

Head 207 - Department of Archaeology

1. Financial Statements

1.1 Qualified Opinion

Head 207 - The audit of the financial statements of the Department of Archaeology for the year ended 31 December 2022 comprising the statement of financial position as at 31 December 2022 and the statement of financial performance and cash flow statement for the year then ended was carried out under my direction in pursuance of provisions in Article 154(1) of the Constitution of the Democratic Socialist Republic of Sri Lanka read in conjunction with provisions of the National Audit Act, No.19 of 2018. The summary report containing my comments and observations on the financial statements of the Department of Archaeology was issued to the Accounting Officer on 09 May 2023 in terms of Section 11(1) of the National Audit Act, No.19 of 2018. The Annual Detailed Management Audit Report relevant to the Department was issued to the Accounting Officer on 09 May 2023 in terms of Section 11(2) of the National Audit Act, No.19 of 2018. This report will be tabled in Parliament in pursuance of provisions in Article 154(6) of the Constitution of the Democratic Socialist Republic of Sri Lanka to be read in conjunction with Section 10 of the National Audit Act, No.19 of 2018.

In my opinion, except for the effects of the matters described in paragraph 1.6 of this report, the financial statements give a true and fair view of the financial position of the Department of Archaeology as at 31 December 2022, and its financial performance and cash flows for the year then ended in accordance with Generally Accepted Accounting Principles.

1.2 Basis for Qualified Opinion

My opinion is qualified based on the matters described in paragraph 1.6 of this report. I conducted my audit in accordance with Sri Lanka Auditing Standards (SLAuSs). My responsibility for the financial statements is further described in the Auditor's Responsibilities Section. I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

1.3 Responsibilities of the Chief Accounting Officer and the Accounting Officer for the Financial Statements

The Accounting Officer is responsible for the preparation of financial statements that give a true and fair view in accordance with Generally Accepted Accounting Principles and provisions in Section 38 of the National Audit Act, No.19 of 2018 and for the determination of the internal control that is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

As per Section 16(1) of the National Audit Act, No.19 of 2018, the Department is required to maintain proper books and records of all its income, expenditure, assets and liabilities to enable the preparation of annual and periodic financial statements.

In terms of Sub-section 38(1)(c) of the National Audit Act, the Accounting Officer shall ensure that an effective internal control system for the financial control exists in the Department and carry out periodic reviews to monitor the effectiveness of such systems and accordingly make any alterations as required for such systems to be effectively carried out.

1.4 Auditor's Responsibilities for the Audit of the Financial Statements

My objective is to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error and to issue an auditor's summary report that includes my opinion. Reasonable assurance is a high level of assurance but is not a guarantee that an audit conducted in accordance with Sri Lanka Auditing Standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate and its materiality depends on the influence on economic decisions taken by users on the basis of these financial statements.

As part of an audit in accordance with Sri Lanka Auditing Standards, I exercise professional judgement and maintain professional scepticism throughout the audit. I also:

- Appropriate audit procedures were designed and performed to identify and assess the risk of material misstatement in financial statements whether due to fraud or errors in providing a basis for the expressed audit opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- An understanding of internal control relevant to the audit was obtained in order to design procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Department's internal control.
- Evaluate the structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.
- Evaluate the overall presentation, structure and content of the financial statements including disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

I communicate with the Accounting Officer regarding, among other matters significant audit findings, including any significant deficiencies in internal control that I identify during my audit.

1.5. Report on Other Legal Requirements

I express the following matters in terms of Section 6 (1) (d) of the National Audit Act, No. 19 of 2018.

- (a) The financial statements are consistent with the preceding year,
- (b) The following recommendations made by me on the financial statements of the preceding year had not been implemented.

Reference to Paragraph in relation to previous year	Non- implemented Audit Observation	Reference to this report
1.6.1 (b)	Action should be taken to take over the ownership of the property of the department.	3.8 (i)

1.6 Comments on Financial Statements

1.6.1 Accounting Deficiencies

The following observations are made.

Audit Observation	Comments of the Accounting Officer	Recommendation
(i) It was observed that there were no disclosures about the contingent liabilities of the department in relation to the case No. M 4251 filed in the Bandarawela Magistrate Court with requesting a compensation of Rs. 07 crore by each officer in the year 2016 with 04 respondents including the Director General of Archaeology by the case No. M 4251 filed in the Bandarawela District Court.	It was about 15 years ago that the officers of the Department of Archaeology were named as defendants and a compensation case was filed. According to the facts currently observed, these types of cases have not been assigned in the past and the legal department has informed that the legal officers haven't experience in this regard due to this and they could not inform the accounts division about the contingent liabilities. However, the legal officer has reported that if this type of litigation is carried out in near future, it is expected to inform the accounts division.	Contingent liabilities should be disclosed by the notes to the financial statements according to Sri Lanka Accounting Standard No. 37.

- (ii) A survey officer of the Department of Archaeology, two research officers, Grama Niladhari and the Attorney General were named as respondents of Rs. 10 lakh was requested from one person by the case No. M 13703 filed in Matara District Court. It was observed that the necessary disclosures were not made regarding the contingent liabilities of the department in relation to this case which had been going on for a period of 07 years.
- The officers of the Department of Archaeology were named as defendants and a compensation case was filed about 15 years ago. According to the facts currently observed, these types of cases have not been assigned in the past and the legal department has informed that the legal officers haven't experience in this regard due to this and they could not inform the accounts division about the contingent liabilities. However, the legal officer has reported that if this type of litigation is carried out in near future, it is expected to inform the accounts division.
- Contingent liabilities should be disclosed by the notes to the financial statements according to Sri Lanka Accounting Standard No. 37.

1.6.2 Reconciliation Statement about Advance Account for Government Officers

Audit Observation	Comments of the Accounting Officer	Recommendation
The sum total of the balance of the individual balance classification summary of the advance "B" account of the government officers as at 31 December 2022 submitted for audit by the department was Rs. 110,677,158 and the balance of the loan control account was Rs. 111,084,342. Accordingly, a difference of Rs. 407,184 was further observed between those balances.	Correct. Due to the shortage of officers in the finance division, several subjects have been assigned to one officer. Also, it has become very difficult to spent time to search previous mistakes due to the processes of regularization of the existing financial systems are being carried out. However, the difference is being sought.	The difference between the individual balance sheet and the loan control account should be identified and solved.

2. Financial Review

2.1 Expenditure Management

The following observations are made.

	Audit Observation	Comments of the Accounting Officer	Recommendation
(a)	The allocation of Rs. 12,211,683 remained in the range of 60 percent to 100 percent in relation to 07 expenditure subjects.	I kindly inform you that there has been no over calculation of estimates as mentioned in the audit query and due to the reasons mentioned in the last column of the below table, there has been a saving of provisions.	Estimates should be prepared with proper consideration.
(b)	A total of Rs. 7,125,443 under the ledger account named Ambassador fund for cultural preservation in the computerized ledger of Sri Jayawardenapura University and the total of Rs. 4,971,012 under the ledger account named Rajagala Archaeological Reserve – FHSS and the total of Rs. 5,076,893 carried forward from the year 2014 in the general deposit account of the Department of Archaeology were observed that underutilization remained in the accounts as at 31 December 2022 without being used for project works.	The amount of Rs. 5,076,893 carried forward from the year 2014 in the general deposit account is to be spent in this year.	The money retained in the general deposit account should be used for the completion of the respective works.

2.2 Incurring into Liabilities and Obligations

The following observations are made.

	Audit Observation	Comments of the Accounting Officer	Recommendation
(a)	03 Lorries belonging to the Postal Department were handed over to the Department of Archaeology on 23 June 2020 and according to the supervision and recommendation of the Mechanical Engineer of the lorry of the Postal Department, the price estimates were	Due to an omission, it has not been possible to record in the loan register and I kindly inform you that it has been noted to avoid such omission in future.	That the information amount the amounts of all obligations and liabilities related to the year should be included in the obligations and

called from the local institute and the repairs for an amount of Rs. 4,614,777 were completed by 31 December 2021, but the relevant bills were not settled until the audited date of 15 March 2023 and action was not taken to take over that 03 vehicles to the department and included the above amount as payable in the statement of obligations and liabilities in the financial statements.

liabilities of the financial statement.

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| (b) | Rs. 2,856,215 and Rs. 709,283 in the maintenance expenditure heads of 207-1-1-0-1301 and 207-2-2-0-1301 respectively as handed bills were not disclosed in the statement of obligations and liabilities as incurring liabilities as per the Financial Regulation 94 (2) and (3). | Due to an omission, it has not been possible to record in the loan register and I kindly inform you that it has been noted to avoid such omissions in future. | The liabilities related to the year should be presented correctly in the statement of obligations and liabilities. |
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2.3 Certification to be done by the Accounting Officer

Accounting Officer should certify the following matters in terms of provisions in section 38 of the National Audit Act No. 19 of 2018. However, it had not been done.

Audit Observation	Comments of the Accounting Officer	Recommendation
The Chief Accounting Officer and the Accounting Officer should ensure that an effective internal control system for the financial control exists in the department and carry out periodic reviews to monitor systems, and accordingly make any alterations as required for such systems to be effectively carried out. Such reviews should be carried out in writing and a copy thereof should be submitted to the Auditor General, but no statements had been furnished to the audit that the reviews had been carried out.	The statement related to the year 2022 is being submitted and it has been noted to submit the relevant reports in accordance with the dated for the next years.	Action should be taken in accordance with provisions in section 38 of the National Audit Act No. 19 of 2018.

2.4 Non-compliance with Laws, Rules and Regulations

Instances of non-compliance with the provisions in laws, rules and regulations observed during the course of audit test checks are analyzed below.

	Observation		
	Reference to the Laws, Rules and Regulations	Non-compliance	Comments of the Accounting Officer
			Recommendation
(i)	Code of Financial Regulations of the Democratic Socialist Republic of Sri Lanka		
	<ul style="list-style-type: none"> Financial Regulation 104 (3) 	Non- preparation of initial report in general form 283 regarding the accident of cab No. WPPG-4006 which occurred on 09 October 2018 at 12.00 p.m.	It is observed during the file inspection that records are not prepared. This is due to an accident that occurred in the year 2018. After studying the file, further work is being done in accordance with the financial regulations regarding this accident.
	<ul style="list-style-type: none"> Financial Regulation 104 (4) 	The whole report in common form 284 was not prepared regarding the accident of cab No. WPPG-4006 which occurred on 09 October 2018 at 12.00 p.m.	It is observed during the file inspection that records are not prepared. This is due to an accident that occurred in the year 2018. After studying the file, further work is being done in accordance with the financial regulations regarding this accident.
(ii)	Special gazette No. 1572/4 dated 20 October 2008 of the Democratic Socialist Republic of Sri Lanka	It was observed that the task of implementing the national policy introduced as per the gazette has not been accomplished.	Should be act as per Financial Regulations.
		Although a framework for the implementation of the National Archaeological Policy in Sri Lanka by the document No. 1572/4 dated 20 October 2008, the said policy had not been implemented yet in the department.	Should be act as per Financial Regulations.

3. Operational Review

3.1 Non-performance of functions

The following observations are made.

Audit Observation	Comments of the Accounting Officer	Recommendation
(a) A memorandum to the cabinet for the establishment of a fund called the Archaeological Heritage Management Trust for the maintenance and management of archaeological places by the cabinet memorandum No. NH/05/2011 dated 18 January 2011. According to the approval given by the cabinet paper 11/0169/555/004 dated 10 February 2011 for this, 25 percent of the earned income by the Central Cultural Fund should be given to the Ministry of National Heritage for the purposes mentioned in the memorandum. However, it was not possible to proceed further action due to non-receiving necessary provisions for the establishment of the relevant fund from the money received to the Central Cultural Fund until 31 December 2022.	Due to non-receiving of money to be received from the Central Cultural Fund as decided by the cabinet, several archaeological places have faced serious threat due to the inability of the department to carry out its exploration, excavation and conservation activities in an orderly manner.	Proceedings should be done according to the cabinet paper No. 11/0169/555/004 dated 10 February 2011.
(b) It has been a long time since the reconstruction work of the Nilagiriseya, which is under the Ampara Regional Assistant Director's office, was started and at the time of the audit, the exploration to identify the sthupa and the related ruins complex by the departmental exploration division officers had been completed and boundaries had been settled to set aside as a reserve, but no boundary posts or surveying had been done and gazette as an archaeological place.	Explorations to identify the Nilagiri sthupa and its related ruins have been completed. Accordingly, the officers of the Ampara Archaeological office have settled the boundaries to set aside the Nilagiri sthupa and its related ruins as an archaeological reserve in last year. It is kindly inform that if the financial allocation is allocated this year, it is expected to carry out the survey work after placing the boundary posts around the area.	The Nilagiri sthupa and its related ruins should be gazette as an archaeological reserve.

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| (c) | After removing the relevant part related to Piyangala reserve from the 1025 acres belonging to the Rajagala archaeological site, the remaining area belonging to the Rajagala archeological project has been completed surveying, but it was observed that the boundary posts were not set till 20 March 2023 and it was recorded in the village map prepared by the Survey Department as a designated archaeological site, but this archaeological site was not gazette as an archaeological reserve. | Although Rajagala has not been declared as an archaeological reserve, it has been recorded as a designated archaeological site in the village map prepared by the Survey Department. | Attention should be given to gazette the area belonging to the Rajagala Archaeological Project as an archaeological reserve. |
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3.2 Assets Management

The following observations are made.

Audit Observation	Comments of the Accounting Officer	Recommendation	
(a)	The division of Epigraphy and Numismatics has indexed 10,950 ancient coins in regional archaeological museums and it was observed that due to the lack of adequate provision and longtime had been taken, a large number of ancient coins which are movable artifacts found in various archaeological explorations are being stores without preservation and indexing in the various departments and regional offices of the department.	10,950 Ancient coins were indexed and a large number of coins were kept in the museum division and regional archaeological museums for further preservation.	Action should be taken to document and preserve movable artifacts as soon as possible.
(b)	The human bone remains found in the excavation carried out in Pahiyangala cave by the Department of Archaeology were taken to Cambridge university for research and then found at the embassy of Sri Lanka in Germany and brought back to Sri Lanka and handed over to the Department of Archaeology on 11 February 2022, but it was observed that it was handed over to the Faculty of Medicine of the University of Sri	Agree with the observation.	That the remains of human bones found in excavations should be properly preserved and related facilities should be provided.

Jayawardenapura by the latter dated above on the same day due to that Department of Archaeology haven't the appropriate laboratory facilities to keep that bone remains safe and conduct formal research.

3.3 Losses and Damages

Audit Observation	Comments of the Accounting Officer	Recommendation
Due to an accident of the cab bearing No. PG-4006 on 09 October 2018 in the midnight at Gannoruwa area in Kandy, it was observed that there had been damages and losses to a government property with that value due to a Sri Lanka Insurance Corporation refused to pay Rs. 5,882,769, which was a financial assessed value to the vehicle.	The legal division of the Department of Archaeology has informed the Attorney General's Department in writing to file a civil case against the driver for the insurance company's refusal to pay the value of the vehicle due to the accident of the cab No. PG-4006 and the legal division has also reported that further action is being done.	That the loss caused to the government should be recovered from the relevant party.

3.4 Management Inefficiencies

The following observations are made.

Audit Observation	Comments of the Accounting Officer	Recommendation
(a) Although the payroll processing software (GPS – Government Payroll System) should be used for payroll processing according to Public Accounts Circular No. 171/2004 dated 11 May 2004, the GPS software was not used till the end of the year under review to prepare the salary of the Jaffna, Vavunia and Trincomalee regional office officers in the department. Also, it was observed in the audit that the human resources required are not sufficient as the task of salary preparation should be done under the direct supervision of the Chief Accountant according to the Centralized method.	Agree. That task will be done under the direct supervision of Accountant after receiving human resources.	Should be act as per circular provisions.

- (b) It was observed that there are cases of unpaid salary increments related to the years 2015, 2018,2019,2020,2021 during the inspection conducted on the payment of salary increments of the entire staff attached to the provincial archaeology regional offices. Even if failure to pass the efficiency bar examination, failure to complete other official language requirements, the examination results are referred for verification, salary increments have not been paid due to some reasons such as unconfirmed arrival and salary of the other officers have been paid. That should be checked and act.
- (c) A transfer scheme for approved departmental posts under the Department of Archaeology was not prepared and approved till the year 2017. However, approval was obtained on 09 July 2018 for the annual transfer procedure prepares in accordance with the provisions of the Public Service Commission. Although an annual transfer system had been prepared and approved, no transfer evaluation system had been prepared to select officers and employees for transfer according to that system. Also, the department had failed to implement the annual transfer procedure in the years 2019, 2020, 2021 and 2022. Although the annual transfer procedure was approved on 03 July 2018 by the Public Service Commission letter No. PSC/EST/02-04-08/01/2018 dated 09 July 2018 for the departmental posts employed in the Department of Archaeology, it was not possible to carry out the transfer as planned due to the bad weather in the country in the years 2020, 2021 and 2022. The annual transfer system should be formally implemented in the department.
- (d) When deciding on the fees charged for the 13 tourist houses controlled and managed under the Department of Archaeology, although a committee representing the control division, accounts division and maintenance division should be appointed and the charges should be revised based on the decision of the said committee, the rates had been revised only on the decision of the maintenance division without doing that. Agree. A formal committee will be appointed in future to revise the charges. The charges of tourist house should be determined as per the decision of the appointed committee.

- (e) Rs. 1,806,250 was paid to the supplier on 17 July 2020 for preparation of 125 archeological road signs for 125 archaeological sites and 122 non-gazetted archaeological sites in Batticaloa district. But, it was observed that boards had been fixed only for 03 gazetted places and although necessary approvals had been received for installation of the remaining 122 boards till 28 April 2023, the work had not been completed due to non-availability of funds.
- Although boards were made for 125 archaeological sites in Batticaloa district, the former Director General of Archaeology had approved only the gazetted archaeological sites. Accordingly, there were 03 gazetted archeological sites and 03 boards were installed for it and I have given approval for installing the remaining 122 boards. But, due to lack of provision in the department, this work has been temporarily stopped.
- The prepared archaeological road sign name boards should be fixed as soon as possible.
- (f) A force called the Eastern Province Special Task Force was appointed in the years 2017/2018 with the support of the department and a project of planting boundary posts to separate those sites was implemented with identifying all the archaeological sites in the Eastern Province. A provision of Rs. 7,306,933 was allocated under the MNT/EP/49/18 estimate in the year 2018 for that project and Rs. 2,626,796 was paid to the supplier and 3 feet and 3 ½ feet 1,531 boundary posts were produced in the year 2021, but it was observed that the department had failed to install the boundary posts of the respective archaeological sites till the audited date of 20 March 2023.
- A project of installing boundary posts was implemented to identify all the archaeological sites in the Eastern Province and to separate and identify those sites in the years 2017-2018 and although the estimated allocation of Rs. 7,306,933 has been allocated under that project in the year 2018 with the support of the department and the boundary posts have been prepared, due to the covid epidemic in the years 2020, 2021 and the inactivity of the task force, the work could not be carried out as expected.
- It is essential to install boundary posts to protect antiquities in all identified archaeological sites in the Eastern Province
- (g) As 377,000 engineering bricks obtained by the Department of Archaeology in the years 2013-2014 for the conservation of Dighavapi Chaithya were purchased without proper technical records, it was observed during the physical examination that the bricks were separated into several large piles and piled up in the sand and sand fields
- These bricks were stored in the field due to an investigation by the Bribery or Corruption Commission on the purchase, but the commission has not yet given a final decision on it and in order to reduce the loss incurred due to the purchase of the bricks, permission had been requested to use them for
- The necessary steps should be taken to solve the problem immediately.

around the chaithya with deteriorating from weather changes for over 10 years due to that the Bribery or Corruption Allegations Investigation Commission has conducted an investigation and final decision has not been made on it.

a purpose other than the construction of the chaithya. The necessary technical report has been sent to the Bribery Commission on 27.10.2022. The Additional Director General (Academic) has reported to me that although I have contacted several times and inquired about this over the phone, answers have not been given. Noted to take necessary steps to solve the problem as soon as possible.

- (h) There was a contract between the Department of Archaeology and the Department of Government Factories on 25 November 2019 to manufacture a rotatable arched template for the reconstruction of Dighavapi Chaithya and the contract value for this work was Rs. 4,147,400 excluding VAT. Although an amount of Rs. 2,239,596 which was more than 50 percent as advance for commencing the work was paid to the Director General, Government Factory on 25 August 2020 through a cheque No. 428281, it was decided to do it later according to the method obtaining measurements by measuring equipment due to the implementation of the work by the Ministry of Defence. As an advance had been paid and a certain quantity of iron had been prepared, it had been proposed to use the metal parts to complete a series of removable rafters which could be used for carrying out the necessary maintenance work after the construction of the Chaithya.
- There was a contract with the government factory for the production of rotatable arched temple by the year 2019, but as the reconstruction work of the Chaithya was commenced later under the method of taking measurements by measuring instruments, it was not necessary to prepare the rotatable arched temple, it was proposed to use the paid advance money for that and the iron that had been cut to prepare the iron mold to prepare a series of removable rafters needed for the maintenance of Dighavapi Chaithya.
- The necessary actions should be taken immediately to solve the problem and that the money should be used efficiently.

- (i) Further work was done to take over the ownership of the property where the head office of the department is located, but it was observed that the work of taking over the land of the head office had not been completed until the time of the audit. The property taking over activities are still being carried out. Immediate steps should be taken to complete the taken over of the property where the head office is located.
- (j) Out of the loan balance of Rs. 3,576,785 to be recovered from the employees and officers who are currently not working in the department due to death, retirement, suspension and leaving from the service etc, the total of the loan balance over 05 years was Rs. 1,329,920. Immediate action was not taken to recover the outstanding loan balances. Problematic situations are being solved and recovery procedures are being followed. Action should be taken to recover these outstanding loan balances.
- (k) It was observed that as a result of the non-amendment of certain sections of the Antiquities Ordinance No. 09 of 1940 amended by the Antiquities (Amendment) Act No. 24 of 1998, the fines charged are insufficient. Due to there was not any provision in the Antiquities Ordinance to prevent suit for compensation against public officers who have done their duties in good faith after the accused/accuser has been released of the relevant charges after the plea of not guilty to the accusation sheet filed and the conclusion of the examination of the suit in cases of the Magistrate's Courts for violation of the said Act, there were some cases observed by the audit that the Director General of Archaeology and the officers who visited the site were made respondents and sued for compensation. Among the special laws currently use in Sri Lanka, laws such as the Bribery Act, the Audit Act, the Fauna and Flora Protection Ordinances contain clauses preventing suit (liberation) against government officers, but lawsuits were filed against government officers who were performing their duties in good faith due to there was not included such sections in the Antiquities Ordinance No. 09 of 1940 as amended by the Antiquities (Amendment) Act No. 24 of 1998. The Antiquities Ordinance should be amended according to the timely needs.

- (1) Due to delays in implementation according to 46 (1) of the Antiquities Ordinance No. 09 of 1940 as amended by the Antiquities Amendment Act No. 24 of 1998, half of the fine imposed on the accused after suit under the said Ordinance should be credited to the Archaeological reward fund. The draft which included the above regulation that have been prepared yet has made provision for giving 30 percent to raiding officers engaged in legal work, police officers or some other officers of any government institute, but although the draft containing the relevant regulations should be submitted to the parliament and approved in accordance with 47 (3) of the Antiquities Ordinance, due to the delay, it was not possible to provide the reward fund percentages requested by the police officers in particular.
- There were 07 cases related to theft of antiquities, 06 cases related to destruction of antiquities and 155 cases related to unauthorized excavation of antiquities till 24 April 2023.
- Attention should be given to make necessary legal provisions.

3.5 Management Inefficiencies

Audit Observation	Comments of the Accounting Officer	Recommendation
The state emblem and the name of the department were not printed on the body of the vehicles used by the department.	Arrangements will be made to print the state emblem and the department name on the body of the vehicles owned by the department in future.	Steps should be taken to print the state emblem and the department name on the body of the vehicles immediately.

4. Achievement of Sustainable Development Goals

Audit Observation	Comments of the Accounting Officer	Recommendation
A joint project of Rajagalathenna Archeological project with a total estimated cost of Rs. 323,897,373 under an agreement between the Department of Archaeology and the University of Sri Jayawardenapura, which had been implementing from the year 2012, had been completed on 31	Agree with the observations.	Necessary action should be taken immediately.

December 2022. In addition to pointing out the need to work together with the relevant regulatory institutions to promote local and foreign tourism to visit the archaeological monuments that have been pointed out from this project, although there is a need to complete the proposed construction quickly, there are huge time delays for that and also, it was observed that the public sector can make some contribution to take financial relief to the current severe financial crisis in order to establish Rajagalathenna as a major tourist destination for the development of the tourism industry, by preparing and implementing the methods of working together with the Department of Archaeology, Central Cultural Fund, University of Sri Jayawardenapura, Wildlife Department, Department of Forest Conservation and the Sri Lanka Tourism Board.

5. Good Governance

5.1 Rendering Services to Public

The following observations are made.

Audit Observation	Comments of the Accounting Officer	Recommendation
(a) The owner of the private land had made a complaint in the year 2008 to the Matara police station regarding the interference of the officers of the Department of Archaeology who went to the place to inspect the antiquities of the private land nearest to the temple during the archaeological excavations conducted around the Kamburugamuwa Eth Kadha Viharaya in Matara. The Matara police had assigned case No. 90759 in the Magistrate's Court. After the examination of the suit, the accused was released and the defendant had filed case No. M 13703 in the Matara District court against an investigation officer and 02 Archaeological Research Officers of the Department of Archaeology with demanding compensation of 10 lakhs from one person for the loss caused to her due to her imprisonment for a period of 08 months.	6 Persons including three from the Department of Archaeology and a Grama Niladhari have been named as respondents to this case. The Attorney General has been named as the 6 th respondent. I am not named as a respondent in this case. Compensation has been demanded as Rs. 10 lakh from one respondent. As per a special request made by the Department of Archaeology, a Senior Government Advocate appears for the respondents in this case. The case was assigned in the year 2015 and all the evidence of the	The officers of the department should take action for the protection of the relevant officers in case of problems arising while performing their duties in good faith.

prosecution in the case has been concluded. The next step is to take evidence from the respondents. The first respondent was inquired on 18.01.2023. I kindly inform that the date of 20.06.2023 has been given for further examination.

- (b) The Haputhale police had released the defendants on 03 June 2014 after investigating the case No. 63402 assigned in the year 2014 in the Bandarawela Magistrate's Court against three defendants who had carried out unauthorized excavations on the site of the Katharagama temple in Haldummulla Soragune, which is located in the Haputhale police domain. Later, the defendants filed a case No. M 4251 in the Bandarawela District Court to get compensation for the prosecution they suffered during their imprisonment. In this case, two officers of the Department of Archaeology, the Director General of Archaeology, the Grama Niladhari and the monk of the temple were named as the respondents and demanded compensation of Rs. 07 crore from one person.
- This is a case assigned in the year 2016 naming 04 persons including me as respondents. Rs. 7 crore has been demanded from one officer as compensation. A lawyer from the Attorney General's Department is appearing for this case and it is still pending.
- The officers of the department should take measures for the protection of the relevant officers in case of problems while performing their duties in good faith.
- (c) The total number of prosecutions was 173 as at 31 December 2022 including 07 cases related to theft of antiquities, 03 cases related to destruction of antiquities, 152 cases related to unauthorized excavation of antiquities and 11 cases related to other offenses under the Act. Further, it was observed that the number of pending cases in the court was 72 as at the audited date.
- There were 07 cases related to theft of antiquities, 06 cases related to destruction of antiquities and 155 cases related to unauthorized excavation of antiquities by 24 April 2023.
- Most suitable actions should be taken to prevent the theft, damage and destruction of antiquities and should be given more attention to it.

6. Human Resource Management

The following observations are made.

Audit Observation	Comments of the Accounting Officer	Recommendation
(a) There were 2476 vacancies as at 31 December 2022 due to that approved cadre was 4318 and actual staff was 1882. Among these vacancies, there were 39 executive level vacancies, 19 tertiary level vacancies, 202 secondary level vacancies and 2216 primary level vacancies. Employees were employed for these vacancies on acting and duty cover up basis and 57 percent of the approved staff was vacant due to non-permanent recruitment for those posts and these vacancies had failed to be filled.	There were 2476 vacancies as at 31 December 2022 due to that approved cadre was 4318 and actual staff was 1882. Among these vacancies, there were 39 executive level vacancies, 19 tertiary level vacancies, 202 secondary level vacancies and 2216 primary level vacancies. Accordingly, various obstacles in the performance of the intended duties due to 57% of the approved staff were vacant.	Action should be taken to fill up these employee vacancies immediately as per the recruitment procedure and prevailing rules and regulations.
(b) The case No. SC (FR) 248/2016 filed in the Supreme Court regarding a violation of fundamental rights for the recruitment procedure in the executive service category (SL – 1) by a group of officers of the associate service category of the Department of Archaeology was closed on 08 December 2021, but it was observed that the judgment of the case had not been announced till the time of audit. However, it was observed that the said department has informed by the letter No. CCA286/2016 (A) dated 13 October 2022 in relation to an inquiry made by the Attorney General's Department in this regard and the Ministry of Buddhasasana, Religious and Cultural Affairs had requested from the Attorney General's Department to an interim order for not to carry out recruitment in accordance with the relevant recruitment procedure and also pointed out the problematic situation faced by the department now and a request to recall the said case through a motion.	The case No. SC (FR) 248/2016 filed in the Supreme Court regarding a violation of fundamental rights for the recruitment procedure of the Executive Service Category (SL – 1) by a group of officers of the associate service category of the Department of Archaeology has ended on 08.12.2021, but the verdict has not been announced yet. In relation to the inquiry made by the Attorney General's Department, it has been informed by the letter No. CCA 286/2016 (A) dated 13.10.2022 sent by that department and the interim order not to carry out recruitment in accordance with the relevant recruitment procedure has also sent along with that.	The necessary steps should be taken to solve the problem immediately.