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The Gazette of the Democratic Socialist Republic of Sri Lanka

EXTRAORDINARY

අංක 1060/13 - 1998 දෙසැම්බර් 31 වැනි බ්‍රහස්පතින්දා - 1998.12.31
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PART I : SECTION (I) — GENERAL

Proclamations, &c., by the President

Ref. No. SP/6/N/214/97.

L. D. B. 65/44

BY HER EXCELLENCY CHANDRIKA BANDARANAIKE KUMARATUNGA, PRESIDENT OF THE
DEMOCRATIC SOCIALIST REPUBLIC OF SRI LANKA

SEAL

CHANDRIKA BANDARANAIKE KUMARATUNGA,
President.

To :

1. Madam Manouri Kokila Muttetuwegama
2. Hetti Gamage Dharmadasa Esquire
3. Ponnuchamy Balavadiwel Esquire

Greetings :

Whereas in pursuance of the powers vested in me by Section 2 of the Commissions of Inquiry Act (Chapter 393), I have by warrant under the public seal of the Republic, and published respectively in Gazettes No. 855/18, 855/19 and 855/20 of January 25, 1995 appointed three Commissions of Inquiry to investigate and report on allegations of involuntary removal of persons from their places of residence, or the disappearance of persons from their places of residence in the Central, North Western, North Central and Uva Provinces, the Northern Province and Eastern Provinces and the Western, Southern and Sabaragamuwa Provinces ;

And whereas the above mentioned three Commissions of inquiry have investigated and reported on a substantial number of allegations made to such Commissions of Inquiry ;

And whereas there are a number of allegations received by such Commissions of Inquiry, which have as yet to be investigated and reported on ;

And whereas I am of opinion that it is in the interests of public safety and welfare to appoint one Commission of Inquiry to investigate and report on the allegations received by the said three Commissions of Inquiry and in respect of which no investigations have commenced on the respective dates, appointed by the respective warrants appointing such Commissions of Inquiry, for rendering of the reports of such Commissions of Inquiry ;

Now therefore, I Chandrika Bandaranaike Kumaratunga, President reposing great trust and confidence in your prudence, ability and fidelity, do, in pursuance of the provisions of Section 2 of the Commissions of Inquiry Act (Chapter 393), by these presents appoint you the said

1. Madam Manouri Kokila Muttetuwegama,
2. Hetti Gamage Dharmadasa Esquire,
3. Ponnuchamy Balavadivel Esquire,

to be my Commissioners to inquire into and report on the following matters ;

- (a) the allegations about the involuntary removal of persons from their residences, or the disappearance of persons from their residences, made to the Commissions of Inquiry appointed under the Commissions of Inquiry Act, and the terms of reference of which are published respectively, in Gazettes No. 855/18, 855/19 and 855/20 of January 25, 1995, being allegations in respect of which no investigations have commenced on the respective dates, appointed by the respective warrants appointing such Commissions of Inquiry, for the rendering of the reports of such Commissions of Inquiry ;
- (b) the evidence available to establish such alleged removals or disappearances ;
- (c) the present whereabouts of the persons alleged to have been so removed or to have so disappeared ;
- (d) whether there is any credible material indicative of the person or persons responsible for the alleged removals or disappearances ;
- (e) the legal proceedings that can be taken against the persons held to be so responsible ;
- (f) the measures necessary to prevent the occurrence of such alleged activities in the future ;
- (g) the relief if any that should be afforded to the parents, spouses and dependants of the persons alleged to have been so removed or to have so disappeared ;

and to make such recommendations with reference to any of the matters that have been inquired into under the terms of this warrant.

And I do authorize and empower you, said Commissioners to hold such inquiries and make all other investigations, into aforesaid matters as may appear necessary, and require you to transmit to me within six months from the date hereof, a report or interim reports thereon under hand, setting out the findings of your inquiries and your recommendations.

And I further name you Madam Manouri Kokila Muttetuwegama to be the Chairman of the said Commission ;

And I do hereby direct such part of any inquiry relating to the aforesaid matters, as you may in your discretion determine, shall not be held in public ;

And I do hereby require and direct all public officers, and other persons to whom you may apply for assistance or information to render all such assistance and furnish all such information as may be properly rendered and furnished in that behalf ;

And I do hereby declare that the provisions of Section 14 of the aforesaid Commissions of Inquiry Act shall apply to the Commission ;

Given at Colombo under the seal of the Democratic Socialist Republic of Sri Lanka this Thirtieth day of April One Thousand Nine Hundred and Ninety-eight.

By Her Excellency's command,

K. BALAPATABENDI,
Secretary to the President.