (hereinafter referred to as the “**Commission**”) in exercise of the powers conferred by Section 10(1) of the Sri Lanka Electricity Act, No. 20 of 2009 (hereinafter referred to as the “**Act**”) hereby grants to **Millenium Development (Pvt) Limited, 338, T B Jayah Mawatha, Colombo 10** (hereinafter referred to as the “**Exempted Person**”) an exemption from the requirement to obtain a licence to:

For the limited purpose of distribute and supply or distribute or supply electricity within the premises **Excel World Entertainment Park, 338, T B Jayah Mawatha, Colombo 10** more fully described in the schedule 1 attached hereto subject to the Conditions contained in this Order.

#### **2. Approvals**

The Exempted Person shall obtain all the approvals required under applicable Laws, Regulations and Rules necessary to carry out the distribution and supply of electricity, including and not limited to the provisions of the Sri Lanka Electricity Act, No 20 of 2009.

#### **3. Term of the Exemption**

The Exemption hereby granted shall come into force on **20.10.2011** and, unless revoked or withdrawn subject to the provisions of Revocation and Withdrawal of the Exemption in the Exemption Order below, shall continue in full force and effect for a period of [05] years from **20.10.2011**.

#### 4. Revocation and Withdrawal of the Exemption

This Exemption may be revoked or withdrawn in accordance with Section 22 of the Act.

Dr. JAYATISSA DE COSTA PC  
Chairman,  
Public Utilities Commission of Sri Lanka.

#### **CONDITIONS OF THE EXEMPTION**

##### **Condition 1: Interpretation and construction**

1. Unless the contrary intention appears:
  - (a) words and expressions used in the Conditions or the Schedules shall be construed as if they were in an enactment and the Interpretation Acts applied to them and,
  - (b) references to an enactment shall include primary and subordinate legislation and, in both cases, any modification or re-enactment thereof after the date when this Exemption comes into force.
2. Any word or expression defined in the Act for the purposes of any provision of the Act shall, unless the contrary intention appears, have the same meaning when used in the Conditions or in the Schedules.
3. In the Conditions and in the Schedules, unless otherwise specified or the context otherwise requires:
 

<b>“Affiliate”</b>	in relation to the Exempted Person, means any Holding Company of the Exempted Person or any Subsidiary of the Exempted Person or any Subsidiary of a Holding Company of the Exempted Person, in each case within the meaning of the Companies Act, No. 7 of 2007;
<b>“Approved”</b>	for the purposes of Conditions 4, 9, 13, 16, 19, and 20 means approved by the Commission and <b>“Approval”</b> shall have a corresponding meaning;
<b>“Licensee”</b>	a person holding a valid Licence under the section 13 of the Sri Lanka Electricity Act, No. 20 of 2009;
<b>“Distribution Business”</b>	means the licensed business of the Licensee to transport electrical energy purchased from a Transmission System or Generation Plants or other purchase points, using a system owned and operated by the Licensee consisting mainly of overhead lines, underground cables, service lines, transformers, meters and other ancillary plant and equipment having a designed Voltage of 33 KV(between phase conductors) or lower, to the point of delivery of end user or authorized operators who are desirous of obtaining an electricity supply at a voltage of 33 kV or lower;
<b>“Exempted Person”</b>	means a person exempted from obtaining licence to distribute and supply, or distribute or supply, electricity under Section 10 of the Act;
<b>“Electricity Undertaking”</b>	means any person engaged in the distribution or supply of electricity;
<b>“Holding Company”</b>	means a holding company within the meaning of the Companies Act, No. 7 of 2007;
<b>“Exempted Person’s Distribution System”</b>	means all electricity power lines of the Exempted Person within the premises specified in Schedule 01, hereto except lines forming part of the Transmission System and any other electricity power lines which the Exempted Person may, with the approval of the Commission, specify as being part of the Exempted Person’s Distribution System, and includes any electric plant, meters, transformers and switchgear of the Exempted Person and which is used for conveying electricity to premises;
<b>“Modification”</b>	includes addition, omission, amendment and substitution, and cognate expressions shall be construed accordingly;

“PUCSL Act”	means the Public Utilities Commission of Sri Lanka Act, No.35 of 2002;
“Related Undertaking”	means any related undertaking within the meaning of the Companies Act No. 7 of 2007;
“Representation”	includes any objection or any other proposal made in writing;
“Subsidiary”	has the meaning given in the Companies Act, No. 7 of 2007, and “Subsidiaries” shall be defined accordingly;
“Transmission Licensee”	means the holder of a licence to transmit electricity under Section 13(1)(c)(i)(b) of the Act; and
“Transmission System”	means the system which is owned and operated by the Transmission Licensee and which consists (wholly or mainly) of Extra High Voltage electric lines and electric plant and which is used for conveying electricity from a Generation Plant to a substation, from one Generation Plant to another or from one substation to another, including all Extra High Voltage electric lines which are used to convey electricity to the premises of bulk supply consumers (but shall not include any such lines which form part of any distribution system).

4. Unless otherwise specified:

- (a) any reference to a numbered Condition or to a numbered Schedule is respectively a reference to the Condition or the Schedule bearing that number in this Exemption Order;
- (b) any reference to a numbered clause is a reference to the clause bearing that number in the Schedule in which the reference occurs;
- (c) any reference to a numbered paragraph is a reference to the paragraph bearing that number in the Condition or clause in which the reference occurs; and

without prejudice to any provision which restricts such variation, supplement or replacement any reference to any agreement, Exemption Order (other than this Exemption Order), code or other instrument shall include a reference to such agreement, Exemption Order, code or other instrument as varied, supplemented or replaced from time to time.

5. The heading or title of any Part, Condition, Schedule or paragraph shall not affect the construction thereof.

6. Where any obligation of the Exemption Order is expressed to require performance within a specified time limit, that obligation shall continue to be binding and enforceable after that time limit if the Exempted Person fails to perform that obligation within that time limit (but without prejudice to all rights and remedies available against the Exempted Person by reason of the Exempted Person’s failure to perform within the time limit).

7. If there is any inconsistency between this Exemption Order and the Act, the Act shall prevail to the extent of any such inconsistency. Conditions set out in the Act shall form an integral part of the Exemption Order in addition to Conditions set out herein.

**Condition 2: Provision of Information to the Commission**

1. The Exempted Person shall furnish to the Commission, in such manner and at such times as the Commission may require, such Information and shall procure and furnish to it such reports as the Commission may consider necessary in the light of the Conditions or as it may require for the purpose of performing the functions assigned or transferred to it by or under the Act or the PUCSL Act.
2. Without prejudice to the generality of Paragraph 1, the Commission may call for the furnishing of accounting Information which is more extensive than, or differs from, that required to be prepared and supplied to the Commission.
3. The power of the Commission to call for Information under paragraph 1 is without prejudice to the power of the Commission to call for Information under or pursuant to any other Condition of this Exemption Order or under or pursuant to the Act, the PUCSL Act or any other enactment.
4. The Exempted Person within one month of obtaining the exemption shall appoint a person in its organisation, who is responsible for its Distribution Business.

5. In this Condition:

“**Information**” shall include any books, documents, records, accounts, estimates, returns or reports (whether or not prepared specifically at the request of the Commission) of any description and in any format specified by the Commission.

**Condition 3: Decisions, Orders, Directions and Determinations of the Commission**

1. The Exempted Person shall comply with any decisions, orders, directions and determinations made by the Commission pursuant to the Exemption Order.
2. The costs associated with compliance with such decisions, orders, directions and determinations shall be the responsibility of the Exempted Person.
3. In order to comply with any order or direction made by the Commission the Exempted Person shall allow the Commission, any other authority or person specified in the order of the Commission such access to or control of its property as the Commission requires.

**Condition 4: Compliance with technical and operational codes**

1. At the request of the Commission the Exempted Person shall, in consultation with any Electricity Undertakings the Commission consider appropriate, develop and implement, such technical and operational codes as the Commission may, direct from time to time.
2. Any technical and operational codes developed pursuant to paragraph 1 shall be submitted to the Commission for Approval before they may be implemented.
3. The Exempted Person may propose modifications to a code that is in force at the relevant time by notifying the Commission of its proposal in accordance with the code modification process set out in the relevant code.
4. The Exempted Person shall give or send a copy of all approved technical and operational codes (and any revisions thereto) developed and implemented by the Exempted Person pursuant to this Condition to:
  - (a) the Commission; and
  - (b) any person requesting the same.
5. The Exempted Person may make a charge for any copy of any code given or sent pursuant to paragraph 4(b) of an amount which shall not exceed any amount specified for the time being for the purposes of this Condition in directions issued from time to time by the Commission. The Exempted Person shall comply with the provisions of any Approved technical and operational codes which are specified therein as applicable to it.
6. The Commission may, following consultation in relevant circumstances with any Electricity Undertakings the Commission shall consider appropriate, issue directions relieving the Exempted Person of its obligation under paragraph 4 in respect of such part or parts of any Approved technical and operational codes to such extent as may be specified in those directions and subject to such terms and conditions as the Commission may determine.
7. The Exempted Person shall comply with the existing technical and operational codes in respect of all activities, until such time Commission Approved technical and operational codes are available.

**Condition 5: Other agreements**

1. The Exempted Person shall enter into any agreements with other persons it is directed to by the Commission, including tariff and connection agreements with the relevant Licensees.
2. The Exempted Person shall be required to participate in the preparation of any agreement which it has been directed to enter into by the Commission.
3. If, after a period which appears to the Commission to be reasonable for the purpose, the Exempted Person has failed to enter into an agreement it has been directed to by the Commission, the Commission shall, on the application of such person or the Exempted Person, settle any terms of the agreement in dispute between the Exempted Person and the person in question in such manner as appears to the Commission to be reasonable.

**Condition 6: Assignment of the Exemption Order and transfer of the Distribution Business**

1. The Exempted Person shall not, without the prior written consent of the Commission, assign this Exemption Order either in whole or in part.
2. The Exempted Person shall not, without the prior written consent of the Commission, transfer to another person (the “**Transferee**”) all or any part of the Distribution Business carried out under this Exemption Order.
3. Any consent of the Commission to any assignment of this Exemption Order or transfer of the Distribution Business shall be subject to the Commission being satisfied that the assignee or Transferee, as the case may be, will have the technical and financial capability to comply with the Conditions of this Exemption Order and, in the case of a transfer only, the Transferee being granted an Exemption Order, and may be subject to compliance by the assignee or Transferee, as the case may be, with any other matters determined by the Commission to be necessary, including the modification of this Exemption Order in accordance with the Act where deemed necessary by the Commission.
4. Nothing in this Condition shall prevent the Exempted Person transferring the Distribution Business to an assignee where the Commission consented to such assignment, provided that such transfer is effected as soon as practicable after such consent has been given.

**Condition 7: Revocation or Withdrawal of the Exemption Order**

1. The Commission may revoke this Exemption Order in accordance with the Section 22 of the Sri Lanka Electricity Act, No. 20 of 2009 in the following circumstances:
  - (a) if the Exempted Person agrees in writing with the Commission that this Exemption Order should be revoked;
  - (b) if the Exempted Person fails to comply with an order or direction issued by the Commission under Condition 2 of this order or direction within 60 days from the date of its issue or such longer period as the Commission may specify in the order or direction;
  - (c) if:
    - (i) there is a Change In Control of the Exempted Person; and
    - (ii) the Commission is satisfied that neither the new shareholder nor the entity appointed by the new shareholder (if any) to operate the Distribution Business has adequate technical, financial or managerial strength, taking into account the size of its shareholding in the Exempted Person, to carry out the Distribution Business; and
    - (iii) the Commission serves notice on the Exempted Person stating that the Commission proposes to revoke this Exemption Order in pursuance of this paragraph unless such further Change In Control of the Exempted Person as is specified in the notice takes place within the period of three months beginning with the date of service of the notice; and
    - (iv) further change does not take place within that period;
  - (d) if the Exempted Person fails to notify the Commission as soon as practicable thereafter that a Change In Control of the Exempted Person shall have occurred;
  - (e) if the Exempted Person ceases to carry on the Distribution Business for a continuous period of 3 months except where the Commission is satisfied that this has occurred as a result of events beyond the reasonable control of the Exempted Person, , in which case the Commission shall substitute such longer period as it, in its sole discretion, considers reasonable in all the circumstances;
  - (f) if it is found that the issue of this Exempted Person had been based on information provided by the Exempted Person which is materially inaccurate or incorrect.
  - (g) If the Exempted Person violates and/or breaches any condition of this Exemption Order.

**Condition 8: Environment**

1. The Exempted Person shall comply with all applicable Environmental Laws in Sri Lanka, subject to any exemptions or grace periods which may be granted to the Exempted Person under such Environmental Laws for compliance.

2. The Exempted Person shall, not later than such date as the Commission may specify and in consultation with the Commission, prepare and, from time to time, modify a written policy setting out the manner in which the Exempted Person proposes to comply with its duties and obligations under all applicable Environmental Laws.
3. The Exempted Person shall report annually to the Commission on its environmental performance in such form and at such times as the Commission may specify.
4. For the purposes of this Exempted Person, “**Environmental Laws**” means those laws which are, from time to time, in force whose purpose is the protection of the environment, including the protection of human health, flora, fauna and the eco-systems on which they depend and, for the avoidance of doubt, shall include, but shall not be limited to, the National Environment Act, No. 47 of 1980 and all relevant legislation relating to the assessment of environmental impacts and the protection of air, land and water.

**Condition 9: Health and safety**

1. The Exempted Person shall take all reasonable steps to protect persons, plant, property and equipment from injury and damage that may be caused by the Exempted Person when carrying out the Distribution Business, including preparing a safety and technical management plan as set out in paragraph 2 below.
2. The Exempted Person shall:
  - (a) not later than such date as the Commission may specify and in consultation with the Commission, prepare a safety and technical management plan and submit the plan to the Commission for approval;
  - (b) annually review, and if necessary update, the plan to ensure its efficient operation, and submit the updated plan to the Commission for approval;
  - (c) comply with the plan (as updated from time to time) as approved by the Commission;
  - (d) not amend the plan without the approval of the Commission; and
  - (e) ensure that an annual audit of its compliance with its obligations under the plan is conducted by an independent expert approved by the Commission and in accordance with the plan;
  - (f) compile health and safety statistics and indices specified by the Commission; and
  - (g) promptly report the results of those audits, statistics and indices to the Commission.

**Condition 10: Insurance**

1. The Exempted Person shall adopt and implement reasonable and prudent policies in relation to the management and insurance of risks associated with the Distribution Business.

**Condition 11: Confidential information**

1. The Exempted Person shall take reasonable measures to ensure that all information received by it relating to the Distribution Business:
  - (a) is kept confidential by the Exempted Person except as otherwise permitted by the Commission, this Exemption Order or any code of practice, and that access to such confidential information is provided only, and as is necessary for the due performance of their lawful functions, to directors, officers and employees of the Exempted Person, or to an agent of the Exempted Person that has agreed in writing to observe this requirement of confidentiality;
  - (b) is not used by the Exempted Person for any purpose other than that for which it was provided or for a purpose permitted by this Exemption Order or a code of practice; and
  - (c) is not used by the Exempted Person for any commercial advantage in the provision of any service other than a service comprised in the Distribution Business.



**Condition 12: Dispute resolution**

1. The Exempted Person may:
  - (a) in respect of a dispute between itself and a tariff customer which it is unable to resolve - refer the dispute to the Commission for mediation and resolution in accordance with the rules made by the Commission under the PUCSL Act;
  - (b) in respect of a dispute (other than a dispute referred to in paragraph 1(a) in accordance with the rules made by the Commission under the PUCSL Act refer the dispute to the Commission for resolution in accordance with such rules or, where directed to do so by the Commission refer the dispute to court or arbitration body in accordance with the Arbitration Act, No.11 of 1995.

**PART III SPECIFIC CONDITIONS FOR DISTRIBUTION**

**Condition 13: Connection to the Exempted Person's Distribution System - requirement to offer terms**

1. The Exempted Person shall, subject to paragraphs 3, 4 and 5,
  - (a) offer to enter into an agreement to provide a connection to the Exempted Person's Distribution System with any owner or occupier of premises within a specified location in the Exemption Order, who has made an application for connection to the Exempted Person's Distribution System; and
  - (b) offer to enter into an agreement for the modification of a connection from the Exempted Person's Distribution System with any person who has made an application for modification of a connection to the Exempted Person's Distribution System.
2. The Exempted Person, subject to paragraphs 3, 4 and 5, offer terms for an agreement in accordance with paragraph 1 as soon as practicable and, in any event, not more than 2 weeks after receipt by the Exempted Person of an application containing all such information as the Exempted Person may reasonably require for the purposes of formulating the terms of its offer.
3. The Exempted Person shall not be obliged pursuant to this Condition to offer to enter into any agreement with any owner or occupier of premises within specified location a by reason of the capacity of the Exempted person's Distribution System and the use made or reasonably expected to be made of it, the Exempted Person would be required to expand or reinforce the capacity of the Exempted person's Distribution System and where it would not, having regard to all the circumstances, be in the public interest for the Exempted Person to undertake such expansion or reinforcement.
4. The Exempted Person shall not be obliged pursuant to this Condition to offer to enter into any agreement with any person where the connection of the person represents a risk to the security and stability of the Exempted Person's Distribution System.
5. The Exempted Person shall not enter into any agreement with any person if to do so would be likely to involve the Exempted Person:
  - (a) in breach of any technical or operational codes Approved by the Commission or
  - (b) in breach of the Act or any regulations made under the Act; or
  - (c) in breach of any enactment relating to safety or standards applicable to the Exempted Person's Distribution System; or
  - (d) in breach of any other conditions imposed by the Commission.
6. Where the Exempted Person refuses to enter into an agreement with any person in accordance with paragraphs 3, 4 and 5, the Exempted Person shall as soon as practicable and, in any event, not more than 2 weeks after receipt by the Exempted Person of an application from that person, notify that person of the refusal, specifying the reasons for refusal.

**Condition 14: Connection to the Exempted Person's Distribution System - functions of the Commission**

1. If, after a period which appears to the Commission to be reasonable for the purpose, the Exempted Person has failed to enter into an agreement with any person entitled or claiming to be entitled thereto pursuant to an application in accordance

with Condition 13, the Commission shall, on the application of such person or the Exempted Person, settle any terms of the agreement in dispute between the Exempted Person and the person in question in such manner as appears to the Commission to be reasonable.

2. If the person wishes to proceed on the basis of the agreement as settled by the Commission, the Exempted Person shall forthwith enter into and implement such agreement in accordance with its terms.
3. If either party to an agreement for connection to, or modification of a connection to, the Exempted Person's Distribution System entered into pursuant to Condition 13 or this Condition proposes to vary the contractual terms of such agreement in any manner provided for under such agreement, the Commission shall, at the request of the Exempted Person or the other party to such agreement, settle any dispute relating to such variation in such manner as appears to the Commission to be reasonable.

**Condition 15: Non-discrimination in the provision of connection to the Exempted Person's Distribution System**

1. In the carrying out of works for the purpose of connection to the Exempted Person's Distribution System or in providing for the retention of a connection to the Exempted Person's Distribution System, the Exempted Person shall not unduly discriminate:

- (a) between any persons or class or classes of persons;
- (b) between the Exempted Person or any Affiliate or Related Undertaking of the Exempted Person and any person or class or classes of persons.

**Condition 16: Basis of charges for connection to the Exempted Person's Distribution System**

1. The Exempted Person shall, as soon as practicable and, in any event, within 28 days after this Exemption Order has come into force, prepare and submit to the Commission, for the Commission's approval, a statement setting out the basis upon which charges for connection to the Exempted Person's Distribution System, and requests for security deposits in respect of that connection, will be made.
2. The Exempted Person may periodically revise the information set out in and, with the approval of the Commission, alter the form of the statement prepared in accordance with Paragraph 1 and shall, at least once in every year this Exemption Order is in force, revise such statement in order that the information set out in the statement shall continue to be accurate in all material respects.
3. Where any electricity supply provided by the Exempted Person to a person requiring a supply of electricity within the premises described in the Schedule 1 the Exempted Person may require any expenses reasonably incurred in providing the electricity supply to be defrayed by that person, to such extent as it is reasonably incurred in providing electricity supply.
4. An Exempted Person may require by notice in writing any person who requires electricity supply, to provide reasonable security for the payment of maximum of two month's electricity consumption bill which may become due to the Exempted Person in respect of the supply.

Where any person has not provided such security as is required under this condition or the security provided by such person has become insufficient—

- (a) the Exempted Person may by notice require the person to provide within seven days after the service of the notice, reasonable security for the payment of maximum of two month's electricity consumption bill which may become due to the Exempted Person in respect of the supply; and
  - (b) if that person fails to provide such security, the Exempted Person may refuse to make the connection or discontinue the supply, as the case may be, for so long as the failure continues:
  - (c) where any sum of money is provided to an Exempted Person by way of security in pursuance of this Condition, the Exempted Person shall pay interest on such sum of money at such rate as may from time to time be fixed by the Exempted Person with the approval of the Commission, for the period in which it remains in the hands of the Exempted Person.
5. The Exempted Person shall send a copy of the statement prepared in accordance with paragraph 1 and of each revision of such statement in accordance with Paragraph 2 to the Commission. Each such revision shall require the approval of the Commission and shall not become effective until approved by the Commission.

6. The Exempted Person shall give or send a copy of the statement prepared in accordance with paragraph 1 or (as the case may be) of the latest revision of such statement in accordance with paragraph 2 approved by the Commission pursuant to such paragraph to any person who requests a copy of such statement.
7. The Exempted Person may make a charge for any statement given or sent pursuant to paragraph 4 of an amount reflecting the Exempted Person's reasonable costs of providing such a statement which shall not exceed the maximum amount specified in directions issued by the Commission from time to time for the purposes of this Condition.

**Condition 17: Provision of information to the Transmission Licensee and to other Distribution Licensees**

1. The Exempted Person shall maintain sufficient records to predict its future requirement for energy from the Transmission Licensee and the demand profile of such requirement, including details regarding:
  - (a) the technical non-technical losses inherent in the Exempted Person's Distribution System;
  - (b) energy provided by generators(if any) that are connected to the Exempted Person's Distribution System;
  - (c) the impact of new connections; and
  - (d) the impact of demand management;
  - (e) load characteristics of different consumer categories.
2. The Exempted Person shall furnish to the Transmission Licensee and to other Distribution Licensees, in such manner and at such times as may be reasonably required, such information or forecasts as may be reasonably required by the Transmission Licensee and the other Distribution Licensees in order to ensure the secure and efficient operation, co-ordinated development and inter-operability of the Total System.
3. In this Condition:

“**Total System**” means the Transmission System, the Licensee's Distribution System and the Distribution Systems of all other Distribution Licensees, taken together.

**PART IV – SPECIFIC CONDITIONS FOR SUPPLY**

**Condition 18: Prohibition of discrimination in supply**

1. The Exempted Person shall not, in supplying or offering Terms for the supply of electricity to consumers:
  - (a) show undue preference to any person or class of persons;
  - (b) exercise undue discrimination between any persons or classes of persons; or
  - (c) set terms which are unduly onerous.
2. For the purposes of this Condition, Terms are unduly onerous if the revenue from the supply of electricity to consumers on those Terms significantly exceeds the costs of that supply.
3. For the purposes of this Condition, the Commission shall determine any question as to whether any Terms are unduly onerous, having due regard to whether such Terms incorporate charges which do not reasonably cover the costs incurred in consequence of supplying the consumers in question.
4. In this Condition:

“**Terms**” means all the terms on which a supply of electricity is offered or provided, including terms as to price, which significantly affect the evaluation of that supply.

**Condition 19: Supply tariff schedule**

1. The Exempted Person shall, as soon as practicable after this Exemption Order shall have come into force and, in any event, not later than such date as the Commission shall specify in directions issued to the Exempted Person for the purposes of this clause, and from time to time thereafter prepare a tariff schedule for sales of electricity to consumers.

2. The tariff schedule shall:
  - (a) be in a form which shall be Approved by the Commission;
  - (b) contain such detail as shall be necessary to enable any consumer to make a reasonable estimate of the charges to which it would become liable for purchases of electricity;
  - (c) be set in accordance with a methodology Approved by the Commission so as to reflect the costs of the Exempted Person in providing electricity at specified times of the year, days of the week and times of the day and night and permit the Exempted Person to recover all reasonable costs incurred in carrying out the activities authorised by this Exemption Order on an efficient basis; and
  - (d) Separately identify:
    - (i) Electricity purchase cost of the Exempted Person;
    - (ii) Standby or emergency generator Operation and Maintenance cost;
    - (iii) Distribution system Operation and Management Maintenance Cost.
3. Where the Commission considers that, by reason of the complexity of any such tariffs fixed by the Exempted Person, simplified explanatory statements are required or expedient for the understanding of consumers, the Commission may direct the Exempted Person to draw up such explanatory statements and thereafter to publish them with the tariff schedule.
4. Exempted Person shall obtain Approval for the supply tariff schedule from the Commission.
5. The Exempted Person shall give or send a copy of the tariff schedule (as from time to time revised) to the Commission not later than 14 days before it is to be made available to any other person.
6. The Exempted Person shall publish the tariff schedule as directed by the Commission.
7. The Exempted Person shall (subject to paragraph 8) give or send a copy of the tariff schedule and any explanatory statement (as from time to time revised) to any person requesting the same.
8. The Exempted Person may make a charge for any copy of the tariff schedule and any explanatory statement (as from time to time revised) given or sent pursuant to paragraph 7 of an amount which will not exceed any amount specified for the time being for the purposes of this clause in directions issued from time to time by the Commission.
9. The Commission may give to the Exempted Person directions requiring the Exempted Person to alter the form of the tariff schedule in such manner as shall be specified in the directions, or so as to attain such objectives as may be specified in the directions and the Exempted Person shall forthwith comply with any such directions.
10. The Commission may prescribe a procedure for review of the tariff schedule.

**Condition 20: Distribution and supply tariff agreement**

1. The Exempted Person shall (subject to paragraph 3 below and Condition 14) offer to enter into an agreement with any consumer of electricity or person seeking to become a consumer of electricity, such offer to make provision for the charges to be made in respect of such sales of electricity and such charges to be presented in such a way as to be referable to the tariff schedule determined in Condition 19 above.
2. The Exempted Person shall offer terms for agreements in accordance with paragraph 1 as soon as practicable and (save where the Commission consents to a longer period) in any event not more than 02 weeks after receipt by the Exempted Person of an application containing all such information as the Exempted Person may reasonably require for the purpose of formulating the terms of the offer.
3. The Exempted Person shall not be obliged pursuant to this Condition to offer to enter or to enter into any agreement if to do so would involve the Exempted Person:
  - (a) in breach of its duties under the Act;
  - (b) in breach of any regulations made under the Act or of any other enactment relating to safety or standards applicable in respect of the Distribution Business;

- (c) in breach of this Exemption order ; or  
(d) in breach of any Approved technical and operational codes.

4. The Exempted Person's obligation to enter into an agreement pursuant to this Condition may be satisfied by the insertion of appropriate clauses into a connection agreement entered into pursuant to Condition 25.

**Condition 21 : Enter into premises**

1. The Exempted Person and or person authorized by the Exempted Person should give notices to enter upon any premises under this Exemption order shall not demand to do so as of right unless-
  - (I) three days notice of the intended entry has been given by the Authorized Officer of the Exempted Person or Exempted Person stating as fully and accurately as possible the nature and extent of the acts intended to be done;
  - (II) if required to do so, he or she has produced evidence of his or her authority;
  - (III) reasonable compensation is paid to the owner of the land or premises for any disturbance, disability or damage that may be caused pursuant to the entry.
2. The Exempted Person or person authorized by the Exempted Person in writing in that behalf shall be entitled to enter the land, for the purpose of giving a notice referred to in subparagraph 1(a).
3. Where any person exercises any powers conferred by this item, the Exempted Person by whom he or she was authorized in writing shall make good any damage done to the premises as a result of such entry.
4. Where in the exercise of any power conferred by or under this Exemption Order any damage is caused to premises or to any moveable property, any person interested in the premises or moveable property may recover compensation in respect of that damage from the Exempted Person on whose behalf the power is exercised; and where in consequence of the exercise of such a power a person is disturbed in his or her enjoyment of any premises or moveable property he or she may recover from that Exempted Person reasonable compensation in respect of that disturbance as determined by the Commission.

**Schedule 1**

All that area of land known as Millennium Development (Pvt) Ltd (Excel World Entertainment Park) situated at 338, T.B. Jayah Mawatha, in the Suduwella Ward within the Municipality and District of Colombo Western Province.

02-40/3

**PUBLIC UTILITIES COMMISSION OF SRI LANKA**

**EXEMPTION ORDER**

**Under Section 10 of the Sri Lanka Electricity Act, No. 20 of 2009**

**1. Grant of the Exemption :**

The Public Utilities Commission of Sri Lanka (hereinafter referred to as the "**Commission**") in exercise of the powers conferred by Section 10(1) of the Sri Lanka Electricity Act, No. 20 of 2009 (hereinafter referred to as the "**Act**") hereby grants to **Property Finance and Investments Kandy (Pvt) Limited 341/5, M & M Centre, 2<sup>nd</sup> Floor, Kotte Road, Welikada, Rajagiriya** (hereinafter referred to as the "**Exempted Person**") an exemption from the requirement to obtain a licence to:

For the limited purpose of distribute and supply or distribute or supply electricity within the premises **Kandy City Centre 5, Dalada Vidiya, Kandy** more fully described in the schedule 1 attached hereto subject to the Conditions contained in this Order.

**2. Approvals :**

The Exempted Person shall obtain all the approvals required under applicable Laws, Regulations and Rules necessary to carry out the distribution and supply of electricity, including and not limited to the provisions of the Sri Lanka Electricity Act, No. 20 of 2009.

### 3. Term of the Exemption

The Exemption hereby granted shall come into force on **20.10.2011** and, unless revoked or withdrawn subject to the provisions of Revocation and Withdrawal of the Exemption in the Exemption Order below, shall continue in full force and effect for a period of [05] years from **20.10.2011**.

### 4. Revocation and Withdrawal of the Exemption :

This Exemption may be revoked or withdrawn in accordance with Section 22 of the Act.

Dr. JAYATISSA DE COSTA PC,  
Chairman,  
Public Utilities Commission of Sri Lanka.

## CONDITIONS OF THE EXEMPTION

### Condition 1: Interpretation and construction

1. Unless the contrary intention appears:
  - (a) words and expressions used in the Conditions or the Schedules shall be construed as if they were in an enactment and the Interpretation Acts applied to them and
  - (b) references to an enactment shall include primary and subordinate legislation and, in both cases, any modification or re-enactment thereof after the date when this Exemption comes into force.
2. Any word or expression defined in the Act for the purposes of any provision of the Act shall, unless the contrary intention appears, have the same meaning when used in the Conditions or in the Schedules.
3. In the Conditions and in the Schedules, unless otherwise specified or the context otherwise requires:
 

<b>“Affiliate”</b>	in relation to the Exempted Person, means any Holding Company of the Exempted Person or any Subsidiary of the Exempted Person or any Subsidiary of a Holding Company of the Exempted Person, in each case within the meaning of the Companies Act, No .7 of 2007;
<b>“Approved”</b>	for the purposes of Conditions 4, 9, 13, 16, 19, and 20 means approved by the Commission and <b>“Approval”</b> shall have a corresponding meaning;
<b>“Licensee”</b>	a person holding a valid Licence under the section 13 of the Sri Lanka Electricity Act, No: 20 of 2009.
<b>“Distribution Business”</b>	means the licensed business of the Licensee to transport electrical energy purchased from a Transmission System or Generation Plants or other purchase points, using a system owned and operated by the Licensee consisting mainly of overhead lines, underground cables, service lines, transformers, meters and other ancillary plant and equipment having a designed voltage of 33 kV(between phase conductors) or lower, to the point of delivery of end user or authorized operators who are desirous of obtaining an electricity supply at a voltage of 33 kV or lower;
<b>“Exempted Person”</b>	means a person exempted from obtaining licence to distribute and supply, or distribute or supply, electricity under Section 10 of the Act;
<b>“Electricity Undertaking”</b>	means any person engaged in the distribution or supply of electricity;
<b>“Holding Company”</b>	means a holding company within the meaning of the Companies Act, No 7 of 2007;
<b>“Exempted Person’s Distribution System”</b>	means all electricity power lines of the Exempted Person within the premises specified in schedule 01, hereto except lines forming part of the Transmission System and any other electricity power lines which the Exempted Person may,

with the approval of the Commission, specify as being part of the Exempted Person's Distribution System, and includes any electric plant, meters, transformers and switchgear of the Exempted Person and which is used for conveying electricity to premises;

<b>“Modification”</b>	includes addition, omission, amendment and substitution, and cognate expressions shall be construed accordingly;
<b>“PUCSL Act”</b>	means the Public Utilities Commission of Sri Lanka Act, No.35 of 2002;
<b>“Related Undertaking”</b>	means any related undertaking within the meaning of the Companies Act, No. 7 of 2007;
<b>“Representation”</b>	includes any objection or any other proposal made in writing;
<b>“Subsidiary”</b>	has the meaning given in the Companies Act, No 7 of 2007, and “Subsidiaries” shall be defined accordingly;
<b>“Transmission Licensee”</b>	means the holder of a licence to transmit electricity under section 13(1)(c)(i)(b) of the Act; and
<b>“Transmission System”</b>	means the system which is owned and operated by the Transmission Licensee and which consists (wholly or mainly) of Extra High Voltage electric lines and electric plant and which is used for conveying electricity from a Generation Plant to a substation, from one Generation Plant to another or from one substation to another, including all Extra High Voltage electric lines which are used to convey electricity to the premises of bulk supply consumers (but shall not include any such lines which form part of any distribution system).

4. Unless otherwise specified:

(a) any reference to a numbered Condition or to a numbered Schedule is respectively a reference to the Condition or the Schedule bearing that number in this Exemption Order;

(b) any reference to a numbered clause is a reference to the clause bearing that number in the Schedule in which the reference occurs;

any reference to a numbered paragraph is a reference to the paragraph bearing that number in the Condition or clause in which the reference occurs; and

without prejudice to any provision which restricts such variation, supplement or replacement any reference to any agreement, Exemption Order (other than this Exemption Order), code or other instrument shall include a reference to such agreement, Exemption Order, code or other instrument as varied, supplemented or replaced from time to time.

5. The heading or title of any Part, Condition, Schedule or paragraph shall not affect the construction thereof.

6. Where any obligation of the Exemption Order is expressed to require performance within a specified time limit, that obligation shall continue to be binding and enforceable after that time limit if the Exempted Person fails to perform that obligation within that time limit (but without prejudice to all rights and remedies available against the Exempted Person by reason of the Exempted Person's failure to perform within the time limit).

7. If there is any inconsistency between this Exemption Order and the Act, the Act shall prevail to the extent of any such inconsistency. Conditions set out in the Act shall form an integral part of the Exemption Order in addition to Conditions set out herein.

**Condition 2: Provision of Information to the Commission**

1. The Exempted Person shall furnish to the Commission, in such manner and at such times as the Commission may require, such Information and shall procure and furnish to it such reports as the Commission may consider necessary in the light of the Conditions or as it may require for the purpose of performing the functions assigned or transferred to it by or under the Act or the PUCSL Act.

2. Without prejudice to the generality of paragraph 1, the Commission may call for the furnishing of accounting Information which is more extensive than, or differs from, that required to be prepared and supplied to the Commission.
3. The power of the Commission to call for Information under paragraph 1 is without prejudice to the power of the Commission to call for Information under or pursuant to any other condition of this Exemption Order or under or pursuant to the Act, the PUCSL Act or any other enactment.
4. The Exempted Person within one month of obtaining the exemption shall appoint a person in its organisation, who is responsible for its Distribution Business.
5. In this Condition:

“**Information**” shall include any books, documents, records, accounts, estimates, returns or reports (whether or not prepared specifically at the request of the Commission) of any description and in any format specified by the Commission.

**Condition 3: Decisions, Orders, Directions and Determinations of the Commission**

1. The Exempted Person shall comply with any decisions, orders, directions and determinations made by the Commission pursuant to the Exemption Order.
2. The costs associated with compliance with such decisions, orders, directions and determinations shall be the responsibility of the Exempted Person.
3. In order to comply with any order or direction made by the Commission the Exempted Person shall allow the Commission, any other authority or person specified in the order of the Commission such access to or control of its property as the Commission requires.

**Condition 4: Compliance with technical and operational codes**

1. At the request of the Commission the Exempted Person shall, in consultation with any Electricity Undertakings the Commission consider appropriate, develop and implement, such technical and operational codes as the Commission may, direct from time to time.
2. Any technical and operational codes developed pursuant to paragraph 1 shall be submitted to the Commission for Approval before they may be implemented.
3. The Exempted Person may propose modifications to a code that is in force at the relevant time by notifying the Commission of its proposal in accordance with the code modification process set out in the relevant code.
4. The Exempted Person shall give or send a copy of all approved technical and operational codes (and any revisions thereto) developed and implemented by the Exempted Person pursuant to this Condition to:
  - (a) the Commission; and
  - (b) any person requesting the same.
5. The Exempted Person may make a charge for any copy of any code given or sent pursuant to paragraph 4(b) of an amount which shall not exceed any amount specified for the time being for the purposes of this Condition in directions issued from time to time by the Commission. The Exempted Person shall comply with the provisions of any Approved technical and operational codes which are specified therein as applicable to it.
6. The Commission may, following consultation in relevant circumstances with any Electricity Undertakings the Commission shall consider appropriate, issue directions relieving the Exempted Person of its obligation under paragraph 6 in respect of such part or parts of any Approved technical and operational codes to such extent as may be specified in those directions and subject to such terms and conditions as the Commission may determine.
7. The Exempted Person shall comply with the existing technical and operational codes in respect of all activities, until such time Commission Approved technical and operational codes are available.

**Condition 5: Other agreements**

1. The Exempted Person shall enter into any agreement with other persons it is directed by the Commission, including tariff and connection agreements with the relevant Licensees.



2. The Exempted Person shall be required to participate in the preparation of any agreement which it has been directed to enter into by the Commission.
3. If, after a period which appears to the Commission to be reasonable for the purpose, the Exempted Person has failed to enter into an agreement it has been directed to by the Commission, the Commission shall, on the application of such person or the Exempted Person, settle any terms of the agreement in dispute between the Exempted Person and the person in question in such manner as appears to the Commission to be reasonable.

**Condition 6: Assignment of the Exemption Order and transfer of the Distribution Business**

1. The Exempted Person shall not, without the prior written consent of the Commission, assign this Exemption Order either in whole or in part.
2. The Exempted Person shall not, without the prior written consent of the Commission, transfer to another person (the “**Transferee**”) all or any part of the Distribution Business carried out under this Exemption Order.
3. Any consent of the Commission to any assignment of this Exemption Order or transfer of the Distribution Business shall be subject to the Commission being satisfied that the assignee or Transferee, as the case may be, will have the technical and financial capability to comply with the Conditions of this Exemption Order and, in the case of a transfer only, the Transferee being granted an Exemption Order, and may be subject to compliance by the assignee or Transferee, as the case may be, with any other matters determined by the Commission to be necessary, including the modification of this Exemption Order in accordance with the Act where deemed necessary by the Commission.
4. Nothing in this Condition shall prevent the Exempted Person transferring the Distribution Business to an assignee where the Commission consented to such assignment, provided that such transfer is effected as soon as practicable after such consent has been given.

**Condition 7: Revocation or Withdrawal of the Exemption Order**

1. The Commission may revoke this Exemption Order in accordance with the Section 22 of the Sri Lanka Electricity Act, No. 20 of 2009 in the following circumstances :-
  - (a) if the Exempted Person agrees in writing with the Commission that this Exemption Order should be revoked;
  - (b) if the Exempted Person fails to comply with an order or direction issued by the Commission under Condition 2 of this order or direction within 60 days from the date of its issue or such longer period as the Commission may specify in the order or direction;
  - (c) if:
    - (i) there is a Change In Control of the Exempted Person; and
    - (ii) the Commission is satisfied that neither the new shareholder nor the entity appointed by the new shareholder (if any) to operate the Distribution Business has adequate technical, financial or managerial strength, taking into account the size of its shareholding in the Exempted Person, to carry out the Distribution Business; and
    - (iii) the Commission serves notice on the Exempted Person stating that the Commission proposes to revoke this Exemption Order in pursuance of this paragraph unless such further Change In Control of the Exempted Person as is specified in the notice takes place within the period of three months beginning with the date of service of the notice; and
    - (iv) further change does not take place within that period;
  - (d) if the Exempted Person fails to notify the Commission as soon as practicable thereafter that a Change In Control of the Exempted Person shall have occurred;
  - (e) if the Exempted Person ceases to carry on the Distribution Business for a continuous period of 3 months except where the Commission is satisfied that this has occurred as a result of events beyond the reasonable control of the Exempted Person, in which case the Commission shall substitute such longer period as it, in its sole discretion, considers reasonable in all the circumstances;

- (f) if it is found that the issue of this Exempted Person had been based on information provided by the Exempted Person which is materially inaccurate or incorrect.
- (g) If the Exempted Person violates and/or breaches any condition of this Exemption Order.

**Condition 8: Environment**

1. The Exempted Person shall comply with all applicable Environmental Laws in Sri Lanka, subject to any exemptions or grace periods which may be granted to the Exempted Person under such Environmental Laws for compliance.
2. The Exempted Person shall, not later than such date as the Commission may specify and in consultation with the Commission, prepare and, from time to time, modify a written policy setting out the manner in which the Exempted Person proposes to comply with its duties and obligations under all applicable Environmental Laws.
3. The Exempted Person shall report annually to the Commission on its environmental performance in such form and at such times as the Commission may specify.
4. For the purposes of this Exempted Person, “**Environmental Laws**” means those laws which are, from time to time, in force whose purpose is the protection of the environment, including the protection of human health, flora, fauna and the eco-systems on which they depend and, for the avoidance of doubt, shall include, but shall not be limited to, the National Environment Act, No. 47 of 1980 and all relevant legislation relating to the assessment of environmental impacts and the protection of air, land and water.

**Condition 9: Health and safety**

1. The Exempted Person shall take all reasonable steps to protect persons, plant, property and equipment from injury and damage that may be caused by the Exempted Person when carrying out the Distribution Business, including preparing a safety and technical management plan as set out in paragraph 2 below.
2. The Exempted Person shall : –
  - (a) not later than such date as the Commission may specify and in consultation with the Commission, prepare a safety and technical management plan and submit the plan to the Commission for approval;
  - (b) annually review, and if necessary update, the plan to ensure its efficient operation, and submit the updated plan to the Commission for approval;
  - (c) comply with the plan (as updated from time to time) as approved by the Commission;
  - (d) not amend the plan without the approval of the Commission; and
  - (e) ensure that an annual audit of its compliance with its obligations under the plan is conducted by an independent expert approved by the Commission and in accordance with the plan;
  - (f) compile health and safety statistics and indices specified by the Commission; and
  - (g) promptly report the results of those audits, statistics and indices to the Commission.

**Condition 10: Insurance**

1. The Exempted Person shall adopt and implement reasonable and prudent policies in relation to the management and insurance of risks associated with the Distribution Business.

**Condition 11: Confidential information**

1. The Exempted Person shall take reasonable measures to ensure that all information received by it relating to the Distribution Business:
  - (a) is kept confidential by the Exempted Person except as otherwise permitted by the Commission, this Exemption Order or any code of practice, and that access to such confidential information is provided only, and as is necessary for the due performance of their lawful functions, to directors, officers and employees of the Exempted Person , or to an agent of the Exempted Person that has agreed in writing to observe this requirement of confidentiality;

- (b) is not used by the Exempted Person for any purpose other than that for which it was provided or for a purpose permitted by this Exemption Order or a code of practice; and
- (c) is not used by the Exempted Person for any commercial advantage in the provision of any service other than a service comprised in the Distribution Business.

**Condition 12: Dispute Resolution**

1. The Exempted Person may :
  - (a) in respect of a dispute between itself and a tariff customer which it is unable to resolve - refer the dispute to the Commission for mediation and resolution in accordance with the rules made by the Commission under the PUCSL Act;
  - (b) in respect of a dispute (other than a dispute referred to in paragraph 1(a) in accordance with the rules made by the Commission under the PUCSL Act refer the dispute to the Commission for resolution in accordance with such rules or, where directed to do so by the Commission refer the dispute to court or arbitration body in accordance with the Arbitration Act, No.11 of 1995.

**PART III SPECIFIC CONDITIONS FOR DISTRIBUTION**

**Condition 13: Connection to the Exempted Person's Distribution System - requirement to offer terms**

1. The Exempted Person shall, subject to paragraphs 3, 4 and 5,
  - (a) offer to enter into an agreement to provide a connection to the Exempted Person's Distribution System with any owner or occupier of premises within a specified location in the Exemption Order, who has made an application for connection to the Exempted Person's Distribution System; and
  - (b) offer to enter into an agreement for the modification of a connection from the Exempted Person's Distribution System with any person who has made an application for modification of a connection to the Exempted Person's Distribution System.
2. The Exempted Person, subject to paragraphs 3, 4 and 5, offer terms for an agreement in accordance with paragraph 1 as soon as practicable and, in any event, not more than 2 weeks after receipt by the Exempted Person of an application containing all such information as the Exempted Person may reasonably require for the purposes of formulating the terms of its offer.
3. The Exempted Person shall not be obliged pursuant to this Condition to offer to enter into any agreement with any owner or occupier of premises within specified location a by reason of the capacity of the Exempted person's Distribution System and the use made or reasonably expected to be made of it, the Exempted Person would be required to expand or reinforce the capacity of the Exempted Person's Distribution System and where it would not, having regard to all the circumstances, be in the public interest for the Exempted Person to undertake such expansion or reinforcement.
4. The Exempted Person shall not be obliged pursuant to this Condition to offer to enter into any agreement with any person where the connection of the person represents a risk to the security and stability of the Exempted Person's Distribution System.
5. The Exempted Person shall not enter into any agreement with any person if to do so would be likely to involve the Exempted Person:
  - (a) in breach of any technical or operational codes Approved by the Commission; or
  - (b) in breach of the Act or any regulations made under the Act; or
  - (c) in breach of any enactment relating to safety or standards applicable to the Exempted Person's Distribution System; or
  - (d) in breach of any other conditions imposed by the Commission.
6. Where the Exempted Person refuses to enter into an agreement with any person in accordance with paragraphs 3, 4 and 5, the Exempted Person shall as soon as practicable and, in any event, not more than 2 weeks after receipt by the Exempted Person of an application from that person, notify that person of the refusal, specifying the reasons for refusal.

**Condition 14: Connection to the Exempted Person's Distribution System - functions of the Commission**

1. If, after a period which appears to the Commission to be reasonable for the purpose, the Exempted Person has failed to enter into an agreement with any person entitled or claiming to be entitled thereto pursuant to an application in accordance with Condition 13, the Commission shall, on the application of such person or the Exempted Person, settle any terms of the agreement in dispute between the Exempted Person and the person in question in such manner as appears to the Commission to be reasonable.
2. If the person wishes to proceed on the basis of the agreement as settled by the Commission, the Exempted Person shall forthwith enter into and implement such agreement in accordance with its terms.
3. If either party to an agreement for connection to, or modification of a connection to, the Exempted Person's Distribution System entered into pursuant to Condition 13 or this Condition proposes to vary the contractual terms of such agreement in any manner provided for under such agreement, the Commission shall, at the request of the Exempted Person or the other party to such agreement, settle any dispute relating to such variation in such manner as appears to the Commission to be reasonable.

**Condition 15: Non-discrimination in the Provision of Connection to the Exempted Person's Distribution System**

1. In the carrying out of works for the purpose of connection to the Exempted Person's Distribution System or in providing for the retention of a connection to the Exempted Person's Distribution System, the Exempted Person shall not unduly discriminate:
  - (a) between any persons or class or classes of persons;
  - (b) between the Exempted Person or any Affiliate or Related Undertaking of the Exempted Person and any person or class or classes of persons.

**Condition 16: Basis of Charges for Connection to the Exempted Person's Distribution System**

1. The Exempted Person shall, as soon as practicable and, in any event, within 28 days after this Exemption Order has come into force, prepare and submit to the Commission, for the Commission's approval, a statement setting out the basis upon which charges for connection to the Exempted Person's Distribution System, and requests for security deposits in respect of that connection, will be made.
2. The Exempted Person may periodically revise the information set out in and, with the approval of the Commission, alter the form of the statement prepared in accordance with paragraph 1 and shall, at least once in every year this Exemption Order is in force, revise such statement in order that the information set out in the statement shall continue to be accurate in all material respects.
3. Where any electricity supply provided by the Exempted Person to a person requiring a supply of electricity within the premises described in the Schedule 1 the Exempted Person may require any expenses reasonably incurred in providing the electricity supply to be defrayed by that person, to such extent as it is reasonably incurred in providing electricity supply.
4. An Exempted Person may require by notice in writing any person who requires electricity supply, to provide reasonable security for the payment of maximum of two month's electricity consumption bill which may become due to the Exempted Person in respect of the supply.

Where any person has not provided such security as is required under this condition or the security provided by such person has become insufficient—

- (a) the Exempted Person may by notice require the person to provide within seven days after the service of the notice, reasonable security for the payment of maximum of two month's electricity consumption bill which may become due to the Exempted Person in respect of the supply; and
- (b) if that person fails to provide such security, the Exempted Person may refuse to make the connection or discontinue the supply, as the case may be, for so long as the failure continues.
- (c) where any sum of money is provided to a Exempted Person by way of security in pursuance of this Condition, the Exempted Person shall pay interest on such sum of money at such rate as may from time to time be fixed by the Exempted Person with the approval of the Commission, for the period in which it remains in the hands of the Exempted Person.

5. The Exempted Person shall send a copy of the statement prepared in accordance with paragraph 1 and of each revision of such statement in accordance with paragraph 2 to the Commission. Each such revision shall require the approval of the Commission and shall not become effective until approved by the Commission.
6. The Exempted Person shall give or send a copy of the statement prepared in accordance with paragraph 1 or (as the case may be) of the latest revision of such statement in accordance with paragraph 2 approved by the Commission pursuant to such paragraph to any person who requests a copy of such statement.
7. The Exempted Person may make a charge for any statement given or sent pursuant to paragraph 4 of an amount reflecting the Exempted Person's reasonable costs of providing such a statement which shall not exceed the maximum amount specified in directions issued by the Commission from time to time for the purposes of this Condition.

**Condition 17: Provision of Information to the Transmission Licensee and to Other Distribution Licensees**

1. The Exempted Person shall maintain sufficient records to predict its future requirement for energy from the Transmission Licensee and the demand profile of such requirement, including details regarding:
  - (a) the technical non-technical losses inherent in the Exempted Person's Distribution System;
  - (b) energy provided by generators(if any) that are connected to the Exempted Person's Distribution System;
  - (c) the impact of new connections; and
  - (d) the impact of demand management ;
  - (e) load characteristics of different consumer categories.
2. The Exempted Person shall furnish to the Transmission Licensee and to other Distribution Licensees, in such manner and at such times as may be reasonably required, such information or forecasts as may be reasonably required by the Transmission Licensee and the other Distribution Licensees in order to ensure the secure and efficient operation, co-ordinated development and inter-operability of the Total System.

3. In this Condition:

“**Total System**” means the Transmission System, the Licensee's Distribution System and the Distribution Systems of all other Distribution Licensees, taken together.

**PART IV SPECIFIC CONDITIONS FOR SUPPLY**

**Condition 18: Prohibition of Discrimination in Supply**

1. The Exempted Person shall not, in supplying or offering Terms for the supply of electricity to consumers:
  - (a) show undue preference to any person or class of persons;
  - (b) exercise undue discrimination between any persons or classes of persons; or
  - (c) set terms which are unduly onerous.
2. For the purposes of this Condition, Terms are unduly onerous if the revenue from the supply of electricity to consumers on those Terms significantly exceeds the costs of that supply.
3. For the purposes of this Condition, the Commission shall determine any question as to whether any Terms are unduly onerous, having due regard to whether such Terms incorporate charges which do not reasonably cover the costs incurred in consequence of supplying the consumers in question.

4. In this Condition:

“**Terms**” means all the terms on which a supply of electricity is offered or provided, including terms as to price, which significantly affect the evaluation of that supply.

**Condition 19: Supply Tariff Schedule**

1. The Exempted Person shall, as soon as practicable after this Exemption Order shall have come into force and, in any event, not later than such date as the Commission shall specify in directions issued to the Exempted Person for the purposes of this clause, and from time to time thereafter prepare a tariff schedule for sales of electricity to consumers.
2. The tariff schedule shall:
  - (a) be in a form which shall be approved by the Commission;
  - (b) contain such detail as shall be necessary to enable any consumer to make a reasonable estimate of the charges to which it would become liable for purchases of electricity;
  - (c) be set in accordance with a methodology approved by the Commission so as to reflect the costs of the Exempted Person in providing electricity at specified times of the year, days of the week and times of the day and night and permit the Exempted Person to recover all reasonable costs incurred in carrying out the activities authorised by this Exemption Order on an efficient basis; and
  - (d) Separately identify:
    - (i) Electricity Purchase Cost of the Exempted Person ;
    - (ii) Standby or Emergency Generator Operation and Maintenance Cost ;
    - (iii) Distribution System Operation and Management Maintenance Cost.
3. Where the Commission considers that, by reason of the complexity of any such tariffs fixed by the Exempted Person, simplified explanatory statements are required or expedient for the understanding of consumers, the Commission may direct the Exempted Person to draw up such explanatory statements and thereafter to publish them with the tariff schedule.
4. Exempted Person shall obtain Approval for the supply tariff schedule from the Commission.
5. The Exempted Person shall give or send a copy of the tariff schedule (as from time to time revised) to the Commission not later than 14 days before it is to be made available to any other person.
6. The Exempted Person shall publish the tariff schedule as directed by the Commission.
7. The Exempted Person shall (subject to paragraph 8) give or send a copy of the tariff schedule and any explanatory statement (as from time to time revised) to any person requesting the same.
8. The Exempted Person may make a charge for any copy of the tariff schedule and any explanatory statement (as from time to time revised) given or sent pursuant to paragraph 7 of an amount which will not exceed any amount specified for the time being for the purposes of this clause in directions issued from time to time by the Commission.
9. The Commission may give to the Exempted Person directions requiring the Exempted Person to alter the form of the tariff schedule in such manner as shall be specified in the directions, or so as to attain such objectives as may be specified in the directions and the Exempted Person shall forthwith comply with any such directions.
10. The Commission may prescribe a procedure for review of the tariff schedule.

**Condition 20: Distribution and Supply Tariff Agreement**

1. The Exempted Person shall (subject to paragraph 3 below and Condition 14) offer to enter into an agreement with any consumer of electricity or person seeking to become a consumer of electricity, such offer to make provision for the charges to be made in respect of such sales of electricity and such charges to be presented in such a way as to be referable to the tariff schedule determined in Condition 19 above.
2. The Exempted Person shall offer terms for agreements in accordance with paragraph 1 as soon as practicable and (save where the Commission consents to a longer period) in any event not more than 02 weeks after receipt by the Exempted Person of an application containing all such information as the Exempted Person may reasonably require for the purpose of formulating the terms of the offer.
3. The Exempted Person shall not be obliged pursuant to this Condition to offer to enter or to enter into any agreement if to do so would involve the Exempted Person:

- (a) in breach of its duties under the Act;
  - (b) in breach of any regulations made under the Act or of any other enactment relating to safety or standards applicable in respect of the Distribution Business;
  - (c) in breach of this Exemption Order ; or
  - (d) in breach of any Approved Technical and Operational Codes.
4. The Exempted Person's obligation to enter into an agreement pursuant to this Condition may be satisfied by the insertion of appropriate clauses into a connection agreement entered into pursuant to Condition 25.

**Condition 21 – Enter into Premises**

1. The Exempted Person and or person authorized by the Exempted Person should give notices to enter upon any premises under this Exemption Order shall not demand to do so as of right unless-
  - I. three days notice of the intended entry has been given by the Authorized Officer of the Exempted Person or Exempted Person stating as fully and accurately as possible the nature and extent of the acts intended to be done;
  - II. if required to do so, he or she has produced evidence of his or her authority;
  - III. reasonable compensation is paid to the owner of the land or premises for any disturbance, disability or damage that may be caused pursuant to the entry.
2. The Exempted Person or person authorized by the Exempted Person in writing in that behalf shall be entitled to enter the land, for the purpose of giving a notice referred to in subparagraph 1(a).
3. Where any person exercises any powers conferred by this item, the Exempted Person by whom he or she was authorized in writing shall make good any damage done to the premises as a result of such entry.
4. Where in the exercise of any power conferred by or under this Exemption Order any damage is caused to premises or to any movable property, any person interested in the premises or movable property may recover compensation in respect of that damage from the Exempted Person on whose behalf the power is exercised; and where in consequence of the exercise of such a power a person is disturbed in his or her enjoyment of any premises or movable property he or she may recover from that Exempted Person reasonable compensation in respect of that disturbance as determined by the Commission.

**Schedule 1**

- (i) All that area of land known as Kandy City Center bearing Assessment No.5, Sri Dalada Veediya and Assessment Nos.10,12,14 and 14A Sri Wickrema Rajasinghe Mawatha , situated at Kotugodella within the Municipal Council Limits of Kandy in the District of Kandy Central Province, bounded as follows:
  - North by : Sri Dalada Veediya, premises bearing Assessment No.3, Sri Dalada Veediya and premises bearing Assessment No.1, Sri Dalada Veediya ( premises of Hatton National Bank);
  - East by : Sri Wickrema Rajasinghe Mawatha ;
  - South by : Sri Wickrema Rajasinghe Mawatha ;
  - West by : Premises bearing Assessment Nos.18 and 20 Sri Wickrema Rajasinghe Mawatha and premises and premises bearing Assessment Nos.9, 11 and 11/1 Sri Dalada Veediya. and containing in extent One Acre, Two Roods, Thirteen Decimal One Nought Perches (1A, 2R,13.10P) or Nought decimal Six Four Nought One Hectare (0.6401 Hectare).
- (ii) All that area of land known as KMC Car Park situated within the Municipal Council Limits of Kandy in the District of Kandy Central Province, bounded as follows:
  - North by : Sri Wickrema Rajasinghe Mawatha;
  - East by : Laksala and Premises and Sangaraja Mawatha;

South by : Mosque Road and Mosque;

West by : D.S.Senanayake Library and Premises.

containing in extent Two Acres , Two Roods , Thirty Eight Perches (2A.2R.38P.) or One Decimal One Nought Six Two Hectares (1.1062 Hectares).

02-40/4

**PUBLIC UTILITIES COMMISSION OF SRI LANKA**

**EXEMPTION ORDER**

**Under Section 10 of the Sri Lanka Electricity Act, No. 20 of 2009**

**1. Grant of the Exemption**

The Public Utilities Commission of Sri Lanka (hereinafter referred to as the “**Commission**”) in hitexercise of the powers conferred by Section 10(1) of the Sri Lanka Electricity Act, No. 20 of 2009 (hereinafter referred to as the “**Act**”) hereby grants to **Whittall Boustead (Pvt) Limited 148, Vauxhall Street, Colombo 02** (hereinafter referred to as the “**Exempted Person**”) an exemption from the requirement to obtain a licence to:

For the limited purpose of distribute and supply or distribute or supply electricity within the premises **No 148, Vauxhall Street, Colombo 02** more fully described in the schedule 1 attached hereto subject to the Conditions contained in this Order.

**2. Approvals**

The Exempted Person shall obtain all the approvals required under applicable Laws, Regulations and Rules necessary to carry out the distribution and supply of electricity, including and not limited to the provisions of the Sri Lanka Electricity Act, No. 20 of 2009.

**3. Term of the Exemption**

The Exemption hereby granted shall come into force on **20/10/2011** and, unless revoked or withdrawn subject to the provisions of Revocation and Withdrawal of the Exemption in the Exemption Order below, shall continue in full force and effect for a period of [05] years from **20/10/2011**.

**4. Revocation and Withdrawal of the Exemption**

This Exemption may be revoked or withdrawn in accordance with Section 22 of the Act.

Dr. JAYATISSA DE COSTA PC,  
Chairman,  
Public Utilities Commission of Sri Lanka.

**CONDITIONS OF THE EXEMPTION**

**Condition 1: Interpretation and construction**

1. Unless the contrary intention appears:
  - (a) words and expressions used in the Conditions or the Schedules shall be construed as if they were in an enactment and the Interpretation Acts applied to them and ;
  - (b) references to an enactment shall include primary and subordinate legislation and, in both cases, any modification or re-enactment thereof after the date when this Exemption comes into force.
2. Any word or expression defined in the Act for the purposes of any provision of the Act shall, unless the contrary intention appears, have the same meaning when used in the Conditions or in the Schedules.
3. In the Conditions and in the Schedules, unless otherwise specified or the context otherwise requires:



“Affiliate”	in relation to the Exempted Person, means any Holding Company of the Exempted Person or any Subsidiary of the Exempted Person or any Subsidiary of a Holding Company of the Exempted Person , in each case within the meaning of the Companies Act, No. 7 of 2007;
“Approved”	for the purposes of Conditions 4, 9, 13, 16, 19, and 20 means approved by the Commission and “Approval” shall have a corresponding meaning;
“Licensee”	a person holding a valid Licence under the section 13 of the Sri Lanka Electricity Act, No. 20 of 2009;
“Distribution Business”	means the licensed business of the Licensee to transport electrical energy purchased from a Transmission System or Generation Plants or other purchase points, using a system owned and operated by the Licensee consisting mainly of overhead lines, underground cables, service lines, transformers, meters and other ancillary plant and equipment having a designed voltage of 33 kV(between phase conductors) or lower, to the point of delivery of end user or authorized operators who are desirous of obtaining an electricity supply at a voltage of 33 kV or lower;
“Exempted Person”	means a person exempted from obtaining licence to distribute and supply, or distribute or supply, electricity under Section 10 of the Act;
“Electricity Undertaking”	means any person engaged in the distribution or supply of electricity;
“Holding Company”	means a holding company within the meaning of the Companies Act, No. 7 of 2007;
“Exempted Person’s Distribution System”	means all electricity power lines of the Exempted Person within the premises specified in schedule 01, hereto except lines forming part of the Transmission System and any other electricity power lines which the Exempted Person may, with the approval of the Commission, specify as being part of the Exempted Person’s Distribution System, and includes any electric plant, meters, transformers and switchgear of the Exempted Person and which is used for conveying electricity to premises;
“Modification”	includes addition, omission, amendment and substitution, and cognate expressions shall be construed accordingly;
“PUCSL Act”	means the Public Utilities Commission of Sri Lanka Act, No.35 of 2002;
“Related Undertaking”	means any related undertaking within the meaning of the Companies Act, No 7 of 2007;
“Representation”	includes any objection or any other proposal made in writing;
“Subsidiary”	has the meaning given in the Companies Act, No 7 of 2007, and “Subsidiaries” shall be defined accordingly;
“Transmission Licensee”	means the holder of a licence to transmit electricity under section 13(1)(c)(i)(b) of the Act; and
“Transmission System”	means the system which is owned and operated by the Transmission Licensee and which consists (wholly or mainly) of Extra High Voltage electric lines and electric plant and which is used for conveying electricity from a Generation Plant to a substation, from one Generation Plant to another or from one substation to another, including all Extra High Voltage electric lines which are used to convey electricity to the premises of bulk supply consumers (but shall not include any such lines which form part of any distribution system).

4. Unless otherwise specified:

- (a) any reference to a numbered Condition or to a numbered Schedule is respectively a reference to the Condition or the Schedule bearing that number in this Exemption Order;

- (b) any reference to a numbered clause is a reference to the clause bearing that number in the Schedule in which the reference occurs;
- (c) any reference to a numbered paragraph is a reference to the paragraph bearing that number in the Condition or clause in which the reference occurs; and

without prejudice to any provision which restricts such variation, supplement or replacement any reference to any agreement, Exemption Order (other than this Exemption Order), code or other instrument shall include a reference to such agreement, Exemption Order, code or other instrument as varied, supplemented or replaced from time to time.

5. The heading or title of any Part, Condition, Schedule or paragraph shall not affect the construction thereof.
6. Where any obligation of the Exemption Order is expressed to require performance within a specified time limit, that obligation shall continue to be binding and enforceable after that time limit if the Exempted Person fails to perform that obligation within that time limit (but without prejudice to all rights and remedies available against the Exempted Person by reason of the Exempted Person's failure to perform within the time limit).
7. If there is any inconsistency between this Exemption Order and the Act, the Act shall prevail to the extent of any such inconsistency. Conditions set out in the Act shall form an integral part of the Exemption Order in addition to Conditions set out herein.

**Condition 2: Provision of Information to the Commission**

1. The Exempted Person shall furnish to the Commission, in such manner and at such times as the Commission may require, such Information and shall procure and furnish to it such reports as the Commission may consider necessary in the light of the Conditions or as it may require for the purpose of performing the functions assigned or transferred to it by or under the Act or the PUCSL Act.
2. Without prejudice to the generality of paragraph 1, the Commission may call for the furnishing of accounting Information which is more extensive than, or differs from, that required to be prepared and supplied to the Commission.
3. The power of the Commission to call for Information under paragraph 1 is without prejudice to the power of the Commission to call for Information under or pursuant to any other Condition of this Exemption Order or under or pursuant to the Act, the PUCSL Act or any other enactment.
4. The Exempted Person within one month of obtaining the exemption shall appoint a person in its organisation, who is responsible for its Distribution Business.
5. In this Condition:

“**Information**” shall include any books, documents, records, accounts, estimates, returns or reports (whether or not prepared specifically at the request of the Commission) of any description and in any format specified by the Commission.

**Condition 3: Decisions, Orders, Directions and Determinations of the Commission**

1. The Exempted Person shall comply with any decisions, orders, directions and determinations made by the Commission pursuant to the Exemption Order.
2. The costs associated with compliance with such decisions, orders, directions and determinations shall be the responsibility of the Exempted Person.
3. In order to comply with any order or direction made by the Commission the Exempted Person shall allow the Commission, any other authority or person specified in the order of the Commission such access to or control of its property as the Commission requires.

**Condition 4: Compliance with Technical and Operational Codes**

1. At the request of the Commission the Exempted Person shall, in consultation with any Electricity Undertakings the Commission consider appropriate, develop and implement, such technical and operational codes as the Commission may, direct from time to time.
2. Any technical and operational codes developed pursuant to paragraph 1 shall be submitted to the Commission for Approval before they may be implemented.
3. The Exempted Person may propose modifications to a code that is in force at the relevant time by notifying the Commission of its proposal in accordance with the code modification process set out in the relevant code.

4. The Exempted Person shall give or send a copy of all approved technical and operational codes (and any revisions thereto) developed and implemented by the Exempted Person pursuant to this Condition to:
  - (a) the Commission; and
  - (b) any person requesting the same.
5. The Exempted Person may make a charge for any copy of any code given or sent pursuant to paragraph 4(b) of an amount which shall not exceed any amount specified for the time being for the purposes of this Condition in directions issued from time to time by the Commission. The Exempted Person shall comply with the provisions of any Approved technical and operational codes which are specified therein as applicable to it.
6. The Commission may, following consultation in relevant circumstances with any Electricity Undertakings the Commission shall consider appropriate, issue directions relieving the Exempted Person of its obligation under paragraph 6 in respect of such part or parts of any Approved technical and operational codes to such extent as may be specified in those directions and subject to such terms and conditions as the Commission may determine.
7. The Exempted Person shall comply with the existing technical and operational codes in respect of all activities, until such time Commission Approved technical and operational codes are available.

**Condition 5: Other Agreements**

1. The Exempted Person shall enter into any agreements with other persons it is directed to by the Commission, including tariff and connection agreements with the relevant Licensees.
2. The Exempted Person shall be required to participate in the preparation of any agreement which it has been directed to enter into by the Commission.
3. If, after a period which appears to the Commission to be reasonable for the purpose, the Exempted Person has failed to enter into an agreement it has been directed to by the Commission, the Commission shall, on the application of such person or the Exempted Person, settle any terms of the agreement in dispute between the Exempted Person and the person in question in such manner as appears to the Commission to be reasonable.

**Condition 6: Assignment of the Exemption Order and Transfer of the Distribution Business**

1. The Exempted Person shall not, without the prior written consent of the Commission, assign this Exemption Order either in whole or in part.
2. The Exempted Person shall not, without the prior written consent of the Commission, transfer to another person (the “**Transferee**”) all or any part of the Distribution Business carried out under this Exemption Order.
3. Any consent of the Commission to any assignment of this Exemption Order or transfer of the Distribution Business shall be subject to the Commission being satisfied that the Assignee or Transferee, as the case may be, will have the technical and financial capability to comply with the Conditions of this Exemption Order and, in the case of a transfer only, the Transferee being granted an Exemption Order, and may be subject to compliance by the Assignee or Transferee, as the case may be, with any other matters determined by the Commission to be necessary, including the modification of this Exemption Order in accordance with the Act where deemed necessary by the Commission.
4. Nothing in this Condition shall prevent the Exempted Person transferring the Distribution Business to an assignee where the Commission consented to such assignment, provided that such transfer is effected as soon as practicable after such consent has been given.

**Condition 7: Revocation or Withdrawal of the Exemption Order**

1. The Commission may revoke this Exemption Order in accordance with the Section 22 of the Sri Lanka Electricity Act, No. 20 of 2009 in the following circumstances:
  - (a) If the Exempted Person agrees in writing with the Commission that this Exemption Order should be revoked;
  - (b) If the Exempted Person fails to comply with an order or direction issued by the Commission under Condition 2 of this order or direction within 60 days from the date of its issue or such longer period as the Commission may specify in the order or direction;
  - (c) If:
    - (i) there is a Change In Control of the Exempted Person; and
    - (ii) the Commission is satisfied that neither the new shareholder nor the entity appointed by the new shareholder

(if any) to operate the Distribution Business has adequate technical, financial or managerial strength, taking into account the size of its shareholding in the Exempted Person, to carry out the Distribution Business; and

- (iii) the Commission serves notice on the Exempted Person stating that the Commission proposes to revoke this Exemption Order in pursuance of this paragraph unless such further Change In Control of the Exempted Person as is specified in the notice takes place within the period of three months beginning with the date of service of the notice; and
- (iv) further change does not take place within that period;
- (d) If the Exempted Person fails to notify the Commission as soon as practicable thereafter that a Change In Control of the Exempted Person shall have occurred;
- (e) If the Exempted Person ceases to carry on the Distribution Business for a continuous period of 3 months except where the Commission is satisfied that this has occurred as a result of events beyond the reasonable control of the Exempted Person, in which case the Commission shall substitute such longer period as it, in its sole discretion, considers reasonable in all the circumstances;
- (f) If it is found that the issue of this Exempted Person had been based on information provided by the Exempted Person which is materially inaccurate or incorrect.
- (g) If the Exempted Person violates and/or breaches any condition of this Exemption Order.

**Condition 8: Environment**

1. The Exempted Person shall comply with all applicable Environmental Laws in Sri Lanka, subject to any exemptions or grace periods which may be granted to the Exempted Person under such Environmental Laws for compliance.
2. The Exempted Person shall, not later than such date as the Commission may specify and in consultation with the Commission, prepare and, from time to time, modify a written policy setting out the manner in which the Exempted Person proposes to comply with its duties and obligations under all applicable Environmental Laws.
3. The Exempted Person shall report annually to the Commission on its environmental performance in such form and at such times as the Commission may specify.
4. For the purposes of this Exempted Person, “**Environmental Laws**” means those laws which are, from time to time, in force whose purpose is the protection of the environment, including the protection of human health, flora, fauna and the eco-systems on which they depend and, for the avoidance of doubt, shall include, but shall not be limited to, the National Environment Act, No. 47 of 1980 and all relevant legislation relating to the assessment of environmental impacts and the protection of air, land and water.

**Condition 9: Health and Safety**

1. The Exempted Person shall take all reasonable steps to protect persons, plant, property and equipment from injury and damage that may be caused by the Exempted Person when carrying out the Distribution Business, including preparing a safety and technical management plan as set out in paragraph 2 below.
2. The Exempted Person shall:
  - (a) not later than such date as the Commission may specify and in consultation with the Commission, prepare a safety and technical management plan and submit the plan to the Commission for approval;
  - (b) annually review, and if necessary update, the plan to ensure its efficient operation, and submit the updated plan to the Commission for approval;
  - (c) comply with the plan (as updated from time to time) as approved by the Commission;
  - (d) not amend the plan without the approval of the Commission; and
  - (e) ensure that an annual audit of its compliance with its obligations under the plan is conducted by an independent expert approved by the Commission and in accordance with the plan;
  - (f) compile health and safety statistics and indices specified by the Commission; and
  - (g) promptly report the results of those audits, statistics and indices to the Commission.

**Condition 10: Insurance**

1. The Exempted Person shall adopt and implement reasonable and prudent policies in relation to the management and insurance of risks associated with the Distribution Business.

**Condition 11: Confidential Information**

1. The Exempted Person shall take reasonable measures to ensure that all information received by it relating to the Distribution Business:
  - (a) is kept confidential by the Exempted Person except as otherwise permitted by the Commission, this Exemption Order or any code of practice, and that access to such confidential information is provided only, and as is necessary for the due performance of their lawful functions, to directors, officers and employees of the Exempted Person, or to an agent of the Exempted Person that has agreed in writing to observe this requirement of confidentiality;
  - (b) is not used by the Exempted Person for any purpose other than that for which it was provided or for a purpose permitted by this Exemption Order or a code of practice; and
  - (c) is not used by the Exempted Person for any commercial advantage in the provision of any service other than a service comprised in the Distribution Business.

**Condition 12: Dispute Resolution**

1. The Exempted Person may:
  - (a) in respect of a dispute between itself and a tariff customer which it is unable to resolve - refer the dispute to the Commission for mediation and resolution in accordance with the rules made by the Commission under the PUCSL Act;
  - (b) in respect of a dispute (other than a dispute referred to in paragraph 1(a) in accordance with the rules made by the Commission under the PUCSL Act refer the dispute to the Commission for resolution in accordance with such rules or, where directed to do so by the Commission refer the dispute to court or arbitration body in accordance with the Arbitration Act, No.11 of 1995.

**PART III – SPECIFIC CONDITIONS FOR DISTRIBUTION**

**Condition 13: Connection to the Exempted Person’s Distribution System - Requirement to offer terms**

1. The Exempted Person shall, subject to paragraphs 3, 4 and 5,
  - (a) offer to enter into an agreement to provide a connection to the Exempted Person’s Distribution System with any owner or occupier of premises within a specified location in the Exemption Order, who has made an application for connection to the Exempted Person’s Distribution System; and
  - (b) offer to enter into an agreement for the modification of a connection from the Exempted Person’s Distribution System with any person who has made an application for modification of a connection to the Exempted Person’s Distribution System.
2. The Exempted Person, subject to paragraphs 3, 4 and 5, offer terms for an agreement in accordance with paragraph 1 as soon as practicable and, in any event, not more than 2 weeks after receipt by the Exempted Person of an application containing all such information as the Exempted Person may reasonably require for the purposes of formulating the terms of its offer.
3. The Exempted Person shall not be obliged pursuant to this Condition to offer to enter into any agreement with any owner or occupier of premises within specified location a by reason of the capacity of the Exempted Person’s Distribution System and the use made or reasonably expected to be made of it, the Exempted Person would be required to expand or reinforce the capacity of the Exempted Person’s Distribution System and where it would not, having regard to all the circumstances, be in the public interest for the Exempted Person to undertake such expansion or reinforcement.
4. The Exempted Person shall not be obliged pursuant to this Condition to offer to enter into any agreement with any person where the connection of the person represents a risk to the security and stability of the Exempted Person’s Distribution System.
5. The Exempted Person shall not enter into any agreement with any person if to do so would be likely to involve the Exempted Person:

- (a) in breach of any technical or operational codes Approved by the Commission ; or
- (b) in breach of the Act or any regulations made under the Act; or
- (c) in breach of any enactment relating to safety or standards applicable to the Exempted Person's Distribution System; or
- (d) in breach of any other conditions imposed by the Commission.

6. Where the Exempted Person refuses to enter into an agreement with any person in accordance with paragraphs 3, 4 and 5, the Exempted Person shall as soon as practicable and, in any event, not more than 2 weeks after receipt by the Exempted Person of an application from that person, notify that person of the refusal, specifying the reasons for refusal.

**Condition 14: Connection to the Exempted Person's Distribution System - functions of the Commission**

1. If, after a period which appears to the Commission to be reasonable for the purpose, the Exempted Person has failed to enter into an agreement with any person entitled or claiming to be entitled thereto pursuant to an application in accordance with Condition 13, the Commission shall, on the application of such person or the Exempted Person , settle any terms of the agreement in dispute between the Exempted Person and the person in question in such manner as appears to the Commission to be reasonable.
2. If the person wishes to proceed on the basis of the agreement as settled by the Commission, the Exempted Person shall forthwith enter into and implement such agreement in accordance with its terms.
3. If either party to an agreement for connection to, or modification of a connection to, the Exempted Person's Distribution System entered into pursuant to Condition 13 or this Condition proposes to vary the contractual terms of such agreement in any manner provided for under such agreement, the Commission shall, at the request of the Exempted Person or the other party to such agreement, settle any dispute relating to such variation in such manner as appears to the Commission to be reasonable.

**Condition 15: Non-discrimination in the Provision of Connection to the Exempted Person's Distribution System**

1. In the carrying out of works for the purpose of connection to the Exempted Person's Distribution System or in providing for the retention of a connection to the Exempted Person's Distribution System, the Exempted Person shall not unduly discriminate:
  - (a) between any persons or class or classes of persons;
  - (b) between the Exempted Person or any Affiliate or Related Undertaking of the Exempted Person and any person or class or classes of persons.

**Condition 16: Basis of Charges for Connection to the Exempted Person's Distribution System**

1. The Exempted Person shall, as soon as practicable and, in any event, within 28 days after this Exemption Order has come into force, prepare and submit to the Commission, for the Commission's approval, a statement setting out the basis upon which charges for connection to the Exempted Person's Distribution System, and requests for security deposits in respect of that connection, will be made.
2. The Exempted Person may periodically revise the information set out in and, with the approval of the Commission, alter the form of the statement prepared in accordance with paragraph 1 and shall, at least once in every year this Exemption Order is in force, revise such statement in order that the information set out in the statement shall continue to be accurate in all material respects.
3. Where any electricity supply provided by the Exempted Person to a person requiring a supply of electricity within the premises described in the Schedule 1 the Exempted Person may require any expenses reasonably incurred in providing the electricity supply to be defrayed by that person, to such extent as it is reasonably incurred in providing electricity supply.
4. An Exempted Person may require by notice in writing any person who requires electricity supply, to provide reasonable security for the payment of maximum of two month's electricity consumption bill which may become due to the Exempted Person in respect of the supply.

Where any person has not provided such security as is required under this condition or the security provided by such person has become insufficient—

- (a) the Exempted Person may by notice require the person to provide within seven days after the service of the notice, reasonable security for the payment of maximum of two month's electricity consumption bill which may become due to the Exempted Person in respect of the supply; and

- (b) if that person fails to provide such security, the Exempted Person may refuse to make the connection or discontinue the supply, as the case may be, for so long as the failure continues;
- (c) Where any sum of money is provided to an Exempted Person by way of security in pursuance of this Condition, the Exempted Person shall pay interest on such sum of money at such rate as may from time to time be fixed by the Exempted Person with the approval of the Commission, for the period in which it remains in the hands of the Exempted Person.
5. The Exempted Person shall send a copy of the statement prepared in accordance with Paragraph 1 and of each revision of such statement in accordance with Paragraph 2 to the Commission. Each such revision shall require the approval of the Commission and shall not become effective until approved by the Commission.
6. The Exempted Person shall give or send a copy of the statement prepared in accordance with Paragraph 1 or (as the case may be) of the latest revision of such statement in accordance with Paragraph 2 approved by the Commission pursuant to such paragraph to any person who requests a copy of such statement.
7. The Exempted Person may make a charge for any statement given or sent pursuant to Paragraph 4 of an amount reflecting the Exempted Person's reasonable costs of providing such a statement which shall not exceed the maximum amount specified in directions issued by the Commission from time to time for the purposes of this Condition.

**Condition 17: Provision of information to the Transmission Licensee and to other Distribution Licensees**

1. The Exempted Person shall maintain sufficient records to predict its future requirement for energy from the Transmission Licensee and the demand profile of such requirement, including details regarding:
- (a) the technical, non-technical losses inherent in the Exempted Person's Distribution System;
- (b) energy provided by generators(if any) that are connected to the Exempted Person's Distribution System;
- (c) the impact of new connections; and
- (d) the impact of demand management;
- (e) load characteristics of different consumer categories.
2. The Exempted Person shall furnish to the Transmission Licensee and to other Distribution Licensees, in such manner and at such times as may be reasonably required, such information or forecasts as may be reasonably required by the Transmission Licensee and the other Distribution Licensees in order to ensure the secure and efficient operation, co-ordinated development and inter-operability of the Total System.
3. In this Condition:
- “**Total System**” means the Transmission System, the Licensee's Distribution System and the Distribution Systems of all other Distribution Licensees, taken together.

**PART IV – SPECIFIC CONDITIONS FOR SUPPLY**

**Condition 18: Prohibition of discrimination in supply**

1. The Exempted Person shall not, in supplying or offering Terms for the supply of electricity to consumers:
- (a) show undue preference to any person or class of persons;
- (b) exercise undue discrimination between any persons or classes of persons; or
- (c) set terms which are unduly onerous.
2. For the purposes of this Condition, Terms are unduly onerous if the revenue from the supply of electricity to consumers on those Terms significantly exceeds the costs of that supply.
3. For the purposes of this Condition, the Commission shall determine any question as to whether any Terms are unduly onerous, having due regard to whether such Terms incorporate charges which do not reasonably cover the costs incurred in consequence of supplying the consumers in question.
4. In this Condition:
- “**Terms**” means all the terms on which a supply of electricity is offered or provided, including terms as to price, which significantly affect the evaluation of that supply.

**Condition 19: Supply tariff schedule**

1. The Exempted Person shall, as soon as practicable after this Exemption Order shall have come into force and, in any event, not later than such date as the Commission shall specify in directions issued to the Exempted Person for the purposes of this clause, and from time to time thereafter prepare a tariff schedule for sales of electricity to consumers.
2. The tariff schedule shall:
  - (a) be in a form which shall be Approved by the Commission;
  - (b) contain such detail as shall be necessary to enable any consumer to make a reasonable estimate of the charges to which it would become liable for purchases of electricity;
  - (c) be set in accordance with a methodology Approved by the Commission so as to reflect the costs of the Exempted Person in providing electricity at specified times of the year, days of the week and times of the day and night and permit the Exempted Person to recover all reasonable costs incurred in carrying out the activities authorised by this Exemption Order on an efficient basis; and
  - (d) Separately identify:
    - (i) Electricity purchase cost of the Exempted Person ;
    - (ii) Standby or emergency generator Operation and Maintenance cost ;
    - (iii) Distribution System Operation and Management Maintenance Cost.
3. Where the Commission considers that, by reason of the complexity of any such tariffs fixed by the Exempted Person, simplified explanatory statements are required or expedient for the understanding of consumers, the Commission may direct the Exempted Person to draw up such explanatory statements and thereafter to publish them with the tariff schedule.
4. Exempted Person shall obtain Approval for the supply tariff schedule from the Commission.
5. The Exempted Person shall give or send a copy of the tariff schedule (as from time to time revised) to the Commission not later than 14 days before it is to be made available to any other person.
6. The Exempted Person shall publish the tariff schedule as directed by the Commission.
7. The Exempted Person shall (subject to Paragraph 8) give or send a copy of the tariff schedule and any explanatory statement (as from time to time revised) to any person requesting the same.
8. The Exempted Person may make a charge for any copy of the tariff schedule and any explanatory statement (as from time to time revised) given or sent pursuant to Paragraph 7 of an amount which will not exceed any amount specified for the time being for the purposes of this clause in directions issued from time to time by the Commission.
9. The Commission may give to the Exempted Person directions requiring the Exempted Person to alter the form of the tariff schedule in such manner as shall be specified in the directions, or so as to attain such objectives as may be specified in the directions and the Exempted Person shall forthwith comply with any such directions.
10. The Commission may prescribe a procedure for review of the tariff schedule.

**Condition 20: Distribution & supply tariff agreement**

1. The Exempted Person shall (subject to paragraph 3 below and Condition 14) offer to enter into an agreement with any consumer of electricity or person seeking to become a consumer of electricity, such offer to make provision for the charges to be made in respect of such sales of electricity and such charges to be presented in such a way as to be referable to the tariff schedule determined in Condition 19 above.
2. The Exempted Person shall offer terms for agreements in accordance with paragraph 1 as soon as practicable and (save where the Commission consents to a longer period) in any event not more than 02 weeks after receipt by the Exempted Person of an application containing all such information as the Exempted Person may reasonably require for the purpose of formulating the terms of the offer.
3. The Exempted Person shall not be obliged pursuant to this Condition to offer to enter or to enter into any agreement if to do so would involve the Exempted Person:



- (a) in breach of its duties under the Act;
  - (b) in breach of any regulations made under the Act or of any other enactment relating to safety or standards applicable in respect of the Distribution Business;
  - (c) in breach of this Exemption Order ; or
  - (d) in breach of any Approved technical and operational codes.
4. The Exempted Person's obligation to enter into an agreement pursuant to this Condition may be satisfied by the insertion of appropriate clauses into a connection agreement entered into pursuant to Condition 25.

**Condition 21 – Enter into premises**

1. The Exempted Person and or person authorized by the Exempted Person should give notices to enter upon any premises under this Exemption Order shall not demand to do so as of right unless-
  - I. three days notice of the intended entry has been given by the Authorized Officer of the Exempted Person or Exempted Person stating as fully and accurately as possible the nature and extent of the acts intended to be done;
  - II. if required to do so, he or she has produced evidence of his or her authority;
  - III. reasonable compensation is paid to the owner of the land or premises for any disturbance, disability or damage that may be caused pursuant to the entry.
2. The Exempted Person or person authorized by the Exempted Person in writing in that behalf shall be entitled to enter the land, for the purpose of giving a notice referred to in Sub Paragraph 1(a).
3. Where any person exercises any powers conferred by this item, the Exempted Person by whom he or she was authorized in writing shall make good any damage done to the premises as a result of such entry.
4. Where in the exercise of any power conferred by or under this Exemption Order any damage is caused to premises or to any movable property, any person interested in the premises or movable property may recover compensation in respect of that damage from the Exempted Person on whose behalf the power is exercised; and where in consequence of the exercise of such a power a person is disturbed in his or her enjoyment of any premises or movable property he or she may recover from that Exempted Person reasonable compensation in respect of that disturbance as determined by the Commission.

**Schedule 1**

Premises bearing Assessment No.148, 148/1 and 148/2, Vauxhall Street, situated at Hunupitiya, Ward No. 23 within the Municipal Council Limits of Colombo District, Western Province.

Bounded as follows:

- North by* : Vauxhall Street;
- East by* : Premises bearing Assessment No. 186, Vauxhall Street;
- South by* : Premises bearing Assessment No. 186, Vauxhall Street and Premises bearing Assessment Nos. 199 and 185 Union Place;
- West by* : Premises bearing Assessment No. 185, Union Place.

## Miscellaneous Departmental Notices

PV 66410.

PV 764.

### COMPANIES ACT, No. 07 OF 2007

#### Notice under Section 394 (3) to Strike off the Name of Summer Field Trading Company (Private) Limited

WHEREAS there is reasonable cause to believe that "Summer Field Trading Company (Private) Limited", a Company incorporated on 29.12.2008 under the provisions of the Companies Act, No. 07 of 2007 is not carrying on business or in operation.

Now know you that I, Dias Karunaratne Hettiarachchi, Registrar General of Companies, acting under Section 394 (3) of the Companies Act, No. 07 of 2007, do hereby give notice that at the expiration of three months from this date the name of "Summer Field Trading Company (Private) Limited", will unless cause is shown to the contrary, be struck off the Register of Companies kept in this office and the Company will be dissolved.

D. K. HETTIARACHCHI,  
Registrar General of Companies.

Department of Registrar of Companies,  
No. 400, D. R. Wijewardena Mawatha,  
Colombo 10.  
05th January, 2012.

02-72

PV 9677.

### COMPANIES ACT, No. 07 OF 2007

#### Notice under Section 394 (3) to Strike off the Name of Stockit (Private) Limited

WHEREAS there is reasonable cause to believe that "Stockit (Private) Limited", a Company incorporated on 26.10.2004 under the provisions of the Companies Act, No. 17 of 1982 is not carrying on business or in operation.

Now know you that I, Dias Karunaratne Hettiarachchi, Registrar General of Companies, acting under Section 394 (3) of the Companies Act, No. 07 of 2007, do hereby give notice that at the expiration of three months from this date the name of "Stockit (Private) Limited", will unless cause is shown to the contrary, be struck off the Register of Companies kept in this office and the Company will be dissolved.

D. K. HETTIARACHCHI,  
Registrar General of Companies.

Department of Registrar of Companies,  
No. 400, D. R. Wijewardena Mawatha,  
Colombo 10.  
05th January, 2012.

02-73

### COMPANIES ACT, No. 07 OF 2007

#### Notice under Section 394 (3) to Strike off the Name of Janaka Bogollagama Homes (Private) Limited

WHEREAS there is reasonable cause to believe that "Janaka Bogollagama Homes (Private) Limited", a Company incorporated on 18.04.1988 under the provisions of the Companies Act, No. 17 of 1982 is not carrying on business or in operation.

Now know you that I, Dias Karunaratne Hettiarachchi, Registrar General of Companies, acting under Section 394 (3) of the Companies Act, No. 07 of 2007, do hereby give notice that at the expiration of three months from this date the name of "Janaka Bogollagama Homes (Private) Limited", will unless cause is shown to the contrary, be struck off the Register of Companies kept in this office and the Company will be dissolved.

D. K. HETTIARACHCHI,  
Registrar General of Companies.

Department of Registrar of Companies,  
No. 400, D. R. Wijewardena Mawatha,  
Colombo 10.  
05th January, 2012.

02-74

PV 5903.

### COMPANIES ACT, No. 07 OF 2007

#### Notice under Section 394 (3) to Strike off the Name of Awol (Private) Limited

WHEREAS there is reasonable cause to believe that "Awol (Private) Limited", a Company incorporated on 13.08.1997 under the provisions of the Companies Act, No. 17 of 1982 is not carrying on business or in operation.

Now know you that I, Dias Karunaratne Hettiarachchi, Registrar General of Companies, acting under Section 394 (3) of the Companies Act, No. 07 of 2007, do hereby give notice that at the expiration of three months from this date the name of "Awol (Private) Limited", will unless cause is shown to the contrary, be struck off the Register of Companies kept in this office and the Company will be dissolved.

D. K. HETTIARACHCHI,  
Registrar General of Companies.

Department of Registrar of Companies,  
No. 400, D. R. Wijewardena Mawatha,  
Colombo 10.  
05th December, 2011.

02-75

PV 15565.

PV 66514.

**COMPANIES ACT, No. 07 OF 2007**

**Notice under Section 394 (3) to Strike off the Name of  
Consarc International (Private) Limited**

WHEREAS there is reasonable cause to believe that “Consarc International (Private) Limited”, a Company incorporated on 19.01.2007 under the provisions of the Companies Act, No. 17 of 1982 is not carrying on business or in operation.

Now know you that I, Dias Karunaratne Hettiarachchi, Registrar General of Companies, acting under Section 394 (3) of the Companies Act, No. 07 of 2007, do hereby give notice that at the expiration of three months from this date the name of “Consarc International (Private) Limited”, will unless cause is shown to the contrary, be struck off the Register of Companies kept in this office and the Company will be dissolved.

D. K. HETTIARACHCHI,  
Registrar General of Companies.

Department of Registrar of Companies,  
No. 400, D. R. Wijewardena Mawatha,  
Colombo 10.  
05th January, 2012.

02-76

PV 67209.

**COMPANIES ACT, No. 07 OF 2007**

**Notice under Section 394 (3) to Strike off the Name of  
Data Matrix Systems (Private) Limited**

WHEREAS there is reasonable cause to believe that “Data Matrix Systems (Private) Limited”, a Company incorporated on 05.03.2009 under the provisions of the Companies Act, No. 07 of 2007 is not carrying on business or in operation.

Now know you that I, Dias Karunaratne Hettiarachchi, Registrar General of Companies, acting under Section 394 (3) of the Companies Act, No. 07 of 2007, do hereby give notice that at the expiration of three months from this date the name of “Data Matrix Systems (Private) Limited”, will unless cause is shown to the contrary, be struck off the Register of Companies kept in this office and the Company will be dissolved.

D. K. HETTIARACHCHI,  
Registrar General of Companies.

Department of Registrar of Companies,  
No. 400, D. R. Wijewardena Mawatha,  
Colombo 10.  
05th January, 2012.

02-77

**COMPANIES ACT, No. 07 OF 2007**

**Notice under Section 394 (3) to Strike off the Name of  
International College of Education (Private) Limited**

WHEREAS there is reasonable cause to believe that “International College of Education (Private) Limited”, a Company incorporated on 16.12.2008 under the provisions of the Companies Act, No. 07 of 2007 is not carrying on business or in operation.

Now know you that I, Dias Karunaratne Hettiarachchi, Registrar General of Companies, acting under Section 394 (3) of the Companies Act, No. 07 of 2007, do hereby give notice that at the expiration of three months from this date the name of “International College of Education (Private) Limited”, will unless cause is shown to the contrary, be struck off the Register of Companies kept in this office and the Company will be dissolved.

D. K. HETTIARACHCHI,  
Registrar General of Companies.

Department of Registrar of Companies,  
No. 400, D. R. Wijewardena Mawatha,  
Colombo 10.  
05th January, 2012.

02-78

PV 75302.

**COMPANIES ACT, No. 07 OF 2007**

**Notice under Section 394 (3) to Strike off the Name of  
Business and Event Management Systems (Private)  
Limited**

WHEREAS there is reasonable cause to believe that “Business and Event Management Systems (Private) Limited”, a Company incorporated on 03.11.2010 under the provisions of the Companies Act, No. 07 of 2007 is not carrying on business or in operation.

Now know you that I, Dias Karunaratne Hettiarachchi, Registrar General of Companies, acting under Section 394 (3) of the Companies Act, No. 07 of 2007, do hereby give notice that at the expiration of three months from this date the name of “Business and Event Management Systems (Private) Limited”, will unless cause is shown to the contrary, be struck off the Register of Companies kept in this office and the Company will be dissolved.

D. K. HETTIARACHCHI,  
Registrar General of Companies.

Department of Registrar of Companies,  
No. 400, D. R. Wijewardena Mawatha,  
Colombo 10.  
05th December, 2011.

02-79

PV 60795.

PV 61409.

**COMPANIES ACT, No. 07 OF 2007**

**Notice under Section 394 (3) to Strike off the Name of Thai Express Cousine (Private) Limited**

WHEREAS there is reasonable cause to believe that “Thai Express Cousine (Private) Limited”, a Company incorporated on 26.07.2007 under the provisions of the Companies Act, No. 07 of 2007 is not carrying on business or in operation.

Now know you that I, Dias Karunaratne Hettiarachchi, Registrar General of Companies, acting under Section 394 (3) of the Companies Act, No. 07 of 2007, do hereby give notice that at the expiration of three months from this date the name of “Thai Express Cousine (Private) Limited”, will unless cause is shown to the contrary, be struck off the Register of Companies kept in this office and the Company will be dissolved.

D. K. HETTIARACHCHI,  
Registrar General of Companies.

Department of Registrar of Companies,  
No. 400, D. R. Wijewardena Mawatha,  
Colombo 10.  
05th January, 2012.

02-80

PV 66851.

**COMPANIES ACT, No. 07 OF 2007**

**Notice under Section 394 (3) to Strike off the Name of Penrhos Mini Hydro Power (Private) Limited**

WHEREAS there is reasonable cause to believe that “Penrhos Mini Hydro Power (Private) Limited”, a Company incorporated on 23.01.2009 under the provisions of the Companies Act, No. 07 of 2007 is not carrying on business or in operation.

Now know you that I, Dias Karunaratne Hettiarachchi, Registrar General of Companies, acting under Section 394 (3) of the Companies Act, No. 07 of 2007, do hereby give notice that at the expiration of three months from this date the name of “Penrhos Mini Hydro Power (Private) Limited”, will unless cause is shown to the contrary, be struck off the Register of Companies kept in this office and the Company will be dissolved.

D. K. HETTIARACHCHI,  
Registrar General of Companies.

Department of Registrar of Companies,  
No. 400, D. R. Wijewardena Mawatha,  
Colombo 10.  
05th January, 2012.

02-81

**COMPANIES ACT, No. 07 OF 2007**

**Notice under Section 394 (3) to Strike off the Name of Celltrend International (Private) Limited**

WHEREAS there is reasonable cause to believe that “Celltrend International (Private) Limited”, a Company incorporated on 14.09.2007 under the provisions of the Companies Act, No. 07 of 2007 is not carrying on business or in operation.

Now know you that I, Dias Karunaratne Hettiarachchi, Registrar General of Companies, acting under Section 394 (3) of the Companies Act, No. 07 of 2007, do hereby give notice that at the expiration of three months from this date the name of “Celltrend International (Private) Limited”, will unless cause is shown to the contrary, be struck off the Register of Companies kept in this office and the Company will be dissolved.

D. K. HETTIARACHCHI,  
Registrar General of Companies.

Department of Registrar of Companies,  
No. 400, D. R. Wijewardena Mawatha,  
Colombo 10.  
05th January, 2012.

02-82

N(PVS) 29489.

**COMPANIES ACT, No. 07 OF 2007**

**Notice under Section 394 (3) to Strike off the Name of Phone Cell (Private) Limited**

WHEREAS there is reasonable cause to believe that “Phone Cell (Private) Limited”, a Company incorporated on 07.11.2001 under the provisions of the Companies Act, No. 17 of 1982 is not carrying on business or in operation.

Now know you that I, Dias Karunaratne Hettiarachchi, Registrar General of Companies, acting under Section 394 (3) of the Companies Act, No. 07 of 2007, do hereby give notice that at the expiration of three months from this date the name of “Phone Cell (Private) Limited”, will unless cause is shown to the contrary, be struck off the Register of Companies kept in this office and the Company will be dissolved.

D. K. HETTIARACHCHI,  
Registrar General of Companies.

Department of Registrar of Companies,  
No. 400, D. R. Wijewardena Mawatha,  
Colombo 10.  
12th January, 2012.

02-83

N(PVS) 24268.

N(PVS) 35072.

**COMPANIES ACT, No. 07 OF 2007**

**Notice under Section 394 (3) to Strike off the Name of Scenic Travels and Hotel Management (Private) Limited**

WHEREAS there is reasonable cause to believe that “Scenic Travels and Hotel Management (Private) Limited”, a Company incorporated on 19.08.1999 under the provisions of the Companies Act, No. 17 of 1982 is not carrying on business or in operation.

Now know you that I, Dias Karunaratne Hettiarachchi, Registrar General of Companies, acting under Section 394 (3) of the Companies Act, No. 07 of 2007, do hereby give notice that at the expiration of three months from this date the name of “Scenic Travels and Hotel Management (Private) Limited”, will unless cause is shown to the contrary, be struck off the Register of Companies kept in this office and the Company will be dissolved.

D. K. HETTIARACHCHI,  
Registrar General of Companies.

Department of Registrar of Companies,  
No. 400, D. R. Wijewardena Mawatha,  
Colombo 10.  
12th January, 2012.

02-84

N(PVS) 29265.

**COMPANIES ACT, No. 07 OF 2007**

**Notice under Section 394 (3) to Strike off the Name of Wisdom Trainer International (Private) Limited**

WHEREAS there is reasonable cause to believe that “Wisdom Trainer International (Private) Limited”, a Company incorporated on 25.09.2001 under the provisions of the Companies Act, No. 17 of 1982 is not carrying on business or in operation.

Now know you that I, Dias Karunaratne Hettiarachchi, Registrar General of Companies, acting under Section 394 (3) of the Companies Act, No. 07 of 2007, do hereby give notice that at the expiration of three months from this date the name of “Wisdom Trainer International (Private) Limited”, will unless cause is shown to the contrary, be struck off the Register of Companies kept in this office and the Company will be dissolved.

D. K. HETTIARACHCHI,  
Registrar General of Companies.

Department of Registrar of Companies,  
No. 400, D. R. Wijewardena Mawatha,  
Colombo 10.  
12th January, 2012.

02-85

**COMPANIES ACT, No. 07 OF 2007**

**Notice under Section 394 (3) to Strike off the Name of Handapana Hotels (Private) Limited**

WHEREAS there is reasonable cause to believe that “Handapana Hotels (Private) Limited”, a Company incorporated on 15.09.2003 under the provisions of the Companies Act, No. 17 of 1982 is not carrying on business or in operation.

Now know you that I, Dias Karunaratne Hettiarachchi, Registrar General of Companies, acting under Section 394 (3) of the Companies Act, No. 07 of 2007, do hereby give notice that at the expiration of three months from this date the name of “Handapana Hotels (Private) Limited”, will unless cause is shown to the contrary, be struck off the Register of Companies kept in this office and the Company will be dissolved.

D. K. HETTIARACHCHI,  
Registrar General of Companies.

Department of Registrar of Companies,  
No. 400, D. R. Wijewardena Mawatha,  
Colombo 10.  
12th January, 2012.

02-86

N(A) 1560.

**COMPANIES ACT, No. 07 OF 2007**

**Notice under Section 394 (3) to Strike off the Name of Wennappuwa Kohu Karmantha Himiyange Sahayogitha Sangamaya**

WHEREAS there is reasonable cause to believe that “Wennappuwa Kohu Karmantha Himiyange Sahayogitha Sangamaya”, a Company incorporated on 08.09.2006 under the provisions of the Companies Act, No. 17 of 1982 is not carrying on business or in operation.

Now know you that I, Dias Karunaratne Hettiarachchi, Registrar General of Companies, acting under Section 394 (3) of the Companies Act, No. 07 of 2007, do hereby give notice that at the expiration of three months from this date the name of “Wennappuwa Kohu Karmantha Himiyange Sahayogitha Sangamaya”, will unless cause is shown to the contrary, be struck off the Register of Companies kept in this office and the Company will be dissolved.

D. K. HETTIARACHCHI,  
Registrar General of Companies.

Department of Registrar of Companies,  
No. 400, D. R. Wijewardena Mawatha,  
Colombo 10.  
12th January, 2012.

02-87

N(PVS) 6762.

N(PVS) 32634.

**COMPANIES ACT, No. 07 OF 2007****Notice under Section 394 (3) to Strike off the Name of Myown Trade Exchange (Private) Limited**

WHEREAS there is reasonable cause to believe that “Myown Trade Exchange (Private) Limited”, a Company incorporated on 06.09.1990 under the provisions of the Companies Act, No. 17 of 1982 is not carrying on business or in operation.

Now know you that I, Dias Karunaratne Hettiarachchi, Registrar General of Companies, acting under Section 394 (3) of the Companies Act, No. 07 of 2007, do hereby give notice that at the expiration of three months from this date the name of “Myown Trade Exchange (Private) Limited”, will unless cause is shown to the contrary, be struck off the Register of Companies kept in this office and the Company will be dissolved.

D. K. HETTIARACHCHI,  
Registrar General of Companies.

Department of Registrar of Companies,  
No. 400, D. R. Wijewardena Mawatha,  
Colombo 10.  
12th January, 2012.

02-88

N(PVS) 42606.

**COMPANIES ACT, No. 07 OF 2007****Notice under Section 394 (3) to Strike off the Name of Green Wood Home Collection (Private) Limited**

WHEREAS there is reasonable cause to believe that “Green Wood Home Collection (Private) Limited”, a Company incorporated on 28.07.2005 under the provisions of the Companies Act, No. 17 of 1982 is not carrying on business or in operation.

Now know you that I, Dias Karunaratne Hettiarachchi, Registrar General of Companies, acting under Section 394 (3) of the Companies Act, No. 07 of 2007, do hereby give notice that at the expiration of three months from this date the name of “Green Wood Home Collection (Private) Limited”, will unless cause is shown to the contrary, be struck off the Register of Companies kept in this office and the Company will be dissolved.

D. K. HETTIARACHCHI,  
Registrar General of Companies.

Department of Registrar of Companies,  
No. 400, D. R. Wijewardena Mawatha,  
Colombo 10.  
12th January, 2012.

02-89

**COMPANIES ACT, No. 07 OF 2007****Notice under Section 394 (3) to Strike off the Name of Crown Recruiting Agency (Private) Limited**

WHEREAS there is reasonable cause to believe that “Crown Recruiting Agency (Private) Limited”, a Company incorporated on 03.01.2003 under the provisions of the Companies Act, No. 17 of 1982 is not carrying on business or in operation.

Now know you that I, Dias Karunaratne Hettiarachchi, Registrar General of Companies, acting under Section 394 (3) of the Companies Act, No. 07 of 2007, do hereby give notice that at the expiration of three months from this date the name of “Crown Recruiting Agency (Private) Limited”, will unless cause is shown to the contrary, be struck off the Register of Companies kept in this office and the Company will be dissolved.

D. K. HETTIARACHCHI,  
Registrar General of Companies.

Department of Registrar of Companies,  
No. 400, D. R. Wijewardena Mawatha,  
Colombo 10.  
12th January, 2012.

02-90

N(A) 349.

**COMPANIES ACT, No. 07 OF 2007****Notice under Section 394 (3) to Strike off the Name of Nazarene Mission**

WHEREAS there is reasonable cause to believe that “Nazarene Mission”, a Company incorporated on 01.09.1993 under the provisions of the Companies Act, No. 17 of 1982 is not carrying on business or in operation.

Now know you that I, Dias Karunaratne Hettiarachchi, Registrar General of Companies, acting under Section 394 (3) of the Companies Act, No. 07 of 2007, do hereby give notice that at the expiration of three months from this date the name of “Nazarene Mission”, will unless cause is shown to the contrary, be struck off the Register of Companies kept in this office and the Company will be dissolved.

D. K. HETTIARACHCHI,  
Registrar General of Companies.

Department of Registrar of Companies,  
No. 400, D. R. Wijewardena Mawatha,  
Colombo 10.  
12th January, 2012.

02-91

N(PVS) 35789.

N(PVS) 25645.

**COMPANIES ACT, No. 07 OF 2007**

**Notice under Section 394 (3) to Strike off the Name of  
Corto M (Private) Limited**

WHEREAS there is reasonable cause to believe that “Corto M (Private) Limited”, a Company incorporated on 19.11.2003 under the provisions of the Companies Act, No. 17 of 1982 is not carrying on business or in operation.

Now know you that I, Dias Karunaratne Hettiarachchi, Registrar General of Companies, acting under Section 394 (3) of the Companies Act, No. 07 of 2007, do hereby give notice that at the expiration of three months from this date the name of “Corto M (Private) Limited”, will unless cause is shown to the contrary, be struck off the Register of Companies kept in this office and the Company will be dissolved.

D. K. HETTIARACHCHI,  
Registrar General of Companies.

Department of Registrar of Companies,  
No. 400, D. R. Wijewardena Mawatha,  
Colombo 10.  
12th January, 2012.

02-92

N(PVS) 23849.

**COMPANIES ACT, No. 07 OF 2007**

**Notice under Section 394 (3) to Strike off the Name of  
Mahaweli Livestock and Agro Enterprises (Private)  
Limited**

WHEREAS there is reasonable cause to believe that “Mahaweli Livestock and Agro Enterprises (Private) Limited”, a Company incorporated on 14.06.1999 under the provisions of the Companies Act, No. 17 of 1982 is not carrying on business or in operation.

Now know you that I, Dias Karunaratne Hettiarachchi, Registrar General of Companies, acting under Section 394 (3) of the Companies Act, No. 07 of 2007, do hereby give notice that at the expiration of three months from this date the name of “Mahaweli Livestock and Agro Enterprises (Private) Limited”, will unless cause is shown to the contrary, be struck off the Register of Companies kept in this office and the Company will be dissolved.

D. K. HETTIARACHCHI,  
Registrar General of Companies.

Department of Registrar of Companies,  
No. 400, D. R. Wijewardena Mawatha,  
Colombo 10.  
12th January, 2012.

02-93

**COMPANIES ACT, No. 07 OF 2007**

**Notice under Section 394 (3) to Strike off the Name of  
Paranan Associates (Private) Limited**

WHEREAS there is reasonable cause to believe that “Paranan Associates (Private) Limited”, a Company incorporated on 29.02.2000 under the provisions of the Companies Act, No. 17 of 1982 is not carrying on business or in operation.

Now know you that I, Dias Karunaratne Hettiarachchi, Registrar General of Companies, acting under Section 394 (3) of the Companies Act, No. 07 of 2007, do hereby give notice that at the expiration of three months from this date the name of “Paranan Associates (Private) Limited”, will unless cause is shown to the contrary, be struck off the Register of Companies kept in this office and the Company will be dissolved.

D. K. HETTIARACHCHI,  
Registrar General of Companies.

Department of Registrar of Companies,  
No. 400, D. R. Wijewardena Mawatha,  
Colombo 10.  
12th January, 2012.

02-94

N(PVS) 23942.

**COMPANIES ACT, No. 07 OF 2007**

**Notice under Section 394 (3) to Strike off the Name of  
Cesyla Systems Lanka (Private) Limited**

WHEREAS there is reasonable cause to believe that “Cesyla Systems Lanka (Private) Limited”, a Company incorporated on 05.07.1999 under the provisions of the Companies Act, No. 17 of 1982 is not carrying on business or in operation.

Now know you that I, Dias Karunaratne Hettiarachchi, Registrar General of Companies, acting under Section 394 (3) of the Companies Act, No. 07 of 2007, do hereby give notice that at the expiration of three months from this date the name of “Cesyla Systems Lanka (Private) Limited”, will unless cause is shown to the contrary, be struck off the Register of Companies kept in this office and the Company will be dissolved.

D. K. HETTIARACHCHI,  
Registrar General of Companies.

Department of Registrar of Companies,  
No. 400, D. R. Wijewardena Mawatha,  
Colombo 10.  
12th January, 2012.

02-95

N(A) 1625.

N(PVS) 15024.

**COMPANIES ACT, No. 07 OF 2007****Notice under Section 394 (3) to Strike off the Name of Vanaspathi Manufacturers Association of Lanka**

WHEREAS there is reasonable cause to believe that “Vanaspathi Manufacturers Association of Lanka”, a Company incorporated on 14.02.2007 under the provisions of the Companies Act, No. 17 of 1982 is not carrying on business or in operation.

Now know you that I, Dias Karunaratne Hettiarachchi, Registrar General of Companies, acting under Section 394 (3) of the Companies Act, No. 07 of 2007, do hereby give notice that at the expiration of three months from this date the name of “Vanaspathi Manufacturers Association of Lanka”, will unless cause is shown to the contrary, be struck off the Register of Companies kept in this office and the Company will be dissolved.

D. K. HETTIARACHCHI,  
Registrar General of Companies.

Department of Registrar of Companies,  
No. 400, D. R. Wijewardena Mawatha,  
Colombo 10.  
12th January, 2012.

02-96

N(A) 1135.

**COMPANIES ACT, No. 07 OF 2007****Notice under Section 394 (3) to Strike off the Name of Ceylon Tea Dealers' Association**

WHEREAS there is reasonable cause to believe that “Ceylon Tea Dealers' Association”, a Company incorporated on 25.11.2003 under the provisions of the Companies Act, No. 17 of 1982 is not carrying on business or in operation.

Now know you that I, Dias Karunaratne Hettiarachchi, Registrar General of Companies, acting under Section 394 (3) of the Companies Act, No. 07 of 2007, do hereby give notice that at the expiration of three months from this date the name of “Ceylon Tea Dealers' Association”, will unless cause is shown to the contrary, be struck off the Register of Companies kept in this office and the Company will be dissolved.

D. K. HETTIARACHCHI,  
Registrar General of Companies.

Department of Registrar of Companies,  
No. 400, D. R. Wijewardena Mawatha,  
Colombo 10.  
12th January, 2012.

02-97

**COMPANIES ACT, No. 07 OF 2007****Notice under Section 394 (3) to Strike off the Name of Mohamed Ismail and Sons (Private) Limited**

WHEREAS there is reasonable cause to believe that “Mohamed Ismail and Sons (Private) Limited”, a Company incorporated on 24.05.1995 under the provisions of the Companies Act, No. 17 of 1982 is not carrying on business or in operation.

Now know you that I, Dias Karunaratne Hettiarachchi, Registrar General of Companies, acting under Section 394 (3) of the Companies Act, No. 07 of 2007, do hereby give notice that at the expiration of three months from this date the name of “Mohamed Ismail and Sons (Private) Limited”, will unless cause is shown to the contrary, be struck off the Register of Companies kept in this office and the Company will be dissolved.

D. K. HETTIARACHCHI,  
Registrar General of Companies.

Department of Registrar of Companies,  
No. 400, D. R. Wijewardena Mawatha,  
Colombo 10.  
12th January, 2012.

02-98

N(PVS) 26046.

**COMPANIES ACT, No. 07 OF 2007****Notice under Section 394 (3) to Strike off the Name of Excel Data System (Private) Limited**

WHEREAS there is reasonable cause to believe that “Excel Data System (Private) Limited”, a Company incorporated on 08.05.2000 under the provisions of the Companies Act, No. 17 of 1982 is not carrying on business or in operation.

Now know you that I, Dias Karunaratne Hettiarachchi, Registrar General of Companies, acting under Section 394 (3) of the Companies Act, No. 07 of 2007, do hereby give notice that at the expiration of three months from this date the name of “Excel Data System (Private) Limited”, will unless cause is shown to the contrary, be struck off the Register of Companies kept in this office and the Company will be dissolved.

D. K. HETTIARACHCHI,  
Registrar General of Companies.

Department of Registrar of Companies,  
No. 400, D. R. Wijewardena Mawatha,  
Colombo 10.  
12th January, 2012.

02-99



N(PVS) 47818.

**COMPANIES ACT, No. 07 OF 2007**

**Notice under Section 394 (3) to Strike off the Name of  
Apex Holdings (Private) Limited**

WHEREAS there is reasonable cause to believe that “Apex Holdings (Private) Limited”, a Company incorporated on 18.09.2006 under the provisions of the Companies Act, No. 17 of 1982 is not carrying on business or in operation.

Now know you that I, Dias Karunaratne Hettiarachchi, Registrar General of Companies, acting under Section 394(3) of the Companies Act, No. 07 of 2007, do hereby give notice that at the expiration of three months from this date the name of “Apex Holdings (Private) Limited”, will unless cause is shown to the contrary, be struck off the Register of Companies kept in this office and the Company will be dissolved.

D. K. HETTIARACHCHI,  
Registrar General of Companies.

Department of Registrar of Companies,  
No. 400, D. R. Wijewardena Mawatha,  
Colombo 10.  
12th January, 2012.

02-100

**SAMPATH BANK PLC  
(Formerly known as Sampath Bank Limited)**

**Notice of sale under Section 09 of the Recovery of Loans  
by Banks (Special Provisions) Act, No.04 of 1990**

K. D. Duminda - A/C No. 1057 5316 6557.

AT a meeting held on 27th April, 2011 by the Board of Directors of Sampath Bank Limited it was resolved specially and unanimously:

Whereas Kaluarachchige Don Duminda in the Democratic Socialist Republic of Sri Lanka as the Obligor has made default in the repayment of the credit facility granted against the security of the property and premises morefully described in the Schedule hereto mortgaged and hypothecated by the Mortgage Bond No. 1429 dated 04 October 2006 attested by R. G. D. Sunar of Colombo Notary Public in favour of Sampath Bank PLC holding Company No. PQ 144 and there is now due and owing on the said Bond No. 1429 to Sampath Bank PLC aforesaid as at 23 February, 2011 a sum of Rupees Six Million Eight Hundred and Six Thousand Eight Hundred and Fifty-nine and Cents Thirty-three Only (Rs. 6,806,859.33) of

lawful money of Sri Lanka being the total amount outstanding on the said Bond and the Board of Directors of Sampath Bank PLC aforesaid under the powers vested by the Recovery of Loans by Banks (Special Provisions) Act, No. 04 of 1990 do hereby resolve that the property and premises morefully described in the Schedule hereto mortgaged to Sampath Bank PLC aforesaid as security for the said credit facility by the said Bond bearing No. 1429 to be sold in public auction by I. W. Jayasuriya, Licensed Auctioneer of Kandy for the recovery of the said sum of Rupees Six Million Eight Hundred and Six Thousand Eight Hundred and Fifty-nine and Cents Thirty-three Only (Rs. 6,806,859.33) together with further interest on a sum of Rupees Six Million Four Hundred and Twenty-four Thousand Four Hundred and Forty-two and Cents Seventy-five Only (Rs. 6,424,442.75) at the rate of Fifteen *per centum* (15%) per annum from 24th February, 2011 to date of satisfaction of the total debt due upon the said Bond bearing No. 1429 together with costs of advertising and other charges incurred less payments (if any) since received.

**SCHEDULE**

All that divided and defined allotment of land marked Lot 1 C4A depicted in Plan No. 4019 dated 29th May, 2006 made by B. A. P. Jayasuriya, Licensed Surveyor of the land called “Dangahawatta” together with soil, trees, plantations and everything else standing thereon and together with all rights, ways, privileges, easements, servitudes and appurtenances thereto belonging situated at Horana within the Urban Council Limits of Horana in Kumbuke Patu of Raigam Korale in the District of Kalutara, Western Province and which said Lot 1 C4A is bounded on the North by 1 c3, on the East by Lot 1C5, (road 12ft. wide), on the South by Lot 1C4B and on the West by portion of land in Plan No. 1464 and containing in extent Thirteen Decimal Five Perches (0A.,0R.,13.5P.) according to the said Plan No. 4019. Registered in Volume/Folio C 262/163 at the land Registry Horana.

Together with the right of way over and along :

Lot 1C5 (12ft. wide) in the said Plan No. 1633.

By order of the Board,

Company Secretary.

02-152

**SEYLAN BANK PLC—RUWANWELLA BRANCH  
(Registered as a Public Limited Company under the  
Companies Act, No. 7 of 2007-Co. Reg. No. PQ 9)**

**Resolution adopted by the Board of Directors of Seylan  
Bank PLC under Section 4 of the Recovery of Loans by  
Banks (Special Provisions) Act, No. 4 of 1990**

A/C No. : 0800-01575165-001.

It is hereby notified that under Section 8 of the Recovery of Loans by Banks (Special Provisions) Act, No. 4 of 1990 that at a meeting

held on 06.04.2010 by the Board of Directors of Seylan Bank PLC it was resolved specially and unanimously.

“Whereas Mohamed Hannifa Mohamed Rilvan Hannifa of Ruwanwella as “Obligor” has made default in payments due on Bond No. 1027 dated 16th September, 2004 attested by H. O. C. De. J. Seneviratne, Notary Public in favour of Seylan Bank PLC (Registered as a Public Limited Company under the Companies Act, No. 7 of 2007-Co. Reg. No. PQ 9) and there is now due and owing to the Seylan Bank PLC as at 31st October, 2007 a sum of Rupees Nine Hundred and Eighty-four Thousand Eight Hundred and Eighty-nine and cents Seventy-five (Rs. 984,889.75) on the said Bond and the Board of Directors of Seylan Bank PLC under the powers vested by the Recovery of Loans by Banks (Special Provisions) Act, No. 4 of 1990, do hereby resolve that the property morefully described in the Schedule hereto and mortgaged to Seylan Bank PLC by the said Bond No. 1027 be sold by Public Auction by Mr. Thusitha Karunaratne, Licensed Auctioneer for recovery of the said sum of Rs. 984,889.75 together with interest at the rate of Thirty-two *Per centum* (32%) from 01st November, 2007 to date of sale together with costs of advertising, any other charges incurred less payments (if any) since received”.

#### SCHEDULE

All that allotment of land marked Lot 1 in Surveyor Plan No. 2404/10A dated 10.04.2004 made by A. A. Rupa Sri Ananda, Licensed Surveyor in respect of the land called and known as Innawatte and Dachchi Hene Pelawatte (Portion of) situated at Ruwanwella in the Dehigampal Korale, Kegalle District, Sabaragamuwa Province and

bounded on the North by Road and a portion of this land, on the East by a portion of this land (Lot 2 in Plan No. 767), on the South by a portion of this land and on the West by a portion of this land (Lot 10 in Survey Plan No. 364 dated 13.01.1958) and containing in extent Eight decimal One Perches (0A., 0R., 8.1P.) together with the building bearing Assessment No. 140A and all other buildings and everything else standing thereon. Which is registered under volume/ Folio S/169/62 of the Land Registry, Awissawella.

Together with the Right of Way in over and along.

All that allotment of land marked Lot 2 in Survey Plan No. 2404/10B dated 10.04.2004 made by A. A. Rupa Sri Ananda, Licensed Surveyor in respect of the land called and known as Innawatte and Dachchi Hene Pelawatte (Portion of) situated at Ruwanwella in the Dehigampal Korale, Kegalle District, Sabaragamuwa Province and bounded on the North by Main Road, on the East by a portion of this land, on the South by Lot 1 and on the West by a portion of this land (Lot 10 in Survey Plan No. 364 dated 13.01.1958) and containing in extent Two decimal Seven Five Perches (0A., 0R., 2.75P.) being a means of Access to the aforesaid land depicted as Lot 1 in Survey Plan No. 2404/10A. (Also depicted as Lot 1 in Survey Plan No. 2404/10B). Which is Registered under Volume/Folio S/169/63 of the Land Registry, Awissawella.

By order of the Board of Directors,

Chief Manager, Legal.

**NEW SCALES OF CHARGES FOR NOTICES AND ADVERTISEMENTS IN THE  
"GAZETTE OF THE DEMOCRATIC SOCIALIST REPUBLIC OF SRI LANKA"  
EFFECTIVE AS FROM JANUARY 01, 2009**

*(Issued every Friday)*

1. All Notices and Advertisements are published at the risk of the Advertisers.
2. All Notices and Advertisements by Private Advertisers may be handed in or sent direct by post together with full payments to **the Government Printer, Department of Government Printing, Colombo 8.**
3. The office hours are from 8.30 a.m. to 4.15 p.m.
4. Cash transactions will be from 9.00 a.m. to 3.00 p.m.
5. **All Notices and Advertisements must be pre-paid.** Notices and Advertisements sent direct by post should be accompanied by Money Order, Postal Order or Cheque made payable to the Government Printer. Postage stamps will not be accepted in payment of Advertisements.
6. To avoid errors and delay "copy" should be **on one side of the paper only and typewritten.**
7. **All signatures should be repeated in block letters below the written signature.**
8. Notices re-change of name from Non-Government Servants and Trade Advertisements are not accepted for publication.
9. Advertisements purporting to be issued under Orders of Courts will not be inserted unless signed or attested by a Proctor of the Supreme Court.
10. **The authorised scale of charges for Notices and Advertisements is as follows from January 01, 2009 :-**

	<i>Rs.</i>	<i>cts.</i>
One inch or less ... ..	137	00
Every addition inch or fraction thereof ... ..	137	00
One column or 1/2 page of <i>Gazette</i> ... ..	1,300	00
Two columns or one page of <i>Gazette</i> ... ..	2,600	00

*(All fractions of an inch will be charged for at the full inch rate.)*

11. The "Gazette of the Democratic Socialist Republic of Sri Lanka" is published every Friday. Day of publication is subject to alteration in any week where Public Holidays intervene.
12. All Notices and Advertisements should reach the **Government Printer, Department of Government Printing, Colombo 8**, as shown in Schedule of Separate Notice published at the end of each part of the *Gazette* of the first week of every month.
13. **REVISED SUBSCRIPTION RATES EFFECTIVE FROM JANUARY 1ST 2009 :**

**\*Annual Subscription Rates and Postage**

	<b>Price</b>	<b>Postage</b>
	<i>Rs. cts.</i>	<i>Rs. cts.</i>
Part I :		
Section I ... ..	2,080 00	3,120 00
Section II (Advertising, Vacancies, Tenders, Examinations, etc.) ... ..	1,300 00	3,120 00
Section III ... ..	780 00	3,120 00
Part I (Whole of 3 Sections together) ... ..	4,160 00	6,240 00
Part II ... ..	580 00	3,120 00
Part III ... ..	405 00	3,120 00
Part IV (Notices of Provincial Councils and Local Government) ... ..	890 00	2,400 00
Part V ... ..	860 00	420 00
Part VI ... ..	260 00	180 00
Extraordinary Gazette ... ..	5,145 00	5,520 00

Subscription to the "Gazette of the Democratic Socialist Republic of Sri Lanka" are booked per periods of not less than 12 months so as to terminate at the end of a calendar year only.

**\* Rates for Single Copies (if available in stock)**

	<b>Price</b>	<b>Postage</b>
	<i>Rs. cts.</i>	<i>Rs. cts.</i>
Part I :		
Section I ... ..	40 00	60 00
Section II ... ..	25 00	60 00
Section III ... ..	15 00	60 00
Part I (Whole of 3 Sections together) ... ..	80 00	120 00
Part II ... ..	12 00	60 00
Part III ... ..	12 00	60 00
Part IV (Notices of Provincial Councils and Local Government) ... ..	23 00	60 00
Part V ... ..	123 00	60 00
Part VI ... ..	87 00	60 00

\*All remittances should be made in favour of the Superintendent, Government Publications Bureau, No. 132, Maya Avenue, Kirulapone, Colombo 05, who is responsible for booking subscriptions and for sale of single copies.

### IMPORTANT NOTICE REGARDING PUBLICATION OF GAZETTE

THE Weekly issue of the *Gazette of the Democratic Socialist Republic of Sri Lanka* is normally published on Fridays. If a Friday happens to be a Public Holiday the *Gazette* is published on the working day immediately preceding the Friday. Thus the last date specified for the receipt of notices for publication in the *Gazette* also varies depending on the incidence of public holidays in the week concerned.

The Schedule below shows the date of publication and the latest time by which notices should be received for publication in the respective weekly *Gazette*. All notices received out of times specified below will not be published. Such notices will be returned to the sender by post for necessary amendment and return if publication is desired in a subsequent issue of the *Gazette*. It will be in the interest of all concerned if those desirous of ensuring the timely publication of notices in the *Gazette* make it a point to see that sufficient time is allowed for postal transmission of notices to the Government Press.

**The Government Printer does not accept payments of subscription for the Government Gazette.** Payments should be made direct to the Superintendent, Government Publications Bureau, No. 132, Maya Avenue, Kirulapone, Colombo 05.

*Note.*—Payments for inserting Notices in the *Gazette of the Democratic Socialist Republic of Sri Lanka* will be received by the Government Printer and not by the Superintendent, Government Publications Bureau.

#### THE SCHEDULE

<i>Month</i>	<i>Date of Publication</i>			<i>Last Date and Time of Acceptance of Notices for Publication in the Gazette</i>		
<b>2012</b>						
<b>FEBRUARY</b>	03.02.2012	Friday	—	20.01.2012	Friday	12 noon
	10.02.2012	Friday	—	27.01.2012	Friday	12 noon
	17.02.2012	Friday	—	03.02.2012	Friday	12 noon
	24.02.2012	Friday	—	10.02.2012	Friday	12 noon
<b>MARCH</b>	02.03.2012	Friday	—	17.02.2012	Friday	12 noon
	09.03.2012	Friday	—	24.02.2012	Friday	12 noon
	16.03.2012	Friday	—	02.03.2012	Friday	12 noon
	23.03.2012	Friday	—	09.03.2012	Friday	12 noon
	30.03.2012	Friday	—	16.03.2012	Friday	12 noon
<b>APRIL</b>	05.04.2012	Thursday	—	23.03.2012	Friday	12 noon
	11.04.2012	Wednesday	—	30.03.2012	Friday	12 noon
	20.04.2012	Friday	—	05.04.2012	Thursday	12 noon
	27.04.2012	Friday	—	11.04.2012	Wednesday	12 noon

LAKSHMAN GOONEWARDENA,  
Government Printer.

Department of Government Printing,  
Colombo 08,  
January 01, 2012.