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The Gazette of the Democratic Socialist Republic of Sri Lanka

EXTRAORDINARY

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PART I : SECTION (I) — GENERAL

Proclamations & C., by the President

P.S. No. : PS/CSA/00/06/20/02

**BY HON. ANURA KUMARA DISSANAYAKE
PRESIDENT OF THE DEMOCRATIC SOCIALIST REPUBLIC OF SRI LANKA**

ANURA KUMARA DISSANAYAKE



Seal

To:

- Hon. Kulatunga Mudiyanseelage Gihan Himanshu Kulatunga Esquire
Judge of the Supreme Court**
- Hon. Adithya Kantha Madduma Patabendige Esquire
Judge of the Court of Appeal**
- Hewasinghage Sanjeewa Somarathna Esquire
Judge of the High Court**

Greetings!

Whereas, a public perception has arisen that various irregularities and/or unlawful acts may have been committed during the period commencing from the initiation of coal-based power generation in Sri Lanka up to 16 April 2026, in relation



to all procurement processes undertaken by the state-owned Lanka Coal Company (Private) Limited and/ or its successors for the importation of coal into Sri Lanka, as well as in the generation of electricity using such coal and in the carrying out of all activities incidental thereto, by the officials/employees of the Lanka Coal Company (Private) Limited, and/or by public officials, and/or by politicians, and/or by suppliers, and/or by their representatives, whether through direct or indirect intervention,

Whereas, various allegations have been made in respect of the procurement process undertaken for the importation of coal into Sri Lanka during the aforesaid period, including the adequacy of due diligence exercised, the assessment of compliance with standards, and the pre- and follow-up measures taken in respect of the said process,

Whereas, allegations have been made that coal-based electricity generation was not carried out at the expected level, due to the coal supplied in the procurement and importation process not meeting the prescribed quality standards,

Whereas, allegations have been made that legal and financial irregularities and/or unlawful acts may have occurred in the process of generating electricity using the aforesaid coal, and for the purpose of identifying the political authority, public officials, and suppliers and/or their representatives responsible therefor, and of reporting on their respective accountability and scope of responsibility,

Whereas, in the event that any such alleged irregularities/ unlawful acts may have occurred, it has become necessary to identify the future measures to be adopted in order to prevent the recurrence of such incidents and to ensure due integrity,

Whereas, in my view, it has become necessary, in the interest of public well-being, to appoint a Special Presidential Commission of Inquiry to conduct an investigation into the matters set out hereinafter,

Now, therefore, I, Anura Kumara Dissanayake, President of the Democratic Socialist Republic of Sri Lanka, reposing great trust and confidence in your prudence, ability and fidelity, in pursuance of the provisions of the Sections 2 of the Special Presidential Commission of Inquiry Law, No. 7 of 1978 of the National State Assembly which was amended by the Special Presidential Commission of Inquiry (Special Provisions) Act, No. 4 of 1978, by these presents do hereby appoint you, the said;

1. **Hon. Kulatunga Mudiyansele Gihan Himanshu Kulatunga Esquire**
Judge of the Supreme Court
2. **Hon. Adithya Kantha Madduma Patabendige Esquire**
Judge of the Court of Appeal
3. **Hewasinghage Sanjeewa Somarathna Esquire**
Judge of the High Court

to act upon the below mentioned matters,

1. Inquire into whether any irregularities/unlawful acts may have occurred in all procurement processes undertaken by the state-owned Lanka Coal Company (Private) Limited for the importation of coal into Sri Lanka during the period commencing from the initiation of coal-based electricity generation in Sri Lanka up to 16 April 2026, and to assess any resultant financial loss to the State, if any,
2. Inquire into whether coal not conforming to prescribed quality standards was imported during the aforesaid period, and to investigate all related processes, including procurement process, supply process, quality testing process, supervisory process, operational process, and utility-related process connected thereto,
3. Inquire into whether, in generating electricity using the coal imported as aforesaid, the electricity generation process was carried out at the expected level of efficiency or not,
4. Inquire into whether, in the event that such coal not meeting the prescribed standards was imported, any legal or financial irregularities/ unlawful acts may have occurred in the process of electricity generation using such coal,

5. Inquire into whether any express and/or implied breaches of conditions may have occurred in the said process, and if so, whether payments have been withheld and/or any other reparation actions have been taken in respect of such breaches,
6. Identify, in the event that any of the occurrences referred to in paragraphs 1, 2, 3, 4 and 5 above have taken place, the political authority, public officials, the officials/employees of the Lanka Coal Company (Private) Limited and suppliers and/or their representatives responsible therefor, and to recommend the future actions to be taken in respect of them,
7. Identify the measures to be adopted in order to prevent the recurrence in the future of any such alleged irregularities or unlawful acts, and to ensure due integrity ,
8. Report any other irregularities or unlawful acts that may have occurred in relation to the importation of coal and the generation of electricity therefrom, in addition to the matters set out above, and to recommend the measures to be adopted to prevent the occurrence of such situations,

as my commissioners in order to investigate and report 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 Commission of Inquiry Law, No. 7 of 1978 of the National State Assembly, as amended by the Special Presidential Commission of Inquiry (Special Provisions) Act, No. 4 of 1978.

Further, I do hereby appoint you the said Hon. Kulatunga Mudiyanseelage Gihan Himanshu Kulatunga, Judge of the Supreme Court, to be the Chairman of the said Special Presidential Commission of Inquiry.

Further, I do hereby authorize and empower you, the said Commissioners, to conduct or cause to effect all necessary investigations and to hold any other inquiries related to the aforesaid matters, and direct you to conduct the necessary investigations and inquiries transmit to me the Final Report and/or Interim Reports within 06 months from the date hereof under your hand, setting out your recommendations, conclusions and punishments imposed (recommended to be imposed) relating thereto.

Furthermore, I do hereby direct that, should you, in your discretion, determine that any part of the inquiry or investigation relating to the aforesaid matters ought not to be conducted in public; such part shall not be conducted in public.

And, I hereby authorize you to seek expert/technical assistance as you may deem necessary from any Government and/or Non-Government entity and /or person for the purposes of the investigations or inquiries. I further direct and order all Government and/or Non-Government entities and/or persons, and any other persons from whom you may apply for such assistance for the purposes of your investigations or inquiries, to duly render all possible assistance and furnish all such information as may properly be rendered and furnished in that behalf.

Further, I do hereby declare that the provisions stipulated in Section 14 of the aforesaid Law, No. 7 of 1978 of the National State Assembly, shall apply in respect of this Special Commission of Inquiry.

Given at Colombo under the Seal of the Democratic Socialist Republic of Sri Lanka on this 17 day of April Two Thousand and Twenty Six.

By Order of the Honourable President,

Dr. N. S. KUMANAYAKE,
Secretary to the President.

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