

The Right to Information Commission

K. Prasanna Kumar,
Thinakkural,
185, Grandpass Road,
Colombo 14

-Appellant-

RTIC App/No: 404/2022

Vs.

Department of Immigration &
Emigration,
“Suhurupaya”,
Sri Subhuthipura Road,
Battaramulla

-Public Authority-

Before : 1. Justice Upaly Abeyrathne (Rtd.) - Chairman
2. Justice Rohini Walgama (Rtd.) - Commissioner
3. Ms. Kishali Pinto-Jayawardena (Attorney-at-Law) - Commissioner
4. Mr. Jagath Liyana Arachchi (Attorney-at-Law) - Commissioner

Appearance : The Appellant participated via T.P No. 071 7471989
The Public Authority represented by Mr. H.A.M Piyasumana,
Deputy Controller-Legal, (Information Officer).

Written Submission : Appellant - Not submitted
Public Authority - Not submitted

Date of Hearing : 17.08.2022

Decided on : 17.08.2022

Decision:

Factual Background:

The Appellant by request dated 03.08.2021 requested the following information;

1. *Number of Sri Lankans applied for foreign visa?*

2. *Number of given foreign Visa? (On the basis of reason for Visa application)*
3. *Amount of income earned from Visa charges.*
4. *Number of Sri Lankan who resided permanently in foreign countries?*
5. *Number of person who has dual citizenship? (Basis of countries)*
6. *Number of person who resides illegally or was detained after the expiry of the visa period?*
7. *Number of Sri Lankan who resides illegally or was detained after the expiry of the visa period in foreign countries?*

Information requested period: 2014-2020

As the Information Officer failed to respond within the time period stipulated in the Act, the Appellant lodged an Appeal with the Designated Officer dated 15.10.2021. The Designated Officer too failed to respond within the time period stipulated in the Act, the Appellant preferred an Appeal to the Commission dated 30.12.2021.

Consideration:

The Public Authority submitted that they did not receive present information request dated 03.08.2021 and the appeal dated 15.10.2021.

The Appellant submitted that the said information request and the said appeal both were dispatched to the Public Authority under registered cover. But, the Appellant has not produced the said registered post article to prove that said information request and the appeal has been dispatched under registered cover.

In the circumstances, we have no option but to accept the submission of the Public Authority since the Appellant has not made any effort in order to prove the dispatch of the said information request and the appeal to the said Public Authority.

Therefore, we decide to dismiss the present appeal before the Commission.

The Director-General is directed to convey the decision to the Appellant, the Information Officer and the Public Authority.

Appeal dismissed.