

The Right to Information Commission

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

RTIC App/No :-964/2021

-Appellant-

Vs.

Department of Prison,
Prison Head Quarters,
No-150, Baseline Rd
Colombo-09

-Public Authority-

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

Appearance : The Appellant participated via T.P No. 077 5634925
The Public Authority represented by Mr. Prasad Hemantha,
Superintendent of Prison, (Information Officer) – via Zoom
Technology.

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

Date of Hearing : 25.07.2022 & 27.07.2022

Decided On : 27.07.2022

Decision of the Commission:

Factual Background:

The Appellant by the request dated 24.09.2020, requested the below information,

1. *Detainees who has been detained in prison currently.*
2. *Number of mobile phones, sim and batteries recovered from the detainees detained in the prison.*
3. *Persons who arrested for bringing the things illegally into the prison.*
4. *Amount of drugs recovered in the prison.*
5. *Persons who arrested for using drugs, selling and smuggling.*
6. *Persons who suicide and dead from the detainees in the prison who were arrested for the drugs offence.*
7. *Dead persons who were detained in the prison.*

Information requested period - 2015-2020

As the Information Officer failed to respond within the time period stipulated in the Act, the Appellant appealed to the Designated Officer dated 16.12.2020. As the Designated officer too failed to respond within the time period stipulated in the Act, the Appellant preferred an appeal to the Commission dated 06.04.2021.

Consideration:

At the inquiry, the Public Authority submitted that they did not receive the said information request. They further informed that they came to aware of this when they received notice sent by this Commission and also the Whatsapp messages sent by the Appellant.

On the said premise the Public Authority submitted that they are prepared to consider the said Whatsapp messages sent by the Appellant as a fresh information request and to take follow up actions. The Appellant has no objections to this procedure. Accordingly, he makes an application to withdraw the present appeal before the Commission and to proceed with the new information request.

Accordingly, we allow the said application and decided to conclude this appeal.

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

Appeal concluded.