

BY HAND

IMPORTANT

17<sup>th</sup> April 2003

Her Excellency Chandrika Bandaranaike Kumaratunge,  
President of Sri Lanka,  
President's House,  
Janadhipathi Mawatha,  
Colombo 1.

Your Excellency,

"Inland Revenue (Special Provisions) Bill"

I enclose a copy of a Fundamental Rights Application No. 194/2003, under Articles 17 & 126 of the Constitution, which I filed in the Supreme Court on 15<sup>th</sup> April 2003. This Application will be supported, after the return to the island of Senior Counsel, once the Supreme Court sittings commence on 28<sup>th</sup> April 2003.

I draw your Excellency's kind attention to the several averments of the Petition and particularly to the fact that, all persons concerned are bounden in duty to have upheld and defended the Constitution under and in terms of the solemn oath / affirmation each and every one of them has taken under the Constitution.

I particularly draw your Excellency's kind attention to the following paras of the Petition;

- i. 3, 4 and 24 in relation to the Opinions to have been communicated to your Excellency and the Speaker by the Hon. Attorney General, and the Certification to be given by the Speaker, that a Bill has been "duly passed".
- ii. 6, 20, 25, 26 and 27 in relation to *criminal prosecutions* and the power to grant "pardon".
- iii. 30, 31 and 32 on the matter of public interest.
- iv. 34 and 35 on the matter of "Corruption"
- v. 36, 38 and 39 legitimising the continuance of *foreign exchange frauds*, absence of securing *professed future compliance*, and *absolute power* to make rules.

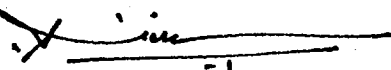
I draw your Excellency's kind attention to the unanimous determinations, which were made by two 7-Member Benches of the Supreme Court in respect of the two Bills titled "18<sup>th</sup> and 19<sup>th</sup> Amendments of the Constitution". *Ought not these determinations made by the Supreme Court in October 2002, have been taken cognisance of, respected and conformed with, by those who immediately thereafter drafted the aforesaid "Inland Revenue (Special Provisions) Bill" ?*

It is pointedly significant, even the mere revision of poorly paid salaries of public servants is decided upon, *only after examination, study and review by a Committee, upon representations being entertained / received*, whereas, in this instance, *ad-hoc* privileges / favours / financial benefits have been conferred upon a privileged few, that too, wrong-doers and law breakers, *without any such examination, study and review, devoid of any representations, whatsoever.*

I urge your Excellency, as the Executive President, *regardless of any socio-political pressures and influences that may be attempted to be brought to bear by affected and/or interested persons*, to take prompt and effective warranted action in regard to this matter of grave public interest and concern, *as evidenced by the public representations regularly published in the media.*

As advised, I also intend to file an Application under Articles 121 & 78 of the Constitution

Yours respectfully,



Nihal Sri Ameresekere