



අධිකරණ සේවා කොමිෂන් සභා ලේකම් කාර්යාලය
நீதிச்சேவை ஆணைக்குழுச் செயலகம்
Judicial Service Commission Secretariat

JUDICIAL SERVICE COMMISSION SECRETARIAT | JUDICIAL SERVICE COMMISSION SECRETARIAT | JUDICIAL SERVICE COMMISSION SECRETARIAT | JUDICIAL SERVICE COMMISSION SECRETARIAT | JUDICIAL SERVICE COMMISSION SECRETARIAT | JUDICIAL SERVICE COMMISSION SECRETARIAT | JUDICIAL SERVICE COMMISSION SECRETARIAT | JUDICIAL SERVICE COMMISSION SECRETARIAT

මගේ අංකය
எனது இலக்கம்
My No.

JSC/SEC/COR 14

ඔබේ අංකය
உமது இலக்கம்
Your No.

දිනය
திகதி
Date 18.06.2021

To: All High Court Judges/All Judicial Officers and Presidents of Labour Tribunals

Instructions/Measures in relation to Prevention and Control of COVID 19 in Courts

Judicial Service Commission having evaluated the present situation in the country, since the onset of the fresh wave of COVID – 19 and taking into account the importance of maintaining judicial processes with minimum disruption, directed me to issue following instructions, to be operative from 21st of June 2021 to 25th of June 2021.

Judicial Service Commission will issue additional instructions, if deem necessary, upon further evaluation of the situation thereafter.

Instructions

1. All necessary steps should be taken to ensure proceedings relating to the matters mentioned hereinafter are conducted without further restrictions other than that are essential to comply with health guidelines relating to COVID-19 pandemic and subject to the availability of court staff:
 - a. All matters relating to Bail.
 - b. Any other Urgent/Essential matter where the Judge/Judicial Officer is of the view that should be attended to, without delay.
Any party or an Attorney at Law who desires that any matter that needs to be taken up on the basis of it being Urgent/Essential, such Party/Attorney at Law is required to file a motion to that effect before 10.00 AM on the respective day, for the consideration of the Judge.
 - c. Urgent private complaints (such as under Domestic Violence Act No. 34 of 2005) and proceedings instituted under the Maintenance Act, filed before Magistrate's Courts.
 - d. Under mentioned matters which can be attended to by way of written submissions, physical hearings and/or virtual hearings, while adhering to the health guidelines in relation to the prevention of COVID – 19 and subject to the availability of staff, resources and technology, in consultation with the respective local branches of the Bar Association, upon all the parties expressing



their willingness to take up such matters. In such event all parties are required to inform the court registry at least on the previous day of their desire to take up such matter.

- i) The matters referred to above in relation to High Courts are MC Appeals, LT Appeals, Writ Applications and Revision Applications.
 - ii) The matters referred to above in relation to Civil Appellate High Courts are, all argument and inquiry matters.
 - iii) The matters referred to above in relation to Commercial High Court, District Courts and Labour Tribunals are matters which can be attended to only by way of written submissions.
 - iv) The matters referred to above in relation to Magistrate's Courts are matters which can be attended to only by way of written submissions/documents (such as applications under Primary Courts Procedure Act) and any other matter that could be concluded without a trial being held.
- e. Any other matter where the Judge/Judicial Officer is of the view that can be attended to including matters where parties are required to take particular steps before reaching the trial stage or any matter where judicial proceedings can be concluded while adhering to the health guidelines in relation to the prevention of COVID - 19 and subject to the availability of staff and resources, upon willingness to take up such matter being indicated by both parties/all parties, at least on the previous day to the respective court registry.
2. In consultation with respective Registrars all Judges/Judicial Officers should ensure only the minimum number of staff required to implement "1." above is requested to report to work, preferably on a rotational basis.
 3. No cases, other than the matters specifically provided for in paragraph 1 hereinbefore, to be called in open court and all such cases are to be re-scheduled and the re-scheduled dates of those cases to be notified by publication of a notice at the entrance to the respective courts, preferably on the previous day or at least before 8.30 AM each day.



4. The operation of JSC/SEC/COR 12(I) dated 11.05.2021 which provided for the Judges/Judicial Officers to work on a rotational basis on mutual arrangement is canceled with effect from 21st June 2021
5. Adverse default orders should not to be made indiscriminately.
6. Where ever possible granting of bail or extension of remand period of suspects/accused in custody to be done through electronic means.
7. Keeping in mind the critical need to maintain social distancing, all Judges and Judicial Officers are advised to take up cases on a staggered basis.
8. Attorneys at Law are requested to advise their clients not to visit the court unless their presence is directed by the court or otherwise essential.
9. Ensure that there is no gathering of people inside or outside the court houses.
10. Ensure Social Distancing and other Guidelines in relation to prevention of COVID 19 are adhered to at all times.
11. In situations where conducting physical hearings while adhering to COVID-19 health guidelines is not recommended, impractical or not feasible, steps should be taken wherever possible, to use technological processes such as electronic filings and virtual hearings, with the use of available facilities, in implementing the instructions set out in paragraph 1 herein before.

Under the Command of the Judicial Service Commission,

H.Sanjeewa Somaratne

Secretary

Judicial Service Commission

H. Sanjeewa Somaratne

Secretary

Judicial Service Commission
Colombo 12



CC: 1. Hon. Attorney General

2. Secretary to His Excellency the President

3. Secretary, Ministry of Justice

4. Inspector General of Police

5. Commissioner General of Prisons

6. Secretary, Bar Association

To make available adequate facilities for the court staff
- to report to their respective courts with effect from
21.06.2021.