

T.Gohilaraja v Department of Examination

RTIC Appeal (In – person) 120/2018 (*Order adopted as part of a formal meeting of the Commission on 12.06.2018*)

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: Ms Kishali Pinto-Jayawardena

Mr. S.G. Punchihewa

Dr. Selvy Thiruchandran

Justice Rohini Walgama

Present: Director-General Mr. Piyathissa Ranasinghe

Appellant: Mr. T. Gohilarajah

Notice issued to: Designated Officer, Department of Examination

Appearance/ Represented by:

Appellant - T. Gohilarajah

PA - H.J.M.C.A. Jayasundara, Commissioner of Education Department

RTI Request filed on:	11.10.2017
IO responded on:	No response
First Appeal to DO filed on:	30.11.2017
DO responded on:	No response
Appeal to RTIC filed on:	21.12.2017

Brief Factual Background:

The Appellant had by request dated 11.10.2017 requested a copy of the Grade 5 Scholarship Examination (2017) answer script of G.Akimsa (the Index number 4408888).

As the IO failed to respond within the timeframe stipulated under the Act, an appeal was lodged with the DO on 30.11.2017. As the DO too failed to respond within 21 days, the Appellant preferred an appeal to the Commission on 21.12.2017.

Matters Arising During the Hearing

The Appellant submitted that he requested the answer script of his daughter as he believed that his daughter should have scored higher based on the fact that she scored relevantly high marks in the Provincial Mock Examination held prior to Grade 5 Scholarship Examination.

The PA produced a letter dated 24.04.2018 addressed to the Commission which stated that,

- The Appellant's request for information has already been rejected through the letter no. ඩී . ෧෫ /01/෧නාදැනුම/RTI (10) dated 05.03.2018,
- The PA contacted the Appellant over telephone on 23.04.2018 to confirm the receipt of the letter no. ඩී . ෧෫ /01/෧නාදැනුම/RTI (10) and
- The Appellant confirmed the receipt of the above letter and that the content therein was clear to him and he had no objection towards it.

The Commission had not received the aforesaid letter at the time of the hearing.

When queried as to whether an application for re-correction of the paper was submitted the Appellant was unable to provide a response and the PA was unaware as to whether such an application had been lodged.

Order

The PA is directed to ascertain whether the Appellant has lodged an application for re-correction of his daughter's answer script.

The Appeal is adjourned.

Next Date of Hearing: 31.07.2018
