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The Gazette of the Democratic Socialist Republic of Sri Lanka

EXTRAORDINARY

අංක 2221/54 - 2021 අප්‍රේල් මස 01 වැනි බ්‍රහස්පතින්දා - 2021.04.01
No. 2221/54 - THURSDAY, APRIL 01, 2021

(Published by Authority)

PART I : SECTION (I) — GENERAL

Proclamations & C., by the President

My No. PS/CSA/00/1/14/28

BY HIS EXCELLENCY GOTABAYA RAJAPAKSA
PRESIDENT OF THE DEMOCRATIC SOCIALIST REPUBLIC OF SRI LANKA

Seal

GOTABAYA RAJAPAKSA

To :

1. Hon. Dhammika Priyantha Samarakoon Jayawardena Esquire
Judge of the Supreme Court
2. Hon. Khema Kumudini Wickremasinghe
Judge of the Supreme Court
3. Hon R.M. Sobhitha Rajakaruna Esquire
Judge of the Court of Appeal

Greetings !

Whereas, I, Gotabaya Rajapaksa, President of the Democratic Socialist Republic of Sri Lanka, reposing great trust and confidence in your prudence, ability and fidelity, have in pursuance of the provisions of Section 2 of the Special Presidential Commission of Inquiry Law No. 7 of 1978, read with the Special Presidential Commission of Inquiry (Special Provisions) Act No. 4 of 1978, appointed you, the said,



1. Hon. Dhammika Priyantha Samarakoon Jayawardena Esquire
Judge of the Supreme Court
2. Hon. Khema Kumudini Wickremasinghe
Judge of the Supreme Court
3. Hon R.M. Sobhitha Rajakaruna Esquire
Judge of the Court of Appeal

“To act upon the below mentioned matters :

- I. Violating the provisions of the Constitution of the Democratic Socialist Republic of Sri Lanka, while destructing the oath which had been given in accordance with the provisions of the said Constitution.
- II. Abuse or misuse of power, interference, fraud, corruption, criminal misuse, criminal breach of trust or nepotism.
- III. Political retaliation against some one
- IV. When,
 - (a) Making any appointment or transfer,
 - (b) Granting a promotion,
 - (c) Terminating the service, of some one

Due to any type of disorder

- (d) Violating of any written law

as my Commissioners, in order to further investigate and report whether the above malpractices have been done and to what extent are the respondents as referred to in Extra Ordinary Gazette No. 2212/53 dated 29.01.2021 so responsible, and to recommend whether a person should be subjected to a community disability according to the provisions of Article 81 of the Constitution of the Democratic Socialist Republic of Sri Lanka and Section 9 of the Special Presidential Commissions of Inquiry Act No. 7 of 1978, as amended by the Special Presidential Commissions of Inquiry (Special Provisions) Act No. 4 of 1978".

And whereas, the said order made by me on the 28th day of January 2021, was published in the Government Gazette (Extraordinary) bearing No. 2212/53 of Friday, 29th January 2021.

And whereas, now, I am of the considered view that in consideration of the several specific findings, decisions and recommendations made against and/or in respect of the specific persons identified in the said report submitted to me by the Presidential Commission of Inquiry constituted by me by the warrant issued on 9th of January 2020, under the seal of the Democratic Socialist Republic of Sri Lanka in terms of Section 2 of the Presidential Commissions of Inquiry Act (Chapter 393) as amended, that such specific findings, decisions and recommendations contained in the said Report, in respect of all such identified persons, should inter-alia in the public interest and for purposes of greater scrutiny, be further inquired into by you, and to report to me on the suitability and the justifications, if any, for the implementation and enforcement of the said findings, decisions and recommendations contained in the said Report of the Presidential Commission of Inquiry, as well as for the adoption of any action in respect thereof.

And whereas, therefore, towards that specific purpose, I am of the view that, acting in terms of Section 5 of the Special Presidential Commissions of Inquiry Law, read with Section 2(1) thereof, that the original terms of reference issued to you, should be enlarged by way of amendment, so as to additionally insert the following item, as item No. 2, in the terms of reference :-

2. Without prejudice to the particular specificity of the matters to be inquired into and reported upon by you, in terms of item No. 1 of the original Terms of Reference, issued to you, as contained in the Gazette (Extraordinary) No. 2212/53 published on 29, January, 2021, in addition thereto, to also inquire into and report whether all or any of the findings, decisions and recommendations contained in the aforesaid report of the Presidential Commission of Inquiry, made in respect of all the

persons identified therein, are justified and whether any or all of the same, should be implemented or caused to be implemented, or otherwise pursued and if you, in your discretion deem so necessary, to cause any limited or general investigation or further investigation, into any matter arising from and within the terms of this amended terms of reference, or in the alternative thereto, limiting your inquiry to the detailed consideration and comprehensive scrutiny of the contents of the aforesaid Report Per Se, either in general, or in particular, as you may deem fit.

I do hereby require you to take all such steps that may be required in the execution of the above additional terms of reference and functions of the Special Presidential Commission of Inquiry, reposing great trust and confidence in your integrity, prudence, ability and fidelity.

Given at Colombo, under the seal of the Democratic Socialist Republic of Sri Lanka on this 01 day of April, 2021.

By Order of His Excellency,

P. B. JAYASUNDARA,
Secretary to the President.