

A.L.M. Mukthar v South Eastern University of Sri Lanka

RTIC Appeal Documentary)/ [1775]/[2019]- Order adopted as part of the formal meeting of the Commission on [09/06/2020]

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)

Chairman: Mr. Mahinda Gammampila
Commission Member: Mr. S. G. Punchchihewa
Commission Member: Dr. Selvy Thiruchandran
Commission Member: Justice Rohini Walgama
Commission Member: Ms.Kishali Pinto-Jayawardena

Appellant: A.LM Mukthar

Notice issued to: Designated Officer, South Eastern University of Sri Lanka

RTI Request filed on	02/05//2019
IO responded on	07/05/2019 (Acknowledgement) 21/05/2019(Time Extension) 04/06/2019 (Response)
First Appeal to DO filed on	10/06/2019
DO responded on	03/07/2019
Appeal to RTI filed on	22/07/2019

Brief Factual Background:

RTI 01 A

Following Information was requested from South Eastern University Sri Lanka Oluvil

- 1. Whether any individuals are restricted to apply for academic or non-academic positions of the university?*
- 2. If so the names and the reasons for such restrictions.*

RTI 01 B

- 1. Names of the Vice Chancellors of the South Eastern University appointed from its commencement till current date.*
- 2. Names of the Registrars of the South Eastern University appointed from its commencement till current date.*

3. *Appointment Date of current Vice Chancellor?*
4. *Expenses incurred by the University for the Foreign Tours made by current Vice Chancellor on date basis.*
5. *Expenses incurred by university for Vice Chancellors duties in the country including fuel charges and travelling cost.*
6. *Days on duty of current Vice Chancellor of South eastern university on year basis from his appointment date till now.*

The I/O responded as follow on 04/06/2019

RTI 01 A

Request is a question and Public Authority is not obliged to provide answers under the RTI Act.

RTI 02 B

Question 01

S. NO	Name of the Vice Chancellor	Service Period
1.	Prof. MLA. Carder	1995.10.12 to 2003.05.11
2.	DR. AG Hussain Isamil	2003.05.12 to 2009.06.21
3.	Dr.SMM. Ismail	2009.06.22 to 2015.06.21
4.	Prof.MMM.Najim	2015.06.22 to 2018.06.18
5.	Prof.Uma Coomaraswamay	2018.06.19 to 2018.08.09
6.	Prof.MMM.Najim	2018.08.10 up to date

Question 02

S.NO	Name of the Registrar	Service Period
1.	Mr. A.L Joufar Sadique	1995.10.03 to 1998.03.01
2.	Mr. A.L Joufar Sadique	1998.03.02 to 2002.12.31
3.	Mr. A. Thayub	2003.01.01 to 2005.08.25
4.	Mr. M.F Hibathul Careem	2005.09.01 to 2009.01.31
5.	Mr ACAM. Mansoor	2009.02.01 to 2010.11.30
6.	Mr.H. Abdul Saththar	2010.12.01 up to date

Question 03- 10/08/2018

Question 4, 5 & 6 Information has been denied under Part II, Section 5(I) a of the Act

Dissatisfied with the response the Appellant appealed to the Designated Officer (D/O) on 10/06/2019 who affirmed the response sent by the I/O by the letter dated 03/07/2019. The Appellant thereafter preferred an appeal to the Commission on 22/07/2019.

Matters Arising During the Course of the Hearing:

In the view of prevailing situation in the country due to the threat posed by COVID 19, and as such in order to minimize interaction between the persons, the appeals scheduled for in person hearings will be considered as documentary proceedings in the first instance. As such this appeal was considered by the Commission based on the documents present on file to the date and the parties are notified of the directions below. This is subject to change at a later point.

The Commission observed that by the written submission dated 28.02.2020 PA has provided the information requested by the Appellant by Item No 4, 5, & 6, of request A02, The Commission noticed that the information requested by the Item No 4 is already provided by the PA in response to the Appeal made by the Appellant against the same PA (RTIC Appeal 1764/2019).

The Appellant had informed the Commission that he is satisfied with the information provided by the PA.

Order:

As the PA has provided the information and the Appellant has expressed his satisfaction with the same the Appeal is concluded.

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).
