# Performance on the Role of the National Secretariat in relation to the Empowerment of the Persons with Special Needs in Sri Lanka





# National Audit Offic

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#### 1. Executive Summary

The prime expectation of all the human beings living in the world is to lead a life with selfdignity. Whilst making necessary laws and rules to materialize such expectations, the governments take necessary measures to ensure social equilibrium by providing equal status to the aggrieved individuals, if any. Accordingly, governments provide assistance in numerous ways for the people living in the society amidst various physical and mental issues. Accordingly, for the promotion, advancement and protection of rights of persons with disabilities in Sri Lanka; and to provide for matters connected therewith or incidental thereto, the Protection of the Rights of Persons with Disabilities Act, No. 28 of 1996 had been passed.

Under the functions of this Act, it is bound to ensure necessary background for the persons with disabilities to enjoy equal opportunities among the other members in the society. Accordingly, the main functions of providing assistance for the persons with special needs with low income level to construct homes, supporting equipment, granting monthly allowance, assisting to maintain a self-employment, providing medical aids and educational supports and ensuring necessary facilities for the persons with disabilities between the age of 16 and 35 years to engage in the residential vocational training courses, are discharged by the National Secretariat for the Empowerment of the Persons with Disabilities.

The objective of the compilation of this audit report is to evaluate as to how far the empowerment of the persons with disabilities in the society become realistic through the assistance and facilities made available to such persons with the provisions granted to the National Secretariat for the Empowerment of the Persons with Disabilities and the Department of Social Services by the Government. This audit observed some instances such as lack of developed data base on the persons with disabilities with low income level in Sri Lanka and as a result failure to prepare a systematic procedure to provide assistance to the persons with disabilities through mobile services, discontinuation of housing constructions halfway due to delay in granting relevant assistance over a number of years and abandonment of self-employments for not providing vocational trainings in aids for

granting self-employment. The detail matters thereon will be presented. Further, the lapses such as lack of officers trained in sign language to communicate accurate information of the audibly impaired persons to express their needs, drawing least attention with regard to accessible facilities and minimum apprising level of the schools on the provision of educational assistance were also observed.

The Department of Social Services has appointed a Social Services Officers for each Divisional Secretariat to fulfill two basic objectives of recognizing the persons with disabilities and providing relief to those individuals. There are 331 Divisional Secretariats in 25 districts throughout the island and these officers have to undergo numerous difficulties in the discharge of these functions. It was observed in audit that the follow-up process on the duties of these officers had been omitted in most instances. It was further observed that no required measures had been taken up to date with regard to the matters set out under the National Plan for the Protection and Promotion of Human Rights, from the year 2017 to 2021.

#### 2. Introduction

As referred to in the Protection of Rights of Persons with Disabilities Act, the legal interpretation of the "Persons with Disabilities" in Sri Lanka means any person who, as a result of any deficiency in his physical or mental capabilities, whether congenital or not, is unable by himself to ensure for himself, wholly or partly, the necessities of the life.

All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and as stated in the Universal Declaration on the Human Rights dated 10 December 1948 they should act towards one another in a spirit of brotherhood.

For the purpose of providing protection and ensuring rights of the persons with disabilities among the communities in Sri Lanka, the Parliament has adopted the Protection of Rights of Persons with Disabilities Act, No.28 of 1996 and the National Secretariat for the Persons with Disabilities and the Department of Social Services functioning under the Ministry of Social Empowerment have been introduced as the assisting agencies in its implementation.

The National Policy on Disability ensures the promotion and protection of the rights of the persons with disabilities in the sense of social justice. They will get opportunities to lead fully pledged and contended life and contribute to the national development with their capabilities built up with their knowledge, experience and special skills.

Empowerment of the persons with disabilities, their organizations and their parental organizations is one of the main principal of this policy and in the effective implementation of the policy, priority is given for the empowerment.

The National Action Plan for the Protection and Promotion of Human Rights (2017-2021) has classified the main functions on the disability in Sri Lanka and nominated the responsible public institutions in that respect as specified below. Accordingly, the details on the functions entrusted with the Ministry of Social Empowerment with regard to discharge of the following functions for the persons with disabilities are stated in the following paragraphs.

#### 2.1 The Role of the Ministry of Social Empowerment

According to the policy, the role of the Ministry is as follows.

#### 2.1.1 Rights on Sovereignty

To respect the sovereignty, privacy and citizenship of every person with disabilities, ensure participation, self- representation and an environment to voice on their behalf and identification of all the services established for and used by the persons with disabilities in mentally and physically.

#### 2.1.2 Ensuring an adequate living standard and social protection

- **a.** Establishment of separate units in the District and Divisional Secretariats Structure to equally provide the benefits to the deserved persons with special needs through the schemes on social protection and poverty eradication in order to completely include the persons with special needs in the social protection programmes of the main stream on equal basis with the other people.
- **b.** Development and publication of eligibility criteria for the persons with special needs by assuring that the eligibility for strengthening the existing social protection programmes specialized for the persons with special needs are not restricted from other social protection programmes.
- **c.** Providing assistance services for the persons with mental disorders who are living in street or without permanent residence whilst respecting to personal interest and desires.
- **d.** Specifically identifying the persons with special needs by the processes, outcome and budget related to the strategies and plans reflecting the development policies for the inclusion of economic development plans and strategies.

#### 2.1.3 Health Care Services

a. Evaluation of primary healthcare services to identify the existing gaps and lapses in the prenatal and postpartum healthcare in order to early detection of the disability and the health insurance intervene.

- b. Preparation and publication of guidelines on the following matters in consultation with the persons with psychosocial disorders and relevant civil society organizations.
  - Early detection and preventing worsening.
  - Increased participation and cooperation.
  - Training caretakers and service suppliers.
  - While balancing above factors in order to be secured from the risk of becoming detrimental for themselves and for others, to control procedures and security including the minimization of treatments given without consent.
- c. Through the educational programmes targeting at the youths with special needs and their caretakers to respect the family and the family life, providing opportunities for highlighting the rights of the persons with special needs including relationships, marriage and motherhood / fatherhood and acting in accordance with their interests.

# 2.1.4 Created environment with access facilities, transport, communication and assistance and technology

a. Creation of environment for the persons with special needs to freely involve in all the events of the life equally as the others and to assure independent living with their community.

Implementation and regulation of standards and guidelines stipulated in Access Regulations, 2016 and establishment of mechanism to entertain complains and institute legal actions against the proprietors of the Government buildings who do not comply with those regulations.

- b. Accessibility to information and communication
  - To take specific measures by the Government to properly recognize, legalize and assure promotion of the Sri Lankan Sign Language.

- Introduction of a National Certificate Programme for sign language interpretation.
- Giving diploma level training for 100 sign language interpreters who possess professional certificates.
- Publication of at least 50 per cent of news via printing and visual media in all state media in a manner able to be known by the persons with special needs. (Brail system, posters in large size, legible models, sign language interpretation, sign language videos)
- Development of a service to take copies and produce audio and brail information to provide necessary service for giving accessible information to the persons with special needs.
- c. Accessibility to supportive and usable technology
  - Introduction of sponsoring and tax free schemes for increasing opportunities to obtain communication equipment created for the persons with special needs with audible and visual impairments.

#### 2.1.5 Access to the Justice

- (a) The persons with special needs can access to the Justice (Eg:- To lodge complains to the Police, attending legal proceedings, access to the low enforcement institutions and courts, to appear as a witness)
- (b) Inclusion of the focal matters on the disability in the Police Stations. (These focal matters should consist of the capacities to provide services to the persons with special needs through the sign language interpreters and brail equipment )

#### 2.1.6 Women and Child Welfare

(a) Resolving identified/ prioritized issues of the women with special needs.

- (b) Appointing a committee to take top level decisions with the involvement of relevant public institutions for holding discussions and giving solutions to the issues of the women with special needs.
- (c) Preparation of other action plan based on the identified issues and the already approved National Action Plan for the Persons with Special Needs, 2014.
- (d) Establishment of a separate government scheme inclusive of appropriate mechanism for trainings, counseling and follow-up process in order to assist the women with special needs to earn income.
- (e) Establishment of district level regulatory committee of women with special needs with the participation of other parties in order to assure the fact that the issues of the women would be solved and their rights won't be violated.
- (f) Establishment of national level regulatory committees of the women with special needs with the participation of members of the district regulatory committees to assure that the issues of the women would be solved.
- (g) Making national level awareness on the necessities of the women with special needs through television, radio, newspapers etc. in order to sensitize the general public.

# 2.1.7 Taking Constitutional, Policy and Institutional measures to protect, respect and promote the rights of the persons with disabilities.

- (a) To review and amend the laws being made pertaining to the disability for amending the laws to assure that those are in consistence with the Convention on the Rights of Persons with Disabilities and the other international frameworks.
- (b) Appointment of a team comprising experts in the civil society including educationists and professionals in human rights law and other experts in other sectors relating to the rights of the persons with special needs (Eg:- Education, transport, urban development, media, mental health)

(c) Collecting, reporting and use of data on the disability at regional, district and provincial level to enhance the witness base in providing programmes and services substantiating the rights of the persons with special needs.

The Ministry of Social Empowerment had not planned and implemented a comprehensive programme for activities 2.1.1 to 2.1.7 above and a part of these activities are being implemented by the institutions established under the purview of the Ministry namely, National Council For Persons with Disabilities and Department of Social Services. Under the circumstance, this Report was prepared by considering the role accomplished by the National Secretariat for Persons with Disabilities.

#### 2.2 Selection of the Title for the Audit

The Ministry of Social Empowerment is mainly involved in public sector interventions to exclude situations such as marginalization and discrimination of persons with special requirements (persons with Disabilities) and not considering them as human beings with equal human rights and responsibilities and not given equal opportunities that are given for other persons and being excluded from the mainstream due to their disability and to transform such persons with special requirements (persons with special requirements (persons with Disabilities) into persons with equal rights in the society.

The National Council for Persons with Disabilities (NCPD), the National Council for Persons with Disabilities (NSPD) and the Department of Social Services, which are under the purview of the Ministry of Social Empowerment are the main institutions that get involved in the provision of assistance in many ways to improve the living standard of persons with disabilities and to strengthen them in society wise.

The Government has made significant contribution from the annual budget for the above institutions and this topic was selected to evaluate whether it was possible to sustain the economic, educational and social status of disabled persons in low income families using such provisions.

### 2.3 Objectives of the Audit

The main objective of this performance audit is to evaluate whether the financial assistance provided by the Ministry of Social Empowerment for Persons with disabilities has been equitably allocated and utilized physically and transformed them to a status that they enjoy equal rights that are enjoyed by the other people in the society.

Particulars on receipt of money and incurring expenditure for strengthening persons with disabilities during the period of 05 years from 2014 to 30 June 2019 are mentioned below.

Particulars	2014	2015	2016	2017	2018	As at 2019.06.30	Total
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Government Grants	46.860,000	35.829.286	40,000,000	42,000,000	43,000,000	36 ,500,000	244,189,286
Receipts from Supiri Wasana Fund	35,451,533	40,992,790	33,793,090	25,464,899	23,847,060	10,400,000	169,949,372
Total of Income	35,451,533 ======	40,992,790 ======	 73,793,090 ======	67,464,899 ======	 66,847,060 	46,900,000 	 414,138,658 
i. Provision of aids to construct houses	33,643,804	24,592,505	49,845,980	35,907,440	18,742,761	2, 073, 045	164,805,535
ii. Provision of supportive equipment	29,762,905	10,113,305	13,548,357	13,137,000	13,030,893	-	79,592,460
<ul><li>iii. Provision of</li><li>aids for self-</li><li>employment</li></ul>	6 ,241,349	10,169,442	9,298,904	9,987,610	10,053,057	7,030,000	52,780,362

Provision	of	1,648, 950	1,779, 320	3,132, 382	3,591,021	3,957,431	3,242,000	17,351,104
educational								
assistance								
Provision	of	6,260, 573	8,494, 983	6,064, 391	7,338,560	8,888,806	7,530,000	44,577,313
medical								
assistance								
		77,577,581	55,149,555	81,890,014	69,961,631	54,672,948	19,875,045	359,106,774

#### 2.4 Scope of Audit

- (a) The aids provided by the National Council for Persons with Disabilities in Sri Lanka for disabled persons in low income families were examined. For that purpose, the audit had also focused its attention on the social service divisions in the Divisional Secretariats. Accordingly, social service divisions in 13 Divisional Secretariats in five Districts namely, Galle, Kalutara, Kegalle, Kandy and Colombo were examined.
- (b) Aids granted by the aforementioned Divisional Secretariats to persons with disabilities for their housing and self-employment requirements were examined physically.
- (c) Data on aids and reliefs granted to disabled persons from 2014 to June 2019 were included in this performance report using the data in the reports maintained by the Ministry.

#### 2.5 Related Institutions and the Role

The National Secretariat for the Persons with Disabilities and the Department of Social Services are the institutions related to this and the functions of the institutions are as follows.

#### Functions

National Secretariat for the Persons with Disabilities

Institution

(a) to promote the welfare and the protection of rights of, persons with disabilities;

- (b) to maintain accurate statistics relating to persons with disabilities and the services available to such persons;
- (c) to identify the principal causes of disablement and promote effective measures for their prevention and control;
- (d) to formulate and promote measures for the rehabilitation of persons with disabilities;
- (e) to ensure a better standard of living for persons with disabilities;
- (f) to ensure that the requirements of persons with disabilities are met adequately;
- (g) to establish and maintain institutions to accommodate and care for persons with disabilities and provide educational and vocational training for such persons;
- (h) to guide, support, co-ordinate and monitor, the activities of institutions established for the care of persons with disabilities;
- (i) to assist wherever possible, persons with disabilities to be gainfully employed;
- (j) to encourage the study of, and research on, methods to improve the quality of life of persons with disabilities and to promote their participation in all activities;

Department of Social(a) Identifying and expansion the job market for persons withServicesdisabilities.

- (b) Provision of assistive devices for the persons with disabilities and empowering their families.
- (c) Guidance of children with special needs for inclusive education through prior mediation.
- (d) Conducting workshops, conferences and training programmes for service providing officers in order to uplift their knowledge, skills and attitudes.
- (e) Providing a relief to day to day works of the person with hearing disabilities by issuing special identity cards and providing signal language translation services.
- (f) Safe guarding the boys who are mentally retarded and had not been in the custody of the guardian.
- (g) Providing financial assistance to the voluntary associations which are being conducted for welfare of the persons with disabilities.
- (h) Providing eye lenses and medical aid to provide eye sight for visually impaired persons below 60 years.
- Providing sports, educational and cultural aids for visually handicapped children.

### 2.6 Authority for Audit

The Audit is conducted under the Provisions of Article 154 (1) of the Constitution of the Socialist Republic of Sri Lanka and Section 12 of the Audit Act No. 19 of 2018.

#### 2.7 Audit Approach

The following Provisions stipulated in the following Circulars were considered in the audit approach.

- Interviews
- Information analytical test
- Physical Test
- Calling Information
- Reports issued by the Ministry etc.

#### 2.8 Audit Criteria

- Protection of the Rights of Persons with Disabilities Act. No. 28 of 1996
- National Policy on Disability for Sri Lanka (2003)
- National Plan of Action of Persons with Disabilities (2014)
- United Nations Charter on the Rights of the Persons with Disabilities
- National Action Plan for Safeguarding Human Rights 2017-2021

#### 3. Detailed Audit Areas

### **3.1** To set up the necessary environment to safeguard the rights of persons with special needs

#### 3.1.1 National Policy on Persons with Special Needs

The Ministry of Social Services had obtained the Cabinet approval for Sri Lanka's National Policy on Disability in August 2003. The National Policy on Disability promotes and protects the rights of persons with disabilities in the name of social justice. They will be capable of leading a full and satisfying life similarly as the other citizens and thereby they will get an opportunity to contribute in the national development. Under this policy, the fundamental requirements such as income, employment, vocational skills, education, housing, health and social services of the disabled are fulfilled.

#### 3.1.2 Protection of the Rights of Persons with Disabilities Act

Protection of the Rights of Persons with Disabilities Act 28 of 1996, is an Act to provide for the establishment of a National Council for Persons with Disabilities, for the Promotion, Advancement and Protection of Rights of Persons with Disabilities in Sri Lanka; and to provide for matters connected therewith or incidental thereto and the following observations are made in terms of the Provisions of this Act.

Twenty two (22) functions have been stipulated for persons with disabilities in Section 13 of the Act and action has not yet been taken to accomplish the following functions of the Act. (Annexure 01)

- (a) to recommend schemes, to promote the welfare of, and for protection of, persons with disabilities.
- (b) to maintain accurate statistics relating to persons with disabilities and the services available to such persons.
- (c) to introduce programmes to make the physical environment accessible to persons with disabilities and implement schemes to provide access to information and communication by persons with disabilities.

(d) to monitor and co-ordinate the programmes and schemes formulated, initiated and implemented by the Government and by voluntary organizations and bodies, for the upliftment of persons with disabilities and to provide grants for such purposes, and to make necessary recommendations.

#### 3.1.3 Maintenance of a Management Data System in relation to Persons with Disabilities

- (a) According the National Action Plan on Disability in Sri Lanka, disability should be included in the data collection in national level. It was mentioned by the survey conducted by the Department of Census and Statistics in 2012 that 1,617,924 persons with physical and mental difficulties had been included in the statistics and the National Secretariat for the Persons with Disabilities too had used such statistics. However, data on disabled persons of low income families had not been separately included in the statistics.
- (b) It was observed that maintenance of a data bank on updated information of persons with disabilities living in the country was a major shortcoming for non-availability of information on disabled persons and the Ministry had not implemented a programme for this purpose. The Committee on Public Enterprises (COPE) which was held on 20 August, 2014 had directed to issue a report on the actions taken to prepare this system of information by 31 December 2014 and since this direction had not yet been implemented, the Committee on Public Enterprises held on 7th September 2018 had again directed to execute the Order.
- (c) In 2019, Provisions amounting to Rs.15 million had been allocated for the preparation of the database. According to the action plan prepared for that purpose, 75 percent of the data processing process must be finalized by 30 September and Rs. 9.50 million out of the Provisions should have been incurred by that time. However, plans for processing data had not been initiated even by 31 October, 2019. Accordingly, the provisions were completely saved.
- (d) However, Social Service Officers of 13 Divisional Secretariats had documented details of 7,065 of disabled persons in low income families when the audit

examined the details of disabled persons in low income groups in 13 Divisional Secretariats of 05 Districts. Details are shown in Annexure 2.

# 3.1.4 Shortages in human and physical resources provided to the National Secretariat in the performance of relevant roles for persons with disabilities

Permanent staff is required to systematically carry out the roles of the National Secretariat for Persons with Disabilities. Accordingly, 40 members of staff for 16 Posts had been approved for the National Secretariat for Persons with Disabilities as per the letter of the Department of Management Services bearing No. DMS/B1/41/03 of 19 March 2018. The major Posts such as Legal Officer, Technical Officer, Sign Translator, Accountant and Braille Consultant are included in those Posts. However, any action had not been taken to recruit permanent officers for the National Secretariat by the Month of November. The affairs of the Council were carried out by 26 members of the Staff attached to the Ministry of Social Empowerment. Due to the lack of adequate staff in the National Secretariat, it was not possible to prepare programmes for the provision of relief services and grants to disabled persons and to follow up whether such relief services and grants are properly utilized.

#### 3.2 Various Programmes Implemented for Persons with Disabilities

#### 3.2.1 Programme of Providing Housing Aids

#### 3.2.1.1 Sponsorship for Housing Programme

The National Council for Persons with Disabilities has implemented a housing assistance programme since the year 2002 as one of the main areas of empowerment of persons with disabilities in Sri Lanka. Accordingly, a grant of Rs. 250,000 will be provided to build a new house and Rs. 150,000 will be provided to renovate an existing house.

Five per cent (5%) of the proceeds from the sale of the Supiri Wasana Sampatha lottery tickets maintained by the National Lotteries Board will be granted to the National Secretariat for Persons with Disabilities as provisions for this purpose.

#### 3.2.1.2 Methodology of Applying for Housing Aid

Disabled persons in low income families must possess a piece of land to build a home for them. Similarly, a person with disability, who needs housing aids should obtain the application form from the Social Services Officer of the Divisional Secretariat and it should be submitted with the approval of Grama Niladhari and Divisional Secretary to the National Secretariat for recommendation. The National Secretariat shortlists applications on district basis and aids will be granted in compliance with the methodology of receiving funds.

#### 3.2.1.3 Implementation of housing assistance programmes

According to the data system maintained by the National Secretariat in relation to housing aids granted to disabled persons in low income families living in 25 Districts, sums of Rs. 98,371, 506and Rs. 103,608, 996had been paid as the first instalment and the other instalments respectively for constructing 984 houses from the year 2014 to 30 June 2019. Details are as follows.

	2014	2015	2016	2017	2018	As at 30 June	Total
Description						2019	
i. Number of houses for which aids were granted	197	109	427	98	66	87	984
ii. Total amount paid in Rs. Million	20. 1	10. 8	42. 5	9.7	6.8	8.6	98.4

Observations in this regard are as follows.

- (a) Standardized plans for the houses to be constructed had not been introduced to suit the housing aids provided to disabled persons to live on. Cconsequently, it was observed that there were occasions, where construction of houses could not be completed to suit the amounts of money provided. Further, construction of 570 of new houses within the 25 Districts from the year 2014 to 2018 at the cost of Rs. 250,000 for each house had been approved. Nevertheless, only an amount of Rs. 89,250, 000had been granted for 357 houses at the rate of Rs. 250,000 per each house. Once these houses are constructed, a final progress report mentioning that these houses are completed should be submitted to the National Secretariat by the respective Social Services Officer of the Divisional Secretariat. However, progress reports had not been submitted for 251 houses out of 357 houses, for which total amount of grants had been paid. Details are shown in annexure 3.
- (b) Not following a formal methodology for checking the progress subsequent to the payment of the full amount for the houses that had been approved annually by the National Secretariat for Persons with Disabilities was the reason for (a) above.
- (c) It was observed that there were occasions where instalments had not been granted to the relevant disabled person even though the full amount had been provided by the National Secretariat to the Divisional Secretariat for the construction of houses. Under this circumstance, it was observed to the Audit that following up activities had not been carried out to evaluate whether the amount provided annually had been properly utilized.
- (d) It was observed at the physical examination that there is no systematic arrangement in relation to the manner of providing the grant for the construction of a house to the disabled person or to the member of family of the disabled person, who present himself on behalf of the disabled person and the disabled person or the member of the family of the disabled person, who present himself on behalf of the disabled person had not been made aware in this regard even though the grant is given to the Divisional Secretary in three instalments and consequently, instalment arrears amounting to Rs. 20,642, 400for 219 houses, which had commenced construction in 22 districts from 2014 to 30 June 2019 had to be paid. There was a delay in paying instalment arrears for about 05 years. As a result, it was observed that the construction of houses had been delayed or had been suspended midway. Details in this regard are given in Annexure 4.

- (e) As the recipient of the housing aid is a disabled person, the person should be made aware on the construction work in accordance with 3.3.3 above and the person should be provided guidance and following up activities should be carried out to expedite the construction. However, it was observed that they were not provided with such guidance or following up activities had not been carried out on construction activities and as a result, the construction of the houses had been halted midway.
- (f) Thirteen (13) disabled persons selected from 13 Divisional Secretary's Divisions in eight Districts of the island were paid a sum of Rs. 1,925,000 in 4, 3 or 2 full instalments for the construction of houses at the rate of Rs. 250,000 each per one disabled person. However, these disabled people had stopped building their houses midway. The relevant officers had not examined the reasons for stopping the construction of houses midway and had not guided the disabled persons to complete the construction activities. Details in this regard are given in Annexure 5.
- (g) Once the housing aid requests of disabled persons in low income families are approved, the National Secretariat sends money to the Divisional Secretary in 03 or 02 installments. The amount will then be given to the disabled person in five stages. The Social Services Officer should check whether there are any delays in the construction of houses due to any inconvenience caused to the disabled persons. However, a sum of Rs. 1,650,000, granted to construct houses for 13 disabled persons in 13 Divisional Secretariats in 07 Districts had been returned to the National Secretariat owing to non-construction of houses as inconveniences of the disabled persons had not been checked. Returning the money to the Secretariat had been done with a delay of about one to two year time period. It was observed that the opportunity to grant money for the construction of a house for another disabled person was missed due to that reason. Details are mentioned in annexure seven above.
- (h) Special attention should be given for the North and Eastern provinces of Sri Lanka when granting Housing aids since many disabled persons are living in those areas having faced a war. It was observed at the Audit that the granting Housing Aids in eight districts in North and Eastern Provinces had taken place at a minimum level according to information contained in the Data base maintained by the Secretariat. Granting aids for Mulaitue and Kilinochchi for the period from 2014

to 2018 had not taken place. The number of houses constructed for disabled persons within 8 districts during that time period is 131.Details are mentioned in annexure 7.

(i) Sufficient information was not provided in the register in respect of granting Housing aids to persons maintained by the Social services Division of Hanwella Divisional Secretariat in Colombo district. Accordingly, Rs 250,000 had been approved for five persons each for building houses and Rs 100,000 each had been given to the Divisional Secretariat. But according to the Physical Audit done on 02<sup>nd</sup> September 2019,it was observed that a sum of Rs 50,000 each had not been paid for 04 disabled persons and the money had been deposited in General Deposit account. Further although a disabled person to whom Rs 100,000 should have been paid had been regarded as dead, it was not noted whether the person concerned was paid such money or returned the money to the Divisional Secretariat. No follow up action had been taken regarding this.

#### 3.2.2 Programme for Granting Aids for Self Employment

Section 21 of the Convention on the Rights of Persons with Disabilities of the United Nations admits the fact that the disabled persons too have the right to work equally with others. For this includes the opportunity promotion for self-employment. Accordingly, the National Secretariat for Disabled persons, with the objective of improving the living condition of disabled persons, had initiated a programme to provide aids to start a self-employment or improve the current self-employment maintained by disabled persons or family members of them on behalf of such disabled persons and actions had been taken to provide a maximum sum of Rs.25,000 under that programme. Granting of such monetary aids is being done at Divisional Secretariat level under the supervision of Social Services Officers.

However, it was observed at the audit that there were issues with regard to sufficiency of the said amount for initiating a self-employment. The following are the details of the self-employment aids granted from 2016 to 30<sup>th</sup> September 2019 according to the methodology followed in granting self-employment aids.

	2016	2017	2018	2019
Number of persons received aids	389	421	412	285
Amount paid Rs. Million	9.3	9.9	10.0	7.03

The following facts were observed regarding this.

- (a) When disabled persons are referring applications for obtaining aids for self-employments, actions should be taken to provide a vocational training related to his area of special skill rather than his disability. The secretariat had annually granted, subject to a maximum of Rs 25000 each, self-employment aids for 300 to 400 disabled persons. Although the Social Services Officers had been made aware of the need to refer such persons to specialized institution's such as VIdatha centers to give a special training related to their field, those officers had not rendered that task properly. Therefore, it was observed that in certain instances they had not made sufficient profits from the aids they had obtained. For an example in one instance a person who had obtained self-employment aids for mushroom cultivation had started it having a sufficient knowledge about basic steps of such cultivation, it was observed that this self-employment had failed owing to fact that he did not have a sufficient knowledge on how to continue with cultivation and the poor knowledge about the mushroom market.
- (b) Although the aids should have been granted after determining whether the disabled person could continue with the self-employment he had chosen according to the nature of his disability it was observed that in certain instances such procedure had not been followed Although two disabled persons in Homagama Divisional Secretariat Division had been granted Rs.25000 each in 2018 for continuing with self-employment, these self-employments had halted halfway. But no following up had been done in this regard.
- (c) Before starting self-employments, it is necessary to give a vocational training on how to continue with a self-employment, a plan on how to give support to disabled persons and a community development programme with information on the market and giving priority to housing. however that due to such guidance and support being not given on most occasions by the relevant authorities and also due to the paid amount of Rs.25000 being not sufficient for the expected self-employment, It was observed that there were instances where, although the self-employment had been started they could not continue it in an economically effective way. For instance, self-employment recipients who bought sewing machines for garment industry did not have sufficient money for buying strings, materials and other things. It was observed at the physical audit that the Self-employment recipients who were involved in coir based products found it extremely difficult to

compete with imported synthetic products and therefore there were instances where they could not sell their products.

(d) The progress of the self-employment should be reviewed after three months and one year from the date from which the aids were given. This progress report should be prepared by the Social Services Officer attached to the Divisional Secretariat. It was observed that giving this type of a progress report does not mean that the person concerned continue with the self-employment or following up is done properly. The details are as follows.

Particulars	2016	1017	2018
Allocations Rs.Million	9.30	10.00	10.00
Expenditure Rs. Million	9.29	9.98	10.05
Number of persons granted self-employments aids	386	422	412
Number of persons who did not give progress reports	386	199	142

#### **3.2.3** Provision of Aiding Equipment for Disabled person

This aiding equipment include

Various equipment and utensils that make disabled persons find it easy to live an independent life and move with the society. For persons who have moving difficulties should be given tricycles, wheelchairs, crutches, artificial hands and legs and other walking equipment and for persons who have hearing disabilities should be given hearing aids and for those who are visually handicapped should be given spectacles and white canes Ministry of Social Empowerment had decided to include and implement the strategy of increasing the provision of these equipment under the national policy on disability of 2003 and this has been included under the Health and Reforms of the National Action plan on Disability of Sri Lanka submitted in January 2014. The Following amounts had been expended from 2014 to 30th June 2019 for providing aiding equipment for Disabled Persons by the National Secretariat for persons with Disability.

Year	2014	2015	2016	2017	2018	2019 (by 30 <sup>th</sup> June)
Amount expended	29.78	10.11	13.54	14.13	13.03	2.32
(Rs.Million)						

The following facts were observed in this connection.

- (a) The National Secretariat for persons with Disability had not issued internal circulars as a guidance regarding an identified proper procedure for providing equipment for disabled persons. Accordingly, no procedure had been introduced to make the needy persons properly aware of the way to obtain aiding equipment.
- (b) Although the number of disabled persons with low income had been identified at Divisional Secretariat level no procedure had been prepared to identify and apply the equipment needed for them. Accordingly, wheel chairs, Commode wheel chairs, crutches, walking sticks and spectacles (Near viewing and far and near viewing spectacles) had been bought and distributed at Mobile Services conducted in districts without considering the true need of such equipment. It was also observed that although name lists of persons who obtained equipment were available at places where there were Mobile Services there was no method to obtain a confirmation whether such persons were from low income families or whether such equipment went into the hands of very persons mentioned in the lists.
- (c) It was observed at the audit was the fact that, in some instances, although disabled persons from low income families living in Divisional Secretariats are needing these equipment the Social Services Officers having presumed that obtaining of such equipment from the National Secretariat for persons with Disability itself was a difficult task the officers had not educated the disabled persons to apply for such equipment. For example as revealed at the physical audit a disabled child with walking difficulty in Ingiriya Divisional Secretariat was needing a commode wheel chair. The Social Services Officers had, by that time, not even identified the procedure on how to obtain such equipment.

- (d). Since a procedure to distribute near and far viewing spectacles amongst visually handicapped children had not been prepared no school had been educated in this regard. Since a proper procedure had not been prepared to obtain near and far viewing spectacles after a Medical investigation regarding spectacles to be applied for based on medical Certificates the demand for such spectacles had decreased. Any person coming to a Mobile Service conducted for visually handicapped persons can obtain near viewing spectacles. It was observed that since other voluntary institutions too are providingSuch spectacles the institution had not taken actions to provide a more effective service to persons with low income. It was also observed that those who had obtained these spectacles had not benefited from them as well.
- (e) It was observed that the annually bought equipment had not been distributed within the relevant year and it had taken four months to distribute the remaining equipment that had not been distributed. This was caused by the fact that the National Secretariat for persons with Disability had not bought these aiding equipment considering the needs of the applicants who had applied for such equipment.

Further, although these equipment had been provided under the programme to bring the State Service to the Village which was in operation from 2016 to 2018, it was observed that there was no effective method to identify the needy disabled persons and give them the needed support since the said programme had halted after first two months in 2018.

- (f) The General Treasury had granted the Ministry of Social Empowerment a relief measure of getting the custom duties waived from the equipment brought as aids from abroad for disabled persons in Sri Lanka. Accordingly, A Singaporean social assistance institution by obtaining that relief from this Ministry had donated aiding equipment to be distributed amongst disabled persons. However, there was no confirmation to the effect that those equipment had been distributed among the disabled persons upon the recommendation of the National Secretariat for persons with Disability.
- (g) A cost of living allowance of Rs.3000 had been approved as per 2015 budget proposal to be granted amongst disabled person with low income .Accordingly the disability allowances paid from 2015 to 2018 are as follows.

	2015	2016	2017	2018
Allocations Rs.million	935.9	1,077.6	1,103	1,151.7
Expenditure Rs.million	1,167.1	1074.4	1,082	1,150

Number of p	persons	32,422	30,005	30,077	31,955
Balance	Rs.million	nil	3.2	20.7	10.5

When granting the Rs.3000 disability allowance from 2015 to 2018, although the allocation increased annually, it was observed that the number of persons receiving the allowance did not increase. Further it was observed that allocations remained unused. This situation was occurred owing to the fact that the collection, reporting and using of data based on the disability of disabled persons at National, provincial, District and divisional did not take place properly and also it was a result of the delay caused in naming a new recipient in place of the one left.

#### **3.2.4** Assistance extended in Connection with Education

(a) The National Secretariat for persons with Disability Provides assistance by way of fair opportunities and space and personal assistance services for the education of disabled persons. Accordingly, subject to an allowance of Rs.10, 000, assistance is extended to disabled persons to buy school equipment for the purpose of their education. Accordingly the allocations provided from 2015 are as follows.

	15	2016	2017	2018	2019 (by 30 <sup>th</sup> June)
The amount provided -Rs Million	1.77	3.12	3.59	3.95	3.24
Number of recipients	255	377	528	560	378

- (b) The number of disabled children needing assistance in Sri Lanka had not been identified firmly. Some applications submitted for obtaining assistance had been rejected due to their incompleteness and no reconsideration had been done on them. Further there had been no awareness built at school level to the effect that the disabled children with low income are provided assistance for education.
- (c) A vocational training of 1 or 02 year with residential facilities is provided for children with special needs aged 16 to 35 in vocational Training Centers maintained by the Social Services Department. Accordingly, there are 06 Vocational Training Centers maintained by the Department. And, about 400 children undergo training at a time in these training centers. And also, the children who after the training show an interest in a job are referred for jobs and following up from time to time too is done and in addition annual sports competitions and arts festivals and annual trips are also organized. Further these

institutions are maintaining a job seekers register and with that they have been able to maintain a good coordination between employers and applicants. Sewing cloths, repairing of air-conditioners and refrigerators, electrician training, tinkering work, Batik work, handloom, carpentry, masonry and computer training had been done as residential courses and employment opportunities too had been made showing some success in these areas. Further, since it is difficult to find job opportunities in areas such as cane work and coir work, a tool kit worth Rs 15000 is given and they are encouraged to do a self-employment. However, there were instances where the tool kits had not been provided as soon as the training is over and the Social Services Officers had not done sufficient following up in this regard.

#### **3.2.5.** Accessibility and Opportunities for Accessing Information Communication.

- (a) It is essential to enforce rules and regulations in connection with physical access related to the Extra ordinary gazette No 1467/15 of 17<sup>th</sup> October 2006 and also to implement the standards and guidelines mentioned in these regulations and to complain and take legal actions against Government building owners who defy such regulations. However, it has not been able to enforce these rules and regulations and the expected goals have not been reached. It was observed that not only for buildings, the creation and implementation of minimum standards of access in most highways and public transport was taking place very slowly.
- (b) A National Certificate programme should be prepared for sign language translation. Accordingly, a batch of fifty children who had fulfilled educational qualifications had been selected from low income Samurdhi families and they had been referred to fallow a Diploma course of 06 months as sign language translators. Although certificates had been given following the training, no recruitments had been made to Governments institutions .It was observed that only six sign language translators were working in public service by the year 2019.

#### 3.3. Performance Level of Programmes implemented for the Persons with Special Needs

# **3.3.1** All requirements for the empowerment of Persons with Special Needs and Actions taken to fulfill the said Requirements

Arrangements had not yet been taken to identify all requirements to be fulfilled for the empowerment of persons with special needs of low-income families. That is, assistance is provided only upon a request made by a person with disabilities while the assistance required by them for empowerment had not been identified by carrying out a proper study on such persons. Eg: In case of a disabled person with walking difficulties who receive the allowance for persons with disabilities, the requirement of providing a wheel chair, forearm crutches or crutches had not been looked into.

#### **3.3.2** Providing the relevant institutional service to Persons with Special Needs

The responsibility of protecting the rights of persons with disabilities lies with the National Secretariat for Persons with Disabilities and the Department of Social Services. The Social Service Officer attached to each Divisional Secretariat is made aware through the Grama Niladhari of respective Grama Niladhari Division to offer the service of the said institutions. Accordingly, the children with disabilities will be admitted to the Vocational Training Centres maintained by the Department of Social Services. Nevertheless, it was observed in the physical verification that the persons with needs were not made aware adequately on the said institutional services.

#### **3.3.3** Literacy and Wellness of the Persons with Special Needs

Sixteen years had elapsed since the conduct of survey by this Ministry in 2003 on the education level of elders with disabilities who had received the school education and elders with disabilities who had received higher and non-formal education.

Nevertheless, the data therefor had not been updated. It was observed in the examination of admissions to Vocational Training Centres that the preference of parents to educate and give a vocational training to the school going children with disabilities had enhanced at present.

Contribution towards the wellness of persons with disabilities is planned to be made by the Ministry of Health. However, it was observed that the Social Service Officers attached to Divisional Secretariats had also directed such persons to the clinics held during mobile services.

# 3.3.4 Contribution made by the Persons with Special Needs for the Social or National Policy

According to the Draft National Employment Policy of the Ministry of Employment and Labour issued on 01 May 2002 by the Minister of Employment and Labour, it states that "the Government would provide opportunities for the disabled to upgrade their knowledge and skills to facilitate them in securing, retraining and advancing in suitable employment thus enabling them to integrate into the community or society and enter active economic and social life". As such, the persons with disabilities can also be registered with other job seekers at jobs network centres. It is a process of guiding for skill evaluation and development and subsequently, paving the way for self-employment. Moreover, financial and technical assistance for self-employment is provided and guidelines for project development are also issued. It was observed that action should be taken to make the person with disabilities, a successful person who can participate in the implementation of national policies in the country, by providing such facilities and encouraging them with follow up actions.

#### 4. **Recommendations**

- 4.1 Classified data system on persons with disabilities of low-income families in Sri Lanka, should be maintained.
- 4.2 The National Council for Persons with Disabilities should introduce the beneficiary, a process of constructing a house under a model of standard house to be completed from the financial assistance provided to the beneficiary.
- 4.3 In evaluating the applications called for the constructions of new houses, action should be taken to ensure whether a land is owned by the person with disabilities and a proper arrangement should be made to provide houses for the landless persons with disabilities.
- 4.4. The beneficiaries should be made aware of the period of providing the housing assistance and also the expected period of completing the construction of house.
- 4.5 The Social Service Officer should take follow up action on constructions of houses and encourage the beneficiary to continue the construction of house. Further, he should grant the installments of assistance without delay and after the completion of house, the progress should be reported to the Secretariat without delay.
- 4.6 In providing assistance for self-employment, a conclusion should be reached on the competence of engaging in a self-employment applied by the person with disabilities or the relevant family member who wished to do so.
- 4.7 A vocational training required for the self-employment should be provided.
- 4.8 Follow up action should be taken during the self-employment and the progress reports thereon should be submitted to the Secretariat without delay.
- 4.9 The needs of persons with disabilities should be looked into and various instruments, equipment and assistive devices should be provided.
- 4.10 Elders should be directed to eye test clinics and spectacles of standard quality should be provided.

- 4.11 Providing educational assistance for students with disabilities should not be limited only to seven years.
- 4.12 Schools should be made aware of providing educational assistance.
- 4.13 An adequate permanent staff should be recruited to arrange organized programmes in order to fulfill the requirement of persons with disabilities as much as possible.
- 4.14 Communication with persons with disabilities should be properly established in all Divisional Secretariats by obtaining the service of a Sign Language Officer.
- 4.15 More provision should be made by the Annual Budget so as to provide assistance for more low-income persons with disabilities at the same time.

W.P.C.Wickramarathna Auditor General In terms of Section 12 of the Protection of the Rights of Persons with Disabilities Act, No. 28 of 1996, the principal function of the Council shall be to ensure the promotion, advancement and protection of the rights of persons with disabilities.

According to Section 13, the other functions of the Council shall be,

- (a) to advise the Government on the promotion of the welfare of, and the protection and advancement of rights of, persons with disabilities
- (b) to take all such measures as are necessary, in consultation with the relevant Ministries, Provincial Councils, local authorities, District and Divisional Secretariats, public and private sectors and organizations, to promote the furtherance of, and safeguarding, the interests and rights of persons with disabilities;
- (c) to recommend schemes, to promote the welfare of, and for protection of, persons with disabilities;
- (d) to initiate and implement schemes for, the promotion of the welfare of, and protection of the rights of, persons with disabilities;
- (e) to ensure the adoption of, and compliance with, the relevant international declarations and conventions relating to persons with disabilities, by the Government;
- (f) to maintain accurate statistics relating to persons with disabilities and the services available to such persons;
- (g) to identify the principal causes of disablement and promote effective measures for their prevention and control;
- (h) to formulate and promote measures for the rehabilitation of persons with disabilities;
- (i) to establish and maintain rehabilitation centers for persons with disabilities;
- (j) to ensure a better standard of living for persons with disabilities;
- (k) to ensure that the requirements of persons with disabilities are met adequately;

- (1) to establish and maintain institutions to accommodate and care for persons with disabilities and provide educational and vocational training for such persons;
- (m) to encourage the establishment by the State and by private individuals, of institutions to accommodate persons with disabilities and the provision of educational and vocational training to such persons;
- (n) to guide, support, co-ordinate and monitor, the activities of institutions established for the care of persons with disabilities;
- (o) to encourage and provide facilities for full participation by persons with disabilities in all activities;
- (p) to introduce programmes to make the physical environment accessible to persons with disabilities and implement schemes to provide access to information and communication by persons with disabilities;
- (q) to monitor and co-ordinate the programmes and schemes formulated, initiated and implemented by the Government and by voluntary organizations and bodies, for the upliftment of persons with disabilities and to provide grants for such purposes, and to make necessary recommendations;
- (r) to make the public aware of the conditions and needs of persons with disabilities through publications and other programmes;
- (s) to assist, by way of grants or otherwise, organisations engaged in providing services to persons with disabilities;
- (t) to assist wherever possible, persons with disabilities to be gainfully employed;
- encourage the study of, and research on, methods to improve the quality of life of persons with disabilities and to promote their participation in all activities;
- (v) to do all such other acts or things as may be necessary for the discharge of all or any of the above functions.

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Number of low income persons with disabilities in 13 Divisional Secretariats subject to the examination.

District	Divisional Secretariat	Number of Grama Niladhari Divisions	Number of low income persons with disabilities as at the date of audit
Colombo	Hanwella	68	700
	Padukka	46	196
	Homagama	81	910
	Kesbewa	73	540
Kaluthara	Ingiriya	31	590
	Walallawita	60	400
	Agalawaththa	34	400
Kegalla	Kegalla	64	601
	Mawanella	71	551
Galle	Ambalangoda	36	476
	Elpitiya	51	536
Kandy	Pujapitiya	67	644
	Pahatha Hewaheta	73	519
			7065

Year	Number of houses	Number of	Number of houses
	commenced	houses paid	without the Progress
			of Constructions
2014	96	67	53
2015	80	58	43
2016	283	193	134
2017	71	33	25
2018	40	06	06
Total	570	357	251

# Instances of not receiving the details of Progress of Housing Constructions

	District	Number of Houses	Value
			 Rs.
1	Kaluthara	15	1,400,00
2	Mathale	6	400,00
3	Hambanthota	8	900,00
4	Puththalam	14	620,00
5	Mullaitivu	5	750,00
6	Colombo	20	2,180,00
7	Gampaha	23	2,000,00
8	Galle	9	940,00
9	Monaragala	7	530,00
10	Vavuniya	1	500,00
11	Ampara	9	940,00
12	Anuradhapura	6	490,00
13	Ratnapura	14	1,159,81
14	Nuwara Eliya	2	250,00
15	Polonnaruwa	14	1,000,00
16	Kurunegala	27	2,600,00
17	Kandy	4	582,58
18	Badulla	5	450,00
19	Matara	7	850,00
20	Batticaloa	10	1,000,00
21	Jaffna	03	350,00
22	Trincomalee	10	750,00
		219	20,642,40

# Houses to be paid installments from 2014 to 2019(up to June 30)

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# Instances of stopping the housing constructions despite the release of money

	District	D.S.	Year of Commen cement	Name	Amount  Rs.	Amount already granted Rs.
01.	Anuradhapura	Thambuththegama	2014	Danusith Madhusanka	230,000	200,000
		Mahawilachchiya	2015	K.Gunarathna	250,000	200,000
02.	Ampara	Padiyathalawa	2016	H.N. Premawathi	250,000	100,000
03.	Kaluthara	Ingiriya	2016	M. Jinadasa	250,000	250,000
04.	Kurunegala	Ganewaththa	2015	A.P.Ranjith	250,000	200,000
		>>		Asantha		
			2015	P.G.RNawarathna	250,000	200,000
		Rideegama	2016	Upul Sumith	250,000	100,000
		Mawathagama	2016	Linus Jayasingha	250,000	100,000
		Ganewaththa	2016	B.Nimal Kumara	250,000	75,000
05.	Colombo	Maharagama	2016	Dulanjana Ranasingha	250,000	50,000
06.	Trincomalee	Ambagamuwa	2016	B.G. Wickramarathna	250,000	150,000
07.	Polonnaruwa	Hingurakgoda	2016	K.M. Samarajeewa	250,000	200,000
08.	Hambanthota	Walasmulla	2016	Madhura Dharmasiri	250,000	100,000

Total

1,925,000

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### Return of Housing Assistance

District	Divisional Secretariat	Name and address of the person with disabilities	Disability	Amount granted	Date	Returned amount and date
				Rs.		Rs.
01.Kurunegala	Kuliyapitiya West	R.M.Chandra Kumari, Mahimipitiya, Thalahitimulla	Slow mental development	100,000	2014.05.30	100,000 2016.02.05
-	Udubaddawa	A.M.G.Aththanayaka, Kimbulthotamulla, Welipeththagahamulla	Spinal cord deformities	100,000	2014.05.30	100,000 2016.02.05
-	Kuliyapitiya West	K.A.D.Karunayaka	Defective movements	100,000	2014.20.20	50,000 2015.04.30
-	Kajugama Kobeigane	W.I.H.Sagarika Priyadarshani	Mentally disabled	100,000	2017.12.09	100,000 2018.09.19
02.Gampaha	Katana	P.Rupawathi	Mentally disabled	100,000 100,000	2016.03.17 2016.10.05	200,000
03.Polonnaruwa	Hingurakgoda	Isuru Gunathilaka	Epilepsy	100,000	2014.08.28	100,000 2016.12.14
04. Matara	Gemunu Camp	Kumudu Nanda Gunasekara	Paralysis	100,000 150,000	2015.12.07	250,000 2016.06.07

-	Atharaliya	H.Nayanathara	Hearing and speech defects	100,000 150,000	2015.12.07	250,000 2016.09.13
-	Devinuwara	P.B.R.Chandra Kumara, Devinuwara Galagane Road, Devinuwara	Psychiatric illness	100,000	2014.03.28	100,000 2016.10.20
05. Kandy	Theldeniya	W.G.Gunadasa, No.09, Godamavin Wewegama, Rajawella.	Psychological ailments	100,000	2016.02.05	100,000 2017.03.24
06.Mullaitivu	Welioya	H.P.Hewapathirana	Mentally disabled	100,000	2015.02.08	100,000 2017.06.21
07.Hambanthota	Ambalanthota	G.R.Ranjith Priyantha, Ganeyaya Road, Ruhunu Rideegama.	Physical defects	100,000	2016.03.12	100,000 2016.10.17
-	Walasmulla	M.P. Maduranga, Dharmasiri Amila Pethum, Thummulgoda, Yahalmulla, Walasmulla.	Defective movements	100,000	2016.11.12	100,000 2016.11.29
						1650.000

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District	2014	2015	2016	2017	2018	Total
Ampara	04	05	18	03	04	34
Trincomalee	06	07	05	02	01	21
Batticaloa	19	08	25	-	01	53
Mullaitivu	02	-	-	-	-	02
Mannar	-	03	01	-	-	04
Jaffna	10	04	02	-	01	17
	41	27	51	05	07	131

### Providing housing assistance for 08 districts in North East Province

Kilinochchi Not provided from the year 2014 to 2018.

Vavuniya -do-