

**M B M C Gunasekara v. Sri Lanka Police**

RTIC Appeal(In-Person) /267/2018 - 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 17.07.2018

**Chairperson:** Mahinda Gammampila  
**Commission Members:** Kishali Pinto-Jayawardena  
S.G. Punchihewa  
Dr Selvy Thiruchandran  
Justice Rohini Walgama  
**Present:** Director-General Piyathissa Ranasinghe

**Appellant:** Mr M B M C Gunasekara  
**Notice Issued to:** Designated Officer, Sri Lanka Police

**Appearance/ Represented by:**  
Appellant - Absent  
Public Authority - Absent

<b>RTI Request filed on</b>	28.12.2017
<b>IO responded on</b>	16.01.2018
<b>First Appeal to DO filed on</b>	28.01.2018
<b>DO responded on</b>	No Response
<b>Appeal to RTIC filed on</b>	03.03.2018

**Brief Background Facts**

The Appellant had requested the following items of information, by an information request dated 28.12.2017

1. Has the police have revealed any offence relating to the complaint made by retired principal Mr Upali Gunawardena by letter dated 10.12.2017 with regard to public property? Failing which, a legal explanation for the failure to reveal any offence.
2. According to investigations, if the police had found any fraud relating to the Arunalu Fund Management Company which was previously supported by officers of the Department of Co-operative Development and subsequently registered as PV11084 under the Companies Act to escape the purview of law
3. If the police had revealed, a possibility of money lending for the purpose of interest to non-members under the above mentioned
4. Information relating to the 6<sup>th</sup> Paragraph of letter dated 01.12.2017 which was sent by the appellant
  - I. Names and addresses of the 2 complainants making the complaint, including the date, time, paragraph numbers of the complaints
  - II. Nature of the complaint, the offence and the relevant legal provisions with regard to the offence
  - III. Current status of the complaint
  - IV. If the complaint was withdrawn or settled, relevant legal provisions with regard to the such action

The IO responded by letter dated 16.01.2018 denying the request under section 5 of the Act. Dissatisfied with the response, the Appellant appealed to the DO on 28.01.2018. The DO failed to respond to the Appeal. Dissatisfied with the response of the PA, the Appellant preferred an appeal to the Commission on 03.03.2018.

#### **Matters Arising During the Hearing**

Both parties were absent.

As the Appellant had submitted 2 appeals against the same PA, the matter is to be fixed for hearing on 27.08.2018 along with appeals 256/2018 and 257/2018.

The Appeal is adjourned.

Next date of hearing: 27.08.2018

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