

B.G. Piyaseeli v Municipal Council Dehiwala

RTIC Appeal (In – person) 79/2018 (*Order adopted as part of a formal meeting of the Commission on 22.05.2018*)

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. B.G. Piyaseeli

Notice issued to: Designated Officer, Mount Lavinia Municipal Council

Appearance/ Represented by:

Appellant - Absent

PA - Technical Officer

RTI Request filed on:	02.10.2017
IO responded on:	No response
First Appeal to DO filed on:	06.11.2017
DO responded on:	No response
Appeal to RTIC filed on:	27.11.2017

Brief Factual Background:

The Appellant had by request dated 02.10.2017 requested information regarding whether any permits have been issued by the PA allowing Mr. L. Gunarathna Silva to construct a wall obstructing the water ways in order for him to carryout activities related to his business and if such permit/s have been granted, the basis/reasons for the grant of the said permit/s. It is stated in the appeal to the Commission that neither the PA nor any other person is able to clean these drains/water ways due to the manner in which they have been constructed. The Appellant requested information with regard to the steps taken by the PA to demolish the wall. As the IO failed to respond within the timeframe stipulated under the Act, an appeal

was lodged with the DO on 06.11.2017. The DO too failed to respond within 21 days. The Appellant preferred an appeal to the Commission on 27.11.2017

Matters Arising During the Hearing

The Appellant was absent.

At the time of the hearing, the PA responding to the notices of the Commission, had by letter dated 21.05.2018 informed that legal action will be taken in relation to the delay in demolishing the wall as Mr. L. Gunarathna was instructed to demolish the wall before 18.05.2018.

Order

Upon perusal of the letter dated 21.05.2018 by the PA the matter re-fixed for hearing on 05.07.2018 at 11.00am to ascertain whether steps have been taken in terms of the PA's letter dated 18.05.2018.

The Appeal is adjourned.
