

Jamaldeen Sarjoon v. Presidential Secretariat

RTICAppeal (In person)/60/2017(Order adopted as part of a formal meeting of the Commission on 16.10.2017)

Order under Section 32 (1) of the Right to Information Act, No 12 of 2016 and Record of Proceedings under Rule 28 of the Right to Information Rules of 2017 (Fees and Appeal Procedure)

Chairperson: Mr. Mahinda Gammampila

Commission Members: Ms. Kishali Pinto-Jayawardena

Mr. S.G. Punchihewa

Dr. Selvy Thiruchandran

Present: Director-General Mr. Piyathissa Ranasinghe

Appellant: Mr. Jamaldeen Sarjoon

Notice issued to: Secretary to H.E. the President (Designated Officer)

Appearance/ Represented by: Mr. Jamaldeen Sarjoon

Mr. A.L. Aazath - Attorney at Law (accompanying Appellant)

Mrs. Luckshmi Jayawickrema, Additional Secretary, Presidential Secretariat

RTI request filed on	15.02.2017
IO responded on	02.03.2017 & 20.03.2017
First Appeal to DO filed on	30.03.2017
DO responded on	25.04.2017
Appeal to RTIC filed on	09.06.2017

Brief Factual Background

In this instance, the Appellant had sent a request under and in terms of the RTI Act to the Presidential Secretariat on 15.02.2017 requesting the release of the Presidential Report of Inquiry into the death of Former Leader of the Sri Lanka Muslim Congress Mr. M.H.M. Ashraff in the year 2000. President Chandrika Kumaratunga (at that time), had established a Commission headed by (former) Justice L.K.G. Weerasekera to inquire into the circumstances of Mr. Ashraff's death.

The Information Officer (IO) informed him through letter dated 02.03.2017 that they had called for the file from the Department of National Archives where it had been sent by the Public Authority in 2007. The National Archives had forwarded the file relating to the appointment of the Commission to the Public Authority but the inquiry report was not in the

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said file. Thereafter, the IO informed the Appellant by letter dated 20.03.2017 that they could not provide the information.

The Appellant then filed an appeal with the DO on 30.03.2017. The DO by letter dated 25.04.2017, rejected his request informing him that the information requested could not be found. The Appellant then appealed to the RTI Commission on 09.06.2017.

Matters Arising During the Hearing

Mrs. Jayawickrema, Additional Secretary (Legal) of the Public Authority (PA), sought permission from the RTI Commission to represent the Secretary to H.E. the President since he was engaged elsewhere. Permission was granted.

The Appellant stated that he and many others have been asking for this Report for a long time as the inquiry was of importance to the Muslim community and the country as a whole. The Appellant stated that he wanted to know if the Report had been actually submitted by Justice Weerasekera to the President at that time as publicly claimed and if so, as to how such a Report could have gone missing?

Responding from the Public Authority, Mrs. Jayawickrema stated that the Information Officer (IO) had made all possible effort to trace the said inquiry report. The IO had brought down the file relating to the said incident from the archives and examined it, but did not find the report in the file. Therefore, the Public Authority had been unable to comply with the Appellant's request.

Further, the Written Submissions of the Public Authority dated 11.10.2017 and addressed to the RTI Commission stated that according to Section 7 (3) (a) of the RTI Act, No. 12 of 2016 concerning the preservation of records, in the case of those records already in existence on the date of coming into operation of the Act, the said records must be preserved for a period of not less than 10 years from the coming into operation of the Act. In this instance, the information asked for was more than 16 years old. The Public Authority was unable to provide the same.

Order

On the facts as presented before us, examination of the relevant file now in the custody of the National Archives appears to be imperative. Purportedly the report is now missing in that file. Consequently, it has become necessary to add the National Archives as a party to this matter. Section 11 of the National Archives Law No. 48 of 1973 (as amended) states that,

'It shall be the duty of the Secretary of any Commission of Inquiry appointed under the Commissions of Inquiry Act or any Committee of Inquiry appointed by a Minister to deposit all records relating to such Commission or Committee, as the case may be, at the National Archives within three months of the rendering of the final report of such Commission or Committee.'

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According to Paragraph 2 of the Regulations framed under Section 16 (d) of the National Archives Law pertaining to public access to public archives and gazetted on 5th December 1978,

'Public Archives accrued to the National Archives from any public office Named in the Second Schedule to the Law or in terms of Section 10, 11, or 18 of the Law shall be closed for public inspection until the lapse of 30 years after their creation, or until the lapse of such time that they have been closed for public inspection by the public office creating such records.'

It is therefore necessary to ascertain the exact state of compliance of the relevant Public Authorities in regard to the applicable law and the regulations.

Notice is directed to be sent to the National Archives to be present at the next date of hearing. The National Archives is directed to bring the said file in issue to be examined before the Commission at the next hearing.

The Appeal is adjourned.

Next date of hearing is November 20th, 2017.

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RTIC Appeal (In person)/60/2017 (*Order adopted as part of a formal meeting of the Commission on 20.11.2017*)

Order under Section 32 (1) of the Right to Information Act, No 12 of 2016 and Record of Proceedings under Rule 28 of the Right to Information Rules of 2017 (Fees and Appeal Procedure)

Chairperson: Mr. Mahinda Gammampila

Commission Members: Ms. Kishali Pinto-Jayawardena
Mr. S.G. Punchihewa
Dr. Selvy Thiruchandran

Appellant: Mr. Jamaldeen Sarjoon

Notice issued to: Secretary to H.E. the President (Designated Officer)

Appearance/ Represented by: Mr. Jamaldeen Sarjoon

Mr. A.U.L.M. Haaris

Ms. Luckshmi Jayawickrema, Additional Secretary, (Legal)
Presidential Secretariat

Dr. N.T. Rupesinghe, Director – General, Department of
National Archives

Ms. Dilini Liyanage, Assistant Director, Department of
National Archives

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The Department of National Archives was present at the hearing subsequent to being noticed by the Commission. The Director – General of the National Archives, Dr. Nadeera Rupesinghe informed the Commission that she had procured the files relating to the Report of the Commission of Inquiry on Mr. M.H.M. Ashraff's death for the perusal of the Commission. The file containing the papers relating to the Commission of Inquiry had been sent to the Department of National Archives on 24. 01. 2002 by the Secretary of the Commission Mr. G.K.G.Perera, in accordance with the requirement in Section 11 of the National Archives Law No. 48 of 1973 (as amended).

Section 11 states as follows;

'It shall be the duty of the Secretary of any Commission of Inquiry appointed under the Commissions of Inquiry Act or any Committee of Inquiry appointed by a Minister to deposit all records relating to such Commission or Committee, as the case may be, at the National Archives within three months of the rendering of the final report of such Commission or Committee.'

However, the said file did not contain a copy of the relevant Commission of Inquiry report.

In addition, the Department of National Archives had received from the Presidential Secretariat, a file containing all official documents of former President Chandrika Bandaranaike Kumaratunga (hereafter referred to as the 2007 file) on 18.05.2007. This file included documents relating to the Report but not the actual Report itself. The Department of National Archives had maintained an accession file where it listed the documents that was received by the Department from the Presidential Secretariat.

Representing the Public Authority (PA) cited in the Appeal, Mrs. Luckshmi Jayawickrema stated that it has been mentioned in the records of the PA that the particular file relating to the Commission of Inquiry had been sent on 12.01.2007 by the PA to the National Archives. The PA does not keep copies of the file but only records the file number.

On examination of the 2007 file consequent to this appeal being listed for hearing before the RTI Commission, the Director –General of National Archives pointed out that it had been discovered that the file only contained 3 pages of the Report (page 69, 70 and 71) which related to concluding recommendations of the Commission of Inquiry Report relating to compensation to be paid to certain individuals.

The 2007 file which formed part of the former President's papers, also contained the following documents:

1. Letter dated 13.08.2002 signed by then President to the then Commander of the Airforce which indicated that the following two Reports were annexed
 - (a) Report of the Presidential Commission of Inquiry into Mr. M.H.M.Ashraff's death
 - (b) Report of the Presidential Commission of Inquiry on the attack that took place at the Air Force Base and Bandaranaike International Airport.
2. Another letter dated 13.08.2002 signed by then President to the then Minister of Defence Mr. Thilak Marapana attaching the Commission of Inquiry Report and requesting him to initiate follow up action in pursuance of the findings

The then President had noted in the letter to the Minister of Defence that she would be taking action to publish the Report of the Commission of Inquiry as a Sessional Paper.

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During the proceedings, the Director – General of the National Archives brought a substantial Minute on the Report in the 2007 file to the attention of the Commission. The Minute in the file (which had been maintained by the Presidential Secretariat) dated 12.08.2002 and made by Additional Secretary, CPA, Presidential Secretariat, noted the following:

1. The above Report was handed over to Her Excellency on 01.08.2002. The findings of the Report indicate that the crash was not a result of any wilful act. It was not due to any explosion or any explosive device. The crash was a result of act or acts of omission, lack of due diligence and duty of care amounting to negligence by the service crew. Crew identified as (names).
2. A Copy of the Report has been sent to Mrs. Manel Abeyrathne to be handed over to the HP (indecipherable). (Minute made in September 2002)
3. Extract of Pages, 69, 70 and 71 and recommendation of a sum of Rupees 8 million to be provided as compensation to certain parties.

The Director- General submitted that the Department of National Archives is not empowered to provide copies of the documents in issue to the public under the National Archives Law.

The Director – General of National Archives further informed the Commission that the documents listed in the file handed over to the Department by the Secretary to the Commission on 24.01. 2002 were stored in boxes in the National Archives. There were 64 documents running to over 300 pages, which were not described, that were stored in the said boxes.

Order

This Commission notes the submission of the Director – General of the Department that these are confidential records which officers of the Department themselves are not allowed to look at in terms of the law and in regard to which, ordinarily, the Department would seek formal permission from the Presidential Secretariat and the Secretary of the Commission of Inquiry to examine the said records or to make the same available to a member of the public.

Section 4 of the RTI Act, No.12 of 2016 states,

“The provisions of this Act shall have effect notwithstanding anything to the contrary in any other written law and accordingly in the event of any inconsistency or conflict between the provisions of this Act and such other written law, the provisions of this Act shall prevail.”

In this regard, it is clear that the RTI Act prevails over and above the clauses relating to confidentiality in the National Archives Law and related Regulations.

It is a pertinent factor that the absence of the Report of the Commission of Inquiry in regard to this matter is of considerable public interest. Further, this Commission is not apprised of an exception to the release of information that has been raised by the relevant Public Authority in this matter in terms of Section 5 of the RTI Act. The reason put forward by the Public Authority regarding its inability to provide the requested information to the Appellant by letter dated 20.03.2017 as well as through its Written Submissions to this Commission dated 18.08.2017 is limited to the response that the information could not be provided as it could not be found.

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Accordingly and in the light of the overriding public interest in this matter pertaining to a request for information relating to a Report of a statutory inquiry body established under the Commissions of Inquiry Act, No 17 of 1948 (as amended), this Commission orders the release of the documents as detailed hereinafter;

- a) A copy of the substantial Minute dated 12.08.2002 made by the Additional Secretary, CPA, Presidential Secretariat, summarising the findings of the Commission of Inquiry in this case, as marked in the file that was sent to the Department by the Presidential Secretariat on 18.05.2007;
- b) A copy of the 3 pages of the Commission Report which is the subject of this information request, relating to recommendations in regard to the payment of compensation to certain persons that was contained in the aforesaid file.

The Department of the National Archives is the custodian of ‘*all records*’ of Commissions of Inquiry under the Act of 1948 (as amended) read with Section 11 of the National Archives Law No. 48 of 1973 (as amended). The Report of such a Commission would constitute a primary ‘record’ under and in terms of the said law. Hence the Department may properly call upon the depositing body or individual (effectively the Secretary of such a Commission or Committee in terms of the relevant statutory provision) to ensure that the Report of the Commission or Committee is sent to the Department in accordance with the law. If there was non-compliance with that request, an official notation of the same by the Department would have been useful in clarifying details as to the whereabouts of a particular Report.

The observance of a similar due diligence requirement by the Public Authority, the Presidential Secretariat in forwarding the relevant files of former President Chandrika Kumaratunga to the Department of the National Archives in 2007 would have been helpful. Indeed, as has become apparent in proceedings before this Commission, the very date/s of the forwarding and receipt of the said files by the two state entities are at odds with each other. The Public Authority has stated on record before us that the file was handed over on 12.01.2007 while the Department of the National Archives has affirmed during this hearing that it was received by the said Department on 18.05.2007. There is therefore, a clearly discernible lack of clarity in regard to this matter.

In the circumstances, the Department is directed to ascertain from the Secretary of the Commission of Inquiry as to whether the Report of the said Commission was handed over to the Department by him along with the rest of the papers contained in the file on 24.01. 2002 and is also directed to check the contents of the relevant boxes where the original documents were stored and to ascertain if the Commission of Inquiry Report is contained in those papers.

A further order is issued to release the ‘list of documents’ that were contained in the file sent by the Secretary to the said Commission of Inquiry to the Department of National Archives on 24.01.2002.

Next date of hearing: 16/01/2018.

The Appeal is adjourned.

RTICAppeal (In person)/60/2017 (*Order adopted as part of a formal meeting of the Commission on 16.01.2018*)

At the RTI Commission of Sri Lanka

Order under Section 32 (1) of the Right to Information Act, No 12 of 2016 and Record of Proceedings under Rule 28 of the Right to Information Rules of 2017 (Fees and Appeal Procedure)

Chairperson: Mr. Mahinda Gammampila

Commission Members: Ms. Kishali Pinto-Jayawardena
Dr. Selvy Thiruchandran
Justice Rohini Walgama

Present: Mr. Piyathissa Ranasinghe, Director – General

Appellant: Mr. Jamaldeen Sarjoon

Notice issued to: Secretary to H.E. the President (Designated Officer)

Director General, Department of National Archives required to be present in terms of Section 15(a) of the RTI Act, No 12 of 2016

Appearance/ Represented by: Mr. Jamaldeen Sarjoon

Mr. A.L. Aazath - Attorney at Law (accompanying Appellant)

Dr. N.T. Rupesinghe, Director – General, Department of National Archives

Ms. Dilini Liyanage, Assistant Director, Department of National Archives

Matters Arising During the Hearing

It was recorded that Mrs. Luckshmi Jayawickrema, Additional Secretary, (Legal) Presidential Secretariat had informed the Commission of her inability to be present on this date in advance and had requested a re-fixing of the matter at the discretion of the Commission. Since the hearing on this date was to ascertain the steps taken by the Department of the National Archives in regard to locating the Commission of Inquiry report on the late SLMC leader Mr. M.H.M. Ashraff's death (2002), the said hearing was proceeded with.

The Director – General of the National Archives Department, Dr. Nadeera Rupesinghe informed the Commission that consequent to the National Archives complying with the Order of the Commission on the previous occasion, (viz on 20.11.2017), the National Archives had written to the Secretary to the Commission of Inquiry on Mr. M.H.M. Ashraff's death, Mr. G.K.G. Perera on 08.12.2017 (with copy to the RTI Commission), requesting information as to the handing over of the said Report to the National Archives. By letter dated 24.12.2017, the said Secretary to the Commission of Inquiry on Mr. M.H.M. Ashraff's death, Mr. G.K.G. Perera had responded to the Department of National Archives categorically stating that he had personally handed over the Report to the Department of National Archives on 24.01.2002. He further stated that, since he was aware of Section 11 of the National Archives Law No 48 of 1973, he had followed the said law in relation to the above mentioned report and that along with the 64 other files he had handed over the Commission Report to the Department of National Archives on 24.01.2002 and that it had been over 15 years since such handing over happened and there should be letters and/or documents showing the handing over and receipt

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of such documents. He also stated that he had handed over the final commission report along with copies of the session reports to the Presidential Secretariat and that he did not know the reason as to why the final three pages of the report were with the Department of National Archives but not the rest of the pages.

Dr. Rupesinghe informed the Commission that, notwithstanding the said letter, the list of accession of the documents handed over by the Secretary to the Commission at the time did not contain a reference to the said Report. A copy of the letter was handed over to the Commission and noted of record.

The Director General also informed the Commission that she had gone through the first five undescribed files handed over by the Secretary to the Commission. She stated that those files only contained copies of affidavits signed by people who had given evidence to the Commission. The files were handed over to the RTI Commission for perusal. The Director-General of National Archives opined that as the list of documents had been handed over to the Department in January 2002 but the Report had been presented to the President in August 2002, therefore quite possibly in January, the said Report had not been in existence.

The Appellant stated that it was imperative that the original Report be found and that a copy of the Report would be lacking in credibility. He submitted that due to the existing state of affairs, it was doubtful if the Report or even a copy thereof could be located. He requested the Commission to enter into a decision that the Full Report did not exist. He noted that the three pages that were provided to him at the previous hearing were taken from the files sent by the Presidential Secretariat and that it was practically impossible for pages 69, 70, and 71 of the Report to exist while Pages 1 to 68 were missing.

The Director General of the National Archives stated that the fact of the letter by the Secretary to the Commission of Inquiry stating that he had handed over the Report to the National Archives should be considered in tandem with the accession list of the documents received that the Archives Department maintained upon the handing over of the said documents and which did not contain a reference to the said Report. The Director-General of National Archives also mentioned that she had not gone through all sixty four (64) files but, as directed by the commission at the last hearing, had examined only the undescribed five (5) files.

The Appellant further brought to the notice of the Commission that he could not locate the Gazette Notification regarding the appointment of the Commission of Inquiry even though he had searched in the National Archives, and the Parliament Library. Upon perusal of the file provided to the National Archives by the Presidential Secretariat as part of President Kumaratunga's files the said Gazette Notification dated 22.08.2001 was found. A further letter dated 27.09.2001 was found written by the Commissioner Justice L.K.G. Weerasekera and addressed to the then President requesting an extension of time for the Commission for a period of three months from the 23rd of October 2001 due to it being necessary to obtain the evidence of 25 more important witnesses.

Order

It is of grave concern that a Presidential Commission of Inquiry Report is purportedly not in any of the files of the appropriate Public Authorities. In this instance, the Report requested concerns the sudden death of the late SLMC leader Mr. M.H.M. Ashraff (2002),

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It is indisputable that, on the handing over of the relevant documents by the Secretary to the Commission on 24.01.2002, the Department of the National Archives as the final depository of Commission of Inquiry Reports under Section 11 of the National Archives Law No. 48 of 1973 (as amended) was under a statutory duty to have obtained the Report from the relevant Authorities and retained the same in the custody of the National Archives which is indeed the scope and object of the statutory duty laid upon the Public Authority. The Report itself is the primary document contemplated by that provision. In the circumstances, there arises a serious dereliction of a statutory duty especially in a context where the Department is insistent, on the submission of the Director General that the said Report was not handed over to the department.

It was noted in the previous Order by us following the hearing of this matter on 20.11.2017 as follows;

‘The very date/s of the forwarding and receipt of the said files by the two state entities are at odds with each other. The Public Authority has stated on record before us that the file was handed over on 12.01.2007 while the Department of the National Archives has affirmed during this hearing that it was received by the said Department on 18.05.2007. There is therefore, a clearly discernible lack of clarity in regard to this matter.’

The Director General explained at the hearing that when considerable documents are handed over to the Archives, the date on which the documents are handed over sometimes differs from the dates that the franchise form is signed by both parties. In this instance, more than three hundred files were sent to the Archives and therefore, a few weeks are taken to check them in the presence of an official from the institution that is sending the documents. When that process has been completed, a franchise form is signed by both parties to the effect that the documents have been handed over to the Archives. Therefore the date of handover and the date on the franchise form for the deposition and acceptance of the documents may differ. The valid date of accrual is then the date on which the franchise form is signed.

Regardless of the same, it must be emphasized that the National Archives is the designated final depository of such Commissions of Inquiry Reports. In this instance the Secretary of the said Commission has personally stated that he had handed over the Commission Report to the National Archives on 24.01.2002. This Commission has been requested by the Director General of the National Archives to note that the accession list of the relevant documents received by the Archives from the Secretary to the said Commission on that occasion does not include a reference to the said Report. However, it is a matter of doubt as to where the truth lies.

In any event, this Commission has two conflicting versions of the matter before us. It is also relevant that the Director-General of the National Archives had not gone through all the 64 files in the custody of the National Archives but was only asked to go through the undescribed 5 files at the last hearing.

Consequently and in view of the gravity of the matter before us, we direct the following steps to be taken;

- a) The Director-General of the National Archives is instructed to meticulously examine the contents of all the documents in all the files handed over by the Secretary to the

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Commission on 24. 01. 2002, in order to ascertain if the Report or a copy thereof can be located.

- b) This direction is subject to the caution that if the National Archives maintains that the Report or a copy thereof is not in its possession, the Director General will be required to affirm the same under oath as provided for in Section 15 (b) of the RTI Act, No 12 of 2016
- c) On the recommendation of the Director – General, certified copies of the contents of the file sent by the Presidential Secretariat to the National Archives on 18.05.2007 will be brought before this Commission within the course of one week from the date of this hearing in order to examine its contents, given that the same may disclose information as to the whereabouts of the said Report. This will be limited to the perusal of the Commission.
- d) Based on the contents of the said file, the relevant Public Authorities will be required to ascertain from other Public Authorities to whom copies of the said Report had been sent, as recorded in the relevant files, as to whether the said Report remains in their possession;

Upon completion of all the steps taken above and if the whereabouts of the Report or a copy thereof is still unascertainable, this Commission determines that it is appropriate to authorise an inspection of all the relevant files relating to the said matter in the custody of the National Archives under Section 15 (c) of the RTI Act, No.12 of 2016. Section 15 (c) of the RTI Act states,

15. For the purpose of performing its duties and discharging of its functions under this Act, the Commission shall have the power:

(c) “to inspect any information held by a public authority, including any information denied by a public authority under the provisions of this Act;”

In response to the submission of the Director- General of the National Archives that perusal of the files is generally only consequential to the approval of the Presidential Secretariat according to the relevant Regulations, it is strictly noted that Section 4 of the RTI Act, No.12 of 2016 categorically affirms that the RTI Act supersedes previous contrary written law. As such there is no such requirement in the RTI Act to obtain permission from any Public Authority to inspect files when the Commission determines that such inspection is required under and in terms of Section 15 (c) of the Act. It is noted that the Director General had been reminded of this fact at the previous hearing (viz; 20.11.2017).

The Appellant is furnished with a copy of the letter dated 24.12.2017 sent by Mr. G.K.G. Perera, Secretary to the Commission of Inquiry on Mr. M.H.M. Ashraff’s death informing the Department of National Archives that he had handed over the report to that Department on 24.01.2002.

The Appellant is provided with a copy of the gazette dated 22.08.2001 which relates to the appointment of the said Commission of Inquiry as located in the files of former President Chandrika Bandaranaike Kumaratunga sent to the National Archives. A copy of the letter

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addressed to the then President requesting extension of time for the Commission of Inquiry by Commissioner Justice L.K.G. Weerasekera in order to obtain the evidence of 25 more important witnesses is also provided to the Appellant on direction of the Commission.

Next date of hearing: 27/02/2018.

The Appeal is adjourned.

RTI Appeal (In person)/60/2017 (*Order adopted as part of a formal meeting of the Commission on 27.02.2018*)

Order under Section 32 (1) of the Right to Information Act, No 12 of 2016 and Record of Proceedings under Rule 28 of the Right to Information Rules of 2017 (Fees and Appeal Procedure)

Chairperson: Mr. Mahinda Gammampila

Commission Members: Mr. S.G. Punchihewa
Ms. Kishali Pinto-Jayawardena
Dr. Selvy Thiruchandran
Justice Rohini Walgama

Present: Mr. Piyathissa Ranasinghe, Director – General

Appellant: Mr. Jamaldeen Sarjoon

Notice issued to: Secretary to H.E. the President (Designated Officer)
Director General, Department of National Archives required to be present in terms of Section 15(a) of the RTI Act, No 12 of 2016

Appearance/ Represented by: Mr. Jamaldeen Sarjoon

Mr. A.L. Aazath - Attorney at Law (accompanying Appellant)
Dr. N.T. Rupesinghe, Director – General, Department of National Archives
Mrs. Luckshmi Jayawickrema, Additional Secretary, (Legal) Presidential Secretariat

Matters Arising During the Hearing

At the outset, Mrs. Luckshmi Jayawickrema Additional Secretary, (Legal) Presidential Secretariat informed the RTI Commission that the Presidential Secretariat had been successful in obtaining a certified copy of the Presidential Commission Report of Inquiry into the late SLMC founder Mr. MHM Ashraff's death from the Criminal Investigations Department (CID). This was consequent to Mrs. Jayawickrema having written to the Government Printer and to the CID requesting a copy of the said Report, as directed by the RTI Commission at the previous hearing.

In pursuance of Ms. Jayawickrema's written request dated 05.02.2018, the CID had sent a copy of the Report in its possession which was received by the Presidential Secretariat on

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14.02.2018. The said copy of the Report was produced before the RTI Commission by Mrs. Jayawickrema. The Report has been certified as a true copy on 26.03.2003 by the then Senior Assistant Secretary to the President, W.J.S. Karunaratne.

Mrs. Jayawickrema noted of record the then President Mrs. Chandrika Bandaranaike Kumaratunga had sent the Report to the Government Printer for publication as a Sessional Paper at the time even though the Report had not been published.

The Appellant expressed his gratitude to the RTI Commission for its assistance in bringing the Report to public knowledge.

Order

A copy of the Report requested by the Appellant has now been obtained by the PA and provided to the Commission. The Appellant will be provided with a copy of the Report to be collected from the RTI Commission Office on 02.03.2018.

The Appeal is hereby concluded. We record our appreciation of the assistance provided by the Public Authorities in this matter.
