

# The Right to Information Commission

**P. Dissanayake**

N0.57/14,  
Rajamaha vihara Mawatha,  
Pitakotte

**-Appellant-**

**RTIC App/No : 290 (A)/2021**

**Vs.**

## **1. Ministry of Education**

‘Isurupaya’,  
Battaramulla

## **2. Royal College**

Rajakeeya Mawatha,  
Colombo 07

**-Public Authority-**

**Before**

**:**

1. Justice Upaly Abeyrathne (Rtd.)  
- Chairman
2. Justice Rohini Walgama (Rtd.)  
- Commissioner
3. Kishali Pinto-Jayawardena (Attorney-at-Law) - Commissioner
4. Mr. Jagath Liyana Arachchi (Attorney-at-Law) - Commissioner

**Appearance**

**:**

The Appellant -

Mr. P. Dissanayake

The Public authority -

The Public Authority is represented by Mr.P. Sudarshana Peiris, Assistant Director of Education – RTI Information Center (Ministry of Education) and Mr. Janaka Jayasinhge, Hostel Warden

**Written Submission** : The Appellant on (Date) - 31.03.2021,  
05.04.2021  
The Public authority on (Date) - 19.03.2021

**Date of Hearing** : 11.01.2022

**Decided on** : 11.01.2022

**Brief Factual Background:**

By above dated information request, the Appellant requested the below information;

1. *“ Who is the appointing authority of Warden-RCH?*
2. *When was the current Warden appointed and by whom?*
3. *What is his current monthly remuneration including all benefits?*
4. *How is he paid-through RCU, SDS funds or from the revenue through fees paid?*
5. *Since his assuming duties as Warden, how many Grade Six students have left the Year and how many of them have left the school as well? ”*

As the Information Officer failed to respond within the time period stipulated in the Act, the Appellant appealed to the Designated Officer on 12.10.2020. As the Designated Officer too failed to respond within the time period stipulated in the Act, the Appellant preferred an appeal to the Commission on 13.12.2020.

**Matters Arising During the Course of the Hearing:**

The Appellant informed that, the PA by letters dated 19.03.2021 and 21.04.2021 satisfactorily responded to his information request, with complete details.

**Order:**

In consideration of the facts arising in this appeal, it is evident that the PA has failed to adhere to the mandatory timelines laid down for responses of the PA in relation to information requests as contained in Sections 25(1), 31 (1) and 31 (3) of the Right to Information Act No. 12 of 2016 hereinafter at times referred to as the RTI Act). Attention of the PA is thus drawn to the aforementioned sections which are reproduced below;

Section 25 (1):

*An information officer shall, as expeditiously as possible and in any case within fourteen working days of the receipt of a request under section 24, make a decision either to provide the information requested*

*for on the payment of a fee determined in accordance with the fee schedule referred to in section 14(e) or to reject the request on any one or more of the grounds referred to in section 5 of this Act, and shall forthwith communicate such decision to the citizen who made the request.*

Section 31(3) states that:

*The decision on any appeal preferred under subsection (1), shall be made by the designated officer within three weeks of the receipt of the appeal and shall include the reasons for the said decision including specific grounds for the same.*

Upon the issuance of notices by the Commission, it appears that the PA has responded to the information request of the Appellant, as confirmed by the Appellant before the Commission.

The Director-General is directed to convey the Order to the Appellant, the Information Officer and the Public Authority.

***Appeal Concluded.***

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