

Dr S Dharshanan v. University of Jaffna

RTIC Appeal(In-Person) /127/2018 - 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) – heard as part of a formal meeting of the Commission on 12.06.2018

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: Dr S Dharshanan
Notice Issued to: Designated Officer, University of Jaffna

Appearance/ Represented by:

Appellant - Dr S Dharshanan
Public Authority - Mr N Rajavisahar, Deputy Registrar, University of Jaffna

RTI Request filed on	29.11.2017
IO responded on	18.12.2017
First Appeal to DO filed on	18.12.2017
DO responded on	No response
Appeal to RTIC filed on	08.01.2018

Brief Background Facts

The Appellant had requested the following items of information, by an information request dated 29.11.2017

1. The Council minutes with memos and supporting documents covering the period from 1st August 2015 to the latest excluding Examination matters.
2. The Senate minutes with memos and supporting documents covering from 1st August 2015 to 31st December 2015, excluding examination matters.

The Appellant received a response from the IO on 18.12.2017 rejecting the information request under Section 5(1)(a) of the Act. The IO further stated that the requested council minutes and senate minutes may consist of personal information of PA's employees. Dissatisfied with the IO's response, the Appellant appealed to the DO on 18.12.2017. As the DO did not respond to the appeal, the Appellant preferred an appeal to the Commission on 08.01.2018

Matters Arising During the Hearing

Upon examining the information request, the Commission stated that the information request was not sufficiently specific as it covered a large period of time. The Appellant submitted that he was dismissed from service by a backdated I order and that he wishes to obtain council minutes, as requested in item 1 which contain information in relation to the charges filed against him. The Appellant further submitted that the IO may not be in a position to locate this information pertaining to his request and it would be easier for the PA to provide the council minutes and memos.

In responding, the PA submitted that the information requested was voluminous and it is impractical to provide the Appellant with certified copies of all the information requested. The PA further submitted that the information request was not specific and that some of the information comes within the exemption in Section 5 (1) (a) of the Right to Information Act No.12 of 2016.

Order

The PA is directed to submit the information requested by items 1 and 2 in relation to the Appellants dismissal for the perusal of the Commission in order to ascertain whether the information is in fact exempted under Section 5(1)(a) of the Act.

The Appeal is adjourned.

Next date of hearing: 31.07.2018
