

F Sabra Zahid v. Registrar General's Department

RTIC Appeal(In-Person) /238/2018- 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 19.06.2018

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: Ms. F. Sabra Zahid
Notice Issued to: Designated Officer, Registrar General's Department

Appearance/ Represented by:

Appellant - Ms. F. Sabra Zahid
Ms. Ermiza Tegal
Public Authority - Absent

RTI Request filed on	27.11.2017
IO responded on	No response
First Appeal to DO filed on	14.12.2017
DO responded on	No response
Appeal to RTIC filed on	02.03.2018

Brief Background Facts

The Appellant had requested the following items of information, by an information request dated 27.11.2017:

1. Number of Muslim marriages registered in Sri Lanka in 2014, 2015, 2016 and 2017 (for January – September 2017). If available this information to be provided for in a table indicating how many marriages were registered in each district and the ages of the parties entering into the marriage.
2. Number of Muslim divorces registered in Sri Lanka in 2014, 2015, 2016 and 2017 (for January – May 2017). This information to be provided for in a table with a breakdown of information as follows:
 - a. District
 - b. Date of Marriage
 - c. Date of Divorce

- d. Number of Children at time of divorce
- e. Type of divorce (Talak, Khula, Fasah etc.)

If impossible to obtain information in the forms requested provide in the next suitable alternative.

- 3. Number of marriages entered into under the Kandyan Marriage and Divorce Act between 2010-2017 (breakdown year wise).
- 4. Details for of any underage marriages (where either or both parties are below 18 years of age) under the Kandyan Law as per Section 4 (2) and 4 (3) of the Act (2008- 2017)

The Appellant required all the information to be certified by the PA to be true and correct according to available records.

As the Appellant received failed to receive a response from the IO an appeal was lodged with the DO on 14.12.2017. As the DO too failed to respond, the Appellant preferred an appeal to the Commission on 02.03.2018.

Matters Arising During the Hearing:

As the PA was absent for the hearing the matter was re-fixed for 07.08.2018.

The Appeal is adjourned.

Next date of hearing: 07.08.2018

RTIC Appeal(In-Person) /238/2018- *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 07.08.2018

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

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Appearance/ Represented by:

Appellant - Ms. F. Sabra Zahid
Ms. Ermiza Tegal
Public Authority - P W Y Ranmali, Project Management Associate, Registrar
General's Depar

Matters Arising During the Hearing:

The PA submitted that it received the information request on 24.11.2017 subsequent to which it was referred to the Statistics Branch to ascertain the information. The PA further submitted that the requested information could be presented to the Appellant before the Commission at the hearing except for the information requested under item 4 as underage marriages had not been registered with the PA. Information pertaining to item 3 of the request was provided.

The Appellant, having perused the provided information, submitted that information pertaining to age categories (i.e. underage marriages) of item 1 had not been provided. In response, the PA submitted that it would ascertain from the Central Record Room if the information could be provided and report to the Commission.

In respect of item 2 of the request, the Appellant submitted that only a breakdown of the statistics according to the district had been provided. The PA further submitted that the requested details as recorded in "form 5" of the MMDA (date of marriage, date of divorce and type of divorce etc.) is available and could be provided.

In addition, the PA submitted that it would ascertain from the central record room if Information with regard to item 4 could be provided.

Order:

The PA is directed to provide the information as agreed, to the Appellant with a covering letter listing the information provided, copied to the Commission on or before 07.10.2018

The Appeal is adjourned.

Next date of hearing: 02.10.2018
