

J.A.S.P. JAYAKODY .VS. OFFICE OF THE REGIONAL DIRECTOR
OF HEALTH SERVICES RATNAPURA

RTIC Appeal (In Person Hearing) 1231/2019- 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)- heard as part of a formal meeting of the Commission on 23.09.2019.

Chairperson: Mr. Mahinda Gammampila

Commission Members: Mr. S.G. Punchihewa

Dr. Selvy Thiruchrandran

Justice Rohini Walgama

Appellant: J.A.S.P. Jayakody

Notice issued to: Regional Director of Health Services, Ratnapura

Appearance/ Represented by:

Appellant: J.A.S.P. Jayakody

Public Authority: K.A. Sujatha- Administrative Officer

RTI Request filed on:	07.08.2018
IO Responded on:	09.08.2018
First appeal to DO filed on:	17.09.2018
DO Responded on:	no response
Appeal to the RTIC filed on:	17.10.2018

Briefly stated facts in appeal:

The Appellant by his request made on the above date to the Information Officer of the Public Authority has requested the following information inter alia;

1. Certified copies of the documents relating to the charging off the loss of an accident of the lorry No. 42-9299 from the appellant's salary based on the investigation No. M.R. 104.
2. Copies of all relevant documents sent to the provincial health secretary regarding the above matter.
3. Certified copies of the letter sent by the provincial health secretary relating to the matter.
4. A certified copy of the letter sent to the development and machinery authority to acquire recommendations regarding the restoring of the stated lorry in the year 2016
5. A copy of the letter sent by the above stated authority.
6. Copy of the letter sent to call tender prices(from development and machinery authority)
7. Copies of the letters holding received tender prices.
8. The date on which the lorry was sent for restoring and the date of the lorry was returned.
9. The copy of the bill paid to the respective garage after the restorations

It is apparent from the facts revealed from the appeal to the Commission that the IO and DO has not responded to the information requested by the Appellant within the stipulated time as stated in the Act. As such the appellant preferred an appeal to the Commission on the date as stated above.

Consequently the Commission noticed both parties to appear before the Commission on 23.09.2019 for the hearing of the appeal.

Matters arising during the hearing of the appeal:

At the Right to Information Commission of Sri Lanka

On the above date of the hearing both parties were present. At the hearing the ground norm of the Public Authority was that a charge sheet has not been served on the Appellant prior to his instant request to the IO. But as the preliminary investigations are concluded the Ministry has prepared the charge sheet and now the same could be served on the appellant.

Order:

As the Public Authority agreed to provide the requested information, the Commission moved to conclude the Appeal

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).