

A.L. Mohammad Aslam v The University Grants Commission

RTIC Appeal (In-Person Hearing)/[841]/[2019]- Order adopted as part of the formal meeting of the Commission on [19.03.2019].

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

Appellant: A.L. Mohammad Aslam

Notice issued to: Designated Officer, The University Grants Commission

Appearance/ Represented by:

Appellant - Absent

PA - S. Wickramaarachchi

| | |
|------------------------------------|-------------|
| RTI Request filed on | 25.09.2018 |
| IO responded on | No response |
| First Appeal to DO filed on | 12.10.2018 |
| DO responded on | No response |
| Appeal to RTIC filed on | 09.11.2018 |

Brief Factual Background:

The Appellant had by request dated 25.09.2018 requested the following;

1. How many types of lecturers are there in a state university?
2. Is there any circular regarding the categorization of them? If yes, please provide the copies of the circulars.
3. How do they have been recruited? By exam or interview?
4. Is there any circular regarding the question No.3? If yes, please provide the copies of the circular.

5. To whom the commission circular No. 935 was published? Lecture probationary or senior lecturer.
6. Do you know that most of the universities in Sri Lanka have been asked to make a presentation from senior lecturer applicants when conducting interview if the commission circular No. 935 was published to lecturer probationary?
7. If so, can it be considered a violation of circular or malfunction of circular No. 935?
8. Is there any circular requesting a presentation from senior lecture applicants when conducting the interview? If yes, please provide the copy of the circular for asking.
9. What is the meaning of professional experiences mentioning in the commission circular No. 721?
10. Is there any special circular regarding the professional services. If yes, please provide the copy of circular?
11. If not, it. Sri Lanka, there are number of professional services and they have eligibility to get the same privileges as lecturers at university level i.e. vehicle permit, research allowances and executive allowances. In those services, Sri Lanka Planning Services and Accountant service are being professional services. So, Can the Sri Lanka Planning Service and Accountant service be considered as professional service in terms of the commission circular No.721 sub section 4(3) when applying to become a lecturer at university level?
12. In university act No. 16 of 1978 part (XXI) section (147), it clearly states that who the teacher at university level are as:

"Teacher" means a senior Professor Associate Professor Senior Lecturer Grade I Senior Lecturer Grade II Lecturer and Lecturer Probationer and the holder of any Post/ declared by Ordinance to be a post, the holder of which, is a teacher" So, can an instructor and demonstrator at university level be considered as a teacher? If yes, please provide the copy of circular.
13. When a government officer sends an application on the advertisement of any state university in Sri Lanka to become a lecturer, they are requested to send their application through head of the department. The question is why they are requested to send the application through the head of the department? Is there any circular regarding this matter? Please provide it.
14. University Grants commission its 166th circular obviously states regarding the procedure of appointment. In this circular, para 7(2) subsection (e) states as: "One member with a knowledge of the subject of study concerned appointed by the Senate or the academic Syndicate, as the case maybe, from among its members"

I. In this statement who is the subject knowledge person?

II. Is there any circular regarding is the subject knowledge person? If yes, please provide the copy of circular?

III. On the other hand, could a person be appointed as a subject knowledge person to particular subject when a person is a lecture to another subject?

As the Information Officer (IO) failed to respond within the time period stipulated under the Act the Appellant on 12.10.2018 lodged an appeal with the Designated Officer (DO). As the DO too failed to respond within the time period stipulated under the Act the Appellant preferred an appeal to the Commission on 09.11.2018.

Order:

It is noted that the Public Authority by letter dated 06.03.2019 has informed the Commission that the relevant information has been provided to the Appellant and upon perusal of the same, it is evident that the information has in fact been provided to the Appellant.

Due to the absence of the Appellant and the facts transpiring during the hearing, the Appellant has not notified the Commission whether he is in receipt of the information. Therefore, if the Appellant is not satisfied with information provided by the Public Authority he is required to inform the Commission of the same within two weeks of the receipt of the Order.

Order is conveyed to both parties in terms of Rule 27 (3) of the Commission's Rules on Fees and Appeal Procedures (Gazette No. 2004/66, 03.02.2017).

The Appeal is concluded.
