

Niluka S. Dissanayake
Attorney at Law & Notary Public
Colombo12.

Petition

IN THE SUPREME COURT OF THE DEMOCRATIC SOCIALIST REPUBLIC OF SRI
LANKA

In the matter of an Application under
and in terms of Article 121 of the
Constitution of the Democratic Socialist
Republic of Sri Lanka.

Case No.: SC/SD/P.A./2016

1. Benthara Gamage Indika Gamage,
333/4,
Hapugasyaya,
Nalanda.

2. Gonsalge Isuru Buddhika Sirinimal,
142, Augusta Estate,
Bowalawaththa Road,
Uda Peradeniya.

Petitioner

v.

Hon. The Attorney General
Attorney General's Department,
Colombo 12.

Respondent

On this 30th day of March 2016

TO: HIS LORDSHIP THE HONOURABLE CHIEF JUSTICE AND THE OTHER
HONORABLE JUDGES OF THE SUPREME COURT OF THE DEMOCRATIC
SOCIALIST REPUBLIC OF SRI LANKA

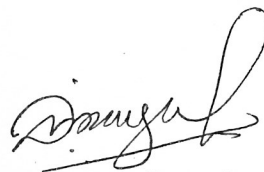
1. The **Petition** of the Petitioners appearing through **Ms. Niluka Dissanayake**, their Registered Attorney at Law states as follows:
2. The Petitioners plead that the Petitioners are citizens of Sri Lanka and qualified Software Engineers. The Petitioners invoke the jurisdiction of Your Lordship's Court in their personal capacity and in public interest.
3. The Petitioners further plead that the 1st Petitioner is the President of the Sri Lanka IT Professionals Association and the 2nd Petitioner is the Assistant Secretary of the aforesaid the Sri Lanka IT Professionals Association.
4. The Petitioners plead that a bill titled "Right to Information Bill" was placed on the Order Paper of Parliament on or about 24th March 2016.

Sinhala, Tamil and English copies of the aforesaid "Right to Information Bill" published in the Government Gazette are annexed herewith marked as "X1", "X2" and "X3" respectively and are pleaded part and parcel hereof.
5. The Petitioners plead that clause 5(1)(c)(v) and clause 5(3) of the aforesaid Bill are in contravention of the protection afforded to the Petitioners in Articles 12(1) and 14(1)(g) of the Constitution.
6. The Petitioners plead that the aforesaid clause of the Bill is unconstitutional and can only be enacted as provided in Article 83 of the Constitution.

7. An Affidavit of the Petitioners is annexed herewith in support of the averments contained herein.

Wherefore, the Petitioners pray that Your Lordship's Court be pleased to,

- a. declare that Clause 5(1)(c)(v) and Clause 5(3) of the bill titled "Right to Information Bill" are in violation of Article 12(1) and 14(1)(g) of the Constitution.
- b. declare that the aforesaid Clause 5(1)(c)(v) and Clause 5(3) of the bill titled "Right to Information Bill" require passing by a 2/3rd Majority of Parliament and approval of the People of the Republic at a referendum as provided in Article 83 of the Constitution.
- c. grant Costs
- d. grant such other and further reliefs as Your Lordship's Court shall seem meet.



Attorney at Law for the Petitioners

D.M. Niluka Sanjani Dissanayake
LL.B, Attorney-at-Law
Notary Public
Commissioner for Oaths & Company Secretary
No. 218, Basement,
Hulftdorp Street, Colombo-12. Sri Lanka.

S.C.S.D. NO. 24/2016

Hon. Chief Justice

In the matter of an Application under and in terms of Article 121 of the Constitution of the Democratic Socialist Republic of Sri Lanka.

Submitted for Your Lordship's direction please.

31/3/16

R.S.C.

30.03.2016

Registration (S.C.)

PL notice the Hon. CJ. in terms of Art 134 of the Constitution that the Bill would be taken up for consideration on 05-04-16 at 10.00 AM before a Bench of which C.J.; Hon. Justice J.R. Mahipala are members.

u/s
30-03-16

L.S.P.E &
30-03-16

31/3/2016

D: Reg/SC

The notice to be sent to the Hon AG is submitted for your signature

sgd.
31/3/16