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நீதிச்சேவை ஆணைக்குழுச் செயலகம்
Judicial Service Commission Secretariat

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My No.

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உமது இலக்கம்
Your No.

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திகதி
Date

JSC/SEC COR: 4

Measures in view of COVID 19 pandemic

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

Directives to be operative from the 20th to 24th April 2020, while curfew is in force, in respect of Commercial High Courts, Civil Appellate High Courts, High Courts, District Courts, Magistrate Courts and Labour Tribunals.

Directives in respect of Commercial High Courts, Civil Appellate High Courts, District Courts and Labour Tribunals

1. All cases to be rescheduled and such rescheduled dates should be notified by publication of a notice at the respective courthouses. Such rescheduled dates should not be a date beyond 30th June 2020.

Directives in respect of High Courts and Magistrate Courts

1. With regard to the suspects/ accused who are presently in remand custody, all High Court Judges and Magistrates are hereby directed to take up bail applications/bail inquiries/or any other bail related matters preferably on 23rd and/or 24th April 2020. To

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කැ.සෙ. 573, අළුත් කොට්ඨාසය, කොළඹ 12.

த.பெ.இல. 573, புதுக்கடை, கொழும்பு 12.

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facilitate this process, all High Court Judges and Magistrates are instructed to be present at their respective stations'- on the above date/dates.

In this regard, High Court Judges/Magistrates should take steps to coordinate matters both with the local branch of the Bar Association and the State Counsel prosecuting in respective High Courts as deem necessary.

Further, all High Court Judges/Magistrates should endeavour wherever possible to use electronic means for the purposes of communicating with the relevant stakeholders. However, the presence of the Parties may be dispensed with.

2. All other cases to be rescheduled and such rescheduled dates should be notified by publication of a notice in the respective courthouses. Such rescheduled dates should not go beyond 30th June 2020.
3. Commission directed me to reiterate the following guidelines relating to bail contained in previous JSC circulars issued in this regard which is reproduced below:

“..... In instances where a person is languishing in remand custody due to his inability to furnish bail, despite bail having been granted by a competent court, Magistrates and High Court Judges may exercise their discretion and order that such bail be furnished within a specific time period, preferably on or before 30th of June 2020; and until such time consider the release of such person upon entering into a bond without sureties.”

“...All Judges are reminded the importance of adhering to the guiding principles relating to granting of bail, embodied in Section 2 of the Bail Act.”

4. The Commission has noted with concern, that there had been instances where the earlier circulars issued from 16.03.2020 onwards, had not been fully complied with. Hence, it is emphasized, that all High Court Judges/Magistrates should take all possible endeavours to give effect to the spirit of this circular.
5. All High Court Judges/Magistrates are required to maintain statistics of the suspects/accused's released giving effect to this circular.

General Directions Relating to Court Administration

1. In consultation with respective registrars all Judges/Judicial Officers should ensure only the minimum number of staff required is requested to report to work, preferably on a rotational basis.
2. It is advisable to take necessary steps to have the court premises sanitized.
3. All Judges/Judicial Officers are required to adhere to Government guidelines /instructions on social distancing.

Under the command of the JSC.


H.S. Somaratne
Secretary, Judicial Service Commission

16th April 2020